

# Report



## Democratic Services Committee

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### Part 1

Date: 20 November 2023

**Subject** Annual Report of the Head of Democratic Services

**Purpose** To present the Annual Report of the Head of Democratic Services

**Author** Head of Law and Standards / Democratic and Electoral Services Manager

**Ward** All wards

**Summary** Under the Local Government (Wales) Measure 2011, the Democratic Services Committee is required to keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, to ensure that adequate resources are provided for the responsibilities of the post.

The attached annual report provides an outline of the resources made available in support of these functions, so that the Committee can fulfil its responsibilities under the Measure.

**Proposal** The Committee is asked:

- (i) To consider and comment upon the Annual Report;
- (ii) To endorse the view of the Head of Law and Standards and Democratic and Electoral Services Manager that the provision of staff, accommodation and other resources by the Council is adequate to discharge the statutory requirements in relation to decision making, democratic administration and scrutiny; and
- (iii) To ask the Democratic and Electoral Services Manager to keep under review the provision of staff, accommodation and other resources made available to members to ensure that statutory requirements and any changing needs of elected members are met, and to present a report to this Committee should any review be required.

**Action by Timetable** Head of Law and Standards and Democratic and Electoral Services Manager  
Immediate

This report was prepared after consultation with:

- Chief Executive
- Head of Finance
- Head of People, Policy and Transformation

## Background

Under the Local Government (Wales) Measure 2011, the Democratic Services Committee is required to keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, to ensure that adequate resources are provided for the responsibilities of the post.

The attached annual report provides an outline of the resources made available in support of these functions, so that the Committee can fulfil its responsibilities under the Measure.

The Democratic and Electoral Services Manager is the designated Head of Democratic Services and fulfils this statutory role in accordance with the requirements of the 2011 Measure.

The Democratic and Electoral Services Manager is responsible for discharging the statutory roles and responsibilities of the Head of Democratic Services under the Measure and is responsible for the management and supervision of all staff within the Governance and Scrutiny teams.

The statutory functions of the Head of Democratic Services are set out in the Measure and relate to the provision of advice and support to non-executive members as part of the democratic process, and all councillors when carrying out their representational role. In effect this covers Committee services, scrutiny and governance, and general member support services.

## Financial Summary

Staff costs are met from existing budget allocated to the service.

## Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Non-compliance with the requirements of the Local Government Measure	M	L	This report allows the Committee to consider and review the adequacy of staff, accommodation and resources in line with the requirements of the Measure.	Democratic and Electoral Services Manager / Head of Law and Regulation.

\* Taking account of proposed mitigation measures

## Links to Council Policies and Priorities

Consideration of this report meets the requirements of the Local Government (Wales) Measure 2011.

## Proposal

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- (iii) To ask the Democratic and Electoral Services Manager to keep under review the provision of staff, accommodation and other resources made available to members to ensure that statutory requirements and any changing needs of elected members are met, and to present a report to this Committee should any review be required.

## **Comments of Chief Financial Officer**

As a position statement, the report is not asking members to approve any financial implications. The report confirms that the cost of the current team is met from existing revenue budgets and that any change to the statutory requirements would necessitate a further review. At that point, any financial implications would need to be considered prior to a change being implemented.

## **Comments of Monitoring Officer**

In accordance with the Local Government (Wales) Measure 2011, the Head of Democratic Services has a statutory responsibility to ensure that non-executive Members are provided with sufficient support and advice to enable them to discharge their roles as Councillors. Democratic Services Committee is required to review the adequacy of the staffing and other resources available to discharge this responsibility. The annual report confirms that the current staffing arrangements are sufficient to meet these statutory responsibilities under the Measure and to support members. The Democratic Services Manager post has been extended to include the role of Electoral Services Manager and a further review of the Electoral Services Team has been undertaken to reflect the additional resources required as a result of electoral changes brought about by the Elections Act 2022.

## **Comments of Head of People, Policy and Transformation**

The Annual Report outlines that the provision of staff, accommodation and other resources by the Council is adequate to discharge statutory requirements. Part of the statutory requirements placed the Council is to discharge its duties and ways of working under the Wellbeing of Future Generations (Wales) Act 2015. There are no direct staffing implications arising from the report.

## **Fairness and Equality Impact Assessment:**

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

The Annual Report outlines that the provision of staff, accommodation and other resources by the Council is adequate to discharge statutory requirements. Part of the statutory requirements placed on the Council is to discharge its duties and ways of working under the Wellbeing of Future Generations (Wales) Act 2015. Through ensuring the effectiveness of the Council's corporate governance and decision-making processes, the Council will ensure that requirements of the Wellbeing of Future Generations (Wales) Act 2015 act are met and the following principles of the act are able to be properly embedded within the Council's governance and decision making structures:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long-term needs.
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives.
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies.
- Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives.

- Involvement: The importance of involving people with an interest in achieving the wellbeing goals and ensuring that those people reflect the diversity of the City.

## **Consultation**

Comments from Democratic Services Committee will be included as part of the final report to Council.

## **Background Papers**

The Local Government (Wales) Measure 2011  
Local Government and Elections (Wales) Act 2021  
Elections Act 2022

Dated: 20<sup>th</sup> November 2023



# Head of Democratic Services Annual Report 2023

## **1. Introduction**

Following the introduction of the Local Government (Wales) Measure 2011, the Council is required to designate one of its officers to the statutory post of Head of Democratic Services and provide that officer with sufficient staff and support to discharge the role. The Head of Democratic Services is a politically restricted post, and the Democratic Services Committee is responsible for designating this role.

The Democratic and Electoral Services Manager is the designated Head of Democratic Services and fulfils this statutory role in accordance with the requirements of the 2011 Measure.

The Democratic and Electoral Services Manager is responsible for discharging the statutory roles and responsibilities of the Head of Democratic Services under the Measure and is responsible for the management and supervision of all staff within the Governance and Scrutiny teams

Under the Measure, the Democratic Services Committee is required to keep under review the provision of staff, accommodation and other resources made available to the Head of Democratic Services, to ensure that adequate resources are provided for the responsibilities of the post.

## **2. Functions and requirements of the statutory role**

The functions of the Head of Democratic Services are set out in the Measure and relate to the provision of advice and support to non-executive members as part of the democratic process, and all councillors when carrying out their representational role. In effect this covers Committee services, scrutiny and general member support services.

The Measure specifically provides that the Head of Democratic Services should not be providing advice and support directly to executive members, although there is no issue with him or her providing administrative support.

The Guidance specifically provides that the Head of Democratic Services can perform other roles apart from the statutory non-executive support functions prescribed by the Measure (as with the Monitoring Officer). Therefore, there is nothing to prevent the Head of Democratic Services having line management responsibility for the staff that support other functions.

The Measure also provided that the role of the Head of Democratic Services had to be separate from the designated Monitoring Officer role, although there was nothing to prevent the Monitoring Officer from having line management responsibility for democratic services. However, the Local Government and Elections (Wales) Act 2021 removes this requirement as it is now recognised that the Monitoring Officer and Head of Democratic Services roles are not mutually exclusive and can be jointly provided. However, given that the current arrangements are working satisfactorily, it is not considered necessary for the Committee to review the allocation of functions and responsibilities at the present time.

## **3. Provision of staff**

There were some changes to the existing provision of staff during the reporting period. In the last Annual Report, two full-time posts in the Governance Officer team created by retirement and career progression were advertised on a permanent basis, and the interviews were due to take place imminently. The permanent posts were secured by officers who had been acting in the Governance Officer roles on a temporary basis. These officers have now been in post for almost a year.

As part of the Council's medium-term financial planning to balance the budget for 2023/24, a saving of 1 full time equivalent Governance Officer was considered in the context of challenging financial pressures for the Council. This budget saving was implemented by the Head of Law and Standards in post at that time, under their delegated authority specified within the Council's Constitution.

One full-time Governance Officer left their role for a promotion within the Council in December 2022, so the reduction in posts was made without putting any member of staff at risk of redundancy in April 2023.

Another full time Governance Officer left the team for promotion within the Council in August 2023. This left a vacancy that was advertised, and the post was successfully filled with an internal candidate from Customer Services who started their new role in September 2023.

As already reported to the Democratic Services Committee, following the retirement of the Elections Manager, responsibility for this area was transferred to sit under the Democratic Services Manager responsibilities in January 2022. The role became the Democratic and Electoral Services Manager; feedback from the Committee indicated that they felt the Elections responsibilities were important and due consideration should be made to the arrangements in place to support this. Along with other changes to the structure of the Electoral Services team, a new role was created to ensure that there was sufficient management support across Democratic and Electoral Services. The newly appointed Deputy Democratic and Electoral Services Manager started in role in September 2023.

This will help to ensure the team has the capacity and resilience to meet the challenge of new statutory burdens under the Local Government and Elections (Wales) Act 2021 and Elections Act 2022, and support succession planning within the team.

#### **4. Scrutiny and Governance**

The Scrutiny and Governance team provides all committee administration, scrutiny, and general member support services. The Democratic and Electoral Services Manager provides overall management for the scrutiny and governance functions.

The Scrutiny Advisers continue to provide advice, guidance and research to the scrutiny committees and members.

The Governance Officers, under the direction and supervision of the Governance Team Leader, provide all administrative support to all committees, general support to members and support to the mayor.

#### **5. Adequacy of staffing**

This is a relatively small team and, therefore, it is important that the available resources are directed in the most efficient way. The pooling of committee and member support within a four-strong team of generic administrators allows flexible support to be provided within the team.

During the period for reporting, there were a number of changes to the officers in posts providing support for members and a reduction of 1 full time equivalent in the available resources as reported in Section 3 of this report. In the same period, the management support increased in order to provide sufficient resource across Democratic and Electoral Services during a period of significant change.

Whilst there have been some leavers and new members of the team, there was a full complement of staff within the Democratic services team during the reporting period. Vacancies were advertised and filled in a timely way. Therefore, the provision of staff, accommodation and other resources under this structure is considered to be adequate to discharge democratic services functions, as they currently exist.

In accordance with the requirements of the Measure the staffing and resources available to discharge these democratic functions will need to be kept under regular review, to ensure that they remain adequate and effective.

One of the biggest challenges for Democratic Services during this period has been the movement of experienced officers from their roles to new opportunities, and the recruitment, induction and training of newly appointed officers. Officers who have joined the team have brought relevant transferrable skills to the role with training and development being provided on the relevant processes in place. There has also been some movement within the team to cross-train on different disciplines to increase resilience. Training and development is ongoing, and more detail is included in Section 6 of this report.

Another challenge has been new responsibilities. Hybrid meetings were introduced in May 2022 under the Local Government and Elections (Wales) Act 2021. This requirement provides flexibility for members to join meetings remotely in order to encourage a more diverse and representative make-up of the Council. However, hybrid meetings require more resource to administer and produce the meetings than is required to support meetings held solely online or solely in person. The additional resource required has a big impact on a small team.

In July 2023, Council passed a new framework outlining the support in place for Ward Meetings, which was developed by Democratic Services Committee. Under the framework, ward members can hold up to three meetings per year with support from Democratic Services in arranging venues and promoting the meetings. Whilst this was a reintroduction of ward meetings, due to the previous four-year hiatus on ward meetings this could be considered an additional element of workload for the team to support. In addition, local links with venues have been lost during this time and it has been a challenge securing engagement with appropriate local venues to support the delivery of the meetings.

Staff have been hybrid working since January 2022 onwards; this met business needs and provided a balanced approach. Officers now attend the Civic Centre 2-3 times per week not only to facilitate meetings and member support, but also to support team dynamics and informal learning opportunities. During the remainder of the week, home working lends itself to preparation for meetings, writing minutes and other tasks requiring concentration. Officers are accessible via Teams, email and phone during office hours. This approach is in alignment with the Council's Flexible Working Policy adopted in August 2022.

The Council's AGM and Mayor Making ceremony was held in May 2023 at the Civic Centre.

## 6. Training

During this period staff have received training and support as part of their induction. There has also been a programme of cross-training and handover between staff to ensure that there is resilience and shared knowledge of processes and protocols.

Officers have been tasked with prioritising mandatory training during this period, and this has been monitored through a training matrix to ensure that targets are reached.

Specialist training has been provided by the Welsh Local Government Association on scrutiny, and from the Association of Electoral Administrators on all aspects of Electoral Administration. Electoral training has focussed on foundation courses that focus on Welsh legislation now that divergences are growing between devolved and reserved elections. Refresher courses on delivering the annual canvass, and training on new portals and processes under the Elections Act 2022 have helped the team to maintain and extend their knowledge and practice.

There is an ongoing focus on learning and development, with training plans in place on an individual and team basis.

In terms of continuous improvement, the focus is on standardisation and refinement of processes that underpin a robust framework of delivery. The team are also exploring the opportunity for increased use of technology to develop improved working practices.

Any changes in statutory requirements and/or the needs of members will also need to be kept under review and will be reported to the Democratic Services Committee. Potential pressures could include:

- The continuing impact of the Elections Act 2022



- Any changes to the demands and needs of elected members
- Increased day to day demands
- Any further demands from regulatory bodies
- The impact of the cost-of-living crisis on resource and demands

Finally, we would like to take this opportunity to recognise the work of the staff within Democratic Services during this challenging year where there have been many changes and increased expectations.

**Head of Law and Standards and Democratic and Electoral Services Manager**