

**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- 2.01 At its meeting on the 28 March 2012 the Constitution Committee considered a report on the draft guidance that the Welsh Government was consulting upon. That report followed consideration of the draft guidance by the Overview & Scrutiny Coordinating Committee in relation to the parts dealing with Overview & Scrutiny and the Audit Committee in relation to the parts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- 2.02 At the end of April 2012 the Welsh Government implemented those provisions of the Measure that the draft guidance related to.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

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