

# Report



## Democratic Services Committee

### Part 1

Date: 20 June 2017

Item No: 5

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

**Purpose** To consider the Annual Report by the Head of Democratic Services

**Author** Head of Democratic Services

**Ward** All wards

**Summary** The Local Government Measure prescribes the functions of the Democratic Services Committee.

One of those prescribed functions is to keep under review the provision of staff, accommodation and other resources made available to the head of democratic services in order that it is adequate for the responsibilities of the post.

Attached is an annual report which provides an outline of the staff resources provided by the Council. The Council also provides the staff with adequate office space and equipment to carry out the various roles within the service area.

This report states that staff allocated to both the Democratic Services Team and the Scrutiny Team provide the Council with a hard working team supporting elected members in their varying roles.

The individuals working in this area clearly provide value for money and each works hard to ensure that elected members' needs are met. In recognising the financial challenges faced by the Council the Committee is informed in the annual report that 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.

The impact of any changes in statutory requirements, or the needs of members would need to be kept under review and would be the subject of a report to this committee. Potential pressures are set out in the report

## **Proposal**

- i. To receive the annual report and recognise the contribution made by staff supporting members
- ii. To endorse the view of the Chief Democratic Services Officer that 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.
- iii. To ask the Chief Democratic Services Officer 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** Chief Democratic Services Officer

**Timetable** Immediate and ongoing

This report was prepared after consultation with:

- Chief Executive
- Monitoring Officer
- Head of Finance
- Head of People and Business Change

## **Background**

1.1 The Local Government (Wales) Measure 2011 (The Measure) requires the Council to appoint a democratic services committee.

1.2 The Measure also requires the Council to designate one of its officers to the new statutory post of 'Head of Democratic Services' and provide that officer with sufficient resources to discharge these statutory functions. At the first meeting of the Democratic Services Committee in June 2012; the committee concluded that the existing post of chief democratic services officer is designated as the statutory role of Head of Democratic Services.

## **2. Provision of staff, accommodation and other resources made available to the Head of Democratic Services**

The attached annual report provides members with an outline of the staff resources provided by the Council. The Council also provides the staff with adequate office space and equipment to carry out the various roles within the service area.

As mentioned in the summary above, the annual report states staff allocated to both the Democratic Services Team and the Scrutiny Team provide the Council with a hard working team supporting elected members in their varying roles.

The individuals working in this area clearly provide value for money and each works hard to ensure that elected members' needs are met. In recognising the financial challenges faced by the Council the Committee is informed in the annual report that 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.

The impact of any changes in statutory requirements, or the needs of members would need to be kept under review and would be the subject of a report to this committee.

Potential pressures arise mainly from

- Any changes in the demands and needs of elected members and external factors, particularly post-election
- 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
- Any increased requirements from the Welsh language Standards
- Any increased requirements from the Wellbeing of Future generations legislation
- Any further demands from regulatory bodies
- Changes in legislative requirements
- Member development
- Any increase in requirements relating to broadcasting
- Any Impact of the Welsh Government's proposals for local government

## **Financial Summary**

Staff costs are met from existing budget allocated to the service. Any increase in staff in this area would need to be considered as a budget pressure.

## 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	H	L	This report suggests the content of an annual report which allows the Committee to consider and review the adequacy of staff, accommodation and resources in line with the requirements of the Measure.	Chief Democratic Services Officer and Monitoring Officer.

## Links to Council Policies and Priorities

The individuals working in this service area work hard to give the best possible services to our elected members and the public.

The proposals will also meet the council's statutory requirements.

## Options Available

To consider the annual report as fulfilling this committee's need to review the adequacy of staff, accommodation and resources in this area

To take no action

## Preferred Option and Why

To consider the annual report in order to meet the requirements of the Local Government Measure

## Comments of Chief Financial Officer

Staff costs are met from existing budget allocated to the service. Any increase in staff in this area would need to be considered as a budget pressure.

## 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 for the Head of Democratic Services confirms that the current staffing arrangements are sufficient to meet these statutory responsibilities under the Measure and to support members under current arrangements. However, any changes to the current arrangements would have resource implications and this would need to be kept under review by the Committee.

## Staffing Implications: Comments of Head of People and Business Change

The annual report by the Head of Democratic Services states that staffing and other resource is adequate to meet the current requirements in support of Members. This will clearly need to be monitored through this reporting process and considered by the Democratic Services Committee as we continue to face a challenging budget position. Any changes to the resource requirements

which may arise from additional responsibilities, etc. will have a staffing implication which will need to be considered at the time.

## **Background Papers**

The Local Government (Wales) Measure 2011

Dated: 10 April 2017

# **Newport City Council**

## **Head of Democratic Services Annual Report 2017**

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## **1. Purpose of this report**

One of the statutory functions of the Democratic Services Committee is to review the adequacy of provision by the authority of staff, accommodation and other resources to discharge democratic services functions. This Annual Report provides the opportunity for the Committee to meet that requirement and to consider the adequacy of provision for these purposes.

The Authority must also provide the Head of Democratic Services with such staff, accommodation and other resources as are, in its opinion, sufficient to allow his or her functions to be discharged.

## **2. Introduction**

The Council must 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 must be appointed by the Democratic Services Committee

The functions of the Head of Democratic Services are set out in the Local Government 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, Overview & Scrutiny and general Member support services.

At its meeting held on 26 July 2012, the Democratic Services Committee agreed to designate the Chief Democratic Services Officer post as the statutory post of Head of Democratic Services

## **3. Functions**

The functions of the Head of Democratic Services are set out in the Local Government 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 Democratic services, Overview & Scrutiny and general Member support services.

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

It is clear from the Measure and the statutory Guidance that a complete split between the Executive and non-executive is unnecessary and that the Council can “designate” an existing officer to discharge this role rather than create an entirely new post. This recognises that creating a new Chief Officer post would be an unacceptable burden on the Council’s budget at a time when funding must be prioritised for front line services.

The Guidance specifically provides that the HDS 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 HDS having line management responsibility for the staff that support/advise the Cabinet/Cabinet Members, provided that this part of the service is separate and distinct from the statutory functions.

Whilst the Head of Paid Service/Section 151 Officer / Monitoring Officer should not be the HDS; there is no reason why the HDS cannot report to any of them.

The new White Paper however proposes a removal of the restriction which does not allow the Monitoring Officer to serve as Head of Democratic Services



#### **4. Provision of Staff**

The team that supports elected Members is led by the Chief Democratic Services Officer. This post is designated as the Head of Democratic Services and oversees this integrated structure within the Law and Regulation Service Area. The team comprises the Democratic Administration Team dealing with all activities within the Cabinet and Cabinet members, regulatory committees, this committee and other member support services; and a strengthened and dedicated Overview and Scrutiny team;

The combined service is, therefore, sub-divided into distinct teams, covering Executive support and support for members of Regulatory Committees (the Democratic Services Team); and the Overview and Scrutiny team

The integrated service under a single third tier manager provides the ability to work flexibly to respond to changes in demand.

#### **5. Potential Restructure**

The Head of Law and Standards will be considering a restructure of his service area and this may impact on the way services to members are delivered in the future.

The Head of Democratic Services will need to ensure that the structure includes sufficient provision of staff, accommodation and other resources to discharge democratic services functions.

#### **6. Democratic Administration Team**

This team comprises two Democratic Services Officers and a Democratic Services Support Officer, representing a reduction of one member of staff in the past year.

The Team provides a wide range of support and advice services to Cabinet, Cabinet Members, Regulatory and other Committees and Sub-Committees of the Council.

The team is involved in ensuring the decision-making process for Cabinet Members is carried out in an efficient and effective manner by providing advice and guidance to Cabinet Members, Chief Officers and report authors on the constitutional requirements that have to be met in the decision making process. This will include advice on Standing Orders, Terms of Reference and the Council's Scheme of Delegation. The Team is also involved in facilitating the consultation processes and ultimately preparing and publishing the formal decision notices.

The team also plays a significant role in the process of questions to Cabinet Members. Again this involves staff in providing advice and guidance on the processes and the constitutional requirements that have to be met in the questions process. The Team is also involved in the receipt and distribution of all questions circulating and publishing the formal answers provided by Cabinet Members.

Traditional support services also continue to be provided to formal meetings of the Cabinet, Regulatory and other Committees and Sub Committees, with the collation of reports, preparation of agendas, attending meetings and the preparation of decisions schedules and/or minutes.

The Democratic Services Team ensures that all webpages relating to the democratic processes are kept updated providing the public with the opportunity to view and comment on the work of the various elements within the decision making process. Council documents; information about councillors and the democratic processes are all updated on the Council's website by the team, together with information to the public on councillors' attendances figures; declarations of interests, code of conduct and appointments.

The team has embraced new ways of working by making use of the Modern.gov system to produce and publish all documents relating to meetings on line. The team also supports the broadcasting arrangements for the Council.

Whilst working hard to ensure access for all interested parties to public documentation, the team also has to keep secure confidential and sensitive information.

The Democratic Services Team also supports members by acting as first point of contact in relation to Members ICT provision; by facilitating ward meetings; providing significant support to members in the preparation of annual reports and diary management for Cabinet Members.

## **7. The Scrutiny Team**

The team comprises a job-share post of Senior Scrutiny Officer; 2 Overview and Scrutiny Officers and a Democratic Services Support Officer, representing a change in the structure, replacing the previous post of Scrutiny Support and Research Officer with the support officer

The integrated Team provides all support and advice for the Overview and Scrutiny Members and Scrutiny Committees, including the organisation of meetings, preparation of agendas and distribution of Reports and the management of the work programme

The scrutiny team provides independent and impartial advice and guidance to Scrutiny Members in relation to the discharge of their democratic roles and constitutional and governance issues.

Team members provide a lead on research and policy development options on strategic and operational reviews. They each assist with the preparation and delivery of the Overview and Scrutiny work programme, the carrying out of cross-cutting reviews, strategic policy development and scrutiny of decisions

Work is progressing with the three chairs to help drive forward an improvement programme for Scrutiny in a manner that is member-led.

The Team works with members to review work programmes to ensure the Committees are able to prioritise its work along with the need to consider available resources

The Overview and Scrutiny Annual Report for 2016, which will be presented to Council in September, will provide details of the progress being made by the team and the Scrutiny Function.

The Team continues to search out best practices and improved ways of working.

## **8. Adequacy of staffing**

As mentioned above, the Head of Law and Standards will be considering a restructure of his service area and this may impact on the way services to members are delivered in the future.

Staff allocated to Democratic Services and Overview and Scrutiny continue to provide the Council with a skilled, hardworking and knowledgeable team supporting elected members in the varying roles.

As mentioned above, we are a relatively small team that works effectively and efficiently and there has been an overall reduction of one FTE member of staff in the past year.

The workload in the teams and the recognition that we must work within available resources puts pressure on staff at times and this affects performance in some areas such as meeting the Council's targets on timing of provision of papers and minutes. As mentioned earlier. We meet all statutory requirements, however.

The individuals working in this area clearly provide value for money and each works hard to ensure that elected members needs are met. I recognise that we face financial challenges as a Council. I believe therefore 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. Any changes in the

needs of members would need to be kept under review and would be the subject of a report to this committee.

The impact of any changes in statutory requirements, or the needs of members would need to be kept under review and would be the subject of a report to this committee.

Potential pressures arise mainly from

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## **9. Who do I contact if I want to know more?**

If you wish to find out more about the Democratic Services Committee or make a comment or suggestion, please visit our website: [Democratic Services Committee Webpage](#) where you will find an online contact form or email us at [info@newport.gov.uk](mailto:info@newport.gov.uk)