

# Minutes



## Democratic Services Committee

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Date: 21 July 2016

Time: 9.30 am

Present: Councillor C Ferris (Chair), Councillors C Evans, M Evans, D Mayer, K Thomas and T Watkins

In Attendance: G Price (Head of Law & Regulation), R Jefferies (Head of Democratic Services) and J Howells (Democratic Services Support Officer)

Apologies: Councillors T Bond & J Mudd and W Godfrey

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1 **Welsh Agenda/Cym**

2 **Apologies for Absence**

Noted above.

3 **Declarations of Interest**

None.

4 **Minutes of the Previous Meeting**

The minutes of the meeting held on 18 February 2016 were confirmed as a true record.

The Head of Democratic Services confirmed that all agreed actions had been carried out.

5 **Annual Report by the Head of Democratic Services**

One of the duties of the Democratic Services Committee is to consider whether the Head of Democratic Services has sufficient staff and resources to discharge the statutory functions of democratic services.

The Head of Democratic Services outlined the contents of his annual report and the resources and staff available to him. He concluded that in addition to all statutory obligations continuing to be met staff were also carrying out work outside of these obligations. Acknowledging the financial challenges currently faced by the council he agreed that the provision by the authority of staff, accommodation and other resources by the council is adequate to discharge democratic services functions as they currently exist. However he did point out that whilst statutory requirements were being met the department could not afford to lose more staff and pointed out potential pressures which could arise from:

- Any changes in the demands and needs of elected members and external factors
- Any changes in statutory requirements or local decisions in relation to scrutiny (such as recent changes in relation to Scrutiny of PSB's)
- Increased day-to-day demands

- Changes in legislative requirements
- The 2017 Local Government elections
- Any future requirements for remote access
- Any demand for meetings at other locations
- Member development
- Any increase in requirements relating to broadcasting

He added that should there be any changes in statutory requirements, or the needs of members, this would need to be kept under review and would be the subject of a report to this committee

The report prompted a discussion as there appeared to be no forward planning to fill vacancies before staff left the Authority. The Head of Law & Regulation revealed that the Authority's Human Resources policy did not allow for succession planning. He did confirm that the imminent loss of staff had been identified as a major risk in the work programme for Democratic Services. The Committee made reference to the recent decision by the Cabinet Member for Finance & Resources on the creation of an apprenticeship scheme for 2016/17. The Head of Law & Regulation did however believe that a 12 month apprenticeship could only work in certain areas and would not lend itself to this particular department.

A discussion ensued highlighting the following:

- The lack of cover during staff holidays or sickness
- Insufficient scrutiny personnel should more than one major issue arise at the same time.

The Head of Law & Regulation confirmed that employing an extra body for holiday cover or sickness could not be justified unless statutory requirements were not being met. He did however acknowledge that scrutiny would find it difficult to handle more than one major issue if it was of the same scale as the recent gypsy and traveller review.

In conclusion the Committee agreed with the Head of Democratic Services that the individuals working in this area clearly provide value for money and each works hard to ensure that elected members' needs are met. Currently the provision by the authority 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 as they currently exist.

### **Agreed**

- I. To accept and endorse the Annual Report by the Head of Democratic Services
- II. To ask the relevant Cabinet Member to review HR policies with a view to encouraging succession planning within the authority

## **6 Annual Report of the Democratic Services Committee**

The Local Government Measure requires each local authority to establish a Democratic Services Committee. The Committee is required to provide an annual report to Council.

This report proposes the content of the Democratic Services Committee's annual report for 2015-2016 setting out the work of the committee over the past year.

At its inception the City Council agreed to widen the role of the Democratic Services Committee to include the consideration of any proposed amendments to the council's constitution for recommendation to the executive where appropriate and to the Council.

It is the responsibility of the Committee to review the provision of staff, accommodation and other resources made available to the Head of Democratic Services to ensure these are adequate for the responsibilities of the post.

In the past year the committee had undertaken a range of activities, including:

- The Independent Remuneration Panel Report 2016-17
- Draft Local Government Bill
- Induction for New Members in 2017
- Review of the Constitution

The Head of Democratic Services acknowledged the non-party political stance taken by members of the committee which had encouraged interesting discussions on the topics presented to it. He also mentioned that Members' skills in reviewing the issues presented to them have been enhanced through experience and will continue in the coming year through further experience and, hopefully, development opportunities.

### **Agreed**

To agree the content of the Committee's annual report for submission to the Council as required by the Local Government Measure. The report would also be available on-line for the public to view.

## **7 Scheme of Delegation**

At its previous meetings, the Committee has been informed that the Corporate Assessment contains a proposed action that states: "Reviewing and updating the Council's constitution ensuring that roles, responsibilities and accountabilities are clear, and that all members understand and apply their respective roles in relation to each other without compromising independence"

With this in mind the Committee agreed to review various aspects of the Constitution, one of which would be the Scheme of Delegation.

The Scheme of Delegation aims at making it clear where the distinction lies between the decision making responsibilities of elected members and Chief Officers within the Council.

In May 2016, the new Leader of the Council determined that she would implement some changes to the portfolios of the Cabinet.

The Scheme of delegation to officers has been amended incrementally in the past to take account of changes to the officer team and to any new responsibilities that have fallen to the Council owing to changes in legislation, policies or other factors.

The review of the Constitution overseen by the Democratic Service Committee includes a more holistic review of the scheme. This work is well underway and discussions have been held with all Chief Officers as to how the scheme should now look. However, a complication has arisen that will not allow this work to be completed as early as hoped in that the Council is going to be asked in the early autumn to consider a review of the Chief Officer structure.

Whilst most of the work has now been done, it seems appropriate to wait for the review of the structure to be completed and agreed by the Council before the new Scheme of delegation is finalised. The existing scheme is available on the Council's website.

In answer to queries raised it was confirmed that any reviews of the structure would need to go before full Council and Council could either approve or ask that the new suggested structure be looked at further.

**Agreed**

The Committee noted the progress of the updating of the Scheme of Delegation and agreed that an amended version be brought back to the Committee following any structural review.

**8 Date of Next Meeting**

24 November 2016 at 9.30am