

Meeting of:	DEMOCRATIC SERVICES COMMITTEE
Date of Meeting:	26 OCTOBER 2023
Report Title:	WELSH GOVERNMENT STATUTORY AND NON-STATUTORY GUIDANCE FOR PRINCIPAL COUNCILS IN WALES
Report Owner / Corporate Director:	HEAD OF DEMOCRATIC SERVICES
Responsible Officer:	RACHEL KEEPINS DEMOCRATIC SERVICES MANAGER AND HEAD OF DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the policy framework and procedure rules in respect of this report.
Executive Summary:	This report presents the Welsh Government’s final ‘Statutory and Non-Statutory Guidance for Principal Councils in Wales’, issued in June 2023, for the Committee’s consideration of sections relevant to the role and remit of the Democratic Services Committee.

1. Purpose of Report

- 1.1 The purpose of this report is to inform the Committee of the Welsh Government’s final ‘Statutory and Non-Statutory Guidance for Principal Councils in Wales’, issued in June 2023, with specific reference to how it relates to the work of the Democratic Services Committee.

2. Background

- 2.1 The Local Government and Elections (Wales) Act 2021 was passed by Senedd Cymru on 18 November 2020. It received Royal Assent on 20 January 2021.

- 2.2 The Welsh Government’s stated purpose for the Act, as noted in its Explanatory Memorandum is to:

- ‘provide local government with new ways to support and serve their communities’; and
- to ‘reinvigorate local democracy in Wales’.

- 2.3 The Act makes changes to the legislative framework for local government elections, democracy, performance and governance. It seeks to reform and strengthen local government accountability, performance and transparency, and places new duties on principal councils to promote public participation in local democracy. The Welsh Government also anticipate that some of the provisions within the Act will encourage greater diversity in local government.
- 2.4 In January 2021 a report went to Council to highlight the 2021 Bill and also demonstrate how the Authority was planning on meeting its requirements with a detailed action plan.

3. Current situation / proposal

- 3.1 In June 2023 Welsh Government published the 'Statutory and Non-Statutory Guidance for Principal Councils in Wales', which consists of consolidated statutory guidance intended to meet requirements under the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021.
- 3.2 This Guidance, attached at **Appendix A** includes:
- Part 2 Guidance for elected members' support, training and development
 - Part 3 Guidance on public participation strategies and petition schemes
 - Part 4 Guidance on constitutions, executives, scrutiny, governance and audit committees and conducting meetings.
- 3.3 The remit of the Democratic Services Committee does not cover all aspects of the guidance and therefore the main areas that are within the Committee's remit are highlighted below. Other committees will receive updates on the guidance which is within their remits:

Part 2

- 1.0 Timing of Council Meetings
- 2.0 Training, Development and Support for Local Authority Members
- 3.0 Research Support and Services for Councillors

Part 4

- 6.0 Arrangements for Securing Effective Overview and Scrutiny
- 7.0 Appointment of Persons to Chair Overview and Scrutiny Committees
- 8.0 Co-opted Members of Overview and Scrutiny Committees
- 9.0 'Call in' Arrangements in relation to Overview and Scrutiny Committees
- 10.0 Councillor Calls for Action
- 11.0 Overview and Scrutiny Committees - Taking into account the views of the public
- 12.0 Joint Overview and Scrutiny Committees
- 13.0 Democratic Services Committees
- 15.0 Guidance on multi-location meetings.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. This is an information report; therefore, it is not necessary to carry out an Equality Impact assessment in the production of this report. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations Implications and Connection to Corporate Well-being Objectives

5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there is no significant or unacceptable impact upon the achievement of well-being goals/objectives as a result of this report.

6. Climate Change Implications

6.1 There are no Climate Change implications as a result of this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no Safeguarding or Corporate Parent implications as a result of this report.

8. Financial Implications

8.1 There are no direct financial implications arising out of this report.

9. Recommendation

9.1 It is recommended that the Committee consider and note the relevant sections of the Welsh Government's final 'Statutory and Non-Statutory Guidance for Principal Councils in Wales', issued in June 2023, and provide any related comments or suggested items for future consideration.

Background documents

None