

Public Document Pack

Gareth Owens LL.B Barrister/Bargyfreithiwr
Head of Legal and Democratic Services
Pennaeth Gwasanaethau Cyfreithiol a Democraidd



To:

Councillors: Chris Bithell, Derek Butler,
Clive Carver, David Cox, Glenys Diskin,
Ian Dunbar, David Evans, Veronica Gay,
Robin Guest, George Hardcastle, Patrick Heesom,
Joe Johnson, Rita Johnson, Tim Newhouse,
Neville Phillips, Ian Roberts, Tony Sharps,
Paul Shotton, Nigel Steele-Mortimer,
Owen Thomas and Arnold Woolley

CS/NG

18 July 2012

Maureen Potter 01352 702322
maureen.potter@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **DEMOCRATIC SERVICES COMMITTEE** will be held in the **DELYN COMMITTEE ROOM, COUNTY HALL, MOLD, CH7 6NA** on **TUESDAY, 24TH JULY, 2012** at **3.30 PM** to consider the following items.

**** Please note that the meeting will commence at 3.30pm or on the rising of the Constitution Committee, whichever is the latest.**

Yours faithfully

Democracy & Governance Manager

AGENDA

1 **APOLOGIES**

2 **APPOINTMENT OF VICE-CHAIR**

Nominations will be sought for a Vice-Chair for the Committee.

County Hall, Mold. CH7 6NA
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The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

- 3 **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**
- 4 **STATUTORY GUIDANCE ON THE LOCAL GOVERNMENT (WALES) MEASURE 2011** (Pages 1 - 10)
To inform the committee of those parts of the statutory guidance relating to the training and development of Members and the Democratic Services Committee.
- 5 **FEEDBACK ON MEMBER DEVELOPMENT EVENTS** (Pages 11 - 32)
To provide the committee with feedback on Member development events held since the County Council elections.
- 6 **ELECTED MEMBER SURVEY** (Pages 33 - 56)
To consider the results of the survey of elected Members undertaken during June
- 7 **FUTURE MEMBER TRAINING** (Pages 57 - 64)
To inform the committee of planned future Member training in 2012/13
- 8 **HEAD OF DEMOCRATIC SERVICES** (Pages 65 - 74)
To designate a Head of Democratic Services in accordance with the Local Government Measure 2011.

FLINTSHIRE COUNTY COUNCIL

REPORT TO: DEMOCRATIC SERVICES COMMITTEE

DATE: TUESDAY, 24 JULY 2012

REPORT BY: DEMOCRACY & GOVERNANCE MANAGER

SUBJECT: STATUTORY GUIDANCE ON THE LOCAL GOVERNMENT (WALES) MEASURE 2011

1.00 PURPOSE OF REPORT

- 1.01 To inform the committee of those parts of the statutory guidance relating to the training and development of Members and the Democratic Services Committee.

2.00 BACKGROUND

- 2.01 At its meeting on the 28 March 2012 the Constitution Committee considered a report on the draft guidance that the Welsh Government was consulting upon. That report followed consideration of the draft guidance by the Overview & Scrutiny Coordinating Committee in relation to the parts dealing with Overview & Scrutiny and the Audit Committee in relation to the parts dealing with the Audit Committee. The Democracy & Governance Manager was authorised to respond to the consultation on the basis of the points made by the three committees. A copy of that response to the consultation is attached as appendix 1.
- 2.02 At the end of April 2012 the Welsh Government implemented those provisions of the Measure that the draft guidance related to. It did not however, issue the final version of the guidance until 25 June 2012 some 8 weeks later.
- 2.03 Copies of this statutory guidance have been placed in the Members' library and in the group rooms. There will be separate reports to the Audit Committee on the chapter in the guidance relating to Audit Committees and to the Constitution Committee on the chapters relating to such committees.
- 2.04 It is the intention to bring a further report to the Constitution Committee in relation to the constitutional aspects of implementing the Measure and statutory guidance following consultation with Group Leaders and relevant officers.

3.00 CONSIDERATIONS

3.01 Training & Development of Members

Chapter 2 of the statutory guidance deals with the training and development of Members. Section 7 of the Local Government (Wales) Measure 2011 requires Flintshire to secure the provision of reasonable training and development opportunities for its Members. Each Member should also have the opportunity to have a review of their training and development needs on an annual basis. The authority must also ensure that any such review includes an opportunity for interview by someone who it considers to be “suitably qualified” to advise about the training and development needs of a Member. This chapter of the guidance is largely based on the Welsh Local Government Association’s Charter for Member Support & Development which Flintshire achieved in 2008 and was renewed in 2011.

- 3.02 When the Council was consulted on the draft statutory guidance it made no representations about the provisions in chapter 2 dealing with the training and development of Members. The final version of the guidance does however, contain some changes from the draft guidance and these are detailed in appendix 2.
- 3.03 A requirement of the WLGA’s Charter for Member support & development is that those Members in receipt special responsibility allowance should have annual reviews of their training and development needs. The Measure and statutory guidance widens this to requiring all Members, except the Leader, to have such an opportunity.
- 3.04 The Council already has in place a process for those Members in receipt of special responsibility allowances to have an annual review meeting and for the outcome to be recorded in an agreed personal development plan. Normally it is the individual Member’s Group Leader who conducts the interview. The Council also has in place the role descriptions described in paragraph 2.15 of the guidance. These arrangements could easily be broadened to cover all Members having the opportunity of such an annual review and thereby complying with the requirements of the Measure and the guidance, subject to with the liaison with the WLGA recommended in paragraph 2.22.
- 3.05 The newly added last sentence to paragraph 2.11 (see appendix 2) needs consideration by the committee. The Member training budget extends beyond just purchasing external training and it is recommended that the committee proposes £5K made available for this purpose.
- 3.06 In relation to the new provision in paragraph 2.20 of the guidance that local authorities are encouraged to appoint a Member Development Champion, this is also a requirement of the WLGA Charter for

Member support and development. At a Council meeting on the 19 October 2010 a decision was taken to terminate such Member Champions that had been appointed by and on behalf of the Council. In view of the encouragement to appoint such a Member which is now contained in the statutory guidance, the committee may wish to make a recommendation to Council that this role is reinstated. They may also wish to recommend a suitable Member to discharge this role.

3.07 **Democratic Services Committee**

Chapter 3 of the guidance deals with the requirements in the Measure to have a Democratic Services Committee and a Head of Democratic Services. There were no representations on this chapter when the Council responded to consultation on the draft guidance. There are only minor changes to paragraphs 3.21 and 3.23 since the draft and these are explained in appendix 2.

3.08 It is the intention for there to be a separate report to the Democratic Services Committee regarding the appointment of the Head of Democratic Services.

4.00 RECOMMENDATIONS

4.01 To note the provisions in the statutory guidance.

4.02 To consider recommending to Council the appointment of a Member Development Champion pursuant to paragraph 2.20 of the statutory guidance.

4.03 That £5K is made available from the Member training budget for purchase of external training.

5.00 FINANCIAL IMPLICATIONS

5.01 The Member training budget is £13,707.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

11.01 None as a result of this report.

12.00 APPENDICES

12.01 Appendix 1 - Response to consultation
Appendix 2 - Changes from draft guidance

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

The statutory Guidance

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**Peter J
Evans/CountySecretary/F
lintshire/GB** To LGDTMailbox@wales.gsi.gov.uk
cc
Sent by: Lavinia M
Stockham/CountySecretary Fax to
/Flintshire/GB
29/03/2012 11:46 Subje Consultation on Draft Statutory Guidance on the Local
ct Government Measure 2011

Dear Sir/Madam

The purpose of this e-mail is to give you the formal response of Flintshire County Council to the consultation document issued on the 3 February for which responses are required by 30 March.

The Draft Statutory Guidance in so far as it relates to overview and scrutiny committees has been considered by the Council's Overview & Scrutiny Co-ordinating Committee. In so far as it relates to the audit committee the Draft Guidance has been considered by the Council's Audit Committee and all parts of the Draft Guidance have been considered by the Council's Constitution Committee at its meeting on the 28 March.

At these meetings it was agreed that the Council should make the following observations on the Draft Statutory Guidance.

1. The first point the Council wishes to make is that the Draft Statutory Guidance is too prescriptive and that more freedom should be left to the local choice of each council as to how it implements the provisions in the Local Government (Wales) Measure 2011. Observations to this effect were made at each of the three committee meetings that considered the Draft Statutory Guidance and the view expressed that the Draft Guidance is seeking to micro manage authorities and that the final version of the Guidance should be less detailed, allowing individual authorities to be creative in putting in place local arrangements to suit their local circumstances.

2. Secondly, Members believed that particularly in relation to the parts of the Guidance dealing with overview and scrutiny, it is generating a lot of extra administrative and bureaucratic work for little or no benefit. For example, in paragraph 5.26 of the Draft Guidance it recommends that authorities develop four separate protocols when it is believed that raising public awareness about overview and scrutiny can be achieved without such protocols.

I shall now make observations in the order in which they appear in the Draft Guidance.

3. Paragraph 1.10

In this paragraph it is indicated that the survey to ascertain the preferences of Members should be carried out within 3 weeks of ordinary elections in order for recommendations to be considered at the Council's Annual Meeting. Flintshire's Annual Meeting will be held on 15 May following the elections on 3 May and it believes that it is totally impractical to conduct a survey of all Members in such a short period of time that the results of any such survey can be reported to and considered at the Annual Meeting. It is believed this sentence should be deleted from the final version of the Guidance.

4. Paragraph 5.26

As indicated in 2. above, it is believed that raising public awareness about overview and scrutiny can be achieved without the need to recommend four separate protocols.

5. Paragraph 5.33

As overview and scrutiny forward work programmes frequently change to reflect changing local priorities rather than circulating to a large number of bodies as is indicated in this paragraph, it is believed it would be a more effective use of resources to use council web sites which is what Flintshire currently does. Sending copies of forward work programmes to the long list of bodies indicated in paragraph 5.33 is going to generate confusion with those bodies whenever the forward work programmes are changed as inevitably and quite properly they are.

6. Paragraph 6.5

The Council welcomes the reference in this paragraph that a councillor call for action should be a means of last resort after other avenues have been explored. Flintshire already has a number of mechanisms to support Members in resolving problems within their electoral divisions which are lower profile and potentially less confrontational than a call for action.

7. Paragraph 7.2

It would be helpful if the final version of the Guidance includes a worked example of where a council has a number of members that are not in any political group.

8. Chapter 8

It is believed that the Draft Guidance dealing with Co-opted Members of Overview and Scrutiny is too detailed and more flexibility should be given to enable easy co-option.

9. Chapter 9

It seems as if the Welsh Government is proposing to implement the part of the Measure dealing with audit committees so that it takes effect from early May which would mean that any meeting of the audit committee thereafter would legally require to have on it at least one lay member. The Council believes that the implementation of this part of the Measure should be approximately 2 months after the final guidance has been issued. The final version of the Guidance should give more guidance than is in paragraph 9.27 of the Draft Guidance as to the criteria against which lay candidates' appropriateness will be judged. Councils should then have 2 months to publicly advertise in a transparent way indicating the criteria and to recruit suitable lay members so that the reconstituted committee can be in place when that part of the Measure is implemented. Otherwise there is a risk of either recruiting in a rushed non transparent way or of not having a legally effective audit committee because the requisite lay member(s) have not as yet been appointed.

10. Paragraph 9.2

The Local Government Measure introduces a responsibility for Audit Committees to review, scrutinise and issue reports and recommendations in relation to the authority's financial affairs. The draft guidance does not clarify what it is intended that this should mean in practice. A number of Councils are interpreting this to mean that the Audit Committee should take over responsibility for scrutiny of the Council's revenue budget and capital programme and the in-year monitoring, following consideration of the same by the Executive. In effect this would take away the budget scrutiny role from Flintshire's Overview & Scrutiny Committees. Flintshire believes that the final version of the guidance should clarify what precisely is seen as the role of the Audit Committee in relation to the financial affairs of the Council and how this differs to the ongoing role of Overview & Scrutiny. In Flintshire's opinion the final version of the consultation should indicate that the Audit Committee should be limited to ensuring that there is a solid approach towards financial and organisational propriety, through the application of effective systems, procedures and controls. The role of Overview & Scrutiny to monitor, challenge and support the development of effective financial performance (linked to service delivery and performance) should remain.

11. Paragraphs 9.9 and 9.10

These refer to two separate publications issued by CIPFA and indicate that whilst one of those publications is somewhat dated (published in 2005) its principles are still valid. The Draft Guidance

goes on to indicate that local authorities are advised to view the two documents as being complimentary to the Guidance. The Council believes that the final Guidance should be all encompassing rather than referring to separate documents, particularly where it is saying that one of those documents is somewhat dated. The final Guidance should include those parts of the separate document that the Welsh Government believes still to be relevant.

12. Paragraph 9.15

This indicates that each authority must ensure that the Audit Committee is provided with all copies of auditor's reports. Flintshire believes that this is too prescriptive and that in view of the number of reports that are issued by internal and external auditors it can lead to the Committee being inundated and unable to properly consider the reports that raise significant issues. It is believed that the final guidance should leave it to local choice for each authority to decide the extent to which Audit Committees need to receive copies of auditor's reports. Separate arrangements can always be made for the members of the Audit Committee to be informed of all audit reports and for those reports to be available for any member who wishes to read them and if the member wishes refer them to the Committee for its consideration.

13. Paragraph 9.19

This requires the Audit Committee to receive and consider reports from not only external/internal auditors but also any other regulators or inspectors. It goes on to say that the authority will need to ensure that there is no unnecessary duplication between the Audit Committee and any Overview & Scrutiny Committee in considering such reports. If in future Audit Committees are to receive and consider reports from bodies such as Estyn, and duplication is avoided, then such reports would not in future be considered by Flintshire's Lifelong Learning Overview & Scrutiny Committee but by the Audit Committee. Flintshire believes that this part of the draft guidance is too prescriptive and it should be left to the local choice of individual authorities as to the extent to which reports from regulators and inspectors are considered by Audit Committee rather than by the appropriate Overview & Scrutiny Committee.

14. Paragraph 9.23

This states that reports and recommendations by the Audit Committee should be considered by full Council in particular, as well as the Executive. Whilst this appears just to relate to the Audit Committee in relation to financial statements, it does seem to be advocating duplication and could lead to confusion as to whether the responsibility is with the Executive or is a Council function. It is believed that this paragraph should be clarified in the final version of the guidance. Firstly, as to when it is appropriate for reports and recommendations to subsequently be considered by both Council and Executive and secondly, to clarify which prevails in the event of the Council and Executive taking different views.

I hope the above representations will assist in the drafting of the final version of the statutory guidance.

Please acknowledge receipt of this e-mail.

Regards,

Peter Evans
Democracy & Governance Manager | Rheolwr Democratiaeth a Llywodraethu
Democratic Services | Gwasanaethau Democratiaidd
Flintshire County Council | Cyngor Sir Y Fflint
County Hall | Neuadd y Sir
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Paragraph 2.7

The last two bullet points have been added from the draft. They add Public Engagement and Equality and Diversity to the suggested training topics.

Paragraph 2.11

The last sentence has been added since the draft. It recommends that the Democratic Services Committee proposes the appropriate level of funding to be made available for the purchase of external training. In Flintshire there is currently a Member training budget of £.....K.

Paragraph 2.20

The last sentence encouraging local authorities to appoint a Member Development Champion from amongst its Councillors has been added.

Paragraph 3.21

The last sentence has been added since the draft. This provides for the Welsh Government considering amending the Local Authority (Standing Orders) (Wales) Regulations to encompass the role of the Head of Democratic Services.

Paragraph 3.23

There has been a sentence added to the middle of this to ensure the new arrangements do not weaken established Overview & Scrutiny arrangements

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: DEMOCRATIC SERVICES COMMITTEE

DATE: TUESDAY, 24 JULY 2012

REPORT BY: DEMOCRACY & GOVERNANCE MANAGER

SUBJECT: FEEDBACK ON MEMBER DEVELOPMENT EVENTS

1.00 PURPOSE OF REPORT

1.01 To provide the committee with feedback on Member development events held since the County Council elections.

2.00 BACKGROUND

2.02 It has been the practice of the Member Development Working Group to receive reports detailing Member feedback on development events at each of its meetings. As a result of the Local Government (Wales) Measure 2011 creating Democratic Services Committees, it is now more appropriate for such reports to be considered by this committee.

2.03 It is important to receive Member feedback on development events to monitor the quality of them and to identify any issues that can be improved for future Member development events. It is therefore proposed to submit a report to each meeting of the Democratic Services Committee giving feedback on the Member development events that have been held since the committee's last meeting.

2.04 Prior to the Council elections, the Council put in place an extensive Member induction programme which included formal Member briefings on the more urgent topics prior to the August recess (phase 1) and for further topics to be dealt with in phase 2 of the programme between September and December. This programme was approved by the Member Development Working Group at its meeting on the 10 February when it was also decided that programmed induction events should be cancelled if fewer than 6 Members booked to attend. Attached as appendix 1 is a list of the phase 1 Member induction programme giving details of those scheduled events that were cancelled due to insufficient Members booking and also details of the numbers attending the other events.

2.05 All Members were invited to the phase 1 induction programme as for returning Members it would provide useful refresher training and feedback from the previous induction programme showed that new Members benefited from returning Members sharing their experiences

during such sessions. All Members received details of the programme in their Members' bag distributed shortly after the election. The programme was also publicised in Member Services, the Infonet, e-mails and through political Group Leaders meetings. If the committee is of the view that attendance has been poor, it may wish to make suggestions as to how attendance at phase 2 of the induction programme can be improved.

3.00 CONSIDERATIONS

- 3.01 The feedback forms received from Members attending the event have been analysed by Member Services and attached as appendix 2 are tables showing the feedback results. Overall the feedback from the development events remains good with average scores normally in excess of 5 out a maximum of 6 for each aspect assessed.
- 3.02 In addition to the analysis in appendix 2, committee members may wish to make observations on their experience of the events that they attended or make suggestions for improvements for future Member development events.

4.00 RECOMMENDATIONS

- 4.01 That Members consider the feedback on Member development events held since the elections so as to inform arrangements for future Member development events.

5.00 FINANCIAL IMPLICATIONS

- 5.01 The Member training budget is £13,707

6.00 ANTI POVERTY IMPACT

- 6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

- 8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

- 9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

- 10.01 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

11.01 None as a result of this report.

12.00 APPENDICES

12.01 Appendix 1 – Phase 1 Member induction
Appendix 2 - Feedback results

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

None

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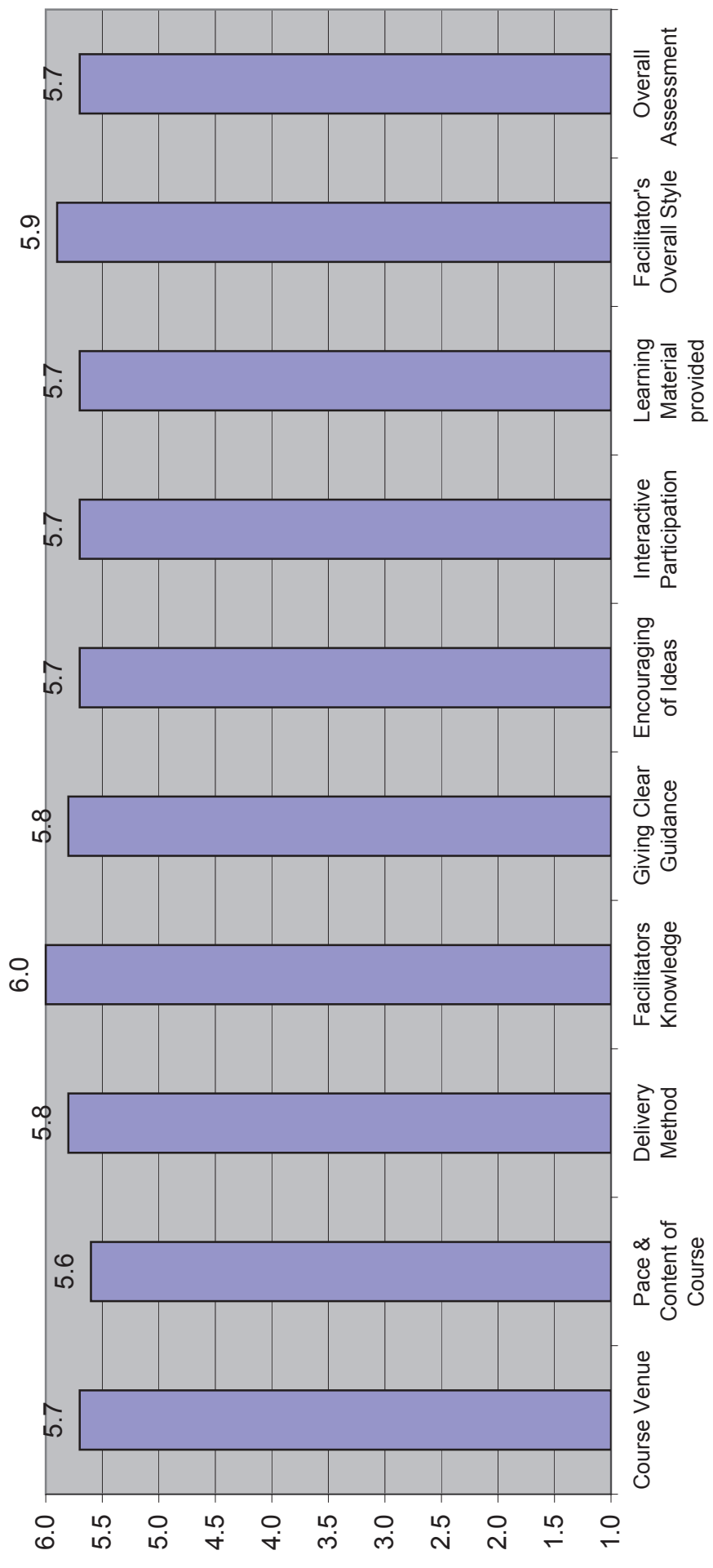
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APPENDIX 1

DATE	TIME	TOPIC	ROOM	ATTENDANCE
16 May	10.00 am to 1.00 pm	Overview of Planning	A&D	12
16 May	2.00 pm to 5.00 pm	Overview of Planning	A&D	2
16 May	5.00 pm to 7.15 pm	Overview of Planning	A&D	2
17 May	9.30 am to 12.30 pm	ICT Facilities & Emergency Planning	Clwyd	Cancelled
17 May	3.30 pm to 6.30 pm	Member Code of Conduct	Delyn	3
22 May	9.30 am to 12.30 pm	Overview & Scrutiny	Delyn	7
23 May	5.00 pm to 8.00 pm	Member Code of Conduct	Clwyd	1
24 May	9.30 am to 12.30 pm	Member Code of Conduct	Delyn	2
28 May	1.30 pm to 4.30 pm	Local Government Law & Governance	Delyn	Cancelled
28 May	5.00 pm to 8.00 pm	ICT Facilities & Emergency Planning	A&D	Cancelled
31 May	1.30 pm to 4.30 pm	ICT Facilities & Emergency Planning	Clwyd	6
31 May	5.00 pm to 8.00 pm	Local Government Law & Governance	Clwyd	Cancelled
1 June	9.30 am to 12.30 pm	Local Government Law & Governance	Clwyd	Cancelled
6 June	2.00 pm to 5.00 pm	Overview & Scrutiny	Delyn	Cancelled
7 June	10.00 am to 12.30pm	Licensing for Members of Licensing Committee	Clwyd	9
7 June	5.00 pm to 8.00 pm	Overview & Scrutiny	Delyn	Cancelled
15 June	9.00 am to 12 noon	Corporate Parenting, Safeguarding & Protection of Vulnerable Adults	A&D	4
15 June	10.00 am to 4.00 pm	Audit Committee	Clwyd	11
18 June	1.30 pm to 4.30 pm	Equality and Welsh Language	A&D	Cancelled
19 June	2.00 pm to 5.00 pm	Corporate Parenting Safeguarding & Protection of Vulnerable Adults	A&D	2
20 June	2.00 pm to 5.00 pm	Town & Community Induction	A&D	18
21 June	2.00 pm to 5.00 pm	Town & Community	A&D	

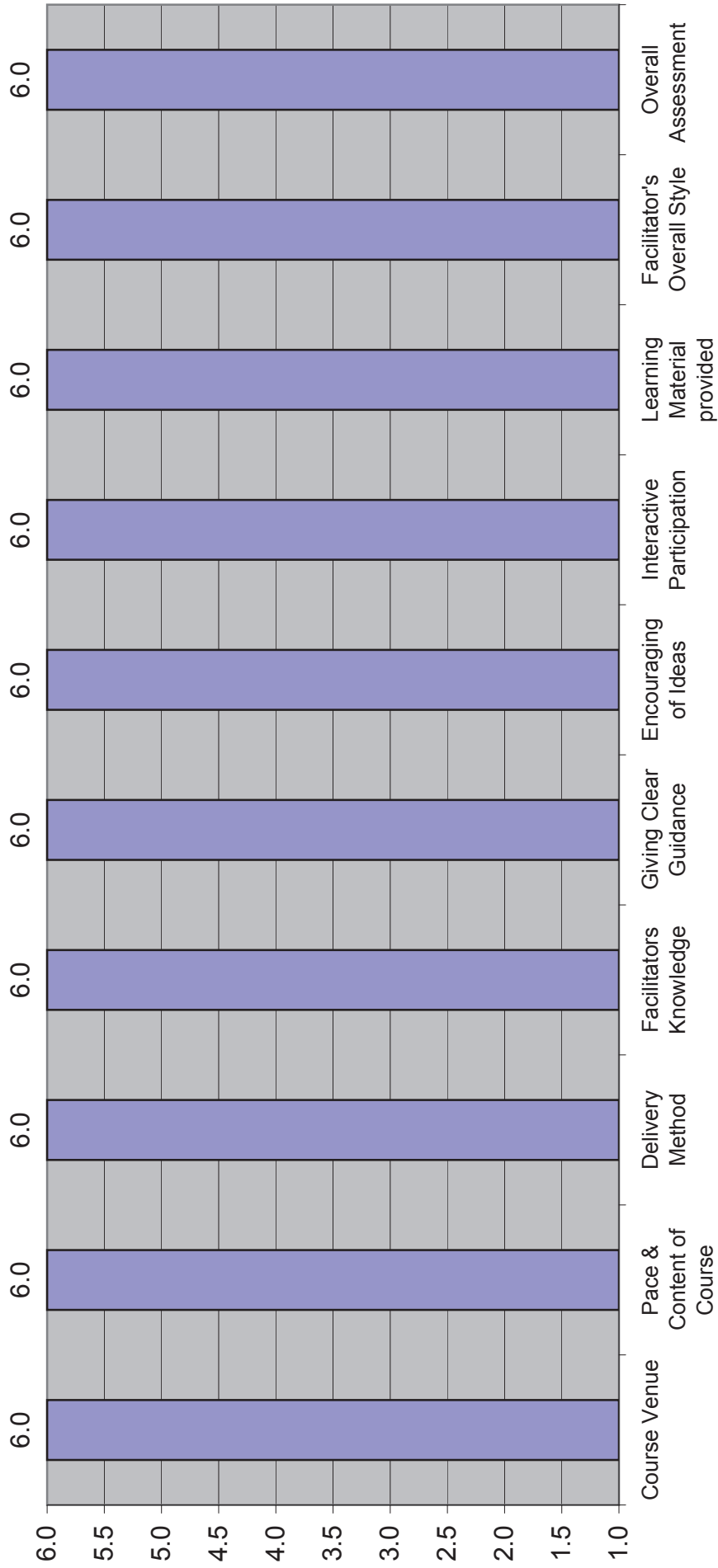
DATE	TIME	TOPIC	ROOM	ATTENDANCE
		Induction		4
21 June	6.00 pm to 9.00 pm	Equality and Welsh Language	A&D	Cancelled
22 June	2.00 pm to 5.00 pm	Town & Community Induction	Council Chamber	15
25 June	5.00 pm to 8.00 pm	Corporate Parenting Safeguarding & Protection of Vulnerable Adults	A&D	Cancelled
29 June	9.30 am to 12.30 pm	Equality and Welsh Language	A&D	3
10 July	5.00 pm to 8.00 pm	Corporate Finance – Financial Strategy & Budget	A&D	
11 July	2.00 pm to 5.00 pm	Corporate Finance – Financial Strategy & Budget	A&D	
13 July	10.00 am to 1.00 pm	Corporate Finance – Financial Strategy & Budget	A&D	

**Member Induction Briefing - Overview of Planning
 16th May 2012, 10.00 am - 1.00 pm - Alyn & Deeside Room
 Lead Officer: Andy Farrow - 12 Attendees**



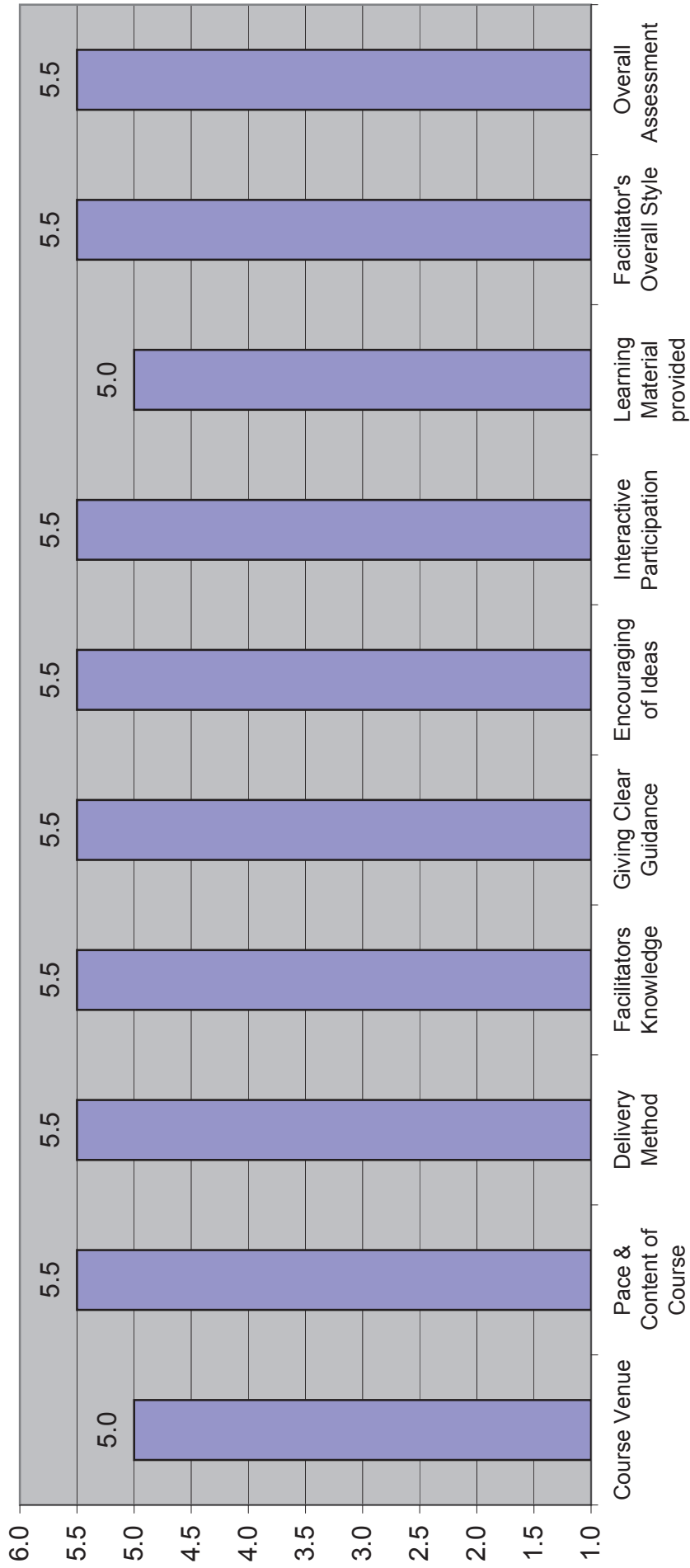
1 Poor - 6 Excellent

**Member Induction Briefing - Overview of Planning
 16th May 2012, 2.00 pm - 5.00 pm - Alyn & Deeside Room
 Lead Officer: Andy Farrow - 2 Attendees**



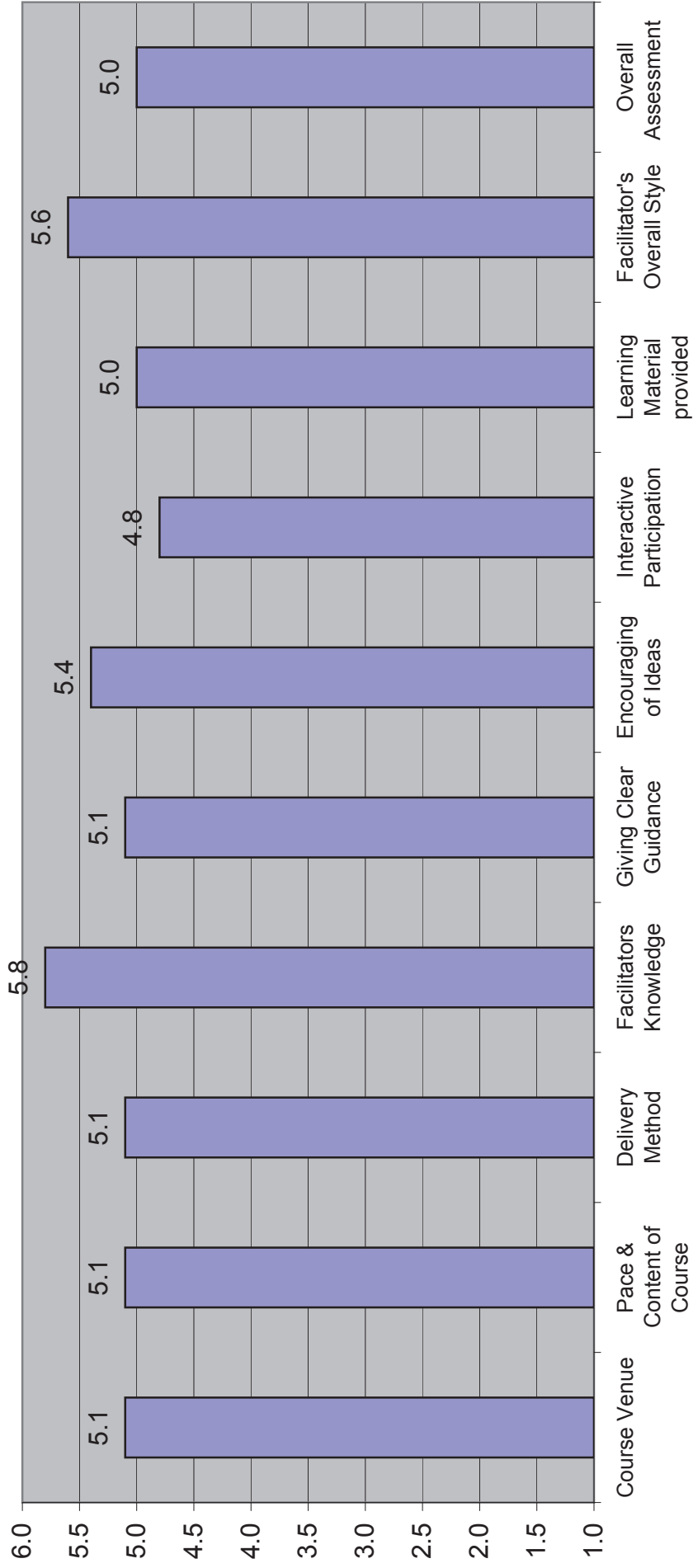
1 Poor - 6 Excellent

**Member Induction Briefing - Overview of Planning
 16th May 2012, 5.00 pm - 7.15 pm - Alyn & Deeside Room
 Lead Officer: Andy Farrow - 2 Attendees**



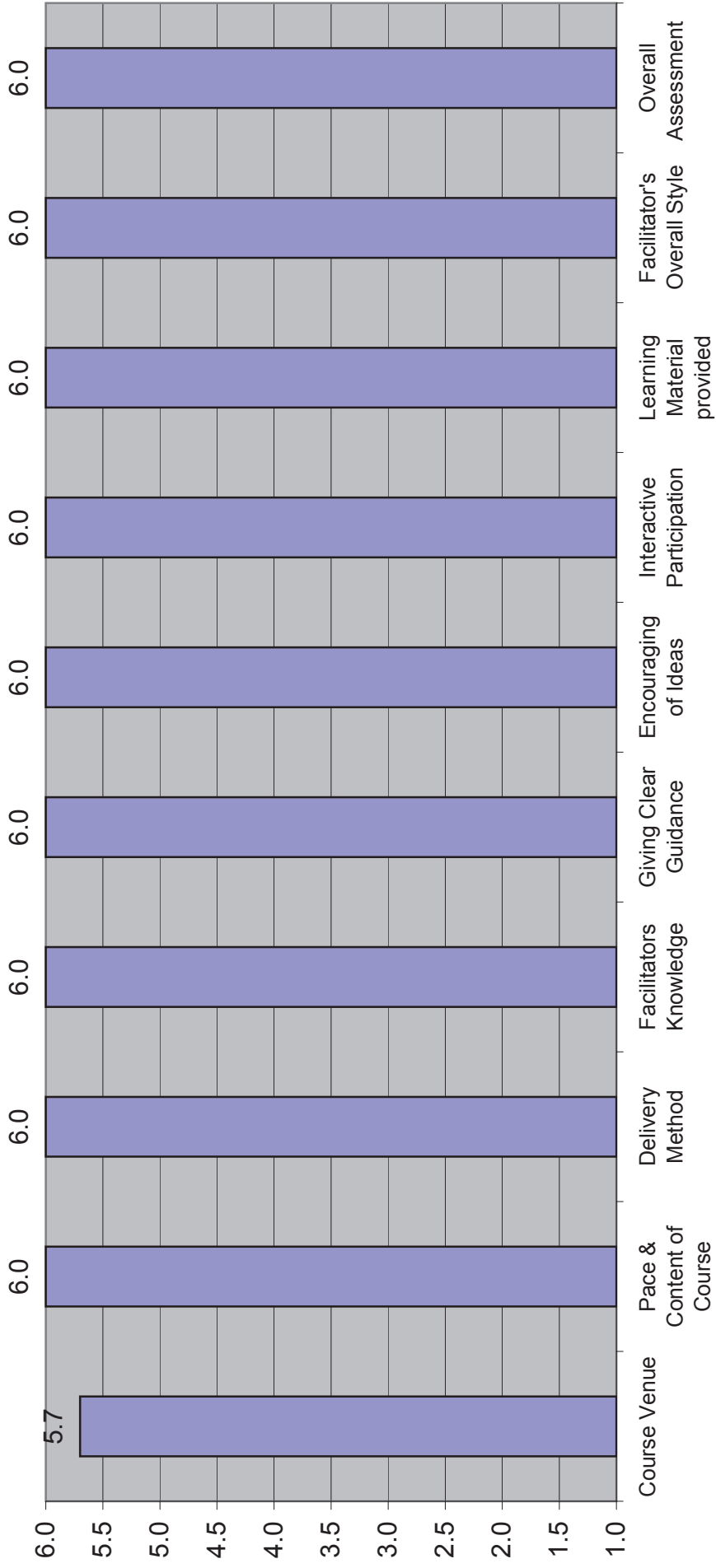
1 Poor - 6 Excellent

**Member Induction Briefing - Audit Committee
 15th June 2012, 10.00 am - 16.00 pm - Clwyd Committee Room
 Lead Officer: David Webster - 11 Attendees**



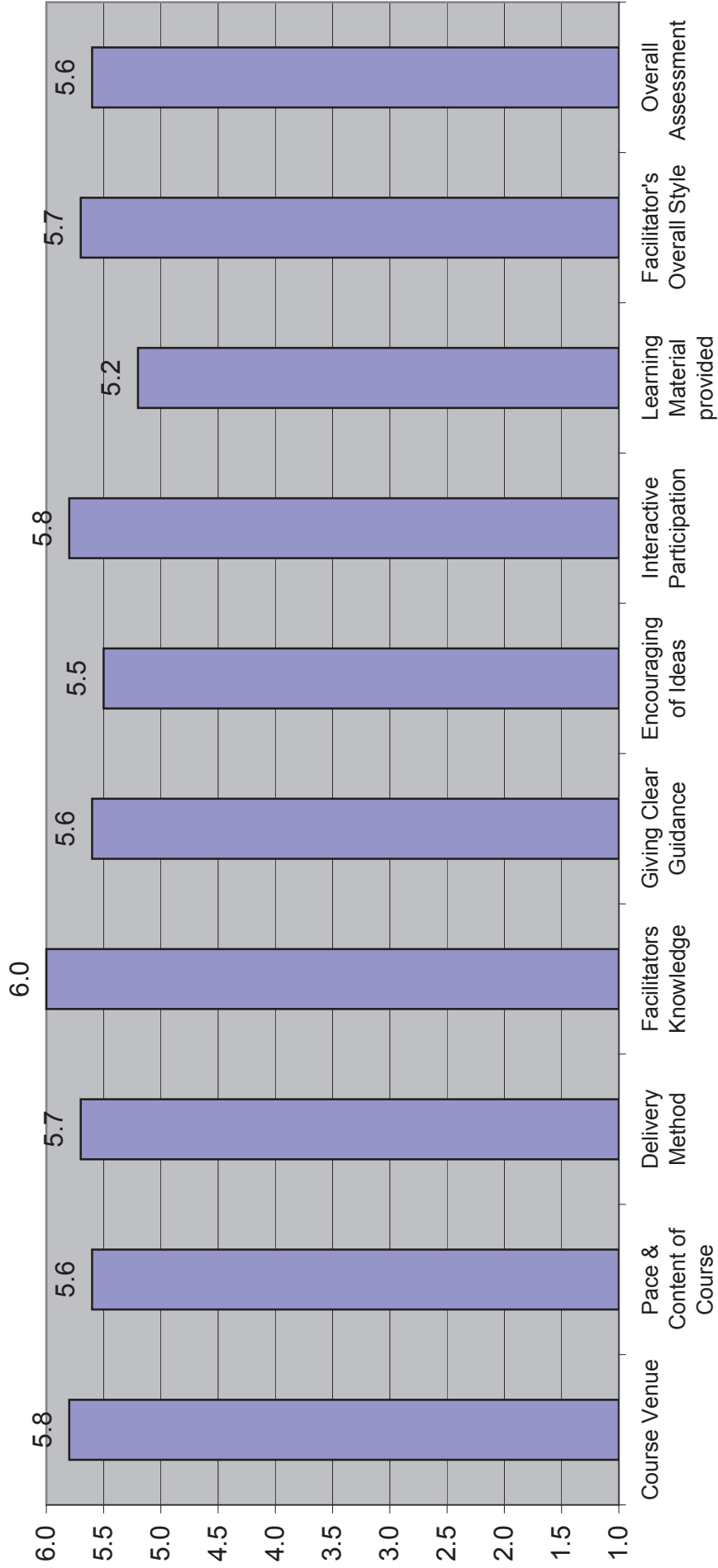
1 Poor - 6 Excellent

**Member Induction Briefing - Equality & Welsh Language
 29th June 2012, 9.30 am - 12.30 pm - Alyn & Deeside Room
 Lead Officer: Caren Prys Jones - 3 Attendees**



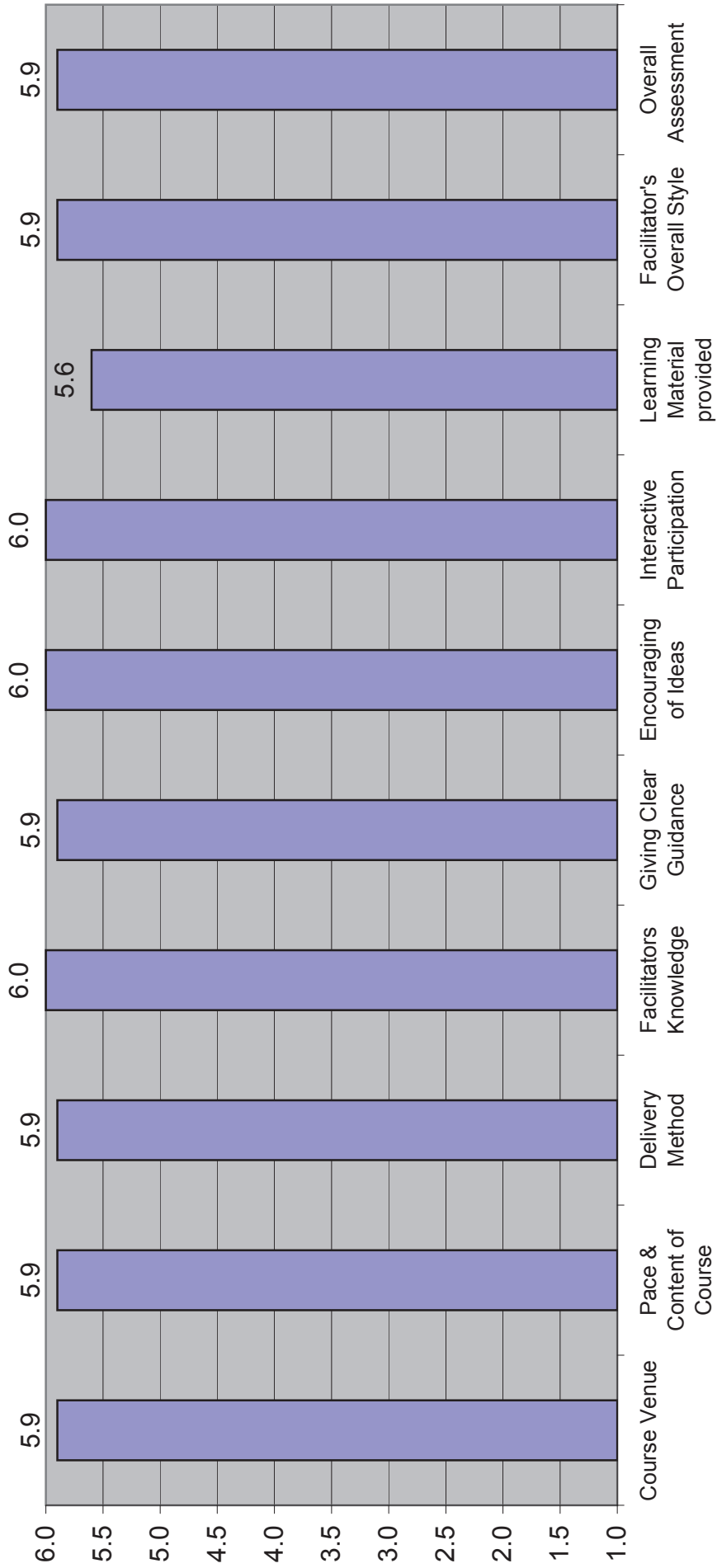
1 Poor - 6 Excellent

Member Induction Briefing - ICT Facilities & Emergency Planning
31st May 2012, 1.30 pm - 4.30 pm - Clwyd Committee Room
Lead Officer: Chris Guest, Alun Kime & Don Norris - 6 Attendees



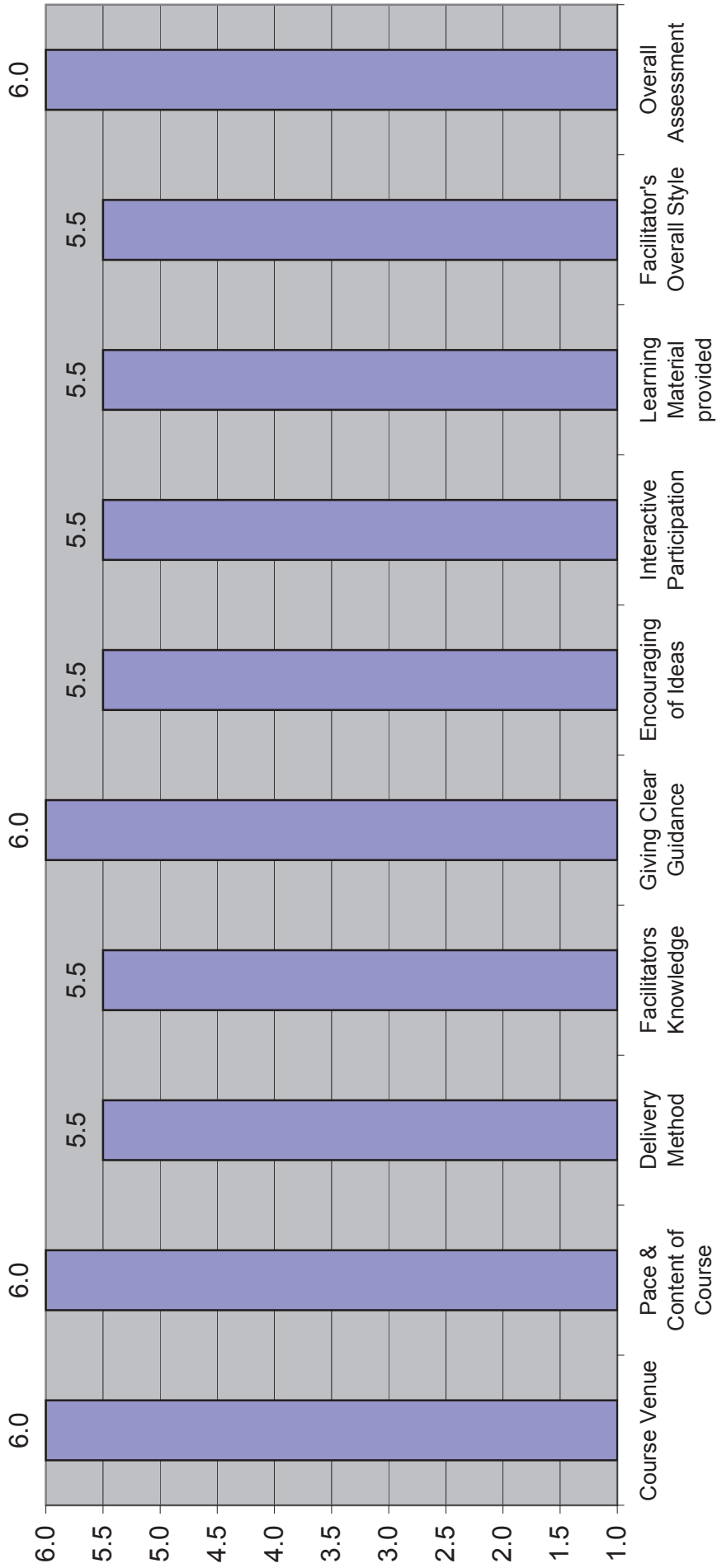
1 Poor - 6 Excellent

**Member Induction Briefing - Overview & Scrutiny
 22nd May 2012, 9.30 am - 12.30 pm - Clwyd Committee Room
 Lead Officer: Robert Robins - 7 Attendees**



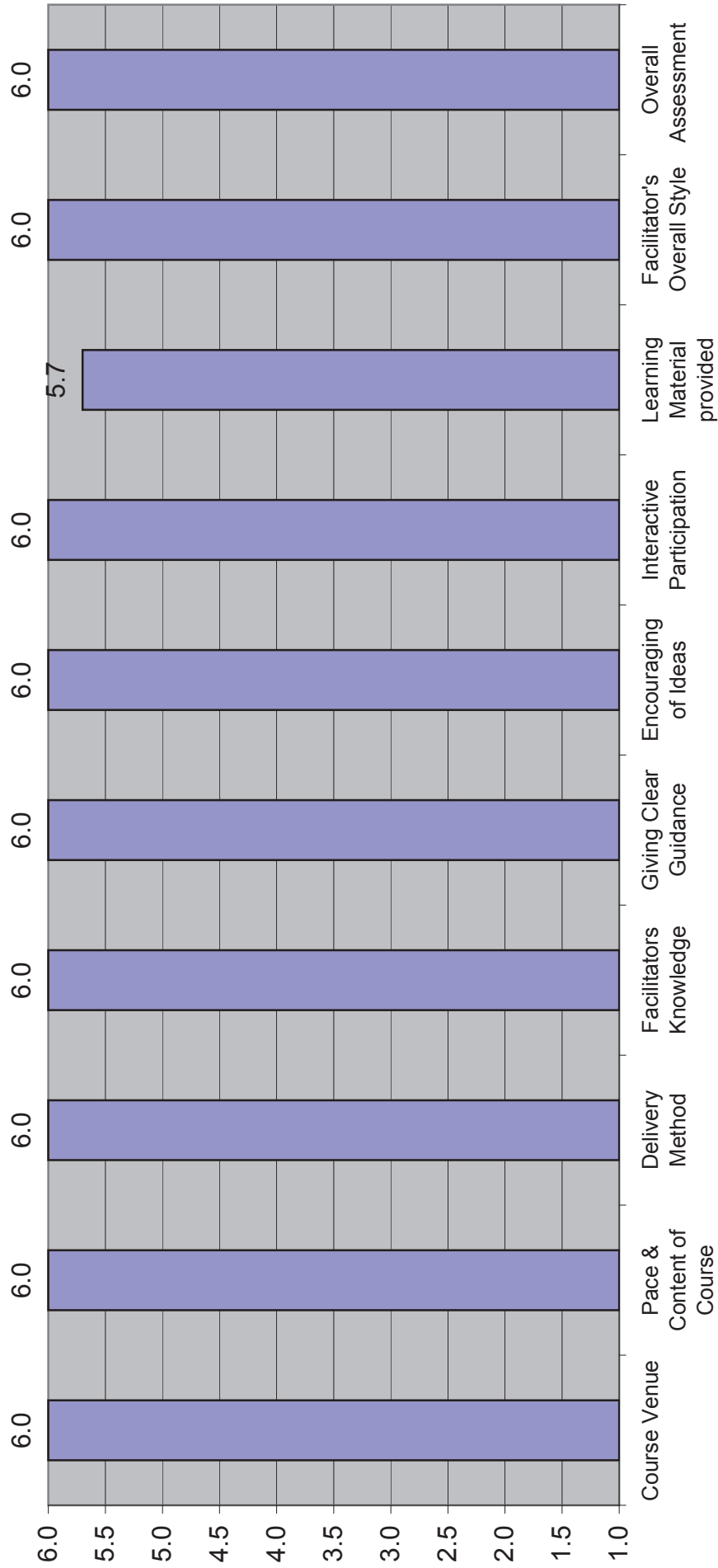
1 Poor - 6 Excellent

**Member Induction Briefing - Member Code of Conduct
 24th May 2012, 9.30 am - 12.30 pm - Clwyd Committee Room
 Lead Officer: Peter Evans - 2 Attendees**



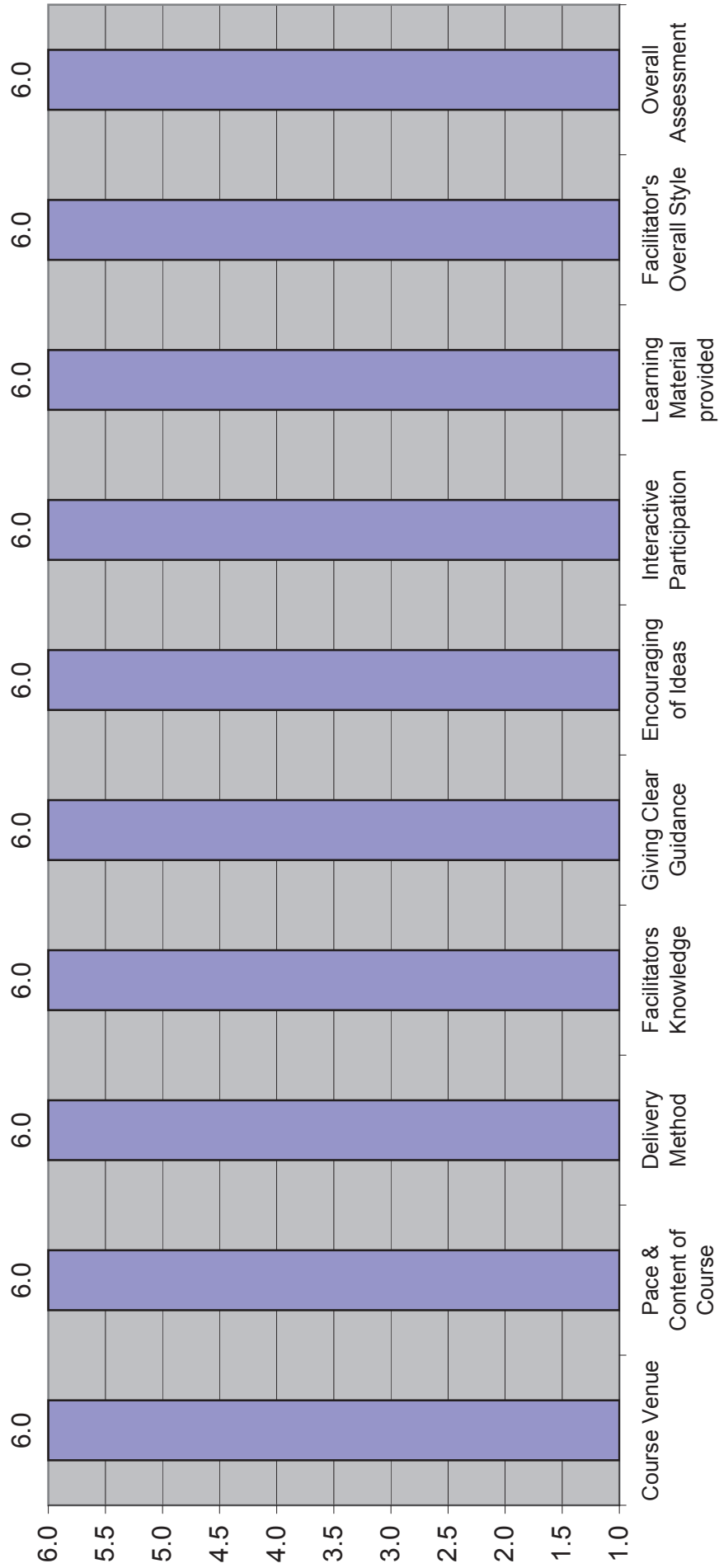
1 Poor - 6 Excellent

**Member Induction Briefing - Member Code of Conduct
 17th May 2012, 3.30pm - 6.30 pm - Clwyd Committee Room
 Lead Officer: Gareth Owens - 3 Attendees**



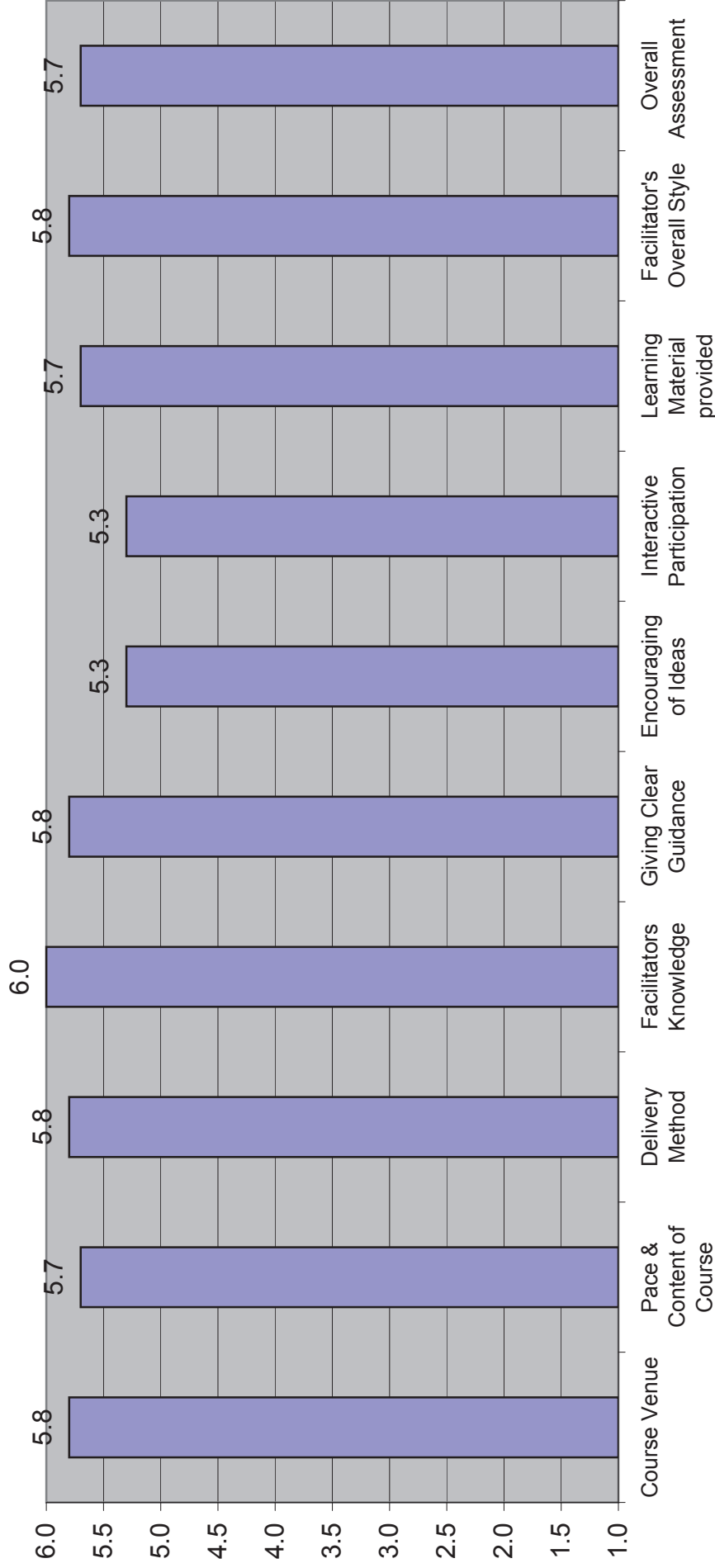
1 Poor - 6 Excellent

**Member Induction Briefing - Member Code of Conduct
 23rd May 2012, 5.00pm - 8.00 pm - Clwyd Committee Room
 Lead Officer: Gareth Owens - 1 Attendee**



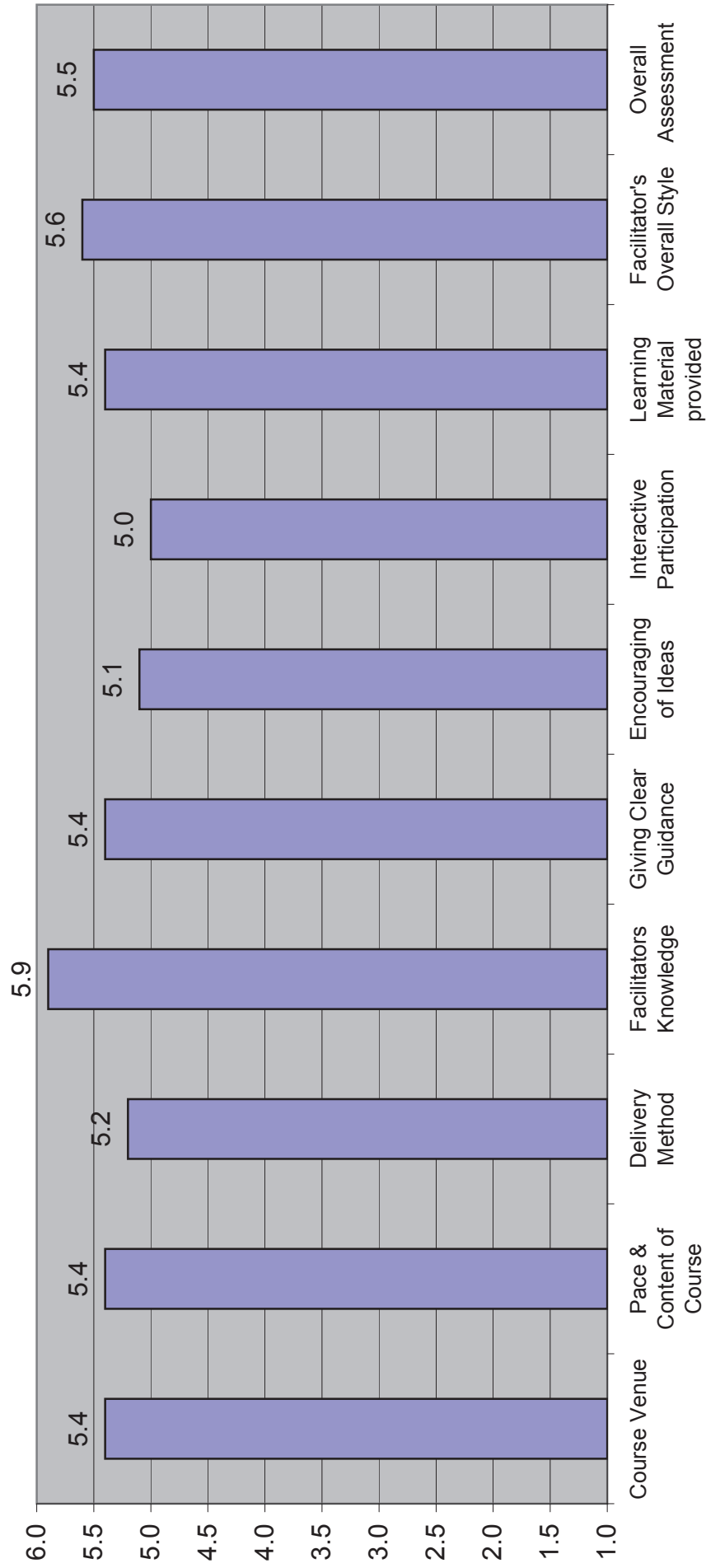
1 Poor - 6 Excellent

**Member Induction Briefing - Licensing
 7th June 2012, 10.00 am - 12.30 pm - Clwyd Committee Room
 Lead Officer: Michael Lovatt - 9 Attendees**



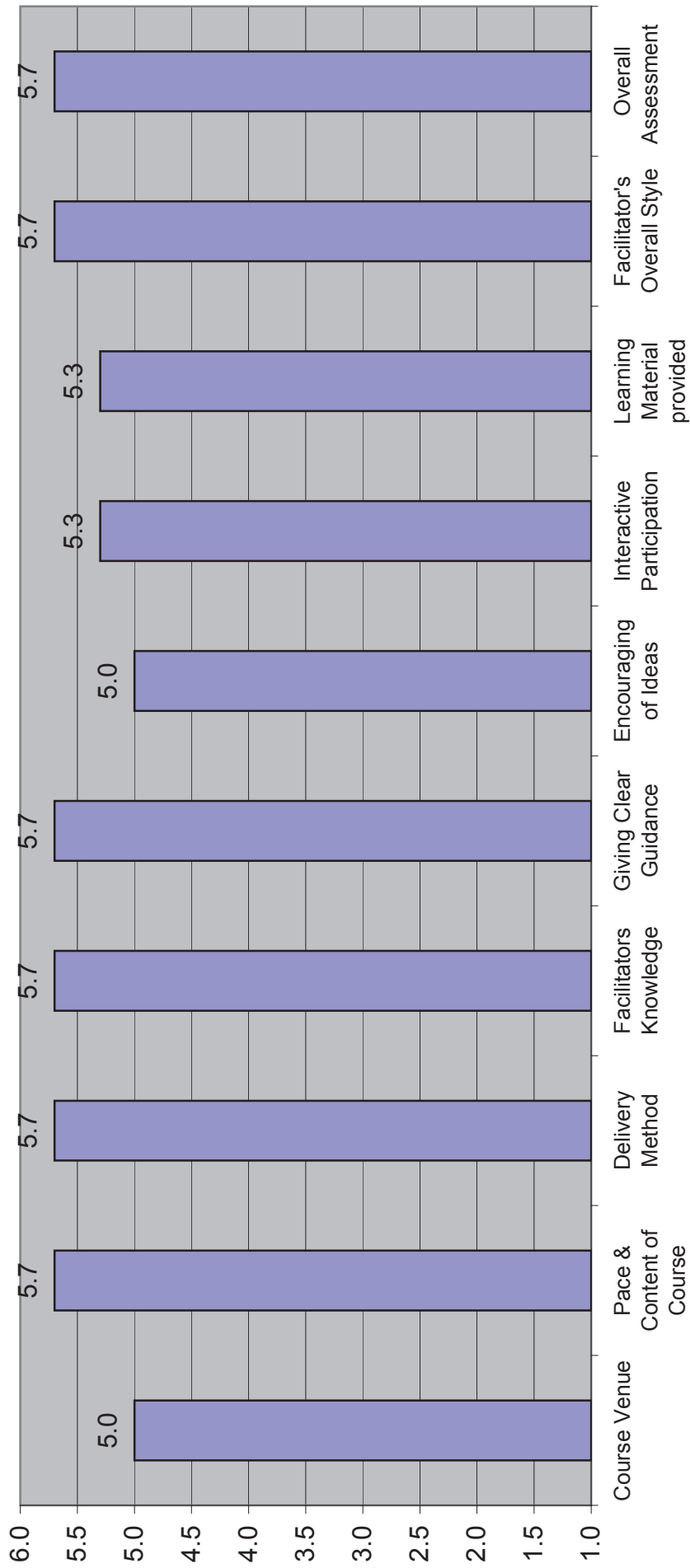
1 Poor - 6 Excellent

**Town & Community Council - Induction Training
 22nd June 2012, 9.30am - 12.15 pm - Council Chamber
 Lead Officer: Gareth Owens & Peter Evans- 15 Attendees**



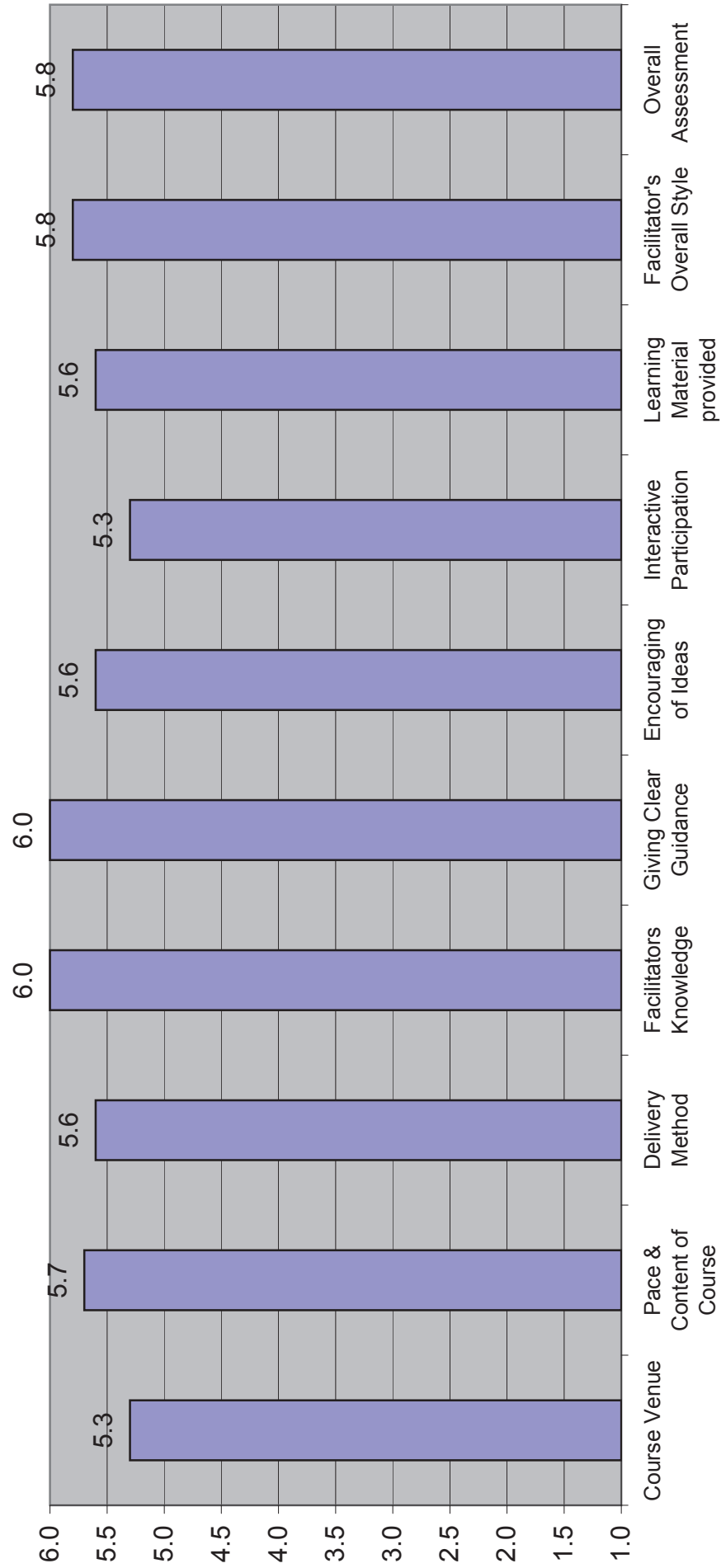
1 Poor - 6 Excellent

**Town & Community Council - Induction Training
 21st June 2012, 2.00pm - 5.00 pm - Council Chamber
 Lead Officer: Gareth Owens & Peter Evans - 4 Attendees**



1 Poor - 6 Excellent

**Town & Community Council - Induction Training
 20th June 2012, 5.00 pm - 7.30 pm - Council Chamber
 Lead Officer: Gareth Owens & Peter Evans - 18 Attendees**

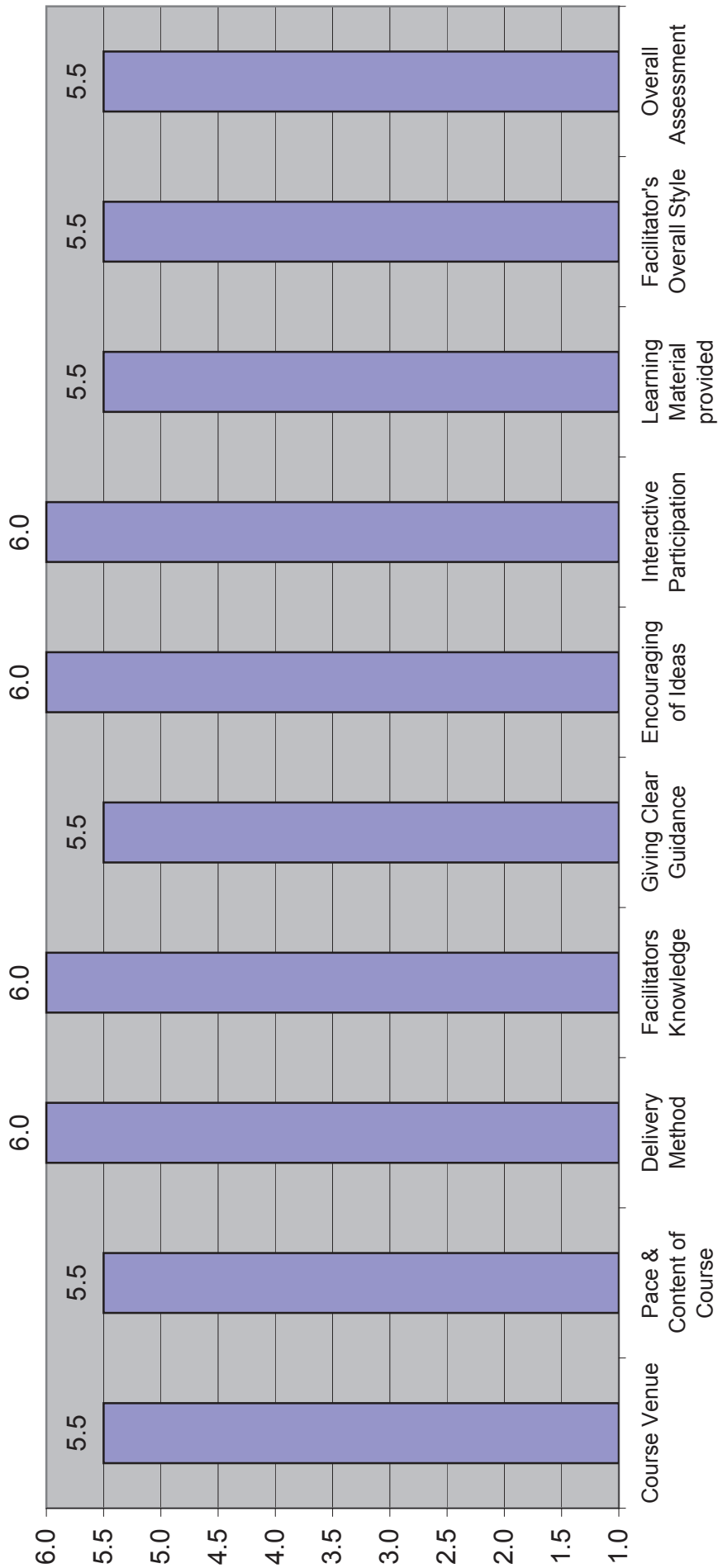


1 Poor - 6 Excellent

Member Induction Briefing - Corporate Parenting Safeguarding & Protection of Vulnerable Adults

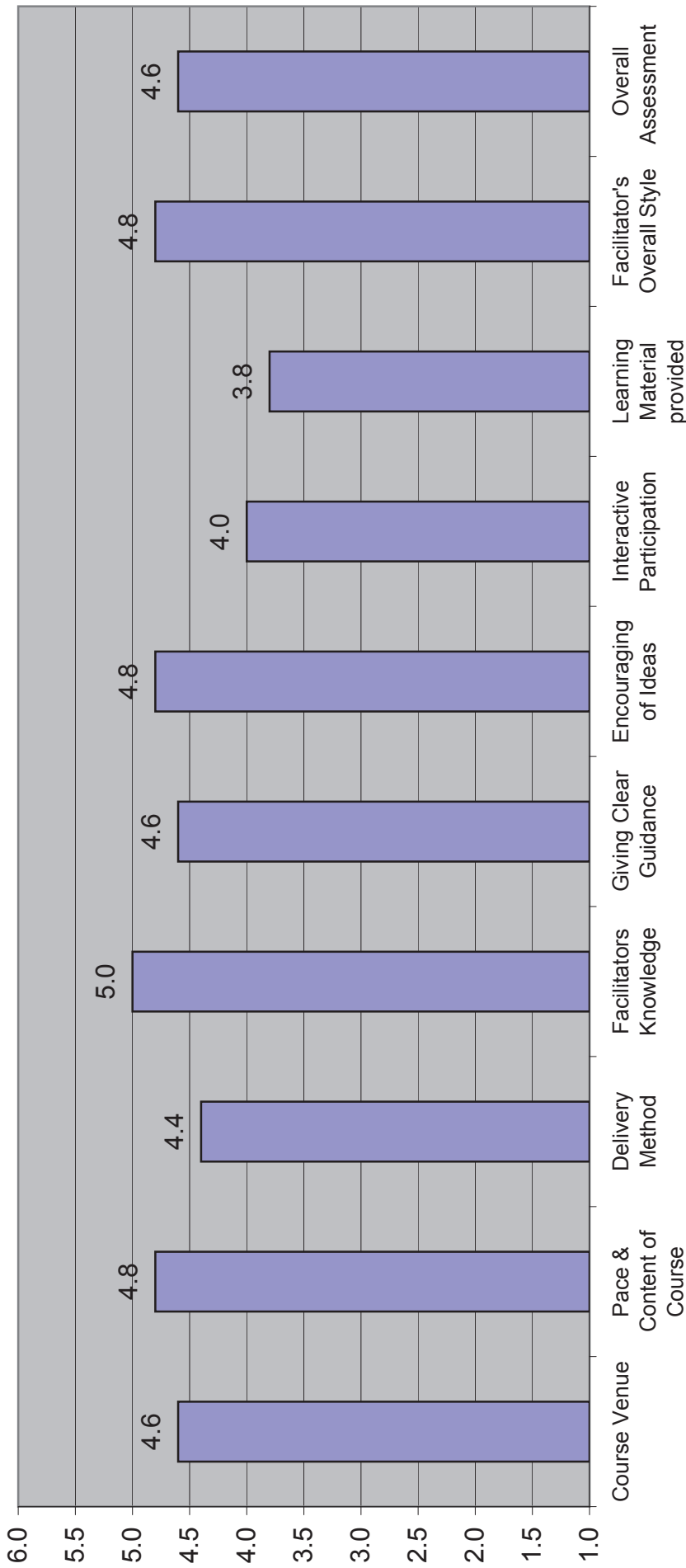
15th June 2012, 9.00 am - 12.00 pm - Alyn & Deeside Room

Lead Officer: Bob McLaren - 2 Attendees



1 Poor - 6 Excellent

Member Induction Briefing - Corporate Parenting Safeguarding & Protection of Vulnerable Adults
13th June 2012, 2.00 pm - 5.00 pm - Alyn & Deeside Room
Lead Officer: Bob McLaren - 5 Attendees



1 Poor - 6 Excellent

FLINTSHIRE COUNTY COUNCIL

REPORT TO: DEMOCRATIC SERVICES COMMITTEE

DATE: TUESDAY, 24 JULY 2012

REPORT BY: DEMOCRACY & GOVERNANCE MANAGER

SUBJECT: ELECTED MEMBER SURVEY

1.00 PURPOSE OF REPORT

1.01 To consider the results of the survey of elected Members undertaken during June.

2.00 BACKGROUND

2.01 Attached as appendix 1 are the questions in a survey that was sent to all Members on the 7 June seeking responses by the 29 June 2012. Approximately two thirds of Members responded by the deadline and appendix 2 gives the detailed analysis of the responses received.

2.02 Section 6 of the Local Government (Wales) Measure 2011 requires the Council to have regard to guidance issued by the Welsh Government relating to the times at which meetings of the Council and its committees and sub committees meet. In June such guidance was issued and this stated that all local authorities should review the times of which meetings are held at least once in every term, preferably shortly after the new Council is elected. It went on to indicate that the rule of thumb should be that meetings will be held at times, intervals and locations which are convenient to its Members and as far as it is practicable, have regard to equality and diversity issues. A copy of the guidance is attached as appendix 3.

2.03 Section 7 of the Local Government (Wales) Measure 2011 requires local authorities to secure the provision of reasonable training and development opportunities for its Members. The Member survey therefore included asking Members if there were any skills or topics they would wish to include in the Member training programme for 2012/13.

2.04 The start of the new Council is a good opportunity for ascertaining the wishes of Members as to whether they want to receive their agendas and reports electronically or have paper copies. The last three questions in the survey cover this.

3.00 CONSIDERATIONS

- 3.01 The responses to the first three questions show a preference for meetings to be held in the morning rather than the afternoon with little support for evening meetings. The preferred starting times are 10.00 am for morning meetings, 2.00 pm for afternoon meetings and 6.00 pm for evening meetings. The vast majority of responses favoured the meetings being held at County Hall, Mold. The committee may consider that the survey supports existing arrangements continuing except for Council meetings being held in the morning.
- 3.02 Questions 5 and 6 relate to the preferred frequency of different types of meetings. For meetings of the County Council the largest number of responses indicated eight times a year with approximately equal numbers suggesting either six or twelve times a year. For the Cabinet there was an overwhelming majority in favour of meeting twelve times a year. For individual overview & scrutiny committees there was a similar but smaller preference for each committee meeting twelve times a year. In relation to other committees the most popular response was for them to meet six times a year. These preferences are broadly in line with the average frequency in the last Council.
- 3.03 Question 7 was seeking Members preference for when the different types of meetings should be held. There was a large majority in favour of Cabinet and Council meetings being held on Tuesdays with a smaller majority in favour of Wednesdays for overview & scrutiny committees. For other committees there was a small preference for Monday meetings. The committee may wish to recommend that Cabinet and Council meetings continue to be held on Tuesdays with committee meetings normally held on Monday, Tuesday or Wednesday.
- 3.04 Question 8 was seeking details of personal circumstances that limit a Member's ability to attend meetings and a variety of such reasons were given. Several Members referred to their employment commitments and some others to their care responsibilities. A full list of responses given, are in the answers to question 8.
- 3.05 Questions 9, 10 and 11 relate to the number of committees that Members believe it is practical for them to serve upon and whether there should be any limit. Two thirds of those responding to question 9 believed it was practical to serve on either two or three committees. There was a mixed response to whether there should be any limit on the number of committees a Member serves on. There was however, a slight majority in favour of limiting the number of committees a Member serves on with this limit being between two and four committees.

- 3.06 Question 12 was seeking suggestions for any skills or topics that Members wish to include in the Member training programme for 2012/13. IT, Planning and Financial matters were the topics that were suggested by more than one Member. It is the custom and practice for there to be four Member Planning events a year, the topics being determined by the Planning Protocol Working Group. Finance has been identified as a topic in the Member induction/refresher briefings with the dates set for the 26th, 27th and 29th November 2012. In relation to ICT training, all Members of the Council were written to on the 8th May and invited to discuss the range of ICT training courses available. ICT was also included as a topic in phase 1 of the Member induction/refresher training but two of the three sessions were cancelled due to lack of numbers with six Members attending the third session.
- 3.07 The last questions in the survey relate to the despatch of agendas and reports. It shows that there are a majority of Members in favour of receiving a mixture of some electronically and some paper copies. In relation to paper copies there is a clear majority in favour of having them posted only if that Member has not collected them from their pigeonhole in Member Services by the Friday lunch time.
- 3.08 In view of the cost of postage having recently increased, it is important that as many Members as possible receive their papers electronically or collect paper copies from Member Services. It is more environmentally friendly and quicker for agendas and reports to be sent electronically. Work is ongoing in relation to identifying a suitable electronic device that can be issued to all Members and at that time there will need to be a review of the arrangements concerning the despatch of paper copies. In the meantime the committee may wish to recommend limiting paper copies to the committees a Member is on, Cabinet and Council.

4.00 RECOMMENDATIONS

- 4.01 For the committee to consider the results of the Member survey and make any appropriate recommendations to County Council.

5.00 FINANCIAL IMPLICATIONS

- 5.01 The Member training budget is £13,707.

6.00 ANTI POVERTY IMPACT

- 6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

11.01 With Group Leaders and their deputies.

12.00 APPENDICES

12.01 Appendix 1 - Member survey
Appendix 2 - detailed analysis of survey
Appendix 3 - timing of Council meetings guidance

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Results of Member survey

Contact Officer: Peter Evans
Telephone: 01352 702304
Email: peter.j.evans@flintshire.gov.uk

Member Questionnaire

1. I would like Cabinet meetings to be held - morning / afternoon / evening
2. I would like Council meetings to be held - morning / afternoon / evening.
3. I would like Committee meetings to be held - morning / afternoon / evening.

(Questions 1 to 3 delete as appropriate)

4. At what time do you believe the meetings referred to in the above questions should commence?

a) For morning meetings

b) For afternoon meetings

c) For evening meetings

(Please give you preference for each irrespective of how you answered questions 1 to 3).

5. I would like the meetings referred to in questions 1, 2 and 3 to be held at County Hall

Other (Please specify)

6. How often during a year do you believe the following should meet:-

The County Council

The Cabinet

An O&S Committee

Other Committees

7. Do you have any preference for a day of the working week when you would like the meetings referred to in questions 1, 2 and 3 to be held?

Monday
Thursday

Tuesday
Friday

Wednesday

8. Please give details of any personal circumstances that you have that limit your ability to attend meetings (for example, employment commitments, care responsibilities or religion)

.....

9. How many Committees is it practical for you to serve on?

10. Do you think there should be a limit on the number of Committees a Member serves on?

.....

11. Please could you indicate below any skills or topics you would wish to include in the Member training programme for the year 2012/13

.....
 Name of Councillor _____

Please indicate if you wish to receive paper copies of the following agendas.

The * indicates meeting of which you are a Member

MEETING	I DO NOT wish to receive paper copies	I DO WISH to receive paper copies
Audit Committee		
Community & Housing OSC		
Constitution Committee		
Corporate Management OSC		
County Council *		
Democratic Services		
Environment & Regeneration OSC		
Cabinet		
Licensing Committee *		
Lifelong Learning OSC		
People & Performance OSC		
Planning & Development Control Committee		
Social & Health OSC		
Standards Committee		

For any agendas/reports that you wish to receive paper copies of, please indicate your preferred option from those below:-

- 1) I will collect all my paper copies of agendas and reports from Member Services; or
- 2) I would like my paper copies of agendas and reports to be posted to me if I have not collected them by lunchtime on Fridays; or
- 3) I would like my paper copies of agendas and reports to be posted to me as soon as possible.

Please return the above form to Member Services by 29 June 2012

Elected Member Survey – June 2012

The survey ran from 7 to 29 June 2012.

A total of 45 responses were received by the closing date.

2 of the 45 were completed on-line the remainder via hard copy to Member Services.

Names highlighted in green below denote returned forms.

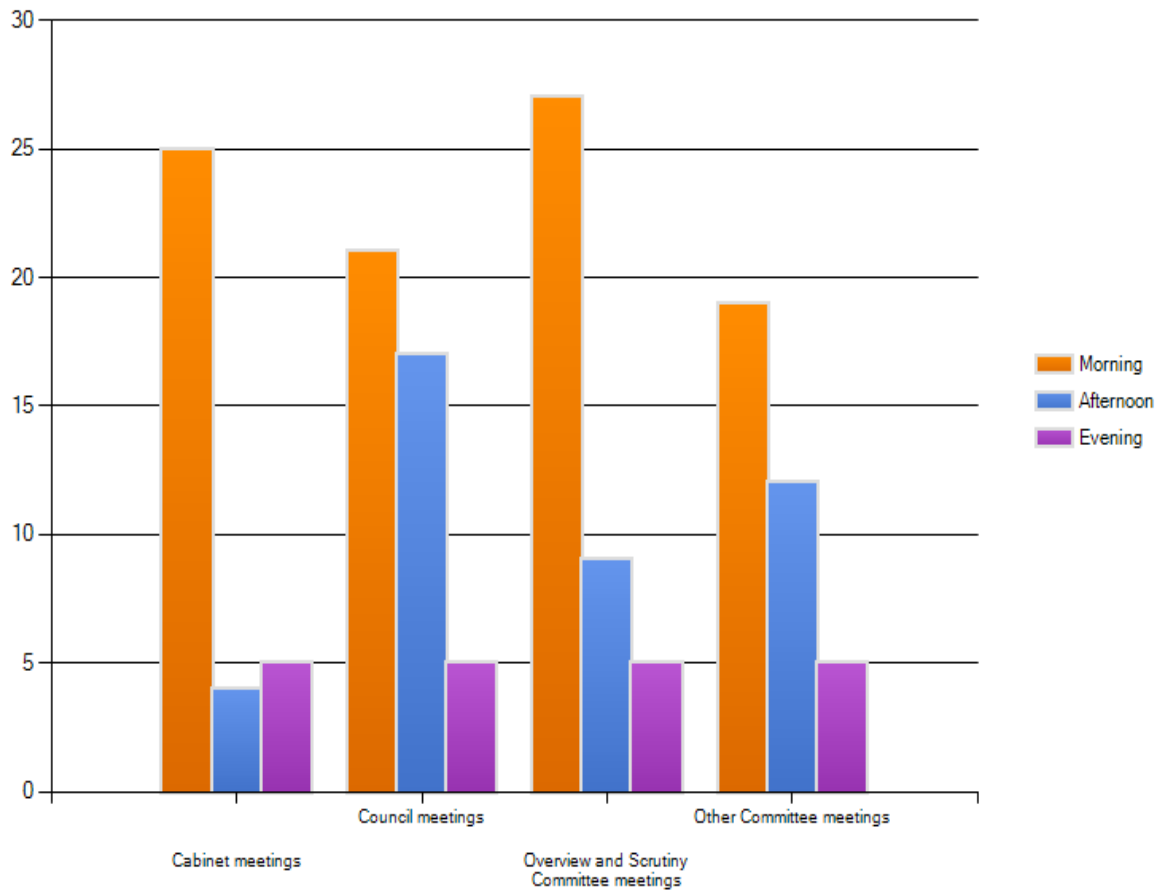
Names highlighted in blue below denote forms returned after preparation of report and are **not** included in summary data, **but are** included in personal preferences for dispatch of agendas and reports at Appendix 1.

Cllr Alex Aldridge	Cllr Brian Dunn	Cllr Kevin Jones	Cllr Ian Roberts
Cllr Bernie Attridge	Cllr Carol Ellis	Cllr Richard Jones	Cllr Tony Sharps
Cllr Glyn Banks	Cllr David Evans	Cllr Stella Jones	Cllr Aaron Shotton
Cllr Haydn Bateman	Cllr Ted Evans	Cllr Colin Legg	Cllr Paul Shotton
Cllr Marion Bateman	Cllr Jim Falshaw	Cllr Phil Lightfoot	Cllr Ian Smith
Cllr Chris Bithell	Cllr Veronica Gay	Cllr Brian Lloyd	Cllr Nigel Steele-Mortimer
Cllr Amanda Bragg	Cllr Robin Guest	Cllr Richard Lloyd	Cllr Carolyn Thomas
Cllr Helen Brown	Cllr Alison Halford	Cllr Mike Lowe	Cllr Owen Thomas
Cllr Derek Butler	Cllr Ron Hampson	Cllr Peter Macfarlane	Cllr David Williams
Cllr Clive Carver	Cllr George Hardcastle	Cllr Dave Mackie	Cllr Sharon Williams
Cllr David Cox	Cllr Patrick Heesom	Cllr Hilary McGuill	Cllr David Wisinger
Cllr Peter Curtis	Cllr Cindy Hinds	Cllr Ann Minshull	Cllr Arnold Woolley
Cllr Ron Davies	Cllr Trefor Howorth	Cllr Nancy Matthews	Cllr Matt Wright
Cllr Adele Davies-Cooke	Cllr Ray Hughes	Cllr Billy Mullin	
Cllr Alan Diskin	Cllr Dennis Hutchinson	Cllr Tim Newhouse	
Cllr Glenys Diskin	Cllr Hilary Isherwood	Cllr Mike Peers	
Cllr Chris Dolphin	Cllr Joe Johnson	Cllr Neville Phillips	
Cllr Rosetta Dolphin	Cllr Rita Johnson	Cllr Mike Reece	
Cllr Ian Dunbar	Cllr Christine Jones	Cllr Gareth Roberts	

QUESTION 1

Please identify your preference in relation to the time of day meetings should be held. Please tick one box in each of the three rows below.

Number of respondents: answering this question = 43, skipping this question = 2.

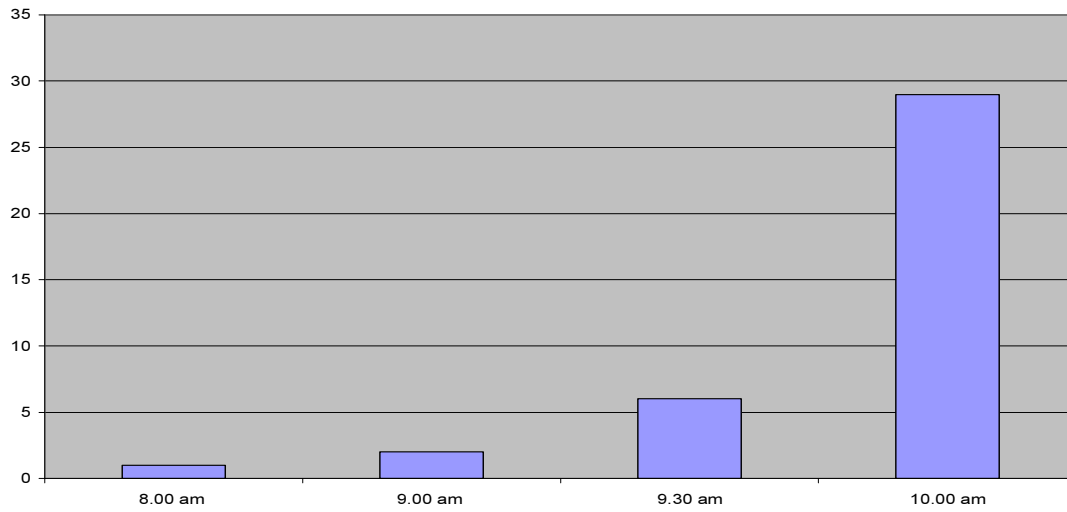


QUESTION 2

Please identify your preferred start time for these meetings – please provide a time for each part of the day irrespective of the preference you selected in Question 1 above.

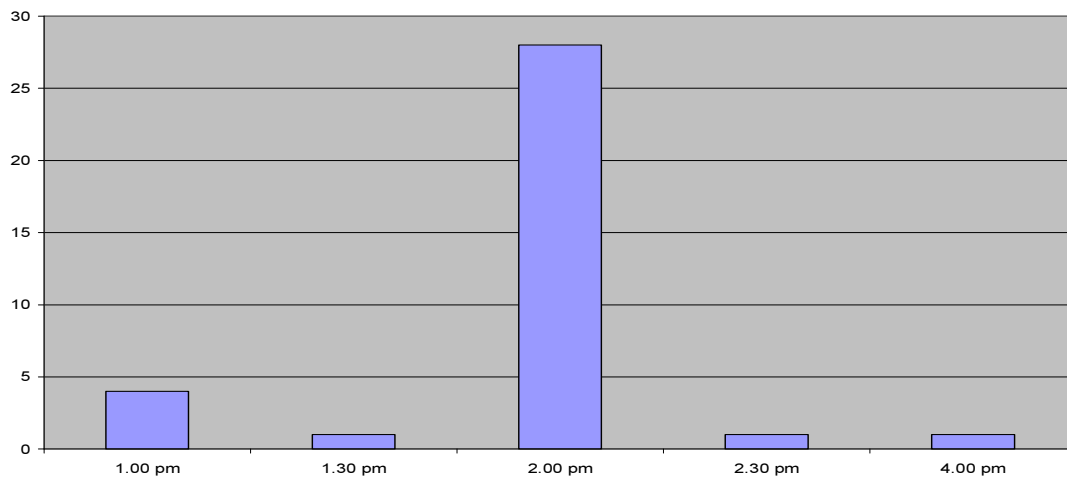
A – Start Time Preferences - Morning Meetings

Number of respondents: answering this question = 38, skipping this question = 7



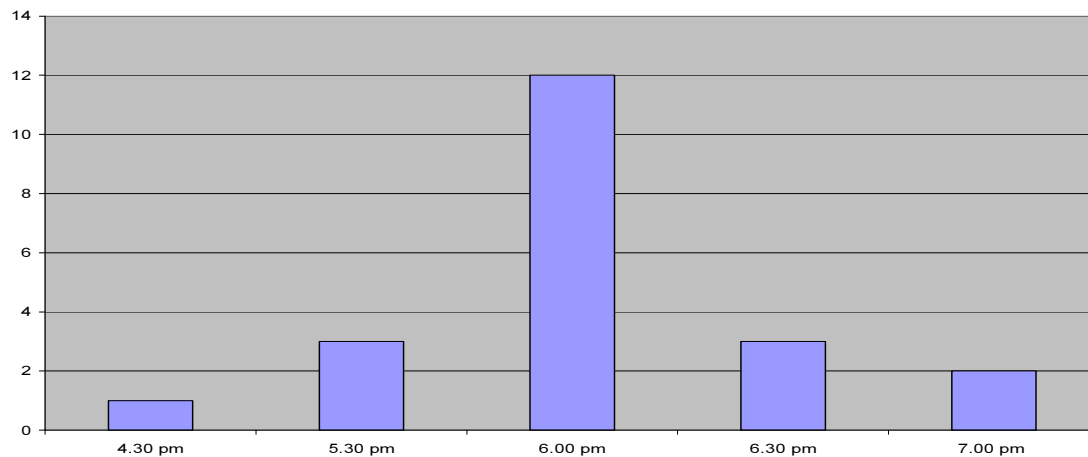
B – Start Time Preferences – Afternoon Meetings

Number of respondents: answering this question = 35, skipping this question = 10



C – Start Time Preferences – Evening Meetings

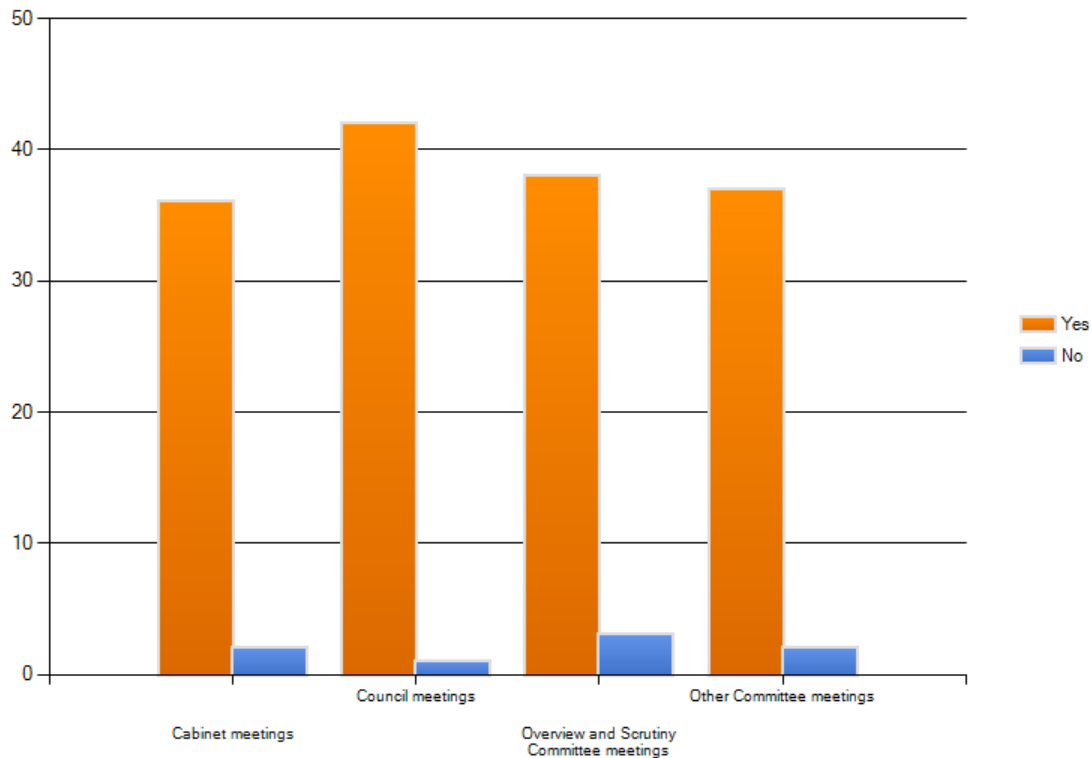
Number of respondents: answering this question = 21, skipping this question = 24



Question 3

Would you like these meetings to be held at County Hall Mold? Please tick one box in each of the four rows below.

Number of respondents: answering this question = 43, skipping this question = 2.



Question 4

If you responded 'No' to any part of Question 3 above, please tell us where you think the meetings could be held.

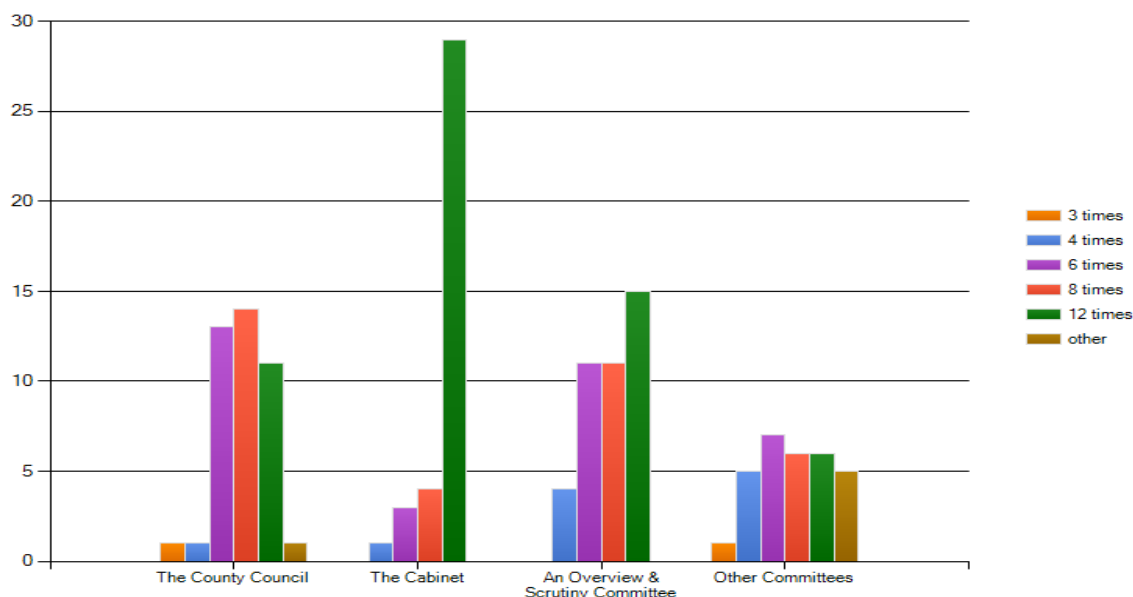
Number of respondents: answering this question = 3, skipping this question = 42.

Cabinet meetings	<ul style="list-style-type: none"> ▪ Move around to allow different communities access ▪ In Community
Council Meetings	<ul style="list-style-type: none"> ▪ In the Community
Overview and Scrutiny Committee Meetings	<ul style="list-style-type: none"> ▪ County Hall unless agenda item is specific to another location ▪ In other locations – as appropriate ▪ In Community
Other Committee Meetings	<ul style="list-style-type: none"> ▪ County Hall unless agenda item is specific to another location ▪ In Community

Question 5

How often, during the year, do you believe the following should meet? Please tick one box in each of the four rows below.

Number of respondents: answering this question = 42, skipping this question = 3.



Question 6

If you selected 'other' to any part of Question 5 above please specify your preferred frequency?

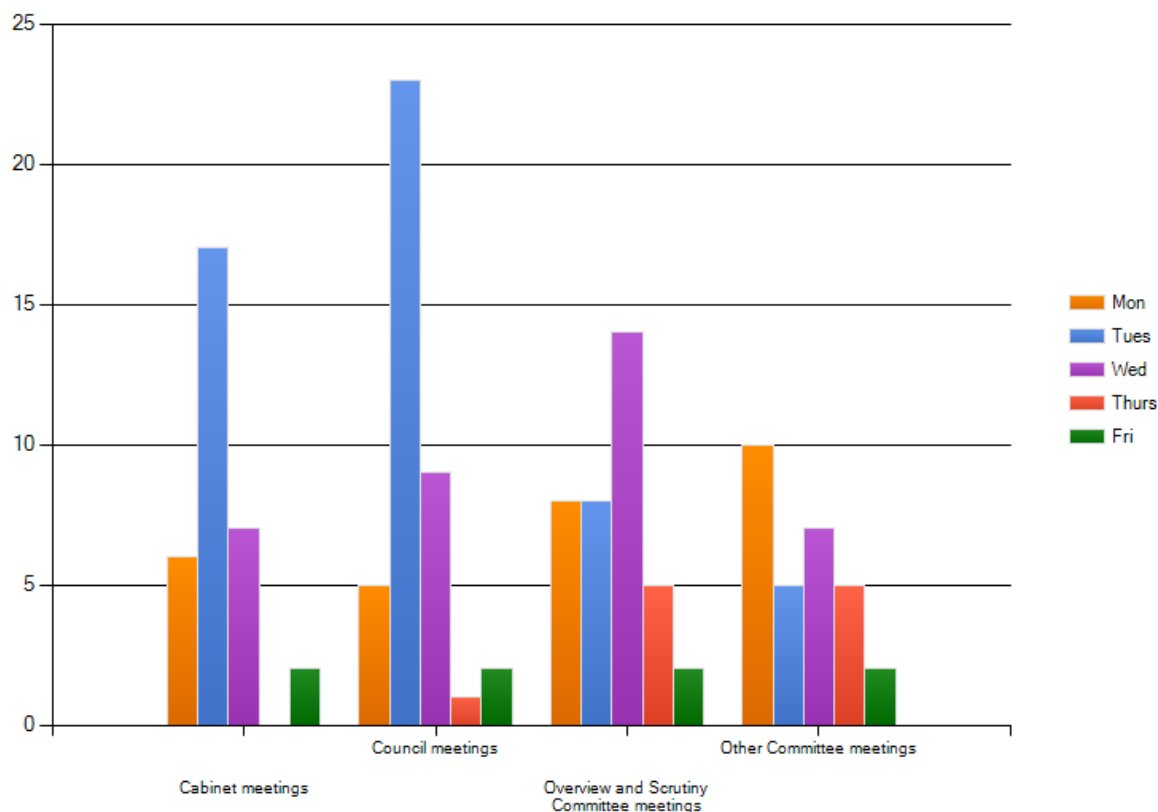
Number of respondents: answering this question = 7, skipping this question = 38.

Cabinet meetings	<ul style="list-style-type: none"> ▪ As and when required
Council Meetings	<ul style="list-style-type: none"> ▪ 10 ▪ As and when required
Overview and Scrutiny Committee Meetings	<ul style="list-style-type: none"> ▪ As and when required
Other Committee Meetings	<ul style="list-style-type: none"> ▪ Depends on subject and need ▪ When needed ▪ As required ▪ Minimum 4 ▪ As and when required ▪ As required

Question 7

On which day of the week would you prefer these meetings to be held? Please tick one box in each of the four rows below.

Number of respondents: answering this question = 40, skipping this question = 5.



Question 8

Please give details of any personal circumstances that limit your ability to attend meetings, for example employment commitments, care responsibilities or religion.

Number of respondents: answering this question = 24, skipping this question = 21.

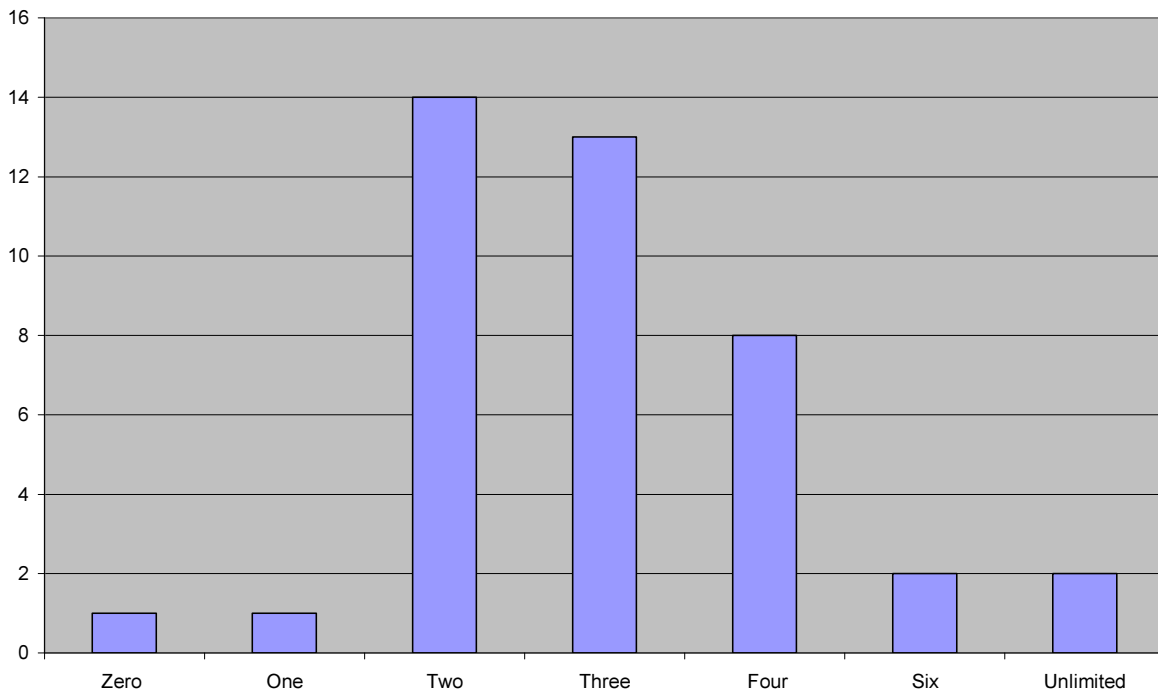
- Employment
- Outside Bodies
- Full time employment and childcare
- Care of siblings
- CAB, Flint Town Council, ATC
- Full time teacher
- I work for an emergency refuge service which provides refuge for individuals experiencing domestic abuse & the nature of the job means the hours can be fairly unpredictable
- Employment
- Would like CC on Tuesday or Thursday
- Life
- I prefer to be home between 4 till 7 for the children & family teatime

- Mon-Tues Difficult Thurs ok Friday-constituency
- Employment commitments. Time of public transport i.e. bus timetable
- Work commitments between 8am & 2.45
- Care responsibilities
- Work 9 till 5
- Employment Commitments
- Full Time Employment
- Hospital appointments
- Justice of the Peace
- Taxi Contract 3.00 every day
- Family Commitments & College attendance
- Evening commitments Mon, Tue, Wed, Thur and Fri.
- I run a small Podiatry practice so need advanced notice of meetings to move and reappoint patients. Appointments are booked at 6-8 week intervals so meetings called at short notice would be difficult to attend.

Question 9

How many Committees do you think it is practical for your to serve on?

Number of respondents: answering this question = 41, skipping this question = 4.



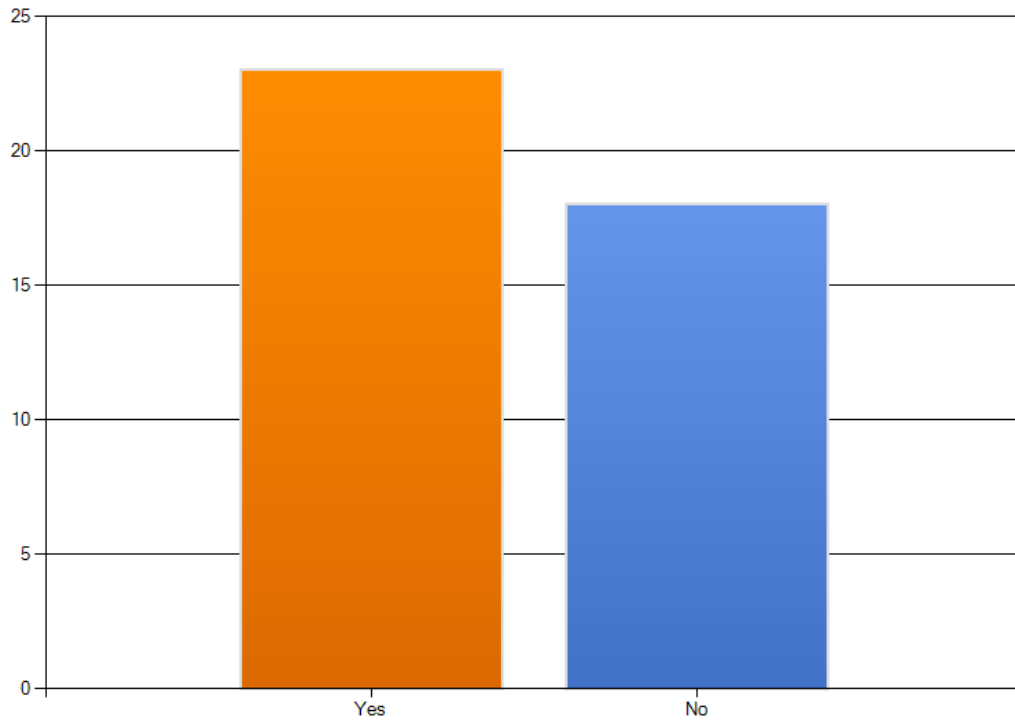
Additional narrative provided with responses to Question 9

- 0 because they are during the day
- Every councillor should have the chance to serve on 1

Question 10

Do you think there should be a limit on the number of Committees a Member serves on?

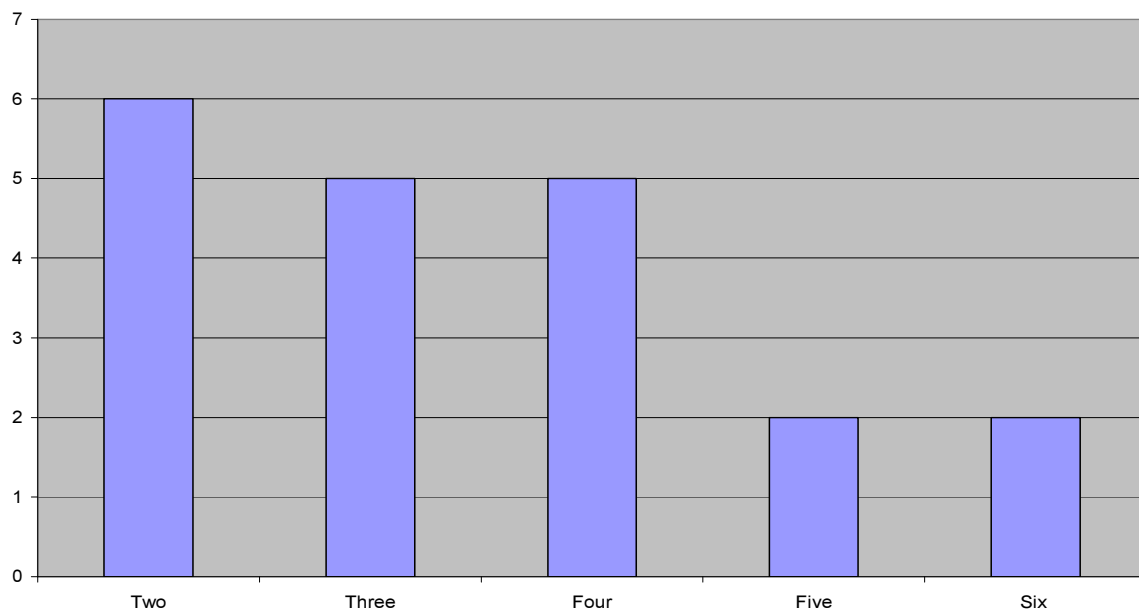
Number of respondents: answering this question = 41, skipping this question = 4.



Question 11

If you responded 'yes' to Question 10, please specify the maximum number.

Number of respondents: answering this question = 24, skipping this question = 21.



Additional narrative provided with responses to Question 11

- Depends on timings of meetings e.g. more meetings were held in the evening or weekends then it would enable me to sit on more committees and reduce the burden on others
- Depends on Cllrs choice & commitments
- It depends if they turn up for them and give valuable input
- Its up to the Member
-

Question 12

Over and above the Member induction training that has been sent out to all Members please could you indicate below any skills or topics you would wish to include in the Member training programme for the year 2012/13.

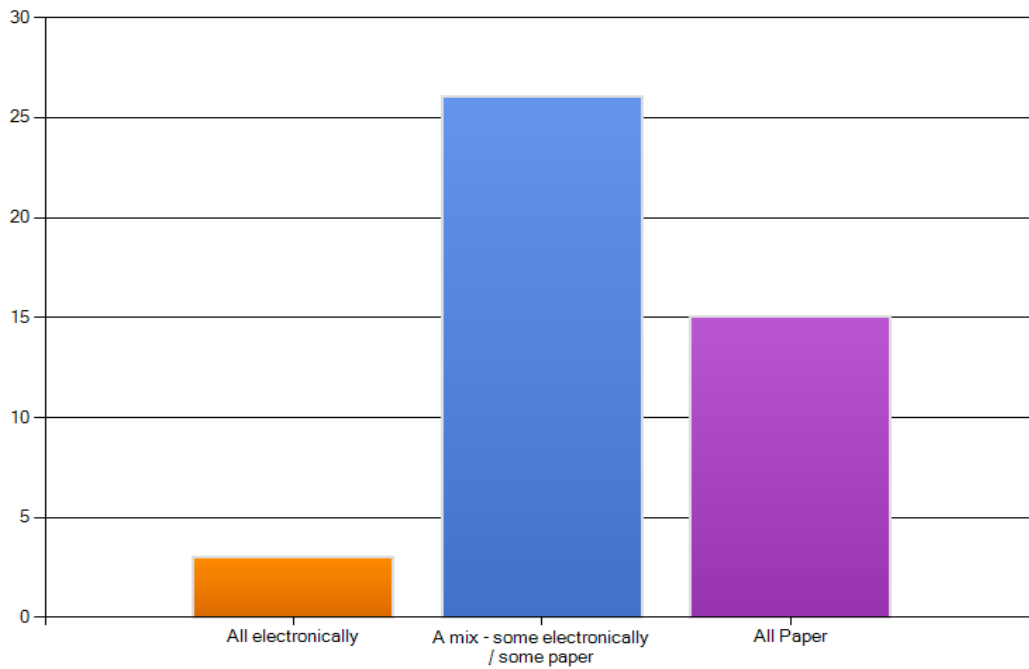
Number of respondents: answering this question = 14, skipping this question = 31.

- Force every Member to get agendas and reports electronically to train them, train them and train them again
- Tolerance
- All
- IT
- IT
- Public Speaking
- Finance
- IT
- Planning for Committee Members
- Planning
- Financial Information
- Finance
- IT
- Planning (minefield)
- Audit
- Protocol and professionalism, how to conduct your self , what is expected of you as a councillor by electorate and officers of the county

Question 13

How do you want to receive your agendas and reports?

Number of respondents: answering this question = 44, skipping this question = 1.

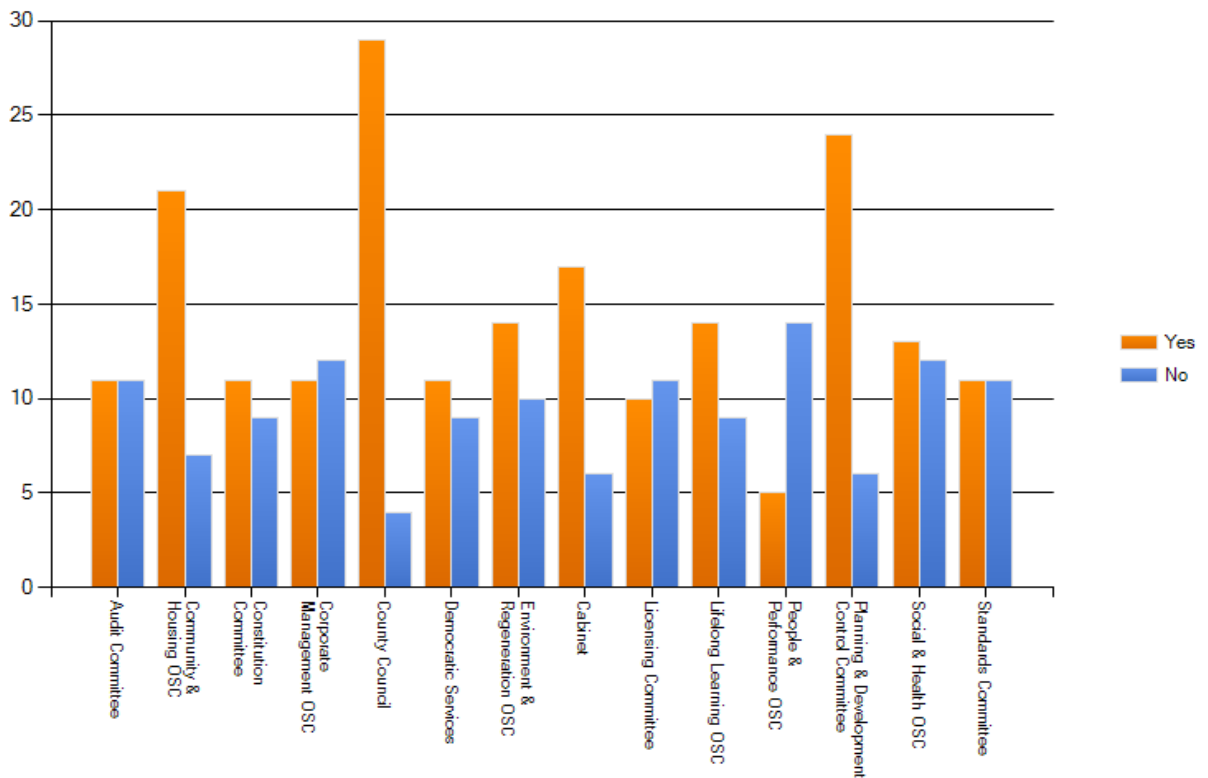


Question 14

If you answered 'A mix of electronic and paper' at Question 13 above, please indicate which of the following Agendas you would like to receive in PAPER COPY

Please see Appendix 1 for breakdown of individual Member preferences.

Number of respondents: answering this question = 34, skipping this question = 11.



Additional narrative provided with responses to Question 14

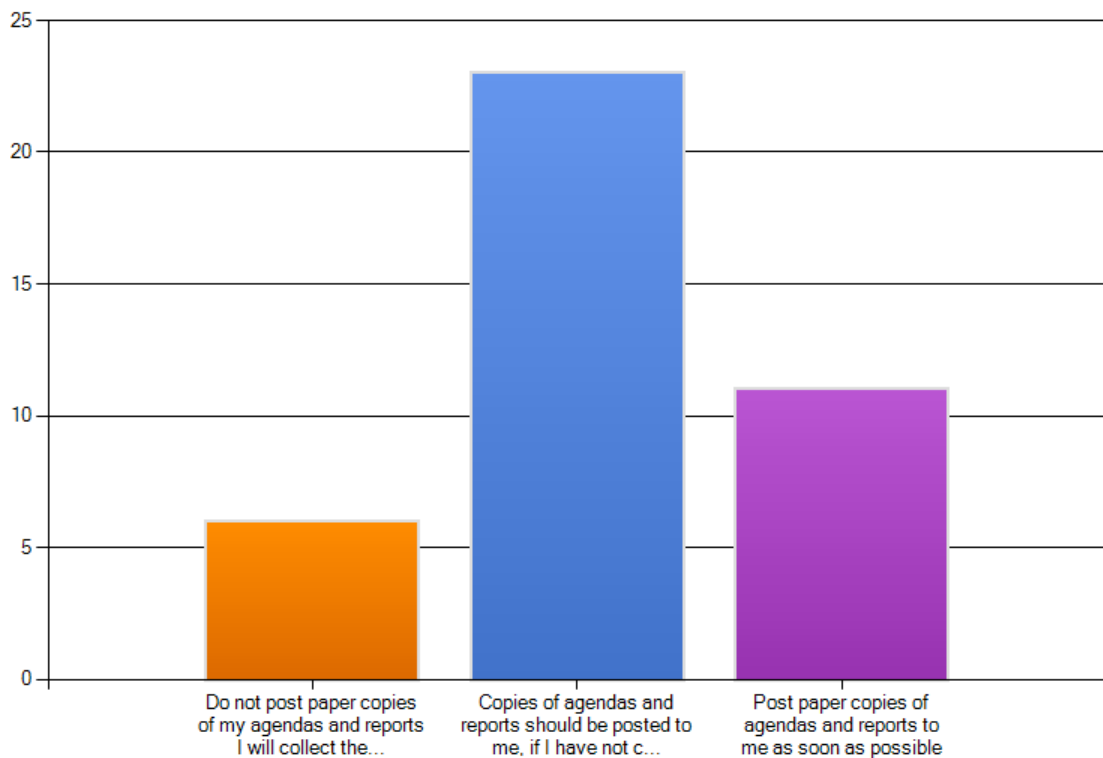
- Without the equipment to bring reports to meetings this would prove impossible for members to print off documents to bring with them.
- Depends - I use hotmail and links don't work pdf files would be ok or a better set up

QUESTION 15

If you have indicated in either Questions 13 or 14 that you would like to receive paper copies of agendas, please tell us how you would like to receive them? Please select only one option.

See Appendix 1 for breakdown of individual Member preferences.

Number of respondents: answering this question = 40, skipping this question = 5.



MEMBER PREFERENCES FOR PAPER COPY AGENDA AND REPORTS AND METHOD OF DESPATCH

	Audit Committee	C & H OSC	Constitution Cmtee.	Corporate Mngmt .OSC	County Council	Democratic Services	E & R OSC	Cabinet	Licensing Committee	Lifelong Learning OSC	People & Perf. SC	Planning and Dev. Control	S & H OSC	Standards Committee	Do not post - will collect from Member Services	Post if not collected by lunchtime on Fridays	Post to me as soon as possible
Cllr Alex Aldridge																	
Cllr Bernie Attridge																	
Cllr Glyn Banks																	
Cllr Haydn Bateman																	
Cllr Marion Bateman																	
Cllr Chris Bithell																	
Cllr Amanda Bragg																	
Cllr Helen Brown																	
Cllr Derek Butler																	
Cllr Clive Carver																	
Cllr David Cox																	
Cllr Peter Curtis																	
Cllr Ron Davies																	
Cllr Adele Davies-Cooke																	
Cllr Alan Diskin																	

MEMBER PREFERENCES FOR PAPER COPY AGENDA AND REPORTS AND METHOD OF DESPATCH

	Audit Committee	C & H OSC	Constitution Cmtee.	Corporate Mngmt .OSC	County Council	Democratic Services	E & R OSC	Cabinet	Licensing Committee	Lifelong Learning OSC	People & Perf. SC	Planning and Dev. Control	S & H OSC	Standards Committee	Do not post - will collect from Member Services	Post if not collected by lunchtime on Fridays	Post to me as soon as possible
Cllr Glenys Diskin																	
Cllr Chris Dolphin																	
Cllr Rosetta Dolphin																	
Cllr Ian Dunbar																	
Cllr Brian Dunn																	
Cllr Carol Ellis																	
Cllr David Evans																	
Cllr Ted Evans																	
Cllr Jim Falshaw																	
Cllr Veronica Gay																	
Cllr Robin Guest																	
Cllr Alison Halford																	
Cllr Ron Hampson																	
Cllr George Hardcastle																	
Cllr Patrick Heesom																	

MEMBER PREFERENCES FOR PAPER COPY AGENDA AND REPORTS AND METHOD OF DESPATCH

	Audit Committee	C & H OSC	Constitution Cmtee.	Corporate Mngmt .OSC	County Council	Democratic Services	E & R OSC	Cabinet	Licensing Committee	Lifelong Learning OSC	People & Perf. SC	Planning and Dev. Control	S & H OSC	Standards Committee	Do not post - will collect from Member Services	Post if not collected by lunchtime on Fridays	Post to me as soon as possible
Cllr Cindy Hinds																	
Cllr Trefor Howorth																	
Cllr Ray Hughes																	
Cllr Dennis Hutchinson																	
Cllr Hilary Isherwood																	
Cllr Joe Johnson																	
Cllr Rita Johnson																	
Cllr Christine Jones																	
Cllr Kevin Jones																	
Cllr Richard Jones	Paper copy for agendas that I am on the Committees e-copy for others																
Cllr Stella Jones																	
Cllr Colin Legg																	
Cllr Phil Lightfoot																	
Cllr Brian Lloyd																	
Cllr Richard Lloyd																	

MEMBER PREFERENCES FOR PAPER COPY AGENDA AND REPORTS AND METHOD OF DESPATCH

	Audit Committee	C & H OSC	Constitution Cmtee.	Corporate Mngmt .OSC	County Council	Democratic Services	E & R OSC	Cabinet	Licensing Committee	Lifelong Learning OSC	People & Perf. SC	Planning and Dev. Control	S & H OSC	Standards Committee	Do not post - will collect from Member Services	Post if not collected by lunchtime on Fridays	Post to me as soon as possible
Cllr Mike Lowe																	
Cllr Peter Macfarlane																	
Cllr Dave Mackie																	
Cllr Hilary McGuill																	
Cllr Ann Minshull																	
Cllr Nancy Matthews															None to be posted all electronic		
Cllr Billy Mullin	Mix of paper & electronic but no preferences selected														No response provided		
Cllr Tim Newhouse															None to be posted all electronic		
Cllr Mike Peers																	
Cllr Neville Phillips																	
Cllr Mike Reece																	
Cllr Gareth Roberts																	
Cllr Ian Roberts																	
Cllr Tony Sharps																	
Cllr Aaron Shotton																	

MEMBER PREFERENCES FOR PAPER COPY AGENDA AND REPORTS AND METHOD OF DESPATCH

	Audit Committee	C & H OSC	Constitution Cmtee.	Corporate Mngmt .OSC	County Council	Democratic Services	E & R OSC	Cabinet	Licensing Committee	Lifelong Learning OSC	People & Perf. SC	Planning and Dev. Control	S & H OSC	Standards Committee	Do not post - will collect from Member Services	Post if not collected by lunchtime on Fridays	Post to me as soon as possible
Cllr Paul Shotton																	
Cllr Ian Smith																	
Cllr Nigel Steele-Mortimer																	
Cllr Carolyn Thomas	Mix of paper & electronic but no preferences selected																
Cllr Owen Thomas																	
Cllr David Williams																	
Cllr Sharon Williams																	
Cllr David Wisinger																	
Cllr Arnold Woolley																	
Cllr Matt Wright																	

Chapter 1 Timing of Council Meetings Statutory Guidance made under Section 6 of the Local Government (Wales) Measure 2011

Introduction

- 1.1 Part 1 of the Measure contains provisions related to the strengthening of local democracy. More specifically, Chapter 1 of this Part deals with “promoting and supporting membership of local authorities” and section 6 relates to the timing of meetings.
- 1.2 These provisions flowed from proposals developed in the report of the Councillor Commission Expert Panel *Wales Are We Being Served?* published in 2009. It included a number of recommendations aimed at making local government service more attractive to a more diverse cross-section of the adult population. These included laying greater emphasis on the roles of “backbench” councillors, including through the introduction of remote access to council meetings, a review of councillors’ time commitments, a bi-annual survey to establish councillors’ support needs and engaging with employers to try and attract more candidates from the employed workforce.
- 1.3 In this context, the times at which meetings of the local authority take place is of considerable significance as it can affect the extent to which individuals may contemplate standing for election.

What the Measure requires

- 1.4 This is statutory guidance issued in accordance with section 6 (1) of 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 are held. The relevant meetings in the context of this guidance are meetings of the full council and any committee or sub-committee of the council.

Reviewing existing arrangements

- 1.5 Only members of council executives are considered to be “full-time” councillors and this is reflected in the levels of payments that they are currently entitled to for their special responsibilities. By contrast, non-executive members are considered to undertake the equivalent of a part-time role, which will, in many cases, need to be fitted around whatever other commitments councillors may have.
- 1.6 The Expert Panel found that, although many councillors are retired, others had difficulty in marrying their work commitments with those of their council duties, or, in other cases, did so at the expense of any meaningful personal time.

- 1.7 For many prospective councillors in full-time employment, the extent to which their employers are supportive of their new commitment is a vital concern. Although employment legislation¹ entitles councillors to time off for public duties, operating that in practice may be more difficult.
- 1.8 The timing and frequency of meetings is the most problematic issue in this respect. Other duties may be fulfilled at times which suit the individual but a meeting is at a set time and (subject to any arrangements made for remote attendance) at a set venue.
- 1.9 It is neither practical nor desirable for the Welsh Government to prescribe the times and frequency of meetings of the full council, committees and sub-committees as these are matters for each local authority to consider in individual circumstances. However, it is important that local authorities do not simply continue to hold their meetings at the same time as they always have done simply out of inertia. What may have been tradition or an arrangement which suited the previous generation of councillors will not necessarily serve the interests of the new intake.
- 1.10 All local authorities should review the times at which meetings are held at least once in every term, preferably shortly after the new council is elected. The rule of thumb should be that meetings will be held at times, intervals and locations which are convenient to its members and as far as is practicable have regard to equality and diversity issues. Councils should find ways of surveying their members, at least after each election, to assess their preferences and should be committed to act on the conclusions. The survey should be carried out within three months of ordinary elections. It will be for each authority to decide on the regularity of such surveys.
- 1.11 Although this process could result in long-serving councillors having to make changes to their pattern of working that would be worth doing if it meant that the council was better able to retain new councillors with outside responsibilities.
- 1.12 Issues to be taken into account in conducting a survey could include:
- Whether daytime or evening meetings are preferred.
 - Whether particular times cause difficulties for councillors with particular characteristics, such as age, gender, religion, having caring responsibilities or being in employment.
- 1.13 As a result of the survey, local authorities should also consider whether there may be advantages to rotating meeting times due to an impossibility of pleasing all their members all of the time. Any such arrangements will, of course, need to be clearly publicised for the benefit of interested members of the public.

FLINTSHIRE COUNTY COUNCIL

REPORT TO: DEMOCRATIC SERVICES COMMITTEE
DATE: TUESDAY, 24 JULY 2012
REPORT BY: DEMOCRACY & GOVERNANCE MANAGER
SUBJECT: FUTURE MEMBER TRAINING

1.00 PURPOSE OF REPORT

1.01 To inform the committee of planned future Member training in 2012/13.

2.00 BACKGROUND

2.01 At its meeting on the 10 February the Member Development Working Group approved the arrangements for Member induction and an initial Member development programme for 2012/13 was agreed subject to all members of the new Council being consulted on any further topics to be added.

2.02 The Member induction programme was divided into two phases with phase 1 running until the end of July and phase 2 from September to the end December. Attached as appendix 1 are the topics identified for phase 2 with the specific dates included where these have been arranged. The induction programme is open to not only new Members but returning Members by way of useful refresher and for them to share their experiences for the benefit of new Members.

2.03 Each year the Council has a Member development programme which is informed by consultation with Members to identify topics they would wish to be included. Member training was therefore included in the survey of Members that was carried out during June and the results of that survey appear as a separate agenda item. Attached as appendix 2 is the initial Member development programme for 2012/13 following consideration by the Member Development Working Group at its meeting on the 10 February 2012.

3.00 CONSIDERATIONS

3.01 The separate report to the meeting on feedback from Member development events, indicates that there has been comparatively poor attendance at the phase 1 Member induction events. This was raised with Group Leaders at its meeting on the 9 July to ascertain if there were any steps officers should take to improve attendance for phase 2

of the programme. A helpful suggestion was that more information should be given about the topic explaining why Members should attend. It was also suggested that immediately following the election Members received a lot of paperwork at the same time which included details of phase 1 induction programme.

3.02 For phase 2 of the induction programme it is therefore proposed to send individual details for each topic explaining what it will cover and why Members should attend, together with a booking form. These individual letters will be spread out but with adequate notice of the proposed dates. Again each topic will normally be offered on the basis of a morning, afternoon or evening but continuing the practice of cancelling where fewer than six Members book for a session.

3.03 In relation to the Member development programme for 2012/13, the results of the June Member survey showed support for Planning, Finance and ICT topics that were already planned or provided. There are normally four Planning topics covered each year as determined by the Planning Protocol Working Group. In May all Members received letters from the ICT Unit explaining the ICT training available to Members. Finance training is programmed for the end of November.

4.00 RECOMMENDATIONS

4.01 For the committee to note the phase 2 Member induction programme and the Member development programme 2012/13 in appendices 1 and 2.

5.00 FINANCIAL IMPLICATIONS

5.01 The Member training budget is £13,707.

6.00 ANTI POVERTY IMPACT

6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

8.01 None as a result of this report.

9.00 PERSONNEL IMPLICATIONS

9.01 None as a result of this report.

10.00 CONSULTATION REQUIRED

10.01 None as a result of this report.

11.00 CONSULTATION UNDERTAKEN

11.01 Consultation has been undertaken with Group Leaders.

12.00 APPENDICES

12.01 Appendix 1 - Phase 2 training programme
Appendix 2 - Member development programme for 2012/13

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

Reports to and minutes of the Member Development meeting
10 February 2012

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APPENDIX 1

Phase 2 Member Induction Briefings (September to December)

TOPIC		DATE
1.	Financial Services – Revenue & Benefits, Internal Audit and Clwyd Pension Fund	26 th , 27 th & 29 November
2.	Media Relations	
3.	Flintshire Futures, Leading Change & Partnerships	
4.	Planning event run by external Consultant	4 th & 14 th September
5.	Environment Directorate	
6.	Regeneration	
7.	Regional Waste Project	
8.	Lifelong Learning Directorate	
9.	Community Services Directorate	3 rd , 9 th & 30 th October
10.	Housing Strategy / Homelessness / Housing Services / Ballot	

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Member Development Programme 2012/13

1. Planning Topics as determined by the Planning Protocol Working Group.
2. Organisational change.
3. Performance Management
4. Collaboration and Partnership Working and Partnership Boards
5. Understanding of the procurement process
6. Understanding the role of the elected Member in the Council's Corporate Strategy.
7. Community Safety Partnership covering emergency services, neighbourhood watch etc.
8. Human Resources, including Single Status, pay rates, sickness levels and annual appraisals.
9. Health & Safety (21st September & 4th October)
10. Data Protection (21st September & 4th October)

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FLINTSHIRE COUNTY COUNCIL

REPORT TO: DEMOCRATIC SERVICES COMMITTEE

DATE: TUESDAY, 24 JULY 2012

REPORT BY: HEAD OF LEGAL & DEMOCRATIC SERVICES

SUBJECT: DESIGNATION OF HEAD OF DEMOCRATIC SERVICES

1.00 PURPOSE OF REPORT

1.01 To designate a Head of Democratic Services in accordance with the Local Government Measure 2011.

2.00 BACKGROUND

2.01 Section 8 of the Local Government Measure 2011 (the Measure) requires the Council (through its Democratic Services Committee) to:

- i) Designate one of its officers as the Head of Democratic Services to discharge the following functions:
 - a) to provide support and advice to the Authority and its committees
 - b) to provide support and advice to any joint committee and the members thereof which the Council is responsible for organising
 - c) to promote the role of overview and scrutiny committees, and provide support and advice to the Members of those committees, and to provide support and advice in relation to the functions of those committees to all Members of the Authority, Members of the Executive and Officers
 - d) to provide advice and support to all Members of the Council in carrying out their role as Members of the Council
 - e) to make reports and recommendations in respect of the numbers and grades of staff, their organisation and proper management to discharge democratic services functions.
- ii) Provide that officer with such staff, accommodation and other resources as are sufficient to discharge these functions.

2.02 The Council may not designate the Head of Paid Services, the Monitoring Officer or the Section 151 Officer as the Head of Democratic Services.

2.03 The final statutory guidance in respect of this requirement is attached at Appendix A. It makes clear that the role of the Head of Democratic Services is to provide resource and support to those Members not on the Cabinet. It will advise Members, though it will not tell Members whether a council's function should be or should have been exercised except in relation to the Democratic Services Committee and the Overview and Scrutiny Committees. It also makes clear that the obligation to provide advice to Members does not include advising them on how to fulfil their role as a Member of the Cabinet. However, as the Head of Democratic Services can have other functions, it would seem appropriate that the post designated with this responsibility to provide advice to all Members.

2.04 The Guidance also talks about how resources are to be made available to ensure that the Council complies with its obligation under the Measure. In practice the Head of Democratic Services will make recommendations to the Democratic Services Committee which will in turn negotiate with the Cabinet in order that Council can approve the level of resources to be provided (as part of or an amendment to the budget).

3.00 CONSIDERATIONS

3.01 In order to fulfil the statutory functions any post designated as Head of Democratic Services will need management and control over the whole of Democratic Services, ie. Committee Services, Member Services and the Overview and Scrutiny support functions and elected Member induction and training.

3.02 There is only one position that would meet these criteria, namely the post of Democracy & Governance Manager. Both the Head of Paid Service and the Monitoring Officer believe this would be the best post to be designated the Head of Democratic Services.

4.00 RECOMMENDATIONS

4.01 To designate the Democracy & Governance Manager as the Head of Democratic Services in accordance with the Local Government Measure 2011.

5.00 FINANCIAL IMPLICATIONS

5.01 The re-evaluation of the post described in paragraph 9.00 below may result in an increased salary being awarded under the job evaluation process.

6.00 ANTI POVERTY IMPACT

6.01 None

7.00 **ENVIRONMENTAL IMPACT**

7.01 None

8.00 **EQUALITIES IMPACT**

8.01 None

9.00 **PERSONNEL IMPLICATIONS**

9.01 The designation of a post as Head of Democratic Services will result in some changes to the job description and potentially thus the size of the job. A fresh job description will need to be prepared. A job evaluation questionnaire will then need to be drawn up and moderated in order that the size of the job can be determined in accordance with the job evaluation process.

10.00 **CONSULTATION REQUIRED**

10.01 The statutory officers have been consulted as have Group Leaders. The postholder will also need to be consulted in relation to the designation and subsequent changes to his/her job description.

11.00 **CONSULTATION UNDERTAKEN**

11.01

12.00 **APPENDICES**

12.01 Appendix A – extract from the Local Government Measure

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

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Chapter 3 Democratic Services Committee

Statutory Guidance for Democratic Services Committee made under Section 16 of the Local Government (Wales) Measure 2011

Introduction

3.1 The Measure contains provisions related to the strengthening of local democracy. Chapter 2 of this Part deals with "local authority democratic services". Most principal councils will have a part of their organisation which bears the title "democratic services" or something similar but this is the first time that such provision is being made in legislation.

3.2 The provisions in Part 1 flow from proposals developed in the report of the Councillor Commission Expert Panel Wales, *Are we being served?* published in 2009. It expressed the view that, since the introduction of executive structures through the Local Government Act 2000, insufficient attention had been given to ensuring that the needs of those councillors outside the executive, the overwhelming majority, were being well provided for.

3.3 The Panel therefore proposed that *"consideration should be given to a legal separation of the executive and non-executive functions of the council, with separate funding streams, that would protect the central provision of members' services."*

3.4 Although the Welsh Government did not support that proposal in full, mainly because it implied considerable organisational upheaval and likely expense, it nevertheless agreed with the gist of the argument, that those councillors outside the leadership needed safeguards to ensure they were able to fulfil their duties and play a full role in the operation of the local authority.

3.5 This guidance is provided to assist local authorities and, where directed at democratic services committees, constitutes guidance under section 16 of the Measure.

What the Measure requires

3.6 Each county and county borough council is required to designate one of their officers to the new statutory post of "Head of Democratic Services" (HDS) and provide that officer with sufficient support to do their job (section 8(1)).

3.7 The person designated as HDS must not be the council's Head of Paid Service, Monitoring Officer or Chief Finance Officer (section 8(4)). The post of HDS is a politically restricted post within the meaning of the Local Government and Housing Act 1989 (section 21); and the designation must be made by the democratic services committee (section 11(1)(a)).

3.8 The HDS would be able to delegate any of his/her functions to any of his/her staff (section 8(2)).

The functions of the HDS are -

- (a) - to provide support and advice (but see note 1 below)
 - to the authority in relation to its meetings;
 - to committees of the authority and the members of those committees;
 - to any joint committee which a local authority is responsible for organising and the members of that committee;
 - in relation to the functions of the authority's overview and scrutiny committee(s), to members of the authority, members of the executive and officers;
 - to each member of the authority in carrying out the role of member of the authority (but see note 2 below);
- (b) to promote the role of the authority's overview and scrutiny committee(s);
- (c) to make reports and recommendations in respect of the number and grades of staff required to discharge democratic services functions and the appointment, organisation and proper management of those staff;
- (d) any other functions prescribed by the Welsh Ministers.

[Notes

1. the function of providing advice about whether or how the authority's functions should be, or should have been, exercised, only applies to advice concerning the functions of the overview and scrutiny and democratic services committees;

2. in this case, advice to a member does not include advice in connection with their role as an executive member, and does not include advice about a matter being or to be considered at a meeting (other than a meeting of an overview and scrutiny or democratic services committee).]

3.9 The Measure enables Welsh Ministers to make regulations requiring local authorities to include within their standing orders provisions concerning the management of the staff provided to the HDS. For these purposes, "management of staff" does not include appointment, dismissal or disciplinary action (section 10).

3.10 Each council must also establish a democratic services committee (DSC) to perform the following roles (section 11):

- carry out the local authority's function of designating the HDS;
- keep under review the provision of staff, accommodation and other resources made available to the HDS, in order to ensure that it is adequate for the responsibilities of the post;
- make reports to the full council in relation to these matters.

Each DSC can decide how it carries out these functions.

3.11 The full council must appoint the members of the DSC, which must consist solely of councillors and cannot include more than one member of the executive, who must not be the council leader. The rules concerning allocation of seats to political groups apply to the DSC.

3.12 The council must also appoint the chair of the DSC, who must not be a member of any of the political groups represented in the executive. The exception to this is when a council has no opposition groups. In this case, any member of the DSC can be appointed as chair **provided** the member is not a member of the executive (section 14((1), (2) and (9)).

3.13 The DSC can appoint its own sub-committees and delegate functions to them (section 13). The DSC appoints the chair of any sub-committee (section 14(3)).

3.14 A DSC has the power to require the attendance of any members or officers of the council to answer questions and can invite anyone else it likes to do so also. If a member or officer is required to attend they must answer any questions unless the question is one which they would be entitled to refuse in a court (section 14(5) to (7)).

3.15 DSC meetings and sub-committees are to be open to the public as is normal in council meetings and subject to the same regime of accessibility in general (section 14(8)). The DSC must meet at least once a year (section 15(1)) and, additionally if the full council so decides or at least a third of the members of the DSC demands a meeting (section 15(2)). There is no limit on the maximum number of meetings a DSC may hold. The onus lies on the chair to ensure that meetings are held when required (section 15(3)).

3.16 The DSC must have regard to guidance from Welsh Ministers when exercising its functions (section 16(2)).

3.17 Any report presented to the DSC by the HDS must be considered by the DSC within three months. Similarly, any report made by the DSC must be considered by the full council within three months (sections 18 and 19).

Functions of the DSC

Designating the Head of Democratic Services

3.18 Only the DSC or a sub-committee of the DSC can designate the HDS. How this operates in practice will vary and a DSC can decide itself how it wishes to do this. In many cases, there will be an obvious person who already fulfils much of the HDS function. One would expect the Head of Paid Service to make a recommendation to the DSC as to who would be a suitable candidate.

3.19 It should be made clear that the person designated as HDS is not prevented from performing other roles within the authority. Just as the Monitoring Officer will often have other duties to perform outside his/her statutory role, so too could the HDS. Local authorities should take care to ensure that any other duties do not conflict with their HDS role.

3.20 However, the DSC will need to be satisfied that the person designated has sufficient time to conduct his/her functions despite any other roles they may have.

3.21 When a new HDS is required, again the DSC could designate an existing officer or, if it felt there was no-one suitable, could agree with the Chief Executive or relevant members(s) that the post should be advertised externally, in which case the procedures for appointing staff described in the council's standing orders must be followed. It would be a sensible arrangement for the DSC to be consulted on the advertising, interview and selection process, even though it would be the authority, not the DSC, which would appoint as the employing body. The appointment could, however, be made subject to the DSC subsequently designating the selected person as HDS. The Welsh Government will consider amending the Local Authority (Standing Orders) (Wales) Regulations 2006 to encompass the role of the HDS.

Staff and resources for democratic services

3.22 It is the function of the DSC to consider, and make recommendations as to, the adequacy of the provision of staff, accommodation and other resources for the exercise of the functions which fall to the HDS. The functions known in many local authorities as members' services, committee services and overview and scrutiny support would fall within the HDS responsibilities.

3.23 In some councils, the scrutiny function has not been part of what has previously been known as "Democratic Services" and these arrangements may well have worked well. It is important to note that the HDS designation created by the Measure will probably not be identical to any previous post with the same or similar name. However, in taking responsibility for promoting the scrutiny function and providing support and advice as indicated in section 9, it will be important to take care not to dilute the effectiveness of existing arrangements. In particular any arrangement already in place to provide advice in relation to the scrutiny function and research and analysis should not be weakened as a result of establishing these new arrangements. The HDS would need to present a report to the DSC describing what s/he feels to be a reasonable level of support for democratic services functions. The DSC, however, could not make the final decision on these matters. It would

need to submit its own report to the full council, arguing the case for necessary resource. It may well be that full council will modify or reject the DSC's report, in which case it could be advisable for the DSC to consider alternative proposals, which may involve a period of negotiation involving the HDS, Chief Finance Officer and the appropriate executive councillor.

3.24 The final decision on resources will rest with full council. However, the Measure places the responsibility on the authority itself to ensure that the HDS is provided with sufficient staff, accommodation and other resources as are, in the council's opinion, sufficient to allow the HDSs functions to be discharged (section 8(1)(b)) and it will therefore need to explain any decision not in keeping with the recommendations of the DSC.

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