

# Public Document Pack



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To: Cllr Rita Johnson (Chair)

Councillors: Glyn Banks, Marion Bateman, Chris Bithell, Clive Carver, Bob Connah, Jean Davies, Rob Davies, Ian Dunbar, David Healey, Joe Johnson, Ted Palmer, Mike Peers, Michelle Perfect, Neville Phillips, Paul Shotton, Ian Smith, David Williams, David Wisinger and Arnold Woolley

20 April 2018

Dear Councillor

You are invited to attend a meeting of the Constitution and Democratic Services Committee which will be held at 2.00 pm on Thursday, 26th April, 2018 in the Delyn Committee Room, County Hall, Mold CH7 6NA to consider the following items

## **A G E N D A**

### **1 APOLOGIES**

**Purpose:** To receive any apologies.

### **2 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

**Purpose:** To receive any Declarations and advise Members accordingly.

### **3 MINUTES (Pages 3 - 10)**

**Purpose:** To confirm as a correct record the minutes of the meeting on 31 January 2018.

### **4 BUDGET CONSULTATION PROCESS (Pages 11 - 24)**

**Purpose:** To enable the Committee to consider the review of the Budget Process and make recommendations to Council.

### **5 INFORMATION SHARING WITHIN THE COUNCIL (Pages 25 - 36)**

**Purpose:** To adopt revised rules on sharing information within the Council

6 **MEMBER DEVELOPMENT UPDATE** (Pages 37 - 40)

**Purpose:** To update the Committee on recent and forthcoming Member workshops and briefings.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Robert Robins', with a horizontal line extending to the right.

Robert Robins  
Democratic Services Manager

## **CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE** **31 JANUARY 2018**

Minutes of the meeting of the Constitution and Democratic Services Committee of Flintshire County Council held in the Council Chamber, County Hall, Mold on Wednesday, 31 January 2018

### **PRESENT: Councillor Rita Johnson (Chairman)**

Councillors: Clive Carver, Jean Davies, Rob Davies, Ian Dunbar, David Healey, Joe Johnson, Mike Peers, Michelle Perfect, Neville Phillips, Paul Shotton, David Wisinger and Arnold Woolley

**SUBSTITUTES:** Councillor: Kevin Hughes (for Bob Connah) and Patrick Heesom (for David Williams)

**APOLOGIES:** Councillors: Marion Bateman, Chris Bithell, Ted Palmer and Ian Smith

**ALSO PRESENT:** Councillors: Gladys Healey, Christine Jones and David Williams attended as observers

**IN ATTENDANCE:** Chief Officer (Governance); Democratic Services Manager; Finance Manager (Strategy Accounting & Systems); and Democratic Services Officer

### **13. DECLARATIONS OF INTEREST**

None were received.

### **14. MINUTES**

The minutes of the meeting held on 25 October 2017 were submitted.

#### Matters Arising

Minute number 8: Induction Report - the Democratic Services Manager advised that a Member workshop on the Well-being of Future Generations (Wales) Act 2015 had been scheduled for 8 February 2018.

Minute number 10: Sharing Information within the Council - the Chief Officer gave positive feedback from the first meeting of the working group and advised that the draft rules would be shared with the Chief Officer team and progress reported back to the group. A Member workshop was likely to be scheduled before March.

### **RESOLVED:**

That the minutes be approved as a correct record and signed by the Chair.

## 15. FINANCIAL PROCEDURE RULES

The Finance Manager presented the revised Financial Procedure Rules (FPRs) for consideration, prior to seeking approval at County Council to meet statutory obligations.

The FPRs had been reviewed in 2017 to reflect changes to legislation and processes. No concerns had been raised when reported to the Audit Committee in November 2017. The changes included a proposed increase in the virement threshold to allow greater flexibility for Chief Officers whilst maintaining financial control.

Councillor Peers said that the report should indicate submission to County Council as well as Cabinet. On page 13 of the FPRs, he suggested that paragraphs (g) and (j) be linked. The Finance Manager agreed to incorporate into the following changes:

- On page 13, paragraph (g) - to confirm the actual threshold of a 'significant overspend'.
- On page 17, section 3.5 - the first sentence to clarify that the general level of reserves to be decided by 'The Council' rather than 'The local authority' to specify that this was a function of Council and not Cabinet.

In response to queries, it was explained that paragraph (j) on page 27 referred to the competitive sealed bidding process for surplus Council stock items. It was agreed that this wording would replace the 'secret and competitive basis' description currently in the FPRs.

On the same matter, Councillor Carver gave examples of stock which, although deemed as 'scrap', may still retain some value. The Chief Officer said that additional wording would be included in the paragraph to indicate that officers should still seek to achieve the highest amount of value for the Council, whichever method of disposal was appropriate.

Councillor Woolley said that the first sentence of the section on maintenance of reserves reflected processes that were not compatible. The Finance Manager advised that as part of the protocol, the level of reserves were set at a prudent level and explained in budget monitoring reports. She referred to recent challenge by the Corporate Resources Overview & Scrutiny Committee to establish whether unused earmarked reserves could be brought back into the budget for use.

The Chief Officer referred to the responsibilities of the Section 151 Officer in determining the adequacy of reserve levels and the Council's duty to approve the overall budget at which stage details of reserves had already been subject to scrutiny.

In response to a request by Councillor Woolley, the Finance Manager agreed to provide a response to the Committee on the total amount of the Council's assets and date of the valuation.

**RESOLVED:**

That, subject to the amendments identified, the updated Financial Procedure Rules be endorsed and recommended for submission to County Council for approval.

**16. ANNUAL REVIEW OF THE CODE OF CORPORATE GOVERNANCE**

The Chief Officer (Governance) presented the revised Code of Corporate Governance for adoption as part of the Council's Constitution, following endorsement by the Audit Committee.

The revised principles of the Code had been used in self-assessments which would form the basis of the Annual Governance Statement to accompany the Statement of Accounts.

Councillor Peers said that paragraph 1.01 of the report should have set out the full consultation process. He also pointed out that some of the links in section A of the Code did not work and that contact details of the Public Services Ombudsman for Wales could not be found on the Council's website. The Chief Officer agreed to look into this.

**RESOLVED:**

That the updated Code of Corporate Governance be adopted as part of the Council's Constitution.

**17. INDUCTION PROCESS**

The Democratic Services Manager presented a report giving an overview of the Member induction programme following the May 2017 County Council elections.

It was reported that over half of new Members had attended the training on generic topics and that some returning Members had also attended. Attendance figures were also given for training on specific skills, including mandatory training for specific committees.

Councillor Shotton was pleased to note the involvement of a number of returning Members at the training sessions to help give advice and support those who were newly elected.

Councillors Hughes commended officers for the excellent training programme and spoke about the need for mandatory training for new Members. The Democratic Services Manager advised that this was not an option. In recognition of the various commitments of Members, follow-up work had taken place with some individuals who had been unable to attend the sessions.

As requested by Councillor Healey, a guidance note would be circulated to Members giving contact details for other public bodies such as North Wales Police, Betsi Cadwaladr University Health Board etc.

Councillor Hughes said that Members of the Planning Committee should be provided with additional training to assist them in that complex role. Councillor Dunbar spoke in agreement. It was noted that the training session for 'Planning for non-Planning Members' was to help Members in respect of applications in their wards.

Councillor Peers said that the Planning Committee could appear daunting for new Members, despite having received training. As a possible solution, he proposed that the Planning Strategy Group be asked to consider whether in future, new Members of the Planning Committee should attend their first few meetings as an observer to help prepare them to participate at further meetings.

This was seconded by Councillor Hughes who suggested that consideration also be given to new Members being given the option to accompany Planning Officers when visiting sites to give them a better understanding of the planning process. The Democratic Services Manager agreed to follow this up.

Following comments by Councillor Perfect, it was explained that the remit of senior officers had formed part of the 'Introduction to Council' training session. A brief explanation was given on changes to Cabinet Member responsibilities which had been confirmed at the Annual General Meeting.

**RESOLVED:**

- (a) That the induction progress report be noted;
- (b) That consideration being given to new Members attending Planning Committee as observers rather than participants and accompanying officers on site to gain an insight into their work.

**18. TIMING OF MEETINGS SURVEY**

The Democratic Services Manager presented a report on the results of the survey which sought the views of committees on their preferred pattern of meetings.

The report concluded that all six Overview & Scrutiny committees, the Audit Committee and Planning Committee (consulted via the Planning Strategy Group) wished to retain their respective current arrangements. Comments raised by Members of those committees during the consultation were appended to the report. The results of the survey would help to inform the model for the 2018/19 Schedule of Meetings due to be approved at the next Annual General Meeting.

Councillor Peers asked that the agreed outcome for Planning Committee meetings be included on the meeting preference tracker.

Councillor Phillips commented on the Chair and Vice-Chair of the Planning Committee being able to determine whether those meetings could be brought forward to an earlier time, depending on the extent of business to be considered.

Councillors Dunbar and Wisinger spoke in agreement.

Councillor Peers said it was the responsibility of each committee to adjust its meeting times accordingly.

**RESOLVED:**

- (a) That the draft Schedule of Meetings for 2018/19 be prepared on the current pattern of meetings; and
- (b) That where the Chair and Vice-Chair of the Planning Committee believe that the volume of business to be transacted warrants it, the start time of the committee be brought forward to noon instead of 1pm.

**19. BUDGET PROCESS**

The Chief Officer (Governance) presented a report to review the process for the setting of the annual budget process, as agreed at the Corporate Resources Overview & Scrutiny Committee meeting. It was suggested that the process be reviewed after completion of work on the 2018/19 budget, to develop a budget consultation protocol. The rules in the Constitution could then be updated to more accurately reflect the budget process.

In response to comments by Councillor Heesom on decision-making powers, the Chief Officer explained that most decisions were taken by Cabinet, as specified in legislation, but that important decisions such as the budget were retained for approval by the County Council. The process included opportunities for valuable input by non-Cabinet Members and various examples were given where proposals had been challenged by Overview & Scrutiny, resulting in recommendations to Cabinet. Contributions would be sought from Members to design the budget process within the terms of the legislation.

On the budget protocol, Councillor Peers referred to the principle on sharing information with Members. He said that more detail should be provided to clarify reasons for movement in the budget gap against the total income and that information on portfolios should be made available. Officers explained that a breakdown of the budget gap had been provided. The Chief Officer agreed that the level of information would be reviewed to explain movement in the gap at each stage to help Members approve the overall budget.

Councillor Healey explained that the reason for his request for a review of the budget process was to standardise the process. This had arisen from his concerns that some of the larger issues within Stage 2 budget options had not been considered by the respective Overview & Scrutiny committees.

Councillor Hughes commended the Member workshops during the process.

Councillor Shotton welcomed the phased approach to approving the budget and spoke in support of the principles for the protocol set out in the report.

The Democratic Services Manager explained that due to ongoing work on the budget process, an additional recommendation was to move the date of the next meeting of the Committee.

**RESOLVED:**

- (a) That the Committee is assured by the process being used for consultation and scrutiny of the 2018/19 Council Budget;
- (b) That a further report, reviewing the 2018/19 budget process and including amendments to the Budget and Policy Framework be prepared for a future meeting of the Committee;
- (c) That all Members and co-optees be invited to contribute to the review process;  
and
- (d) That the next meeting of the Committee be moved to April.

**20. PROVISION OF TELEPHONES TO MEMBERS**

The Democratic Services Manager presented a report to consider the provision of telephones to all elected Members, to comply with Determination 6 of the Independent Remuneration Panel for Wales (IRPW). The Council had resolved in 2015 to oppose the determination due to cost implications and this issue had been raised again during a recent IRPW visit. A survey of the 22 Welsh authorities concluded that of the majority which had responded, only a third offered some type of telephone provision for their Members.

Councillor Shotton said that it was not feasible for telephones to be provided in the current financial climate. His proposal that the Council remain non-compliant with Determination 6 was seconded.

This view was shared by Councillor Healey who suggested a Notice of Motion to show the strength of feeling against the IRPW determination.

The Chief Officer provided background information on Determination 6 which sought to ensure that sufficient support was available to help elected Members in their role.

Councillor Peers asked if there were any implications of non-compliance and whether these could be overcome by introducing an 'opt out' provision. Officers advised that no sanction would be imposed and that the Committee could consider introducing an optional scheme, which also applied to travelling expenses.

Councillors Woolley and Dunbar spoke in support of retaining the current arrangement.

In response to questions, the Chief Officer provided information on the mobile telephone contract and monitoring arrangements within each portfolio.



**RESOLVED:**

That the Council's provision of telephones to Members remain as it is.

**21. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE**

There were no members of the press or public in attendance.

(The meeting started at 2pm and ended at 3.55pm)

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**Chair**

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## CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

|                        |   |
|------------------------|---|
| <b>Date of Meeting</b> | Thursday, 26 <sup>th</sup> April 2018                                       |
| <b>Report Subject</b>  | Budget Consultation Process   |
| <b>Cabinet Member</b>  | Cabinet Member for Corporate Management & Assets                            |
| <b>Report Author</b>   | Chief Executive, Chief Officer (Governance) and Democratic Services Manager |
| <b>Type of Report</b>  | Operational   |

### EXECUTIVE SUMMARY

The approach which the Council now uses for Budget Consultation with Overview & Scrutiny has developed beyond the simple form currently set out within the Council's Constitution.

This report provides feedback from Members and officers in developing the 'new' approach which has led to the Staged Budget Process Flow chart and an amended form of words for insertion into section 16 of the Constitution.

### RECOMMENDATIONS

|   |   |
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| 1 | That the Staged Budget Process as set out in the appendix be approved for Budget consultation purposes.           |
| 2 | That section 16 of the Constitution be amended to the suggested wording set out in paragraph 1.04 of this report. |

## REPORT DETAILS

| 1.00 | <b>EXPLAINING THE NEED TO REVIEW BUDGET CONSULATION</b>   |                          |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
|------|---|--------------------------|--|---------------------|--------------------------|---|--|--------------|---|---|--------------|---|--|--------------|---|--|--------------|---|--|--------------|---|---|--------------|---|---|--------------|
| 1.01 | At the all Member meeting of the Corporate Resources Overview & Scrutiny Committee on 6 <sup>th</sup> December 2017, it was agreed that the setting of the annual Budget Process should be reviewed. A report to the 31 <sup>st</sup> January Constitution & Democratic Services Committee detailed the approach used for the 2018/19 Budget Process. It acknowledged that the wording in the Constitution was drafted for simpler times. The Council's statutory officers were satisfied that the phased approach used had met constitutional requirements for consultation.   |                          |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
| 1.02 | It was also agreed that it would be inefficient to review the Budget Process whilst it was ongoing, and that on completion of the 2018/19 budget, the process would be reviewed. This review should include how to encourage contributions from Overview & Scrutiny (O&S) and ensure that our process meets Member's expectations for meaningful participation.   |                          |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
| 1.03 | <p>Following consultation with Members and discussion amongst officers, a set of requirements was developed.</p> <table border="1" data-bbox="320 994 1382 2087"> <thead> <tr> <th data-bbox="320 994 400 1106"></th> <th data-bbox="400 994 1142 1106"><u>Requirements</u></th> <th data-bbox="1142 994 1382 1106"><u>Response/ Comment</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="320 1106 400 1279">1</td> <td data-bbox="400 1106 1142 1279">Council Tax must be set before 1<sup>st</sup> March to enable the billing process. Therefore, the Budget Process should be completed by third week in February.</td> <td data-bbox="1142 1106 1382 1279">Acknowledged</td> </tr> <tr> <td data-bbox="320 1279 400 1451">2</td> <td data-bbox="400 1279 1142 1451">It should be recognised that developing the Budget is a collective responsibility involving Members and professional officers who respect each other's respective roles within the process.</td> <td data-bbox="1142 1279 1382 1451">Acknowledged</td> </tr> <tr> <td data-bbox="320 1451 400 1581">3</td> <td data-bbox="400 1451 1142 1581">Members should first seek professional analysis and information on complex issues before their own analysis and arriving at a judgement.</td> <td data-bbox="1142 1451 1382 1581">Acknowledged</td> </tr> <tr> <td data-bbox="320 1581 400 1823">4</td> <td data-bbox="400 1581 1142 1823">The Council's statutory officers have a pivotal role within the Budget Process: the Corporate Finance Manager/Section 151 Officer must give a professional opinion on the safety of process and proposals and Members have a duty to consider that advice before making any final decisions.</td> <td data-bbox="1142 1581 1382 1823">Acknowledged</td> </tr> <tr> <td data-bbox="320 1823 400 1953">5</td> <td data-bbox="400 1823 1142 1953">The staged approach should start with informal briefings to Group Leaders and other Members in June.</td> <td data-bbox="1142 1823 1382 1953">Acknowledged</td> </tr> <tr> <td data-bbox="320 1953 400 2013">6</td> <td data-bbox="400 1953 1142 2013">The first Budget workshop should be held by July.</td> <td data-bbox="1142 1953 1382 2013">Acknowledged</td> </tr> <tr> <td data-bbox="320 2013 400 2087">7</td> <td data-bbox="400 2013 1142 2087">The Budget will be approved on a staged basis. (For example, the 2018/19 Budget Process had</td> <td data-bbox="1142 2013 1382 2087">Acknowledged</td> </tr> </tbody> </table> |                          |  | <u>Requirements</u> | <u>Response/ Comment</u> | 1 | Council Tax must be set before 1 <sup>st</sup> March to enable the billing process. Therefore, the Budget Process should be completed by third week in February. | Acknowledged | 2 | It should be recognised that developing the Budget is a collective responsibility involving Members and professional officers who respect each other's respective roles within the process. | Acknowledged | 3 | Members should first seek professional analysis and information on complex issues before their own analysis and arriving at a judgement. | Acknowledged | 4 | The Council's statutory officers have a pivotal role within the Budget Process: the Corporate Finance Manager/Section 151 Officer must give a professional opinion on the safety of process and proposals and Members have a duty to consider that advice before making any final decisions. | Acknowledged | 5 | The staged approach should start with informal briefings to Group Leaders and other Members in June. | Acknowledged | 6 | The first Budget workshop should be held by July. | Acknowledged | 7 | The Budget will be approved on a staged basis. (For example, the 2018/19 Budget Process had | Acknowledged |
|      | <u>Requirements</u>   | <u>Response/ Comment</u> |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
| 1    | Council Tax must be set before 1 <sup>st</sup> March to enable the billing process. Therefore, the Budget Process should be completed by third week in February.  | Acknowledged             |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
| 2    | It should be recognised that developing the Budget is a collective responsibility involving Members and professional officers who respect each other's respective roles within the process.   | Acknowledged             |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
| 3    | Members should first seek professional analysis and information on complex issues before their own analysis and arriving at a judgement.  | Acknowledged             |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
| 4    | The Council's statutory officers have a pivotal role within the Budget Process: the Corporate Finance Manager/Section 151 Officer must give a professional opinion on the safety of process and proposals and Members have a duty to consider that advice before making any final decisions.  | Acknowledged             |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
| 5    | The staged approach should start with informal briefings to Group Leaders and other Members in June.  | Acknowledged             |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
| 6    | The first Budget workshop should be held by July.   | Acknowledged             |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |
| 7    | The Budget will be approved on a staged basis. (For example, the 2018/19 Budget Process had   | Acknowledged             |  |                     |                          |   |  |              |   |   |              |   |  |              |   |  |              |   |  |              |   |   |              |   |   |              |

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|    | Stage One in October/November, Stage Two in December and concluded with Stage Three in January/February. However, the process in future years may be achieved in two or four stages (depending on a number of variables)          |   |
| 8  | As each stage is agreed, the officers should start to implement proposals to allow more time for planning and implementation, thus increasing potential for achieving planned levels of saving.                                   | Acknowledged  |
| 9  | The results of public consultation may be used to help inform Council, Cabinet and Overview & Scrutiny on the acceptability or potential impact of Budget proposals.  | Acknowledged  |
| 10 | The role of Overview & Scrutiny in supporting the Budget Process and sign posting alternative proposals is recognised.  | Acknowledged  |
| 11 | There should be an opportunity for feedback from an Overview & Scrutiny Committee to Cabinet.   | Acknowledged  |
| 12 | There should be an opportunity for feedback directly from an Overview & Scrutiny Committee to Council.  | Acknowledged  |
| 13 | We should ensure that all Members receive all of the information which they need to make decisions in a timely fashion.   | Acknowledged  |
| 14 | We should ensure that Members are given opportunities to ask for further Information.   | Acknowledged  |
| 15 | The Budget Process is a resource intensive exercise: Members should recognise that the officers have a heavy work commitment during this time and may not be able to respond to their questions/requests for information quickly. | Acknowledged  |
| 16 | There must be a cut-off date and time after which it is not practical for officers to be able to respond to Member questions/requests for information.  | Acknowledged  |
| 17 | Every Corporate Resources Overview & Scrutiny Committee should be webcast.  | This would have significant resource implications and thus is deemed impractical. |
| 18 | Once a proposal has been through the process and a decision has been made, the issue should   | Acknowledged  |

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|      | be treated as concluded. Further suggestions and/or requests to vary it would affect the integrity and continuity of the Budget Process and hinder planning.   |   |
| 19   | We need to establish whether the use of call-in should be limited to non-Budget items, especially where a consultation item has already been to an Overview & Scrutiny Committee.  | This is an issue for the Committee to decide. |
| 20   | The lead Overview & Scrutiny Committee for Budget Consultation is Corporate Resources, with all Members being entitled to attend meetings should they wish.  | Acknowledged                                  |
| 21   | There should be opportunity for one of the 'service' Scrutiny Committees to ask that a Budget issue relating to a service within its remit be discussed at a meeting of that Committee – in a special meeting if necessary.  | Acknowledged                                  |
| 22   | We should ensure that Members are given opportunities to ask for further information and analyse that information which they must receive in sufficient time to give it proper consideration.  | Acknowledged                                  |
| 23   | The information provided should be risk and impact assessed so that Members have confidence in its use.  | Acknowledged                                  |
| 24   | Members must recognise the need to await professional officer advice/guidance before moving to judgement.  | Acknowledged                                  |
| 25   | There should be an agreed approach for how everything should be brought together at the end of the process in reporting to Council to set the overall Budget.  | Acknowledged                                  |
| 1.04 | To incorporate all of the views expressed into a document would make it too unwieldy. Instead, the ideas have been used to inform the flow chart which is attached as an appendix to illustrate a staged Budget Process. It is based on the 2018/19 approach, using dates for 2019/20, but should not be regarded as prescriptive. A differing number of stages will be equally appropriate as we react to circumstances in a particular year. |   |
| 1.05 | The Budget Consultation process is covered by section 16.2 of the Constitution, parts (a) and (b).<br><br>In essence, Cabinet produces proposals and Overview & Scrutiny have not less than 4 weeks to respond. At the end of that period, Cabinet will draw up firm proposals, having regard to the responses to the consultation. Any  |   |

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|  | <p>report to Council will reflect comments made by consultees and the Cabinet's response.</p> <p><i>Suggested wording: Based on good practice and the need for efficiency, the Council has developed a staged Budget Process, as illustrated in the flow chart. This is not prescriptive; between two and four stages would be equally reasonable, depending on the circumstances in different years. At each stage, there is four weeks available for consultation, both on an individual member basis and through one of the six Overview &amp; Scrutiny Committees. Time is made available for individual Members and Overview &amp; Scrutiny Committees to ask for additional information, up to and including a final deadline which will be set out at the start of the process.</i></p> <p><i>At the end of the consultation, Cabinet will draw up firm proposals, having regard to the responses to the consultation. Any report to Council will reflect comments made by consultees and the Cabinet's response. Overview &amp; Scrutiny Committees may also prepare a response direct to Council for a non-executive decision, such as the Budget. Throughout the process, up to the deadline which will be determined on an annual basis, the Council's statutory officers will be available to guide and assist Members who wish to explore alternative proposals.</i></p> |
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| <b>2.00</b> | <b>RESOURCE IMPLICATIONS</b>   |
| 2.01        | <p>This report is intended to amend the current Budget Process as defined within the Constitution. It is acknowledged that the more extensive process which has developed over the past three years is more resource intensive but this has also promoted greater transparency and accountability.</p> <p>There would be significant resource implications in terms of licence and staff time if every meeting of Corporate Resources Overview &amp; Scrutiny Committee was webcast.</p> |

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| <b>3.00</b> | <b>CONSULTATIONS REQUIRED / CARRIED OUT</b>                               |
| 3.01        | This report has been prepared and is published for consultation purposes. |

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| <b>4.00</b> | <b>RISK MANAGEMENT</b>   |
| 4.01        | The Council's Budget decision making process has developed further than current Constitutional requirements and thus needs review. |

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| <b>5.00</b> | <b>APPENDICES</b>   |
| 5.01        | <ol style="list-style-type: none"> <li>1. Member consultation feedback</li> <li>2. Three Stage Budget Process Flow chart</li> </ol> |

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| <b>6.00</b> | <b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>  |
| 6.01        | <p>1. Minutes of the 'All Member' meeting of Corporate Resources O&amp;SC, 6<sup>th</sup> December 2017.</p> <p>2. Report of the Democratic Services Manager to the Constitution &amp; Democratic Services Committee, 31<sup>st</sup> January 2018 – Budget Process, together with resultant minute.</p> <p><b>Contact Officer:</b> Robert Robins, Democratic Services Manager<br/> <b>Telephone:</b> 01352 702320<br/> <b>E-mail:</b> <a href="mailto:robert.robins@flintshire.gov.uk">robert.robins@flintshire.gov.uk</a></p> |

|             |   |
|-------------|---|
| <b>7.00</b> | <b>GLOSSARY OF TERMS</b>  |
| 7.01        | <p><b>Budget:</b> a statement expressing the Council's policies and service levels in financial terms for a particular financial year. In its broadest sense it includes both the revenue Budget and capital programme and any authorised amendments to them.</p> <p><b>Constitution:</b> a document which sets out how the various elements within the Council must act and interact to support effective decision making.</p> |



## Budget Consultation Member Feedback

E mail sent to all Members with deadline of 16<sup>th</sup> March. Reminder sent on 5<sup>th</sup> March.

The following bullets were in the original report for C&DSC on 31st January.

- feeding back from an Overview & Scrutiny committee to Cabinet;
- feedback directly from an O&S committee to Council;
- ensuring that all Members receive all of the information which they need to make decisions in a timely fashion;
- ensuring that Members are given opportunities to ask for further information;
- how everything should be brought together at the end of the process in reporting to Council to set the overall budget;
- whether the use of call-in should be limited to non-budget items, especially where a consultation item has already been to an Overview & Scrutiny committee.

|   | Name             | Date of response         | Response Details   |
|---|------------------|--------------------------|--|
| 1 | Cllr Cindy Hinds | 21/02/18<br><br>05/03/18 | <p>If everything has been through Scrutiny, Cabinet and all Members have had the chance to give all their comments before we have our meeting of the County Council (which a time limit should be set after the budget has gone out for consultation to all members for their comments and as long as they have been given enough time) then nothing should be debated at full Council. There should only be a presentation from Chief Exec and Gary on their points, all Scrutiny committees and councillors views collated together, and then every Councillor should be in agreement like yesterday. It has gone through the correct procedure, no councillor just thinks of something in the middle of a Council meeting, they have thought of it before that has got to be stopped to cut down the time limit of a meeting. I don't care which political group it is, that is my point of view. We have to be seen as transparent in everything and the budget itemised fully so everyone can see where the funding goes to. I am not a budget expert, the simpler the better.</p> <p>I agree with the points you have given.</p> <p>Another suggestion if it is right that members can look at every Committee papers and if there is anything on those papers they disagree with then they should put it to that Committee and whatever the Committee's decision is then that goes to County Council so nobody can go against anything that all the members of those Committees agree to. We should not have to waste debating it at Council, it is going over the same things again and I feel the person who is going against all the members of any Committee is belittling all those members of the different committees.</p> |

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|   |                     |          | Sorry Robert this is how I feel, it is such a waste of time and this way it shortens County Council as I have said before.  |
| 2 | Cllr Carolyn Thomas | 22/02/18 | Thank you for the email, the feedback to the latest Cabinet meeting from scrutiny was in a good format, very clear and welcome. I attended the Corporate resources committee and there was good continuity of points raised.  |
| 3 | Cllr Richard Jones  | 24/02/18 | <p>Call-ins should not be limited to non budget items, if the appropriate number of members support the call-in, then that should satisfy the democratic requirement, i can't see why it should make a difference whether the item has been to OSC or not. Additionally, what item is not covered in the budget, all subjects are up for discussion. To remove this right would seem to me to be a clear stifling of debate and would be a retrograde step in the use of OSC. I can imagine why it would be welcomed by some, as it would remove the rights of the opposition. This right should be left alone/unchanged from its present condition.</p> <p>I also believe that every CROSC should be webcast, for the avoidance of doubt in relation to what was said and by whom, especially for CROSC as the outcomes can have direct financial implications.</p> <p>Feedback from OSC should be fed back to Full Council and not limited to the Cabinet.</p> <p>I will consider the bulletin points below further and respond later</p> |
| 4 | Cllr David Mackie   | 26/02/18 | <p>Thank you for your email, I am sorry if some of my comments stray outside the bounds of this consultation.</p> <p>First I must say that the process we follow now is better than the system when I was first elected. I feel that members must have the opportunity to make decisions early in the process. Perhaps areas should be ranked according to whether members feel they should be protected or not, then the decision would be on the amount of cuts areas should be subjected to.</p> <p>Comments I heard at the public meetings were that the County explained the problems it was facing but did not mention any specific cuts. Perhaps if the public were asked to rank possible cuts there might be a gain in public engagement.</p>  |
| 5 | Cllr Ian Smith      | 28/0218  | One comment I do have, is having workshops/budget meetings in the day time, which means, that members like myself, who work full time are unable to attend. Holding a consultation event, is to my mind no consultation at all, if it is held at a time working members cannot attend.  |

|    |                  |          |   |
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| 6  | Cllr Mike Peers  | 05/03/18 | The response date deadline of 16 <sup>th</sup> March is in my diary from the original email.<br><br>For discussion at our groups next meeting   |
| 7  | Cllr Tudor Jones | 05/03/18 | I can make very little comment on this process as having arrived when the process for this cycle was already underway and with so much being new and unknown I'm left with much to learn and have no historical examples to call on to are comparisons.<br>I'm aware that having access to the figures at an early stage is advantageous but again having a grasp on the process is necessary.<br>I believe that growing experience with familiarity with the process will give a clearer understanding of what I need to help my understanding.<br>Sorry I can't contribute more   |
| 8  | Cllr Carol Ellis | 05/03/18 | It is my belief that the Call In should be available to all items regardless of the item going to Scrutiny . When issues are complex and controversial Members should have the right to Call In.  |
| 9  | Cllr Dave Hughes | 06/03/18 | That looks fine to me I have nothing else to add  |
| 10 | Cllr Ian Dunbar  | 06/03/18 | Feeding back to Cabinet from an O&S Committee is the correct procedure<br>We seem to have most information at the time of Meetings certain items do get asked and either answered there and then or it gets reported back in time.<br>Opportunities for further questions on information is given.<br>We do need to have all information formulated at the end of the process to come together to present to Cabinet to ensure we set a balanced Budget.<br>If the Committee has asked questions and been given the answer at the O&S the only items to be enabled to be taken to Call In should be limited.<br>Best wishes |
| 11 | Cllr Dave Healey | 7/03/18  | I know that this Consultation is related to a recommendation made at Corporate Resources OSC when there was a discussion of issues which included the proposed cash flat settlement for schools.<br>My concern at the time was that this issue seemed to be being discussed without reference to the Education and Youth OSC. It would then go straight to the next meeting of Council without any input from E & Y.<br>This also applied to the issue of car park charges and the Environment OSC.<br>In practice the issues were taken out of the proposals to be put to relevant scrutiny committees.                    |

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|    |             |         | <p>I am aware of the consequences of referring the issue to the E&amp;Y OSC and the degree of lobbying from schools which was unleashed.</p> <p>However it is important, where there is a Cabinet system in place, that we're do not become a facade democracy. It is important that Scrutiny has a robust role to play.</p> <p>From time to time Councillors need to see that they can make a difference and that involvement in Scrutiny Committees is meaningful.</p> <p>I would therefore suggest that if a budget issue, is important enough to go to Corporate Resources, and relates to the work of another Scrutiny Committee, that Scrutiny Committee should be involved in the process.</p> <p>On the issue of call-ins on budget matters I feel that they can be counter-productive. They may encourage dramatic publicity stunts which only serve to damage the reputation of the Council.</p> <p>If a budget matter has been considered by all relevant scrutiny committees then that should be it.</p> <p>At the end of the day the Council has a legal responsibility to balance the budget. The current arrangement allows for councillors to object to every difficult budget decision without consideration of the overall responsibility.</p>   |
| 12 | Cllr Carver | 16/3/18 | <p>Both as Chair of the Corporate Resources Overview &amp; Scrutiny Committee and as Conservative Group leader, I welcome the opportunity to respond to this consultation.</p> <p>The approach which we have used for the 2018/19 budget has been robust, and has provided plenty of opportunity for Members, whether as members of one of the O&amp;S committees, through the 'All member' CRO&amp;SC and as individuals, to contribute and to ask questions. The attendance at the 6<sup>th</sup> December meeting was a little disappointing though, especially given the time and effort which had been put into it.</p> <p>We all know that it has been a difficult process, but throughout the emphasis has been on transparency, which is to be applauded. I appreciate that the 'All Member budget workshops' are held as private sessions, not in the public eye, but we do need to have the opportunity to ask the 'daft' questions out of the public gaze.</p> <p>My recommendation for improving the process is to start it earlier, so that the stage approach could get the 'easier' part done earlier in the autumn. Stage one approval by Council in early November would be ideal.</p> <p>However, I know that we are in the hands of the Welsh Government. Their late decision making is placing undue pressure on everyone in local government, whether they be Members or officers</p> |

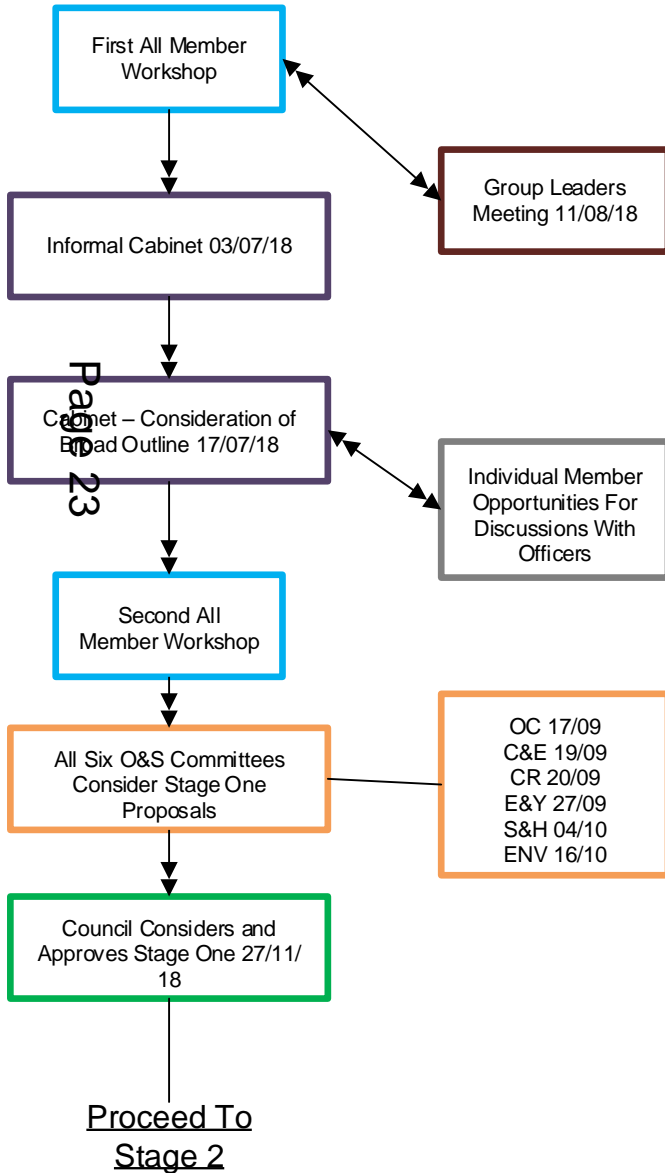
|    |                 |         |   |
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| 13 | Cllr Mike Peers | 16/3/18 | <p>Please find attached my comments and suggestions on the Budget consultation.</p> <p>I have kept it simple rather than a wordy report. I think it explains it ok in a visual form. Hopefully the reporting to members on the Budget can be simplified and clearer in due course.</p> <p>The other thing in budget reporting is <b>the terminology used, issues over clarity, and the <u>reports should be easier to follow.</u></b></p> <p>I enclose table 5 (P21) from the February 20<sup>th</sup> 2018 meeting <u>as an example:</u></p> <ul style="list-style-type: none"> <li>• The funding information starts with “<b>Aggregate External Funding (AEF) / RSG NNDR</b>”. Can we simplify the wording and make it clear the source of this particular funding?</li> <li>• Then it shows <b>SSA/ Budget requirement</b> of £259.279M. Include with the figure a cross reference to the breakdown of the £259.279M</li> <li>• Cross reference Specific grants (£31.326) Source and value (£).</li> <li>• “Prior year budget decisions recurring” (Explanation?)</li> </ul> <p>Just one example of the many pages in the report.</p> <p>I hope what I have included you find of interest.</p> |
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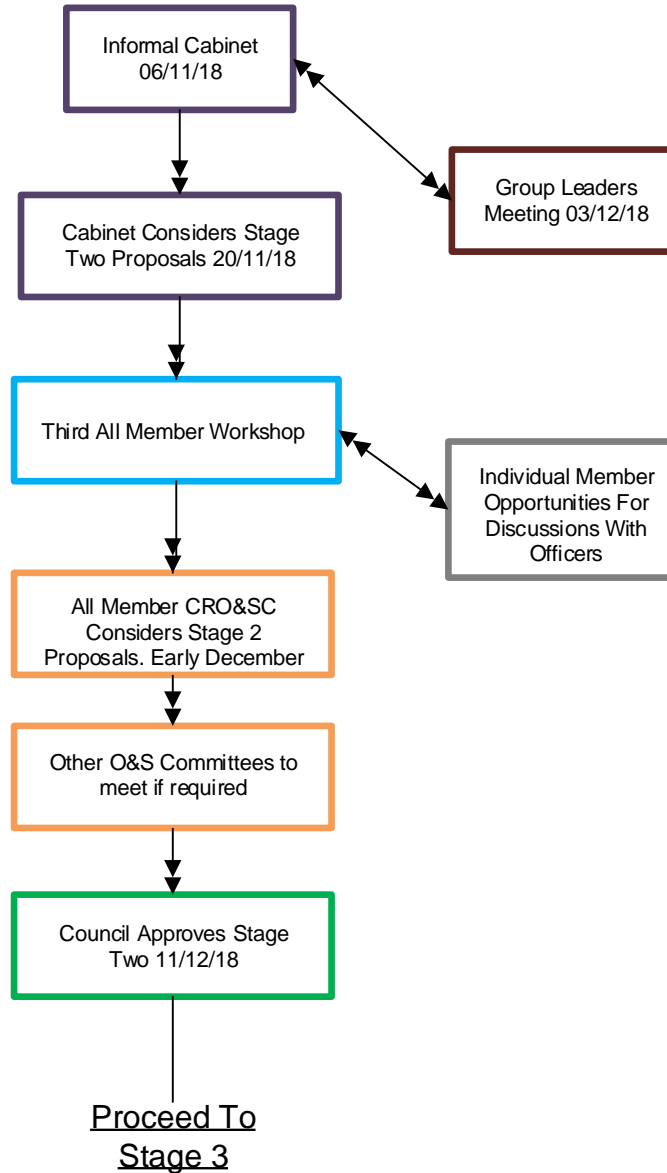


# Three Stage Budget Process for 2019/20 Budget.

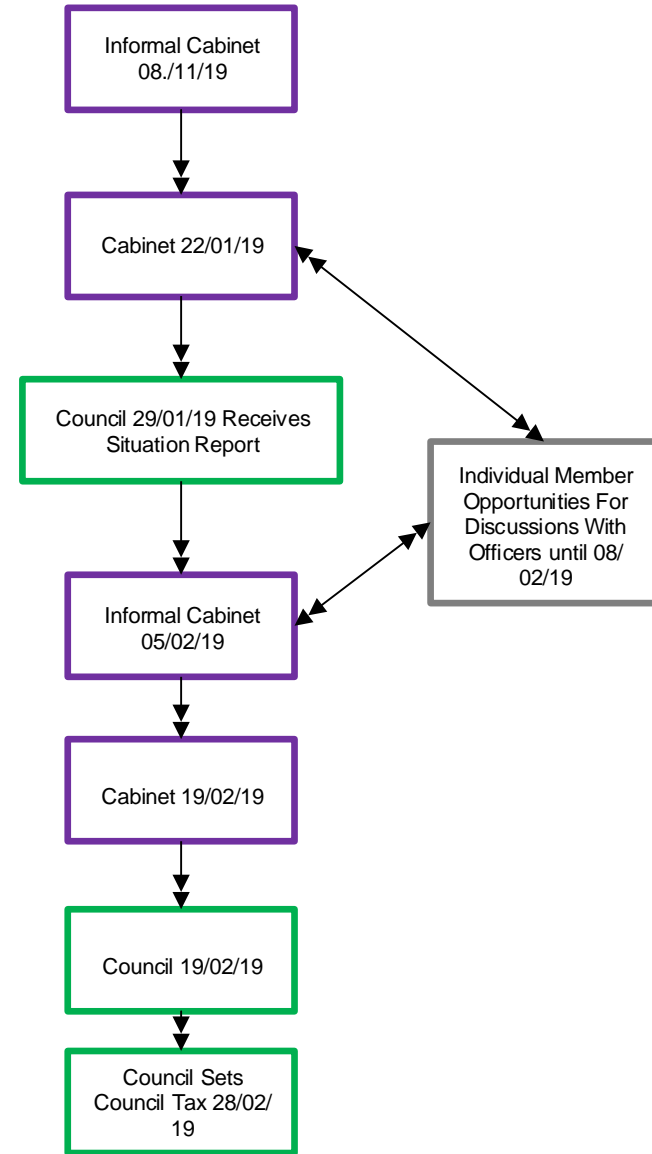
## STAGE 1



## STAGE 2



## STAGE 3



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## CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE

|                        |  |
|------------------------|--|
| <b>Date of Meeting</b> | Thursday, 26 <sup>th</sup> April 2018              |
| <b>Report Subject</b>  | Information Sharing within the Council             |
| <b>Cabinet Member</b>  | Cabinet Member for Corporate Management and Assets |
| <b>Report Author</b>   | Chief Officer (Governance)                         |
| <b>Type of Report</b>  | Operational  |

### EXECUTIVE SUMMARY

Sharing information within the Council, whether between officers, Members or officers and Members is key to enabling it to fulfil its functions and properly provide services to the public. However, the Council is subject to many different legal obligations around sharing or withholding of information. Some such as the Data Protection and Freedom of Information Acts are compatible, whilst others can appear to be mutually incompatible.

The Committee resolved in November to establish a working group to draw up fresh guidance on how to share information within the council. That working group met and drew up draft guidelines which have been shared with officers and Members in consultation. The results of that work are a set of principles relating to how and when the council will share information in its internal communications. If approved the guidelines will need to be inserted into the Constitution.

### RECOMMENDATIONS

|   |   |
|---|---|
| 1 | That the guidelines be recommended to County Council for adoption in to the Constitution. |
| 2 | That the members of the working group be thanked for their work.                          |

## REPORT DETAILS

|             |   |
|-------------|---|
| <b>1.00</b> | <b>Explaining the Outcome of the Working Group</b>  |
| 1.01        | Committee members will recall the sometimes conflicting obligations on the Council to keep information confidential and also to reveal it to councillors. The current guidance on the issue in the Constitution is not particularly clear or helpful. The Committee resolved to establish a working group to help redraw that guidance.   |
| 1.02        | The working group met twice during December. At its first meeting the members of the group familiarised themselves with the various competing legal obligations. At the second meeting the group amended and approved a series of principles that would capture the rules but also, and perhaps more importantly, a number of scenarios that set out the level of information that would be shared in relation to common queries. Each example looked at the scenario from the perspectives e.g. a councillor speaking to an officer, or a councillor speaking to another councillor.       |
| 1.03        | The fundamental principle is that councillors and officers need information at a level of detail that is appropriate to whatever task, role or function they need to perform within the council. Where councillors or officers are undertaking an oversight role or holding others to account then the level of necessary detail will be low. Conversely, where councillors or officers are making an operational decision then the level of detail will be high, in order to ensure that all relevant matters are considered.  |
| 1.04        | Those principles and examples were then the subject of consultation with officers via portfolio management teams and an All Member workshop. The principles were broadly supported during this process though a few improvements were made to make them more precise and to expand slightly their scope. The amended principles and examples are attached at Appendix A.  |
| 1.05        | These principles are important for the council and there are many possible consequences from under or over sharing of information. Sharing personal data when it is not necessary for example could be the subject of enforcement by the Information Commissioner's Office including fines of up to €20m. Under sharing can adversely affect the ability of councillors and officers to fulfil their roles and could lead even to judicial review if the council failed to take into account relevant facts when making a decision. Those consequences are mentioned within the principles. |
| 1.06        | If approved by the Committee these principles need to be included within the Constitution. They will also be disseminated amongst officers so that they are properly understood.  |

|             |   |
|-------------|---|
| <b>2.00</b> | <b>RESOURCE IMPLICATIONS</b>                      |
| 2.01        | None directly arising as a result of this report. |

|             |   |
|-------------|---|
| <b>3.00</b> | <b>CONSULTATIONS REQUIRED / CARRIED OUT</b>             |
| 3.01        | Members, chief officers and portfolio management teams. |

|             |  |
|-------------|--|
| <b>4.00</b> | <b>RISK MANAGEMENT</b>   |
| 4.01        | These principles are intended to reduce risk by providing clear advice to officers and councillors on what information it is appropriate to share. |

|             |   |
|-------------|---|
| <b>5.00</b> | <b>APPENDICES</b>                           |
| 5.01        | Appendix A – Information Sharing Principles |

|             |  |
|-------------|--|
| <b>6.00</b> | <b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>   |
| 6.01        | <p>Working group agendas and papers<br/> Feedback from councillor workshop</p> <p><b>Contact Officer: Gareth Owens (Chief Officer Governance)</b><br/> <b>Telephone: 01352 702344</b><br/> <b>E-mail: Gareth.legal@flintshire.gov.uk</b></p> |

|             |  |
|-------------|--|
| <b>7.00</b> | <b>GLOSSARY OF TERMS</b>   |
| 7.01        | <p><b>Data Protection Act 1998</b> – legislation imposing the obligation to keep information relating to living individuals private and regulating the amount and way in which it can be used</p> <p><b>Freedom of Information Act 2000-</b> legislation requiring the Council to make information publicly available provided it does not fall within one of the statutory exemptions</p> |

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## INFORMATION SHARING PRINCIPLES

### Principles of disclosing information

These encompass the underlying principles behind the right to know, the Data Protection Act plus the legislation on access to information contained within the amended Local Government Act 1972

The following definitions are used within this document

Confidential Includes the following:

- Information
1. information furnished to the Council by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public; and
  2. information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court;
  3. information provided to a lawyer for the purposes of obtaining legal advice or the advice received
  4. information which would harm the commercial position of an individual, including the council, if it were to be revealed
  5. information relating to an investigation into a potential or actual criminal offence or any information relating to the enforcement of laws where it would harm that enforcement if the information were to be revealed.
  6. information which is received in circumstances where a duty of confidence arises e.g. communications between a teacher and pupil, the outcome of a disciplinary process, discussions during an employee appraisal

Exempt information (as defined by the Local Government Act 1972) Includes the following:

7. Information which is likely to reveal the identity of an individual.
8. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
9. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
10. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
11. Information which reveals that the authority proposes —
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
12. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**NOTE: this definition is laid down by statute and overlaps with the other definitions within this document e.g. this definition includes information that contains personal data**

Personal Information which, on its own or with other information, enables the

data                      identification of a living individual

The following principles will apply to the sharing of information between officers and county councillors, whether officer to county councillor, county councillor to county councillor or officer to officer:

- A Openness and transparency is the best policy. Where information is not confidential, exempt, private nor contains personal data then it will be shared on request
- B Information will be shared in a timely manner with county councillors or officers where:
  - the recipient requires that information in order to fulfil a role/task within the council (i.e. that person cannot fulfil the role/task without the information); AND
  - the information is provided, received and used only for the purpose of undertaking that role/task (and not for any other reason)
- C The level of detail provided will be commensurate with the role/task being performed by the recipient
- D County councillors may see any document that does not contain exempt information or the advice of a political adviser which is to be or has been reported to:
  - Council, a committee or a sub-committee; OR
  - Cabinet or a sub-committee of Cabinet
- E Whilst councillors may request information under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 any such request will be subject to the limitations and exemptions contained within the legislation
- F Where the information requested identifies, or tends to identify, a living individual then it will only be disclosed when the person intending to disclose the information has satisfied themselves of the identity of the intended recipient and where:
  - The person to whom the information relates has given consent or consent can be readily implied; OR
  - Disclosing the information is necessary for purposes such as law enforcement
- G Any person sharing confidential or exempt information or personal data the person must when doing so:
  - Appropriately mark written communications: AND
  - Expressly state that the information is confidential during oral communications; AND
  - Discuss with or advise the recipient what (if anything) can be shared with others
- H Any information that is supplied which is confidential or exempt or which contains personal data must not be further communicated or shared by the recipient without the consent of the sender.
- I Whether or not information is marked as or expressed to be confidential, it remains the responsibility of the person holding that information to decide whether or not to disclose it to another person and the appropriate classification of that information if it is disclosed

- J Improperly disclosing or withholding of information can have a range of consequences which include (but are not limited to):
- It may be a potential breach of the members' or officers' code of conduct
  - It can leave the Council or individual open to prosecution or other enforcement action by the Information Commissioner
  - It can prevent officers or councillors from fulfilling their roles
  - The council can be liable to legal action or judicial review
  - It can cause personal distress and upset
  - It erodes the necessary trust and confidence between councillors and officers
- K Where a county councillor or officer
- i. requests information which is not supplied; OR
  - ii. is uncomfortable about disclosing information that has been requested that person may request advice from the Council's monitoring officer on whether the information should be disclosed.
- L Nothing in these principles should be interpreted as restricting or prohibiting the disclosure (whether voluntary or compelled) of information to the Police, Courts, law enforcement agencies, public inquiries etc.

**Classification and marking of information when sharing**

- M When communicating personal data, confidential information or exempt information in writing the following shall apply:
- 1) When the information is shared in a letter or email the subject line must be marked "confidential"
  - 2) When the information is included in a document (other than a letter or email) then the top of each page must be marked "confidential" OR each page must be watermarked "confidential"
  - 3) When the information is to be shared in an electronic file then the file name must include the word "confidential"
- N When communicating personal data, confidential information or exempt information orally the following shall apply:
- 1) the information must be expressly stated to be "confidential"; AND
  - 2) the person communicating the information must follow up in writing stating what is confidential

| <b>Nature of Report</b>   | <b>Public Session<br/>(Part 1)</b>  | <b>Closed Session<br/>(Part 2)</b>  |
|---|---|---|
| <ul style="list-style-type: none"> <li>• Report to provide assurance or update on progress</li> <li>• Performance monitoring</li> <li>• Policy Development</li> <li>• Budget monitoring</li> <li>• (Pre) Scrutiny of Cabinet proposals</li> </ul>   | Such reports will almost always be in part 1 and will contain statistical analysis and performance data. Individual cases will not be reported and if discussed will be anonymised and for illustrative purposes only   | Rarely will reports be taken in closed session. However it will happen where there is a need to protect information that is confidential by reason of commercial or legal sensitivity. It will be extremely rare for such reports to mention or consider individual cases or personal data  |
| <ul style="list-style-type: none"> <li>• Call in</li> </ul>   | Call in will usually be handled in open session   | A call in will be considered in closed session if it relates to a closed session cabinet decision   |
| <p>Regulatory reports for decision e.g.</p> <ul style="list-style-type: none"> <li>• planning application</li> <li>• dispensation application</li> </ul><br><ul style="list-style-type: none"> <li>• Licensing applications</li> <li>• Advice about merits of a planning appeal</li> </ul>                                      | Such applications will almost always be taken in open session because they relate to information that is already public under legislation e.g. planning legislation requires that the name and address of the applicant and agent be made public<br>These will only rarely be heard in public | Very occasionally an application for dispensation might include personal data that is sensitive in nature and needs to be considered in closed session<br><br>The nature of the advice and subject matter under discussion will mean that such reports are almost always heard in private   |
| <p>Reports for decision e.g.</p> <ul style="list-style-type: none"> <li>• Change to service levels</li> <li>• Responding to consultation</li> <li>• Setting up new partnership arrangements</li> <li>• Setting or amending officer structure</li> <li>• Appointment of a senior officer</li> <li>• Award of contract</li> </ul> | These reports will normally be considered in open session<br><br>These will only rarely, if at all, be heard in public  | Occasionally some aspects of such reports might be confidential. Consideration will be given to splitting the report so that only the confidential information is considered in closed session.<br><br>The nature of the advice and subject matter under discussion will mean that such reports are almost always heard in private. |



| Scenario  | Level of Detail to Be Shared between  |   |   |   |  |
|---|---|---|---|---|--|
|   | Officer and Member  | Member and Member   | Officer and Officer   | Officer and Public  | Member and Public (including town and community councils)  |
| <p>Ward enquiries relating to an individual or individuals e.g.</p> <ul style="list-style-type: none"> <li>Resident seeking help with service problems</li> <li>Seeking justification for a decision</li> </ul> | <ul style="list-style-type: none"> <li>Sufficient detail to answer the query and give assurance that the rules have been followed</li> <li>Answer may include confidential information but not personal data</li> <li>Where someone has provided personal data to a member already then an officer may discuss the matter in the same level of detail</li> <li>The work contact details of the relevant officer to contact</li> </ul> | <ul style="list-style-type: none"> <li>Sufficient detail to answer the query and give assurance that the rules have been followed</li> <li>Answer may include confidential information but not personal data</li> <li>Where someone has provided personal data to a member already then an officer may discuss the matter in the same level of detail</li> <li>The work contact details of the relevant officer to contact</li> </ul> | <ul style="list-style-type: none"> <li>Sufficient detail to answer the query and give assurance that the rules have been followed including revealing confidential information or personal data if the recipient is within the same service or has some other oversight role e.g. manager, auditor, lawyer</li> </ul> | <ul style="list-style-type: none"> <li>Description of the process to be followed and assurance that the process has been fully complied with e.g. confirmation that medical data has been obtained</li> <li>Neither confidential information nor personal data will be disclosed</li> <li>As required by Freedom of Information Act 2000 and/or Environmental Information Regulations if relevant</li> <li>The work contact details of the relevant officer to contact</li> </ul> | <ul style="list-style-type: none"> <li>Description of the process to be followed and assurance that the process has been fully complied with e.g. confirmation that medical data has been obtained</li> <li>Neither confidential information nor personal data will be disclosed</li> <li>The work contact details of the relevant officer to contact</li> </ul> |

| Scenario   | Level of Detail to Be Shared between  |   |  |  |  |
|--|---|---|--|--|--|
|  | Officer and Member  | Member and Member   | Officer and Officer  | Officer and Public   | Member and Public (including town and community councils)  |
| <p>Seeking to understand why specific decisions have been made or actions taken e.g.</p> <ul style="list-style-type: none"> <li>• Has value for money been achieved on a land sale</li> <li>• Reasons for imposing a charge for a council service and how the charge was calculated</li> </ul> <p>Request for service and reporting back on progress e.g. member reporting unlawful encampment</p> | <ul style="list-style-type: none"> <li>• Sufficient detail (including alternative options that were considered and rejected) to fully answer the query and to give assurance that the rules have been followed and to demonstrate that the answer is justified by the evidence</li> <li>• Answer may include confidential information but not personal data</li> <li>• The work contact details of the relevant officer to contact</li> </ul> | <ul style="list-style-type: none"> <li>• Sufficient detail (including alternative options that were considered and rejected) to fully answer the query and to give assurance that the rules have been followed and to demonstrate that the answer is justified by the evidence</li> <li>• Answer may include confidential information but not personal data</li> <li>• The work contact details of the relevant officer to contact</li> </ul> | <ul style="list-style-type: none"> <li>• Sufficient detail to fully answer the query and to give assurance that the rules have been followed including revealing confidential information or personal data if the recipient is within the same service or has some other oversight role eg manager, auditor, lawyer</li> </ul> | <ul style="list-style-type: none"> <li>• Description of the process to be followed and assurance that the process has been fully complied with e.g. confirmation that medical data has been obtained</li> <li>• Neither confidential information nor personal data will be disclosed</li> <li>• As required by Freedom of Information Act 2000 and/or Environmental Information Regulations if relevant</li> </ul> | <ul style="list-style-type: none"> <li>• Description of the process to be followed and assurance that the process has been fully complied with e.g. confirmation that the necessary information has been considered and taken into account</li> <li>• Neither confidential information nor personal data will be disclosed</li> <li>• The work contact details of the relevant officer to contact</li> </ul> |
| Whistleblowing where member is   | <ul style="list-style-type: none"> <li>• The matter will be discussed in</li> </ul>   | <ul style="list-style-type: none"> <li>• The matter will be discussed in</li> </ul>   | <ul style="list-style-type: none"> <li>• The matter will be discussed in</li> </ul>  | <ul style="list-style-type: none"> <li>• The matter will be discussed in</li> </ul>  | <ul style="list-style-type: none"> <li>• The matter will be discussed in</li> </ul>  |

| Scenario  | Level of Detail to Be Shared between   |  |   |   |  |
|---|--|--|---|---|--|
|   | Officer and Member   | Member and Member  | Officer and Officer   | Officer and Public  | Member and Public (including town and community councils)  |
| reporting an issue to an officer (or vice versa) and where an officer is reporting back on progress/outcome | <p>confidence in the level of detail required to address the concern</p> <ul style="list-style-type: none"> <li>When reporting back on the outcome of a whistleblowing report sufficient information will be provided to provide assurance that the matter has been properly addressed. This will not normally include personal data</li> <li>The work contact details of the relevant officer to contact</li> </ul> | <p>confidence in the level of detail required to address the concern</p> <ul style="list-style-type: none"> <li>When reporting back on the outcome of a whistleblowing report sufficient information will be provided to provide assurance that the matter has been properly addressed. This will not normally include personal data</li> <li>The work contact details of the relevant officer to contact</li> </ul> | <p>confidence in the level of detail required to address the concern and only to the extent that is strictly necessary to fulfil the officer's role within the Council</p> <ul style="list-style-type: none"> <li>When reporting back on the outcome of a whistleblowing report sufficient information will be provided to provide assurance that the matter has been properly addressed. This will not normally include personal data</li> </ul> | <p>confidence in the level of detail required to address the concern</p> <ul style="list-style-type: none"> <li>When reporting back on the outcome of a whistleblowing report sufficient information will be provided to provide assurance that the matter has been properly addressed. This will not normally include personal data</li> </ul> | <p>confidence in the level of detail required to address the concern</p> <ul style="list-style-type: none"> <li>When reporting back on the outcome of a whistleblowing report sufficient information will be provided to provide assurance that the matter has been properly addressed. This will not normally include personal data or confidential information</li> <li>The work contact details of the relevant officer to contact</li> </ul> |

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## CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

|                        |  |
|------------------------|--|
| <b>Date of Meeting</b> | Thursday 26 <sup>th</sup> April 2018             |
| <b>Report Subject</b>  | Member Development Update                        |
| <b>Cabinet Member</b>  | Cabinet Member for Corporate Management & Assets |
| <b>Report Author</b>   | Democratic Services Manager                      |
| <b>Type of Report</b>  | Operational                                      |

### EXECUTIVE SUMMARY

Following last year's elections, our Induction Programme was designed to provide new and returning Members with essential knowledge to function effectively as a councillor. At the last meeting of this committee, a progress report on the Member Development events which had been organised subsequently was submitted.

It is the intention to provide a similar update to each meeting of this committee.

In addition, if Members have any suggestions for future Member Development, they are invited to contact the Democratic Services Manager to discuss them.

### RECOMMENDATIONS

|   |  |
|---|--|
| 1 | That the Committee notes the progress with Member Development events since the last report.  |
| 2 | That if Members have any suggestions for future Member Development, they are invited to contact the Democratic Services Manager to discuss them. |

## **REPORT DETAILS**

| <b>1.00</b> | <b>EXPLAINING OUR APPROACH TO MEMBER DEVELOPMENT</b>   |
|-------------|--|
| 1.01        | Following last year's elections, we had an Induction Programme. At the last meeting of the committee, a progress report on the Member Development events which had been organised subsequently was submitted. It is the intention to provide a similar update to each meeting of this committee.   |
| 1.02        | <p>Since the last meeting in January, the following have been held:</p> <ul style="list-style-type: none"><li>• Well-being of Future Generations Act Workshop 8<sup>th</sup> February</li><li>• Health &amp; Safety for Councillors 15<sup>th</sup> March</li><li>• Planning Inspectorate Training 9<sup>th</sup> April</li><li>• Review of the Council's subsidies for Public Transport workshop 11<sup>th</sup> April</li><li>• Information Sharing Principles workshop 16<sup>th</sup> April</li><li>• Income Generation workshop 18<sup>th</sup> April.</li></ul> <p>Forthcoming workshops are:</p> <ul style="list-style-type: none"><li>• Council Plan Tuesday, 29<sup>th</sup> May 2pm to 5pm, A&amp;D Room.</li><li>• General Data Protection Regulation (GDPR) briefing to be organised for June.</li><li>• Performance monitoring workshop for all Members to be organised for July.</li></ul> |
| 1.03        | The sessions which have been put on have been in response to Member request or because the officers had identified areas where Members needed to be provided with information. If anyone has any specific requests for development, we can look to address these.  |

| <b>2.00</b> | <b>RESOURCE IMPLICATIONS</b>  |
|-------------|---|
| 2.01        | There is a small training budget which can be accessed if necessary: most development sessions are provided using the Council's own officers. |

| <b>3.00</b> | <b>CONSULTATIONS REQUIRED / CARRIED OUT</b> |
|-------------|---|
| 3.01        | None  |

| <b>4.00</b> | <b>RISK MANAGEMENT</b>   |
|-------------|--|
| 4.01        | The provision of information through workshops and briefings contributes to effective risk management. |

|             |                   |
|-------------|-------------------|
| <b>5.00</b> | <b>APPENDICES</b> |
| 5.01        | None              |

|             |  |
|-------------|--|
| <b>6.00</b> | <b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>   |
| 6.01        | <p>Reports of the Democratic Services Manager on the Induction Process to the Constitution &amp; Democratic Services Committee at the 25<sup>th</sup> October 2017 and 31st January 2018 meetings and associated minutes.</p> <p><b>Contact Officer:</b> Robert Robins, Democratic Services Manager<br/> <b>Telephone:</b> 01352 702320<br/> <b>E-mail:</b> <a href="mailto:robert.robins@flintshire.gov.uk">robert.robins@flintshire.gov.uk</a></p> |

|             |  |
|-------------|--|
| <b>7.00</b> | <b>GLOSSARY OF TERMS</b>                   |
| 7.01        | None of the terms used require definition. |

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