

DEMOCRATIC SERVICES COMMITTEE

Minutes of a Remote meeting held on 14th November 2022.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor Dr. I.J. Johnson (Chair); Councillor S.J. Haines (Vice-Chair); Councillors G.D.D. Carroll, E. Goodjohn, S.M. Hanks, K.P. Mahoney, J. Protheroe and N.C. Thomas.

Also present: Councillors A. Asbrey, I. Buckley and E. Williams.

442 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

443 APOLOGY FOR ABSENCE –

This was received from Councillor S.D. Perkes.

444 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 25th July, 2022 be approved as a correct record subject to the second sentence on the top of page 208 being deleted and replaced with the following:

“The Operational Manager referred to the timescales following the Elections post 5th May 2022, when the new cohort of elected members would need to be provided their ICT equipment as part of the induction programme. It had not been possible to transfer phone numbers from the existing devices to the new devices as the ICT team had just 2 days from being advised of new Member information on 7th May, to build and activate all the new devices which were to be issued at the induction sessions starting on 9th May. Due to these tight timescales it had not been feasible to activate SIM cards and set up the new user accounts in Microsoft Office 365 which had to be set up in advance of the elections, and this is why new mobile phone numbers had been issued to the new cohort of Members.”

445 DECLARATIONS OF INTEREST –

Following advice received from the Monitoring Officer the following Members declared a personal interest in Agenda Item 4, Independent Remuneration Panel for Wales Draft Annual Report 2023/24 – Consultation, advising that this did not equate to a prejudicial interest in light of paragraph 19.3.3 (b)(i)(C) of the Members' Code of Conduct:

Councillors G.D.D. Carroll, E. Goodjohn, S.J. Haines, S.M. Hanks, Dr. I.J Johnson, K.P. Mahoney, J. Protheroe and N.C. Thomas.

446 INDEPENDENT REMUNERATION PANEL FOR WALES DRAFT ANNUAL REPORT 2023/24 – CONSULTATION (HDS) –

The report apprised Members of the draft Independent Remuneration Panel for Wales (IRPW) Annual Report for 2023/24. In accordance with the requirements of Section 147 of the Local Government (Wales) Measure 2011, the IRPW was required to publish an Annual Report, which would have effect for the financial year 2023/24. Any representations on the draft IRPW Annual Report were to be submitted to the IRPW Secretariat by no later than 1st December, 2022.

All the Determinations contained in the IRPW's Annual Report would apply in respect of Principal Councils and Town and Community Councils and where relevant, Fire and Rescue and National Park Authorities. The IRPW proposed setting the salaries as detailed in Appendix A of the report in order to avoid further erosion in relation to average earnings. The Committee's observations were sought in regard to matters relating to the consultation on the Draft Report questions as set out in paragraph 2.7 of the report, which included suggested responses relating to questions 1, 2, 3 and 4 for the Committee to consider. The Committee's observations were also sought in relation to question 5.

A number of views were expressed by Members in relation to adopting the draft responses to the Draft Annual Report consultation questions as set out in the report. Having considered a number of factors the majority view was that the Council's response should be mindful of the cost of living crisis and whilst the Committee did not disagree with the methodology used by the IRPW to calculate Member remuneration, in the context of the economic challenges facing the UK, it was proposed that the Council's response should be to suggest to the IRPW that they consider implementing a pay freeze for the financial year 2023/24.

The Chair reminded Members that the basic allowance was calculated on Councillors carrying out 3 days of work undertaking their various elected roles. Any Member of the Council could forego all or some of their entitlement in any one year by notifying the Head of Democratic Services in writing.

Councillors Carroll and Haines, recognising that the process was independent, commented that they were disappointed that the IRPW had not had greater regard to the current cost of living crisis facing the public. Councillor Goodjohn and Councillor Mahoney, in concurring with these comments, subsequently moved and seconded a

Motion respectively which was agreed by the Committee and resulted in Resolution (2) below.

Having considered the report and related discussion, it was

RESOLVED –

- (1) T H A T the Independent Remuneration Panel for Wales' (IRPW) draft Annual Report 2023/24 proposals be noted.
- (2) T H A T in light of the cost of living crisis affecting Wales and the wider UK, the IRPW be reminded that they can consider a freeze in remuneration for Elected Members of Principal Councils' salaries for the year 2023/24 (Determinations 1, 2 and 3).
- (3) T H A T the Committee's responses to the consultation questions set out below be forwarded to the IRPW on behalf of the Council:

Question 1

The Panel has continued to use the Annual Survey of Hours and Earnings (ASHE) published by the Office for National Statistics as the benchmark for setting the basic salary of elected members of principal councils. There is a corresponding proportionate increase proposed for the members of National Park and Fire and Rescue Authorities. The Panel has continued to refer to the last published ASHE which was 2021. Do you agree that the basic salary element should be referenced to the ASHE 2021 data?

Council's Response

Yes. The Council supports the continued linking of remuneration to Elected Members' salaries to ASHE however, the IRPW consider a pay freeze for Principal Council Elected Members' salaries for 2023/24.

Question 2

The Panel has made changes to the payment of costs and expenses of members of community and town councils. Do you agree with the addition of the "consumables" element?

Council's Response

No opinion. Matter for Town / Community Councils.

Question 3

The Panel will gather evidence from principal councils to explore whether and how the workload of elected members has changed to inform future Determinations. Are you content that the Panel should build this review into its future work plan and build the evidence base to support decisions?

Council's Response

Yes. The Council supports this proposal. Any review to evidence base future determinations should ensure that the basic level of remuneration is justified, appropriate and reasonable.

Question 4

We have significantly reduced the size of the report this year to concentrate on key decisions made and intend to make more use of the website to provide easy to use guidance to users. This approach is also in line with our efforts to respect the challenges facing us in protecting our planet.

*How would you like to access information and guidance from the Panel?
(choose all that apply)*

<i>Summary report with links to detailed guidance</i>		<i>Social media</i>	
<i>Easy to use guidance notes</i>		<i>Information events</i>	
<i>Frequently asked questions</i>		<i>Other</i>	
<i>Website</i>		-	-

Council's Response:

The Council welcomes all of the above options however, the use of emails should also be included as an appropriate method of communication and that further consideration should be also given to the use of plain English to make future reports more accessible to the public / wider community.

Question 5

The Panel intend to undertake a series of engagements with all relevant stakeholders over the next year as part of the development of its forward planning and building of its evidence and research strategy.

Have you any comments that would help the Panel shape this engagement?

For example, a preference for online polls, the holding of engagement events, virtual or face to face, which groups should be involved, how do we engage with prospective candidates etc.

Council's Response:

The IRPW be requested to consider using a broad range of methods of engagement with all relevant stakeholders to include face to face and digital means, dependent on the level of engagement they are seeking at that point in time.

(4) T H A T the IRPW be also requested to reconsider amending the new format to include a list of all determinations within a single document, to ensure clarity and ease of reference.

Reasons for decisions

(1) Having regard to the contents of the report and discussions at the meeting.

(2-4) To provide a response to the consultation by 1st December, 2022.

447 2022 MEMBER INDUCTION AND DEVELOPMENT PROGRAMME – UPDATE (HDS) –

All 66 Elected/Co-opted Members had completed their induction by attending either an Induction Event or 1:1 appointment with a Democratic Services Officer by 6th June, 2022 (20 working days into the Municipal term).

The 2022 Member Induction and Development Programme for both Elected and Co-opted Members was currently in Phase 3. The overall attendance percentage to date was 90%.

Under section 62 of the Local Government and Elections (Wales) Act 2021 (“The Act”) Political Group Leaders had duties in relation to standards of conduct. The Act stated that a Leader of a Political Group must take reasonable steps to promote and maintain high standards of conduct by the members of the Group and must co-operate with the Council’s Standards Committee (any sub-committee of the Committee) in the exercise of the Standards Committee functions.

In January 2023, the Programme would move in to Phase 4. At this time, Elected Members would be invited to undertake a Learning Needs Analysis (LNA) to determine individual training needs.

Approval was sought of the draft LNA Self-Assessment attached at Appendix B to the report and subject to the Committee’s approval of the contents of the LNA, it was intended that this would be circulated to all Members for completion. The LNA would also be made available on MemberNet to allow it to be completed electronically if desired.

The findings of the LNA Self-Assessment would be used to inform ongoing Member development requirements and would complement Personal Development Reviews (PDRs) which would be offered to Members during May / June 2023.

Some Members considered that the Induction Programme had been too intensive and over a short period of time in their view. A number of anecdotal comments were made in relation to the relevance, length of sessions and the level of engagement during some sessions. The Head of Service acknowledged that the Programme was intended to cover a number of subject areas, and this was unavoidable. The intention of the Programme was to ensure that Members were appropriately inducted to take up their roles on Committees etc. The Council had put considerable

resources into the Induction Programme, and prior to that information was provided in all candidate packs detailing the dates and times of induction sessions post elections. The Council had also run a “Becoming a Councillor” campaign and set up open events where prospective candidates could register to attend; the purpose of these sessions was to provide information to candidates including matters relating to Member Induction in advance of taking the decision to stand for elections. It had been the Democratic Services Committee who had previously recommended to Cabinet those learning subjects that should be considered essential (mandatory) training with other training being optional. The Cabinet had subsequently endorsed the Committee’s recommendations. The Council’s Member Development Strategy reflected best practice across Wales.

RESOLVED –

- (1) T H A T the progress in delivering the Member Induction Programme for 2022 be noted.
- (2) T H A T Group Leaders be requested to ensure that all Group Members have completed all Essential Member Development Topics before 31st December, 2022.
- (3) T H A T the draft Learning Needs Analysis Self-Assessment, attached at Appendix B to the report, be approved and emailed to all Members as well as uploaded to MemberNet in January 2023.
- (4) T H A T a further report be presented to the Committee on the results of the Learning Needs Analysis Self-Assessment exercise in April 2023.

Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) Having regard to the requirements of section 62 of the Local Government and Elections (Wales) Act 2021 which places a duty upon Political Group Leaders to take reasonable steps to promote and maintain high standards of conduct by the members of their group.
- (3) Elected Members are invited to undertake a Learning Needs Analysis (LNA) in January 2023 to determine individual training needs and inform the development programme for the remainder of the political term.
- (4) In order that Committee is apprised on the findings of the LNA Self-Assessment exercise.

448 SECTION 6 OF THE LOCAL GOVERNMENT (WALES) MEASURE 2011 – TIMING OF COUNCIL MEETINGS (HDS) –

Welsh Government had previously issued Statutory Guidance under Section 6 of the Local Government (Wales) Measure 2011 (“the Measure”). By virtue of section 6 (2) of the Measure, Local Authorities must have regard to this Guidance in respect of the

times and intervals at which meetings of a Local Authority were held. The Guidance also stated that the times at which meetings of a Council took place was of considerable significance as it could affect the extent to which individuals may contemplate standing for election.

The Statutory Guidance issued in relation to the Measure, included guidance on this Section and the Guidance was reproduced at Appendix 1 to the report.

Revised Statutory Guidance in relation to the Local Government and Election (Wales) Act 2021 had been previously consulted on. The final Guidance was still awaited, however it remained largely unchanged.

A suggested draft Survey for consideration and agreement by the Committee, was attached at Appendix 2 with it being anticipated that the results would be reported to the Democratic Services Committee on 13th February, 2023 and the Council Meeting on 6th March, 2023, depending on the outcome of the Survey.

Discussion ensued in relation to current meeting arrangements for Council meetings with some Members expressing a view that Hybrid meetings would be their preference as well as more In Person meetings. It was suggested that an additional question be included within the Survey on this matter and to include information relation to Hybrid and Remote meetings and related legislative requirements. The Head of Democratic Services reminded the Committee that the Council's current Multi-Location Meetings (MLM) Policy included information in relation to which meetings of the Council had been designated Hybrid meetings and which meetings would be held remotely. The intention was to review the Policy following a 12-month period when the Policy was approved (April 2022). The Chair indicated that his preference was to see all Scrutiny Committees held on a Hybrid basis rather than remotely as present.

RESOLVED – T H A T the suggested draft Survey attached to the report be approved subject to the inclusion of an additional question relating to the Council's Multi-Location Meetings Policy and Members' preferences for meetings held as Hybrid (combination of Remote and In Person), Remote only and In Person meetings.

Reason for decision

In order to comply with the requirements of Section 6 of the Local Government (Wales) Measure 2011.