

DEMOCRATIC SERVICES COMMITTEE – 25 OCTOBER 2012

MINUTES OF A MEETING OF THE DEMOCRATIC SERVICES COMMITTEE HELD IN COMMITTEE ROOM 2/3, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON THURSDAY, 25 OCTOBER 2012 AT 10.30 AM

Present:-

Councillor J H Tildesley, MBE - Chairperson

<u>Councillors</u>	<u>Councillors</u>
D K Edwards	J R McCarthy
L Ellis	M Reeves
M D Francis	R L Thomas
C A Green	

Officers:-

P A Jolley - Assistant Chief Executive Legal & Regulatory Services and Monitoring Officer  
G P Jones - Head of Democratic Services  
R David-Knight - Scrutiny Manager  
H Lazarus - ICT Support Manager  
R Ronan - Democratic Services Officer - Committees

1 APOLOGIES FOR ABSENCE

Apologies were received from the following Members and Officers:-

Councillor R E Young - Holiday  
Councillor C Jones - Holiday  
Councillor D B F White - Other work commitments  
R Peverley - Other work commitments

2 DECLARATIONS OF INTEREST

None

3 DESIGNATION OF THE HEAD OF DEMOCRATIC SERVICES

The Chairperson welcomed Members to the first meeting of the Democratic Services Committee and read a statement regarding the Committee and an article that had recently appeared in the press.

The Chairperson then invited the Assistant Chief Executive Legal and Regulatory Services and Monitoring Officer to present a report to Members, the purpose of which is to inform the Democratic Services Committee of the process followed in the appointment of the Head of Democratic Services and to seek designation of the Council's Head of Democratic Services.

The Assistant Chief Executive Legal and Regulatory and Monitoring Officer explained to the Committee that although the report concerned staffing issues which are normally considered as exempt matters, the reports have been drafted in an effort to maintain an open agenda and enable the Committee to be open in its decision making. If however the Committee wanted more detailed information on the appointment process they could undertake the Public Interest Test and determine whether it is appropriate to go into closed session.

The Assistant Chief Executive Legal & Regulatory and Monitoring Officer told Members that the Local Government (Wales) Measure 2011 requires the Authority at section 8 (1) to

designate one of its officers to discharge the Democratic Services functions as stated in Section 9 of the Measure. He explained that the functions of the Democratic Services Committee were distinct from the functions of Democratic Services listed at paragraph 3.3 of the report. He explained to Members that the Democratic Services Committee has an important role in providing support and advice to the Head of Democratic Services, particularly in relation to the support for Members.

The guidance from Welsh Government is that the appointment of a Head of Democratic Services should not impose an additional expense on the Authority and it was therefore considered sensible that the appointment be made from existing staff who have expressed an interest in the post.

The Assistant Chief Executive Legal & Regulatory and Monitoring Officer explained to the Committee that in compliance with internal employment policies he carried out a fair and challenging appointment process with the Assistant Chief Executive Performance and S151 Officer. The appointment process involved a presentation, a written exercise, psychometric testing and a series of questions at interview.

A member of the Committee asked why the interview process did not involve Members. The Assistant Chief Executive Legal and Regulatory and Monitoring Officer explained that Members are only involved in Chief Officer appointments and the process followed was the same as for other members of staff. The Democratic Services Committee can currently 'designate' the Head of Democratic Services but not appoint, this may however change with future amendments to the Local Government (Wales) Measure.

The Assistant Chief Executive Legal and Regulatory and Monitoring Officer told Members that the Candidate with the highest score was Gary Jones. He confirmed that he had spoken to Gary Jones before the meeting and that he was happy for his name to be published.

A member of the Committee asked how many candidates had been interviewed. The Assistant Chief Executive Legal and Regulatory and Monitoring Officer said that they had interviewed two candidates.

A member of the Committee asked if the successful candidate would receive the salary increase in retrospect from the date of interview. The Assistant Chief Executive Legal and Regulatory and Monitoring Officer explained that payment would be made as from today.

**RESOLVED:** That Members designate Gary Jones as the Head of Democratic Services.

#### **4 SCHEDULE AND TIMING OF MEETINGS**

The Chairperson welcomed the Head of Democratic Services to the meeting and congratulated him on his successful appointment to the post. The Chairperson also welcomed the Scrutiny Manager to the meeting.

The Head of Democratic Services presented a report to the Committee, the purpose of which was to inform them of the proposed dates of its subsequent meetings and for the Committee to determine the time of its meetings in accordance with a survey recently undertaken in respect of meetings of Council and its Committees.

He explained that the Local Government (Wales) Measure 2011 required local authorities to survey their Members in respect of the times and intervals at which meetings are held in order to meet the requirements of the majority and maximise attendance. The role of the Committee was set out in paragraph 4.1 and he envisaged its role and remit increase and broaden over time and with the introduction of additional legislation.

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The Head of Democratic Services informed Members that to enable the Committee to monitor the performance and support provided to Elected Members it was proposed to meet on a quarterly basis. This would ensure that the most relevant services are provided to them within the available. Two dates were proposed and the Committee was requested to determine the most appropriate time for the meetings to be held.

The Committee agreed to quarterly meeting but that it would reassess the number of meetings once the Committee had had time to bed in. From a practical point of view and in order to accommodate Members work schedules it was proposed that further meetings begin at 2.00 pm.

- RESOLVED: That the Democratic Services Committee approved
- (1) that meetings of the Democratic Services Committee be held on a quarterly basis and this would be reviewed in due course
  - (2) the proposed dates as set out in paragraph 4.4 of the report
  - (3) That future meetings of the Democratic Services Committee commence at 2.00 pm

## 5 DEMOCRATIC SERVICES – STRUCTURE, SERVICES AND SUPPORT

The Head of Democratic Services presented a report to the Committee the purpose of which is to inform them of the current structure, services and support provided to Elected Members.

He told Members that the Democratic Services team was formed as a result of an audit of the support provided to Elected Members by the Wales Audit Office in 2009. With the implementation of the Local Government (Wales) Measure 2011 the responsibility for Scrutiny was included within the remit of the Head of Democratic Services and therefore Scrutiny now form part of the Democratic Services team. A diagram of the current structure of Democratic Services was attached at Appendix 1 of the report.

The Head of Democratic Services outlined for the Committee some of the key areas of support and services provided by the team and highlighted significant achievements and improvements.

### Member Referrals

He explained that to improve the efficiency and accountability of the member referral process, it was recently transferred to the Open Ticket Record System (OTRS). This has provided the opportunity to draw out basic performance data and it was the intention to work with ICT to improve the quality of this data. Referral figures are circulated on a monthly basis to Corporate Management Board and Political Group Leaders and will be included in Members' Annual Reports.

A member of the Committee commented that referrals were classed as being closed however the work requested has not been carried out, he asked therefore if one option was to keep referrals open until notification has been received that the problem has been physically addressed. The Member also asked if a breakdown of referrals per directorate be provided.

The Head of Democratic Services advised that although the normal response time for referrals was 10 working days referrals that related to longer term issues such as traffic calming measure would take longer to resolve. Once an initial indication that work had been added to the relevant work programme etc the referral was prompted to be closed by

the team. He agreed however to look into how notifications from departments could be used to confirm that all actions have been completed. The Head of Democratic Services also advised that it was the intention to look at whether the 10 working day response was suitable for all referrals.

A member of the Committee said that although the response rate for referrals has improved since the change over to OTRS some referrals require immediate action and in this instance he would contact the relevant department/ officer directly. His concern was that these referrals were not logged and therefore the data would not accurately reflect work carried out by Members. He was also concerned that the referral system should not become onerous for officers and therefore take time away from dealing with the actual issues.

The Head of Democratic Services informed Members that if a Member contacts departments/officers directly the departments/officers are requested to feed this information back into the referral system. Members were also able to email or telephone the team with urgent queries and indicate that they need to be dealt with immediately. The intention is not to make the system an administrative burden but to support Elected Members in their constituency work.

A Member of the Committee agreed that the referral system was very well administered but said he has concerns about the response rate and importance placed on Elected Member queries by outside organisations. He requested that some liaison be carried out in order to address these issues.

The Head of Democratic Services explained that as we have no jurisdiction over outside organisations they have no reason comply with our response timescales or treat Elected Member referrals as a priority. He would however raise these concerns with the BCBC officers who supported or liaised with these organisations in order to improve relations.

A member of the Committee said that it would be useful to receive feedback from Directorates on how they viewed the referral system, did they find it an effective way of dealing with Member issues or did they see it as a barrier, if so what other method would they feel appropriate. The Head of Democratic Services agreed that he would liaise with Corporate Management Board and report back on the results.

#### Civic and Corporate Events

The Head of Democratic Services informed the Committee that the Democratic Services team organised, co-ordinated and delivers many of the corporate and civic functions which support the Mayor and the Authority. The Re-affirmation of the Freedom of the Borough for the Royal Welsh was a recent example and this was well received and appreciated by all those in attendance. Many letters of congratulations have been received praising the excellent organisation and delivery of this event.

#### Support for Committee Functions

The Head of Democratic Services explained the role of Overview and Scrutiny Support as detailed at item 4.2.3. of the report. He outlined the main functions of Committees and explained that the section also administrates the Council's Scheme of Delegation.

He told Members that much of the support provided to Elected Members is undertaken by other departments and directorates and the Head of Democratic Services briefly outlined the main support. He also explained that the Democratic Services team actively participates with other networks and organisations in the promotion of best practice and to assist with the development of Elected Members.

A member of the Committee raised that in the Independent Remuneration Panel for Wales Report which stated that the Panel expected that councils should 'negotiate with HMRC block tax dispensations for councillors in respect of the full range of allowable expenses and secure timely tax and benefit advice for councillors in respect of their earnings and expenses' he requested that we move forward with this issue as it has been instigated in other Authorities and provide a report to the next meeting of the Democratic Services Committee.

The Assistant Chief Executive Legal and Regulatory and Monitoring Officer said that he was not aware of any other local authority providing this benefit for their Elected Members he would however contact the relevant officers and feed this back to the Committee.

The Head of Democratic Services told Members that he was aware of this concern as it had previously been raised in the Elected Member Development Group. He has spoken to the Payroll section on this matter and asked for clarification from the Independent Remuneration Panel. Their response and other relevant information has been received and it was the intention to provide this in a report to be presented to the next meeting of the Democratic Services Committee.

### ICT Support

The Head of Democratic Services explained to Members that the ICT Service Unit provides the equipment and infrastructure to enable Elected Members to interact electronically with the Authority and the public. As Members will be aware the Unit is in the process of 'rolling out' ICT equipment to Members.

A member of the Committee said that their understanding was that although Smart phones were available for Cabinet Members there was no budget to extend this to all Elected Members, however she asked was there an opportunity for Members to fund their own Smart phones through the contract that has been negotiated by ICT. The ICT Support Manager said that he would look into this possibility and report back to the Committee with details and costings.

The Committee supported this suggestion and commented that Smart phones would be beneficial in terms of calendar access. The Committee asked how the 'roll out' of ICT equipment was progressing. The ICT Support Manager said that the provision of equipment had taken longer than expected due to the options being extended in response to Member feedback. It was planned that all equipment would be distributed by the end of October, Elected Members had however had the option of e-mail access via OWA or Cloud since May.

### Integration and Improvements

The Head of Democratic Services explained that the Democratic Services team is currently undertaking an integration process with the Scrutiny section to streamline working practices and to remove any duplication of effort. Further service improvements are being planned to include the possible provision of an integrated software system. The full implications of the Local Government (Wales) Measure are still not completely evident and guidance is awaited in respect of some areas of scrutiny and remote working.

The Welsh Government has recently announced a comprehensive programme of support for scrutiny development which includes the launch of a refreshed Scrutiny Development Fund, this is aimed at supporting collaborative scrutiny projects. The Committee commented that in light new developments the workload of the scrutiny section looked likely to increase over the coming months, and asked what provision could be made to ensure that there were adequate resources. The Committee also asked how the Scrutiny Development funding would be allocated.

The Head of Democratic Services explained to Members that resources from the wider Democratic Services team could be allocated as necessary and relevant training provided. The Scrutiny Manager informed the Committee that the Scrutiny Development Fund was 300k over the next two years and across the 22 local authorities, there is no requirement for match funding. The criteria for accessing funding was that it should support the scrutiny of collaborative services and public engagement and it was a good opportunity to take the lead on certain projects. A Member of the Committee indicated that they were very impressed with the level of support provided by the scrutiny section after their recent election.

RESOLVED: That the Democratic Services Committee noted the content of the report.

## 6 MEMBER DEVELOPMENT

The Head of Democratic Services presented a report to the Committee the purpose of which was to inform Members of the current member development activities and plans for future member development events.

He explained to the Committee that previously member development activities have been co-ordinated through the Member Development Group (MDG) which was officer led and the Elected Member Development Group (EDMG) which was a cross party group of Elected Members. The provision of training and support for the ICT systems was co-ordinated by the ICT for Members Steering Group. These groups have now been subsumed by the Democratic Services Committee and who will be consulted on all aspects of member development and support.

The Head of Democratic Services informed Members that the WLGA Charter for Member Support and Development was awarded to Bridgend County Borough Council in 2010 at basic level, this is due for renewal in 2013 and it is anticipated that once the updated charter criteria is confirmed, a decision will be made regarding the most appropriate level to which this Authority will renew its charter status. He explained that two officers have currently volunteered to assist the WLGA in the assessment of other Authorities applying for charter status, other volunteers to assist in this process would be welcomed.

The Head of Democratic Services informed the Committee that officers have been working on a Member Development Strategy that will bring together all aspects of member development; this document will be presented to a future meeting of the Democratic Services Committee for consideration.

The Head of Democratic Services explained that now the first phases of the Member Induction programme have been completed Elected Members' future training needs were being addressed. All members have been encouraged to complete Personal Development Portfolio's (PDP's) which will form an integral part in the recording the development of individual members. Evaluation of all training events was carried out assist in the identification future training needs.

To assist newly Elected Members to undertake their role as Councillors the Head of Democratic Services informed the Committee that a Member Mentoring Scheme had been initiated. To date 80% of new Members have identified suitable mentors and regular meetings have been scheduled with mentors to review progress. A member of the Committee who was acting as a Mentor told Members that it was working very well and had been beneficial for both sides especially in building good relationships.

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The Head of Democratic Services explained that a pragmatic approach has been taken to identify member development activities that will be topical, relevant and of interest to Members in order to encourage a consistent level of attendance.

A member of the Committee asked if consideration could be given to reducing the time of the pre-Council presentations to 30 minutes with a starting time of 2.30 pm this would make it less of a time commitment for Elected Members who work. The Head of Democratic Services said that a survey of training event times and frequency was issued during the previous term of office and that it was the intention to issue a similar survey to current Elected Members.

The Head of Democratic Services told the Committee that the Authority is taking a leading role in the publishing of Elected Members' Annual Reports. Annual reports are currently being piloted with the expectation to publish annual reports for returning members by the end of November 2012. This would mean that we were the first local authority in Wales to complete this requirement.

The Head of Democratic Services asked the Committee to consider the planned Member Development Programme as shown at appendix 1 and the following priorities were agreed by Members:

Pre Council Briefings: November 12 – Budget Process  
December 12 - Communities First or Food Bank  
January 13 - Substance Misuse

From March to May the following topics to be scheduled: Adoption Service, Environment Agency, Police Commissioner.

Training Sessions: November 12 – Business and Budget Planning Workshop  
December 12 – Welfare Reform  
January 13 - to be kept free due to budget meetings

Dates to be confirmed: Equalities & Diversity, Annual Reports, Dealing with Conflict, Connecting with Constituents, Social Media.

The Head of Democratic Services advised Members that there an information event on the 26<sup>th</sup> November, 2012 in Llandrindod Wells for all Members who were interested in studying for an MSC in Public Service Management. Details had been circulated to all Political Groups.

**RESOLVED:** That the Democratic Services Committee:

- Noted the content of the report
- Determined the priorities of topics for pre Council Briefings and Member Development activities for the March-May 2013 period.

## 7 WORK PROGRAMME

The Head of Democratic Services presented a report to Committee which proposed items to be considered at it subsequent meetings. He advised that the officers listed at paragraph 4.2 of the report would be in regular attendance and other officers would be invited to meetings to present reports relating to specific topics within their service area as requested by the Committee.

The Head of Democratic Services asked the Committee to consider the work programme as detailed as provided at appendix 1 and the following were agreed to be received by the Committee on the following dates:

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- 31 Jan 13 - Review of the Annual Report Process
- 31 Jan 13 - Member Development Strategy
- 31 Jan 13 - Service Performance to include: ICT provision of equipment, Member Referrals, Member Development Programme, Update on position re: HMRC block tax dispensations
  
- 17 Apr 13 - Achieving the WLGA Charter
- 17 Apr 13 - Service Performance to include: ICT provision of equipment, Member Referrals, Member Development Programme

**RESOLVED:**            That the Democratic Services Committee considered the proposed work programme appended to the report.

The meeting closed at 12.15 pm.