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| Meeting of: | Council |
| Date of Meeting: | Monday, 04 December 2023 |
| Relevant Scrutiny Committee: | Corporate Performance and Resources |
| Report Title: | Amendments to the Council's Constitution |
| Purpose of Report: | To seek Council approval to amend the Council's Constitution in respect of Sections 4, 14, 20, 26 and 27. |
| Report Owner: | D. Marles, Monitoring Officer / Head of Legal and Democratic Services |
| Responsible Officer: | D. Marles, Monitoring Officer / Head of Legal and Democratic Services |
| Elected Member and Officer Consultation: | This report does not require consultation to be undertaken. |
| Policy Framework: | This is a matter for decision by Full Council |
| <p>Executive Summary:</p> <p>To obtain Council's approval to:</p> <ul style="list-style-type: none"> • Include the amended Multi-Location Meetings (MLM) Policy as recommended by the Democratic Services Committee and approved by Cabinet on 7th September, 2023 in the Council's Constitution as referred to in paragraph 2.1 of the report and as set out in Appendix A to the report. • Include the revised Scrutiny Committee Public Participation Guide in the Council's Constitution, which has been updated in line with the MLM Policy as agreed by Cabinet on 7th September, 2023. • Update and amend the various references to legislation under Functions for Full Council as referred to in paragraph 2.2 of the report. • Amend the existing Scheme of Officer Delegations as set out in Paragraph 2.4 of this report to include a delegation to the Operational Manager (Democratic Services) in relation to the setting of Registrars fees which had received previous approval from the Cabinet. • Amend the number of days allowances allowed for Co-opted Members from 10 to 15 as set out in paragraph 2.5 of the report. | |

Recommendations

1. THAT the Council approves the inclusion of the revised Multi-Location Meetings Policy (Section 4.17.3) of the Council's Constitution as set out in Appendix A to this report and that the Council's Constitution be amended accordingly.
2. THAT the changes in legislation pertaining to Functions of Full Council (Section 14.10) as set out in paragraph 2.2 of this report be noted and the Council's Constitution be amended accordingly.
3. THAT the Council approves the proposed amendments to Section 20 (Guides to Public Speaking at Committees) of the Council's Constitution as set out in Appendix B to this report and that the Council's Constitution be amended accordingly.
4. THAT the changes to the relevant officer delegation as set out in paragraph 2.4 of this report be approved and that Section 26 of the Constitution be amended accordingly.
5. THAT the proposed change to Co-opted Members' Allowances in Section 27.3 of the Council's Constitution as set out in paragraph 2.5 of this report be approved and the Council's Constitution amended accordingly.

Reasons for Recommendations

1. To include updated the Multi-Location Meetings Policy within the current Constitution.
2. To amend the Council's Constitution in the interests of good governance, consistency and public participation.
3. To update the Guides to Public Speaking at Committees within the current Constitution.
4. To update the Officer Delegation Scheme within the current Constitution.
5. To allow for the increase in workload for the Governance and Audit Committee and Standards Committee in 2023/24.

1. Background

- 1.1 The Constitution remains under review on an ongoing basis. Under Section 2.4 of the Constitution the Monitoring Officer has a duty to monitor and review the operation of the Constitution to ensure that the aims and principles contained therein are given full effect. As part of this, a key role is to make recommendations to Council for ways the Constitution could be amended so that current democratic processes operate effectively and efficiently being mindful of arrangements in other comparable Local Authorities.
- 1.2 Having a Constitution which is reviewed and updated regularly serves a valuable and relevant purpose by striking a fair balance between the interests of the various groups within the Council—e.g. between the largest political group and opposition group, between all Councillors and between Councillors and officers.

1.3 Most importantly the Constitution needs to enable the Council to operate effectively. It must deliver:

- good governance behaviours
- effective officer/Member relationships
- clear and effective decision-making
- strong accountability
- clarity and consistency.

2. Key Issues for Consideration

Amendments to Section 4.17.3 – Multi-Location Meetings Policy

2.1 Cabinet, on 7th September, 2023, agreed the resolutions of the Democratic Services Committee of 17th July, 2023, with regard to the Multi-Location Meetings (MLM) Policy, subject to there being a trial period of 6 months regarding the preferred option of the live broadcast of hybrid meetings. The amended MLM Policy is attached at Appendix A to this report for Council’s consideration / information.

Amendments to Section 14.10 – Responsibility for Functions - Schedule 1: Functions not to be the Responsibility of an Authority’s Cabinet / Executive

2.2 Changes to legislation referred to in footers within Schedule 1

| Current Page No | Function | Provision of Act or Statutory Instrument |
|-----------------|---|---|
| | D – Functions Relating to Elections | |
| 117 | 8. Duty to divide constituency into polling districts | Footer 30 amended to read: Repealed by the Elections Administration Act 2006 |
| 118 | 16. Power to determine fees and conditions for supply of copies of, or extracts from, elections documents | New Footer 31 added: Repealed by the Local Elections (Principal Areas) (England and Wales) Rules 2006 |
| | I – Miscellaneous Functions | |
| 120 | 1. Duty to approve authority’s statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be). | Footer renumbered 32 and amended to read: Repealed by the Audit Wales Regulations 2014 |
| 120 | 7. Power to consider reports from the Public Services Ombudsman for Wales | New Footer 33 added: Repealed by the Public Services Ombudsman for Wales Act 2019 |

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| 121 | 16. Power to make or revoke an order designating a locality as an Alcohol Disorder Zone. | Footer renumbered 34 – no change to wording |
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Amendment to Section 20 – Guides to Public Speaking at Committees

- 2.3** The resolutions of Cabinet on 7th September, 2023 regarding the MLM Policy have resulted in the Council’s Public Participation Guides for Scrutiny Committees being amended in line with the revised MLM Policy. The amended Guide is attached at Appendix B to this report for approval for inclusion within the Council’s Constitution.

Amendment to Section 26 – Officer Delegations

- 2.4** Officer Delegations – Chief Executive and Operational Manager (Democratic Services)

| Current Page No | Paragraph No | Amendment |
|-----------------|-----------------------------------|---|
| 341 | New 2 and renumber current 2 as 3 | Authority to set Registrars fees to the Operational Manager (Democratic Services) as the Proper Officer for the Council’s Registration Service, in consultation with the Director of Corporate Resources, Head of Finance / Section 151 Officer and the Cabinet Member for Performance and Resources |

Amendment to Section 27 – Members’ Allowances Scheme

- 2.5** Having regard to the increase in workload for the Governance and Audit Committee and Standards Committee in 2023/24 and as a result of the provisions of the Local Government and Elections (Wales) Act 2021, the allowance within the Council’s Constitution for payments to Co-opted Members on Committees to the Council is proposed to be amended as below:

Co-opted Members’ Allowances

| Current Page No | Paragraph No | Amendment |
|-----------------|--------------|---|
| 381 | 27.3 | * Payments are capped to fifteen full days per year for each committee to which an individual may be co-opted. |

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The proposals contained in the report ensure that the Council can continue to meet its statutory obligations, operational service delivery, strategic aims and wellbeing objectives.

4. Climate Change and Nature Implications

- 4.1** None as a direct result of this report.

5. Resources and Legal Considerations

Financial

- 5.1** None as a direct result of this report.

Employment

- 5.2** None as a direct result of this report.

Legal (Including Equalities)

- 5.3** The Council is required to comply with the relevant legislation requirements

6. Background Papers

None.

4.17 Multi-Location Meetings **Remote Attendance**

The Multi-Location Meetings Policy has been prepared having regard to the Local Government and Elections (Wales) Act 2021 and Statutory and Non-Statutory Guidance on multi-location meetings issued by Welsh Government in June and July 2023 and amended in August 2023

4.17.3 Multi-Location Meetings Policy

(a) Introduction

Under the Coronavirus Act 2020, Welsh Ministers issued Regulations (The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020, ‘the 2020 Meeting Regulations’) which temporarily relaxed the rules for Local Authority meetings during the COVID-19 pandemic. The 2020 Meeting Regulations were intended to enable Councils to safely continue to discharge their functions during the pandemic, whilst adhering to public health restrictions and guidance.

The provisions of the 2020 Meeting Regulations ended on 30th April 2021 and were replaced by new provisions for Local Authority meetings made under the Local Government and Elections (Wales) Act 2021 (“the Act”), some of which were to take effect from 1st May 2021 and others from 5th May 2022.

In August 2021, Welsh Government published Interim Statutory Guidance on Multi-Location Meetings:
<https://gov.wales/sites/default/files/publications/2021-08/interim-statutory-guidance-on-multi-location-meetings.pdf>

Welsh Government have since published final guidance (June and July and amended in August 2023), namely the Statutory and Non-Statutory Guidance on Democracy within Principal Councils which can be found at [Statutory and non-statutory guidance on democracy within principal councils | GOV.WALES](#)

4.17.3.1 **What is a Multi-Location Meeting?**

- (a) A Multi-Location Meeting (MLM) is a meeting whose participants are not all in the same physical place. Some of the participants may be physically located in the meeting venue whilst others join from their home or other remote location.
- (b) Under the Act Welsh Government provisions confer on Local Authorities duties to convene MLMs to enable greater accessibility and public participation in the Local Government decision making process.

- (c) Section 47 of the Act required Local Authorities to make and publish arrangements that ensure that Local Authority meetings are able to be held by means of any equipment or other facility which enables meeting participants who are not in the same place to attend the meetings and be able to speak to and hear each other. (This provision came into force on 1st May 2021 and the Council's Policy for this provision was approved under an Emergency Power in April 2021 and inserted into the Council's Constitution.)
- (d) However, from 5th May 2022 meeting participants must not only be able to speak to and hear each other but for meetings which are required to be broadcast under Section 46 of the Act participants actively taking part in the meeting must also be able to see and be seen by each other.
- (e) When considering arrangements for MLMs or Remote attendance the Authority will also have regard to Welsh Government guidance and / or regulations issued by Welsh Ministers.
- (f) Section 2 of Welsh Government's Interim Statutory Guidance sets out a number of principles to guide Authorities when developing their meeting arrangements which are transparency, accessibility, good conduct, Welsh Language, local needs and future generations. The Guidance also confirms that the meeting arrangements should be reflected in the procedure rules set out in the Council's Constitution.

4.17.3.2 **Broadcasting of Meetings**

Section 46 of the Act requires that the Authority shall ensure that meetings of a Principal Council (paragraph 21.2 refers) are broadcast live and are available to view electronically save for when the meeting is not open to the public (Part II – confidential or exempt information). The livestreaming of the meeting shall be published on the Council's website and archived thereafter for future viewing. The Statutory and Non-Statutory Guidance at page 160 states Principal Councils must make arrangements for broadcasting certain meetings live, and ensuring that broadcasts are available electronically afterwards.

4.17.3.3 **Notice of a Meeting**

- (a) The Authority will ensure that the relevant information shall be included on the Notice of the Meeting (Agenda) advising

the Committee Members, Officers and the public may attend the meeting.

- (b) The Act requires that Notices of Meetings and electronic information relating to meetings (i.e. including notices of meetings, agendas, reports and background papers) must be published on the Council's website and must remain available in an electronic format and be available for a minimum of six years following the date of the meeting.

4.17.3.4 **Agendas, Reports, Decision Notices, Minutes and Background Papers**

- (a) Agendas, Reports, Decision Notices and Minutes of formal meetings will be published on the Authority's website. A small number of hard copies shall be available to members of the public physically attending a meeting. Agenda papers are available at least five clear days (which includes weekends) prior to a meeting.
- (b) Decision Notices of a meeting (that came into effect under the Act in May 2021) must show decisions made; names of those present; apologies; declarations of interest and outcome of any votes and must be published on the Authority's website within seven working days of the meeting taking place, including the day of the meeting.
- (c) From May 2021 background papers must have also been published on the Authority's website.
- (d) There is no longer a requirement to post Notices of Meetings at the Council's offices (although the Vale Council has continued this practice to assist the public). However, hard copies of agendas and reports must be available for the public if meetings are held physically and the Council is also required to make public access provision for members of the public who cannot access documents, for example by providing access to computers, limited copies of documents at meetings or via a fee or making documents available for inspection.

4.17.3.5 **How are Physical or Multi-Location Meetings (MLMs) Conducted?**

- (a) MLMs are meetings of the Council or its Committees whose participants are not all in the same physical place. Such meetings can either be held:

- Hybrid – with some participants joining through remote means and some attending physically in the same place as others; or
 - Entirely Remote – whereby all participants are taking part via remote means.
- (b) Hybrid Meetings – will be conducted and broadcasted via the Council’s Hybrid meeting solution provider from the Civic Offices (save for confidential matters).
- (c) Remote only meetings – will also be conducted via its Hybrid meeting solution provider and broadcast live via OBS software through YouTube (save for confidential matters).
- (d) Entirely physical meetings – will usually be held in the Council Chamber at the Civic Offices, Holton Road, Barry and broadcast via the Council’s Hybrid meeting solution provider (save for confidential matters).
- (e) Meetings of the Council will be conducted in line with the Council’s Code of Conduct for Members at Section 19 of the Council’s Constitution and the Conduct of Members – The Principles at Appendix 1 to Section 19.

4.17.3.6 **How Can I Participate or Observe a Council Meeting?**

- (a) A participant at a meeting with the Vale of Glamorgan Council is defined within the statutory guidance as a person who takes an active part in the meeting. They may be an Elected Member, a Co-Opted Member (with or without voting rights), an officer of the Authority, a person giving evidence to a Committee as a witness, a person who has registered to speak at a Committee (in accordance with Council procedures), someone presenting a question at a Full Council meeting (under the Council’s procedure) or a representative from an outside organisation on a Committee. [\[View Public Speaking Guides\]](#)
- (b) A member of the public, not participating in a meeting, will be able to observe a meeting by either attending in person where a physical or Hybrid meeting is taking place and/or observing a Remote or Hybrid meeting. An observer at a meeting is defined in the Statutory Guidance as a member of an audience, or otherwise spectating an MLM who may be in the same room that a meeting is taking place or they may be observing by remote means.
- (c) With regard to observing Remote / Hybrid meetings online, members of the public will be able to view a meeting by

accessing the link to the meeting on the Council's website. If a meeting is held on a hybrid basis members of the public would be able to attend the meeting physically. Members of the public who do not have access to the internet to view remote meetings can request to attend a public viewing in a suitable location in the Civic Offices by contacting Democratic Services **not later than one working day before the date of the meeting** e.g. if the meeting is held on a Monday Democratic Services to be notified no later than the preceding Friday.

- (d) Councillors are encouraged to bring their Council devices to physical meetings so that they can view the agenda papers online.
- (c) A member of the public wishing to speak at a Council meeting where public speaking is allowed, is required to complete the online registration process **at least three working days prior to the date of the meeting**.
- (f) For Elected / Co-opted Members of the Council, when appointed, a survey will be undertaken to ascertain individual language preferences at meetings of Committees of which they are Members.
- (g) Where expert witnesses are invited to attend meetings their language preference will be identified by Democratic Services when attendance arrangements are made.

4.17.3.7 **Quorum**

- (a) The quorum of a meeting is one quarter of the voting Members unless specified otherwise within the Council's Constitution. The quorum shall include those attending Remotely, at a Multi-Location or physically; providing they are able to speak and be heard by each other and to see and be seen by others when actively participating in proceedings.
- (b) If the numbers present fall below the quorum required, the meeting ends immediately.
- (c) Apologies for absence by an Elected Member for a meeting can be accepted by Democratic Services up to the publication of the Decision Notice for the meeting i.e. up to seven days from the meeting (the seven days will include the day of the meeting as per the Act).

4.17.3.8 **Withdrawal from a Meeting due to a Prejudicial Interest**

- (a) Should an Elected Member declare a Prejudicial Interest at a Physical, Multi-Location or Remote meeting, the Member must withdraw from the meeting unless they have obtained a dispensation from the Council's Standards Committee. However, where Members of the public are able to speak at a meeting, the Elected Member can also remain to make their representations but must leave after their representations are made. (For further information on declarations of interests at meetings see the Council's Constitution.)
- (b) The Elected Member will be invited back into the meeting once the item relating to the prejudicial item has concluded. The Democratic Services officer supporting the meeting will notify the Elected Member to rejoin the meeting by an agreed means either by email, text message or by sending a separate link for the Member to rejoin the meeting. Should that person not respond to the call to re-join, the meeting will continue without them, providing it is quorate.

4.17.3.9 **Voting at meetings**

- (a) Where there is no dissent at a meeting certain action will be resolved without a vote being recorded.
- (b) Where a vote is required voting will either take place electronically, via a roll call or a mixture of both should technical difficulties arise with voting electronically.
- (c) All voting results will be announced by either the Chair, the Chief Executive, the Monitoring Officer or the Democratic Services Officer before moving to the next item of business.
- (d) Should a Member leave the room and not return, their vote will not be able to be provided by another Member. However, if the voting device or audio, on the laptop, is unavailable the Member may use the message facility in the Remote software to relay their vote to the Chair.
- (e) Should a recorded vote be is requested in accordance with paragraph 4.24.5 of the Council's Constitution, as mentioned in (b) above voting will either take place electronically, via a roll call or a mixture of both should technical difficulties arise with voting electronically.
- (f) In both a Hybrid or Remote meeting the vote will be carried out electronically and the names of those voting for, against or abstaining will be automatically recorded. In the event of

technical difficulties during the meeting if a physical roll call of votes is taken this will be undertaken by the Chief Executive, Monitoring Officer or Democratic Services Officer at Full Council and for any other meeting by the Democratic Services Officer.

- (g) If a Member cannot initially be contacted to provide their vote, the officer will return to the Member and following a second attempt, if no response is received and the meeting remains quorate, the Member will be considered not present for that part of the meeting.
- (h) Remote attendees **should** only use the chat facility in the software system to:
- Alert the Chair if they wish to speak; or
 - If their audio fails to advise of the vote they wish to make.

It is also important to note that any information recorded in the chat facility will be a matter of public record which may be subject to a Freedom of Information request.

N.B. When using the Hybrid meeting solution Members are required to activate the “Request to Speak” button which will add them to the speaking queue managed by the Chair and / or Democratic Services Officer. The above voting procedures are in addition to the procedures outlined in paragraph 4.24 of the Council’s Constitution.

- (i) The chat facility **is not to be used for discussions** as all discussions must be made verbally in the meeting for the sake of individuals observing the meeting and / or the meeting recording if a recording is being made.

4.17.3.10 **How Will Exempt Matters be Dealt With?**

The Chair of the meeting shall inform the public when the meeting is moving into private session (Part II). The recording must cease before any discussion on the item commences. The Democratic Services Officer will confirm with the Chair when the recording has been stopped.

4.17.3.11 **Multi-Location / Remote Attendance – Is a Member “Present”?**

- (a) Multi-Location and Remote meetings provide additional challenges in terms of meeting attendance. There are a variety of circumstances in which this might become an

issue e.g. taking of votes, loss of connection (WiFi or mobile).

- (b) To be considered present, the Member must be able to speak **and be heard and to see and be seen by others if the meeting is broadcasted (this will include roll call and when providing any declarations of interest)**. At a meeting the Monitoring Officer and / or Democratic Services Officer shall provide advice to the Chair in respect of the local determination and will consider issues such as temporary interruptions associated with connection issues. The Chair's decision will be final (pages 178 – 179 of the Statutory guidance refer).
 - (c) **Any failure in technology / connectivity which results in Members' loss of contact during the meeting shall not invalidate any part of the deliberations or any vote taken.** The Chair of the Committee may adjourn the meeting if they consider appropriate whilst any technical issues are resolved.
- N.B. Meeting platforms operated by the Council have a participants list function which demonstrates to the Chair and Democratic Services Officer which participants are connected to the meeting at any given time.

4.17.3.12 **Public Questions at Council and Public Speaking Procedures**

- (a) Should a member of the public wish to ask a question at Full Council meetings they must give notice in line with the Council's procedure which can be found at (https://www.valeofglamorgan.gov.uk/en/our_council/Council-Structure/Public-Participation-at-Council-Meetings.aspx)
- (b) Public speaking procedures for Committees (where procedures are in place) can also be found at: (https://www.valeofglamorgan.gov.uk/en/our_council/Council-Structure/Public-Participation-at-Council-Meetings.aspx)

4.17.3.13 **Formality and Privacy at Meetings**

- (a) When attending Remote or Hybrid meetings (MLMs) Elected Members and any participants must ensure that the room from which they are accessing the meeting is secure and must ensure that the door of the room is closed so that no disturbance occurs during the course of the meeting as it is important to ensure a degree of formality in the proceedings.
- (b) Participants are encouraged to use a suitable "corporate" background. ("Corporate" background images will be made available to Members for their use.) Remember that as proceedings will be live, viewers will effectively be able to view you working in your home.
- (c) Members are reminded of their responsibilities under the Members' Code of Conduct during meetings and in particular when considering exempt items during a meeting. Members should ensure that they cannot be overheard during discussions around confidential information. Members should consider the use of headphones for such meetings and make sure that they plan ahead.

4.17.3.14 **Etiquette at Remote / Multi-Location Meetings**

Good Conduct at page 162 of Welsh Government's Statutory and Non-Statutory guidance states that in line with the Nolan Principles, MLMs, as with any other public meeting, should demonstrate high standards of conduct. The Nolan Principles were added to in the Statutory Instrument The Conduct of Members (Principles) (Wales) Order 2001 and these, as mentioned in paragraph 4.17.3.5(e) of the Council's Code of Conduct for Members, can be found at Section 19 of the Council's Constitution and

the Conduct of Members – The Principles at Appendix 1 to Section 19.

- (a) Participants should:
- (i) Dress appropriately for the meeting;
 - (ii) Ensure that their microphone is muted if not speaking;
 - (iii) Respect the Chair and others present;
 - (iv) Behave appropriately and be mindful of the Members' Code of Conduct; and
 - (v) Use the chat facility appropriately.
 - (vi) Use headphones, where appropriate to avoid background noise
 - (vii) Ensure their name/ and or title e.g. Councillor "John Williams" is displayed on screen,
 - (viii) Ensure that the equipment being used has sufficient battery charge for the duration of the meeting or is plugged into a mains power point
 - (ix) Join the meeting at least fifteen minutes before the meeting is due to start to check audio and video arrangements.
- (b) Disruptive Behaviour – If a member of the public interrupts proceedings, the Chair will warn the person concerned (section 4.28 Council Constitution). If they continue to interrupt, the Chair will order their removal from the meeting. With regard to Elected Members, the procedure outlined within the Council's Constitution will apply (see Section 4.27).

4.17.3.15 All formal meetings will be facilitated by a Democratic Services Officer.

4.17.3.16 The following ICT equipment will be required by participants for Hybrid and Remote meetings –

- Microphones / Headsets;
- Cameras – if meeting is broadcasted;
- High speed Internet access; and
- Access to the relevant software (Chrome – internet browser) being used for the meeting.

(N.B. Council laptops and headsets have already been provided to all members and Co-Opted members and this equipment should be used for meeting attendance.)

4.17.3.17 Viewing and Attending a Meeting Links

- (a) For members of the public wishing to view the meeting the link to the agenda and to the broadcasting of the meeting will be available on the Council's website.
- (b) A link to the meeting will be sent to participants attending irrespective of whether the meeting will be undertaken via Hybrid or Remote means.

4.17.3.18 **Calendar of Meetings**

- (a) The Council's Calendar of Meetings is agreed by Cabinet on an annual basis and can be found on the Council's website at [[Council Meetings](#)]. The Calendar will also include details of the time of the meeting. However, meetings can be subject to change or additional meetings included in the Calendar by the Chair of a Committee and / or the Chief Executive, as and when required. For details of the venues or whether meetings will be held via Hybrid or Remote means members of the public are requested to view the agenda papers online once published in advance of the meeting (see Section 4 above).
- (b) Following Local Government Elections the Council will have the opportunity to determine the most suitable date and time for meetings to take place. The Council will also be able to consider each Municipal year, if deemed appropriate, which meetings will be held predominantly physically, Remotely or Hybrid and also have regard to the Council's Diversity Action Plan.

4.17.3.19 **Invitations to Meetings for Participants**

- (a) Invitations will be provided to all meeting participants electronically, and the invitation will detail whether the meeting will be Hybrid or Remote.
 - For meetings taking place on the Council's meeting software solution participants will receive a link to their email address (Elected and Co-opted Members to their Vale of Glamorgan email address.) Please note the invitation is unique to the individual and should not be forwarded to another person as it will prevent you from accessing the meeting.
- (b) Prior to meetings Democratic Services Officers who support each of the Council Committees will also get in touch with registered speakers and / or witnesses to provide assistance if required.

N.B. All participants are advised to contact Democratic Services at Democratic@valeofglamorgan.gov.uk or telephone 01446 709855 at least 48 hours before the meeting should they require assistance prior to the meeting.

4.17.3.20 **Record of Attendance**

- (a) The attendance of each Committee member will be recorded by the Democratic Services Officer supporting the Committee. These records will be combined or added to the Decision Notice and minutes of the meeting and published on the Council's website.
- (b) Committee members are to inform Democratic Services no later than seven days after the meeting (including the day of the meeting) in order that apologies can be recorded in the Decision Notice and thereafter the minutes of the meeting.

4.17.3.21 **Broadcasting of Meetings**

- (a) The broadcasting of meetings does not replace the formal record of the meeting and together with the decisions taken will be published on the Council's website and retained in hard copy in accordance with the Council's retention policy.
- (b) Having regard to section 46 of the Local Government and Elections (Wales) Act 2021 the meetings to be conducted and broadcast on a Hybrid basis, (excluding those items that are confidential / exempt in nature) are Full Council, Cabinet, Planning, Governance and Audit Committee meetings and all Scrutiny Committee meetings **. NB. The Statutory guidance requires Principal Councils (Part 3 1.50) to broadcast meetings of the Full Council live as they happen. However, the Vale of Glamorgan Council has agreed to include the broadcasting of further meetings, as outlined above. The guidance also states that a failure to comply with this requirement will not necessarily make any proceedings invalid.

**** N.B. Following consideration of a recommendation and referral to Cabinet by the Democratic Services Committee on 17th July, 2023 it was agreed by Cabinet on 7th September, 2023 that all Scrutiny Committees be undertaken on a Hybrid basis subject to a six month trial period.**

- (b) Other Committee meetings (including the Annual Meeting) will be conducted and broadcast on a Remote basis (excluding those items that are confidential / exempt in nature) or unless determined otherwise by the Chair of the relevant Committee in conjunction with the Chief Executive (or nominated deputy in their absence). Some meetings such as the Senior Management Appointment Committee may be conducted on an 'in person' basis ~~only~~ (e.g. where interviews are being conducted) and the decision as to whether to hold such a meeting "in person" to be taken by the Chair of the Committee in conjunction with the Chief Executive.
- N.B. All Committee meetings will be undertaken, as outlined above, and those to be broadcasted live will be broadcasted on the Council's website and for all meetings the recordings will be uploaded thereafter for future viewing on the Council's website save for confidential matters.
- (c) All agendas on the Council's website will clearly state whether the meetings will be held via Hybrid or Remote means.

4.17.3.22 **Online Meeting Platforms**

The Council's Hybrid meeting provider will provide the platform for all meetings of the Council.

- N.B. Members are responsible for ensuring access to adequate high-speed internet when joining remotely. Advice can be provided on minimum standards where required. **The Council accepts no responsibility should a Member choose to use a personal device and encounters connectivity issues prior to or during a meeting they wish to attend.**

4.17.3.23 **Attendance at Meetings Whilst out of the Country**

- (a) Members wishing to attend meetings whilst out of the Country and using their own personal or Vale of Glamorgan Council devices will be able to do so by accessing free Wifi facilities as the Council will not be able to reimburse costs. However, to enable access to meetings on Vale laptops abroad Members will be required to notify the ICT Service Desk and / or Democratic Services at least **two weeks** prior to departure so that the necessary security measures that will be required can be put in place on the device in time.

- (b) Should Members wish to access meetings using mobile phones, due to the cost of international calls the Council would not be able to reimburse call costs with access via phones personal or otherwise then being a matter for the Member.
- (c) Technical support on any Council supported devices whilst abroad will not be able to be provided by the Council's ICT or Democratic Services Officers.

4.17.3.24 **Confidential and Exempt Information (Part II)**

- (a) Some information, in accordance with Legislation, may not be able to be made publicly available. This is known as confidential or exempt information (Part II). When such information is to be considered at a formal meeting the documents will only be made available to those entitled to view them on the Council's internal network. Such matters are usually scheduled at the end of an agenda in order to minimise any inconvenience to observers who will be required to leave the meeting prior to the items being considered. The Chair will request that members of the public and press are excluded from the meeting (whether the meeting is being held by Remote or Hybrid means) before continuing with the agenda. Any recording of the meeting will also cease.
- (b) If a meeting is being broadcast the recording will be paused and a notification displayed on the broadcast that the meeting is no longer open to the public.

4.17.3.25 **Training**

All Members and officers will receive training to be able to participate at meetings which will include the use of the meeting platform software for joining Remote meetings and the use of the conferencing microphones in the Council Offices for Hybrid meetings. Other participants will also receive support from Democratic Services regarding how to access the meeting.

4.17.3.26 **Support for Meetings**

In the first instance support for meetings will be provided by Democratic Services Officers who will ensure the following:

- Agendas to be emailed electronically (at least 5 clear days, which includes weekends, before the meeting);

- Monitor attendance at Remote meetings and will assist any participant to join or re-join the meeting;
- Facilitate the meeting, voting and take the minutes of the meeting. (Voting at the meeting will be undertaken in adherence to the requirements of the Council's Constitution and in line with Section 9 of this Policy)
- Facilitate the recording and livestreaming of meetings (in conjunction with an ICT officer).

Privacy Notice for Democratic and Scrutiny Services

(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

This Privacy Notice is specifically for Democratic and Scrutiny Services.

Democratic and Scrutiny 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 papers 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.

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
- Governance and Audit Committee
- Any other meeting supported by Democratic and Scrutiny Services.

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.

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,

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.

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?

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?

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?

In accordance with our public tasks the following applies:

- To be used at the meeting as set out above and where necessary names and comments made recorded in the minutes,
- 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 and Scrutiny 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?

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.

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

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?

- **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?

We keep and dispose of all records in line with our record retention schedule.

Please contact the Democratic and Scrutiny Services Department on 01446 709855 or Democratic@valeofglamorgan.gov.uk for further information.

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

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.

Broadcasting

Please note that certain meetings of the Vale of Glamorgan Council will be broadcast, (as referred to in paragraph 4.17.3.21 (b) above) 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

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

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

For further information regarding this procedure please contact:

Democratic Services via email –
Democratic@valeofglamorgan.gov.uk

Address: Vale of Glamorgan Council, Civic Offices, Holton Road, Barry, CF63 4RU

Phone Number: 01446 709855

N.B. This policy is in addition to the Council's Remote Meeting Procedures / Rules that can be found on the Council's website (and the Council's Procedure Rules as contained within this Constitution).

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 its Scrutiny function.

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

This Guide has been drafted having regard to the Vale of Glamorgan Council Multi-location Meetings Policy:

[https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Remote-Procedures-COVID-19/Multi-Location-Meetings-Policy-i.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Remote-Procedures-COVID-19/Multi-Location-Meetings-Policy-i.pdf)

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 Chair of the Scrutiny Committee, based on the level of public interest.

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1 What is Scrutiny?

- 1.1 The Council's Scrutiny function 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 its consideration.
- 1.2 It is important to be aware that the Scrutiny Committees do not deal with individual queries, concerns, or complaints and 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 is the overview Committee that deals with Corporate Health, the internal working of the Council, its finances, and the Public Services Board.

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.

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.

Homes and Safe Communities

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

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, Welsh Language and Arts Development.

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 on a Hybrid basis. For any meeting held face-to-face or on a hybrid basis, individuals that attend physically will meet 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: [valeofglamorgan.gov.uk meetings and agendas](http://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 / Chair to take place on a virtual only or hybrid (i.e., remote attendance) basis.

3 Livestreaming of Meetings.

- 3.1 Section 46 of the Local Government and Elections (Wales) Act 2021 requires that Local Authorities shall ensure that meetings of a Principal Council are broadcast live and are available to view electronically save for when the meeting is not open to the public. The livestreaming (webcast) of the meeting shall be published on the Council's website and archived thereafter for future viewing.
- 3.2 Section 47 of the Act requires Local Authorities to make and publish arrangements that ensure that Local Authority meetings are able to be held by means of any equipment or other facility which enables meeting participants who are not in the same place to attend the meetings (hybrid method) and be able to speak to and hear each other. This provision came into force on 1st May 2021. From 5th May 2022 meeting participants must not only be able to speak to and hear each other but, for meetings which are required to be broadcast, participants actively taking part in the meeting must also be able to see and be seen by each other.
- 3.3 Scrutiny Committee meetings will be livestreamed over the internet allowing members of the public to watch the meeting remotely either live (at the time the meeting takes place) or on-demand (at a later date). Members of the

public who have registered to speak will be notified of this fact prior to the meeting.

4 How do I get my representations heard?

- 4.1 Your representations 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 in advance, 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 their verbal representations 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 aged 18 or over.
- 5.5 Where appropriate, Expert Witnesses with 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 Chair. **This will not affect the amount of allocated public speaking time.**
- 5.6 Town and Community Councillor Representatives must register to speak and are afforded a maximum of 3 minutes speaking time to represent their individual Council irrespective of other persons registered to speak. In relation to this guide, they are considered to be members of the public. The individual registered to speak on behalf of the Town or Community Council must be nominated by the Proper Officer of their Council i.e., the Town or Community Council Clerk or acting equivalent by way of an email sent to Democratic@valeofglamorgan.gov.uk. Only one representative from each Town and Community Council may speak on any given agenda item.

- 5.7 Officers of the Vale of Glamorgan Council and/or any representatives they have nominated to present reports to the Scrutiny Committee on their behalf are not required to register to speak and are not subject to allocated speaking times.

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 Chair 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 Chair.

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?

- 7.1 A member of the public speaking on an agenda item must address their speech to the item they have registered to speak upon and cannot address other agenda items or unrelated business.
They should ensure that:
- Comments are clear and concise and are directly related to the agenda item on which they have requested to speak.
 - Avoid repeating points made previously by any earlier public speakers.
 - Views are limited to the advantages or disadvantages of the item and highlight how the item could affect the delivery of services to specific user groups of citizens in the Vale; and
 - 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
 - Previous Meeting Minutes.
 - If an agenda item has been withdrawn or deferred.
 - Any agenda item that is not accompanied by a written report or any agenda item for which the Chair has exercised their discretion to withdraw the right of public speaking, e.g., a presentation; and
 - When confidential ("Part II") items are under consideration by the Scrutiny Committee, the Chair will ask all members of the public and the press to vacate the meeting room (whether by Remote, Hybrid or Physical means) before continuing with the agenda. Any recording of the meeting will also cease.
- 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/witnesses or any other registered speaker.
- 8.3 The Chair of the Committee will have the discretion to stop a speaker before their allotted time has concluded if, in the Chair's view, the speaker is making any comments that are, or appear to be:
- defamatory.
 - discriminatory.
 - contain offensive language.
 - are contrary to the procedures laid out in this Scrutiny Public Participation Guide.
 - are unrelated to the agenda item under consideration; or
 - constitute behaviour otherwise not appropriate for a Scrutiny Committee meeting.

If a member of the public interrupt's proceedings, the Chair will warn the person concerned (section 4.28 Council Constitution). If they continue to interrupt, the Chair will order their removal from the meeting.

9 Attendance at the meeting.

- 9.1 Members of the public who have registered to speak, are asked to join the remote meeting room, or arrive at the Council Chamber 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 For remote meetings, when a registered speaker joins the remote meeting room by clicking the URL joining link sent to them in advance by the Democratic and Scrutiny Services Officer, they will automatically be placed in a virtual waiting room for guests until such time that the Democratic and Scrutiny Services Officer admits them to the remote meeting room.
- 10.2 For face-to-face meetings, the Democratic and Scrutiny Services Officer will seat the registered speaker accordingly in the Council Chamber and, at the appropriate time, the Chair will ask them to activate their desk microphone so that they may be clearly seen and heard.
- 10.3 On occasions where physical space for attendance at a meeting may be limited (e.g., as a result of the COVID pandemic) or where there may be technological issues, the Chair of a meeting, essential officers supporting the meeting and simultaneous translators will be afforded priority for attendance in the Chamber.

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 points of clarification by the Committee Chair 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 mute your microphone and, if joining remotely, turn your camera off.
- 13.2 The Committee will then discuss the issue further before making any recommendation(s) to the Cabinet (or Senior Officer with delegated responsibility) as they deem appropriate.
- 13.3 If the Chair advises that there are no further queries following your representations, you are free to leave the meeting at any time should you wish to.

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, at least 5 clear days (which includes weekends) before the date of the meeting.

Hard copies of agendas and reports must be available for the public if meetings are held physically and the Council is also required to make public access provision for members of the public who cannot access documents, for example by providing access to computers, limited copies of documents at meetings or via a fee or making documents available for inspection at the Civic Offices, by contacting Democratic and Scrutiny 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 5.00pm three clear working days prior to and not including the meeting day.

(For example, if the meeting falls on a Tuesday, requests to speak should be received by 5.00pm on the preceding Wednesday:

| EXAMPLE | | | | | | |
|-------------|----------------|----------------------------------|---------------------|---------------------------------|----------|--------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
| | | | Agenda Published | Registration opens 8:30am | | |
| | | Registration closes 5:00pm | Clear Day 1 | Clear Day 2 | | |
| Clear Day 3 | Meeting Day | | | | | |

It is necessary to have sufficient advance warning of speakers to gauge the likely overall public attendance and to offer support and advice to those unsure of how to proceed and/or wishing to address the Scrutiny Committee in Welsh. It may also be necessary to resolve any issues regarding nominating a spokesperson and allowing that person a reasonable timeframe to co-ordinate their response.

- 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/Public-Participation-at-Council-Meetings.aspx

It is recognised that there will be individuals who will not have access to an electronic facility. Those individuals will be able to register to speak by telephone on 01446 709855 (they will be asked to provide the same information required on the online form) and confirmation of their registration will be provided verbally during the telephone call.

- 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 Once an individual has submitted their Registration Form, they will receive an automatic confirmation email informing them that their registration has been successful. Once the Registration Deadline has passed, the Democratic and Scrutiny Services Officer supporting the Scrutiny Committee will contact the

individual to provide them with a copy of this guide and to confirm their allocated speaking time.

- 14.8 An electronic invitation to the meeting will be sent to participants attending, irrespective of whether the meeting will be undertaken via Hybrid or Remote means, by the Democratic Services Officer. The invitation is unique to the individual and should not be forwarded to another person as it will prevent the intended recipient from accessing the meeting.

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): [Scrutiny Review Topic Suggestion Form](#).
- 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 the day before; Monday).

16 Additional information.

- 16.1 Independent filming and recording of meetings from the Council Chamber will only be allowed if prior permission is sought in writing from, and granted by, the Chief Executive in advance of the meeting.
- 16.2 Speakers should advise Democratic and Scrutiny Services in advance if they have any special needs or requirements in order to participate.

- 16.3 Individuals who were registered to speak on a matter that has been deferred by the Scrutiny Committee will need to re-register ahead of the next meeting when the matter will be re-considered.
- 16.4 Scrutiny Meetings will be conducted in line with the Council's Code of Conduct for Members at Section 19 of the Council's Constitution and the Conduct of Members – The Principles at Appendix 1 to Section 19.
- 16.4 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 contact a member of the Democratic and Scrutiny Services Team on the telephone number or email address below at least 48 hours before the meeting

Democratic and Scrutiny Services telephone: 01446 709 855

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 and Scrutiny Services.
- 17.3 Democratic and Scrutiny Services provides support and administration for the Council's Committee system 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
- Planning Meeting
- Planning Sub-Committee (Public Rights of Way)
- Scrutiny Committee
- Scrutiny Sub Committee meeting
- Education Appeals Committee
- Governance and Audit Committee; and
- Any other meeting supported by Democratic and Scrutiny Services.

17.5 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 livestreams 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 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 and Scrutiny 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 conducted by us in the public interest or in the exercise of authority vested in us.
- The processing is necessary 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 and Scrutiny 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.

Livestreaming

17.18 Please note that certain meetings of the Vale of Glamorgan Council will be livestreamed, 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