

# Agenda



## Newport City Council

---

Ddydiad: Dydd Mawrth, 17 Mai 2022

Amser: 5.00 pm

Lleoliad: Canolfan Dinesig

At sylw: **Pob Aelod o'r Cyngor Dinas**

---

### **HYSBYSIAD GWE-DDARLLEDU**

*Gall y cyfarfod hwn gael ei ffilmio ar gyfer darllediad byw neu ddarllediad wedi hynny trwy wefan y Cyngor.*

*Ar ddechrau'r cyfarfod, bydd y Maer neu'r Person sy'n Llywyddu yn cadarnhau os yw cyfan neu ran o'r cyfarfod yn cael ei ffilmio. Efallai y bydd y delweddau a recordiad sain yn cael eu defnyddio hefyd at ddibenion hyfforddiant o fewn y Cyngor.*

*Yn gyffredinol, nid yw'r ardaloedd eistedd cyhoeddus yn cael eu ffilmio. Fodd bynnag, wrth fynd i mewn i'r ystafell gyfarfod a defnyddio'r ardal seddau cyhoeddus, rydych yn rhoi caniatâd i chi gael eich ffilmio a defnydd posibl o rhai delweddau a recordiadau sain ar gyfer gwe-ddarlledu a/neu ddibenion hyfforddiant.*

*Os oes gennych unrhyw ymholiadau ynghylch hyn, cysylltwch â Rheolwr Democratiaeth a Cyfathrebu*

### **Eitem**

### **Wardiau dan Sylw**

1. Penodiadau
2. Datganiadau o ddiddordeb
3. Penodiad y Llywydd  
To make an appointment to the new post of Presiding Officer
4. Penodi'r Dirprwy Lywydd  
To make an appointment to the new post of Deputy Presiding Officer
5. Penodiad i Arweinydd y Cyngor  
To make an appointment to the post of Leader of the Council.  
  
The Leader as elected may then announce their appointment of Cabinet Members if they so wish.
6. Penodi Cadeiryddion Pwyllgorau  
To appoint Chairs to the Planning, Licensing, Scrutiny and the Democratic Services Committees.

Contact: Anne Jenkins

Tel: 01633 656656

E-mail: [democratic.services@newport.gov.uk](mailto:democratic.services@newport.gov.uk)

Date of Issue: Dydd Mawrth, 10 Mai 2022

- |     |  |           |
|-----|--|-----------|
| 7.  | <u>Penodiadau i Bwyllgorau</u><br>To give effect to appointments of members to Committees by the political groups. |           |
| 8.  | <u>Penodiadau i Gyrrff Allanol</u><br>To give effect to appointments of members to External Bodies.                |           |
| 9.  | <u>Cynllun Lwfansau Aelodau 2022/2023</u> ( <i>Tudalennau 3 - 6</i> )  | All Wards |
| 10. | <u>Cynllun Dirprwyo Swyddogion</u> ( <i>Tudalennau 7 - 52</i> )  | All Wards |
| 11. | <u>Rheolau Sefydlog y Cyngor a Threfniadau ar gyfer Cyfarfodydd Aml-leoliad</u> ( <i>Tudalennau 53 - 102</i> )     | All Wards |
| 12. | <u>Strategaeth Cyfranogiad a Chynllun Deisebau</u> ( <i>Tudalennau 103 - 110</i> )                                 | All Wards |
| 13. | <u>Datganiad Tâl a Gwobrwyo 2022/2023</u> ( <i>Tudalennau 111 - 150</i> )  | All Wards |
| 14. | <u>Gohiriad</u>  |           |
| 15. | <u>Urddo'r Maer 2022/23</u>  |           |

# Report

## Council

---

### Part 1

Date: 17 May 2022

**Subject** **Members Schedule of Remuneration 2022/23**

**Purpose** To approve the Members Schedule of Remuneration for 2022/23.

**Author** Head of Law and Standards.

**Ward** All

**Summary** The Independent Remuneration Panel for Wales (IRP) is the body tasked with setting the remuneration levels for councils in Wales. The IRP makes determinations in relation to basic and senior salaries, and also the rates and conditions for expenses paid by public authorities.

The IRP has published its Annual Report for 22/23. The IRP has determined that the basic annual salaries for elected members should be re-based at £16,800 to take account of inflationary increases over the past few years and to ensure that remuneration is linked to average salary levels. Senior salaries are also increased and re-set in line with relevant comparators.

The increases in basic salaries will take effect as from 9<sup>th</sup> May 2022. The additional remuneration for senior salaries will be payable as from the date of appointment of the post-holders at the Council AGM on 17<sup>th</sup> May. The names of the relevant senior-salary holders will then be added to the Schedule before it is published.

Council is now required to formally approve and adopt the Members Schedule of Remuneration for 22/23 as set out in Appendix 1.

**Proposal** **That Council approves and adopts the Members Schedule of Remuneration 22/23 as set out in Appendix 1.**

**Action by** Head of Law and Standards

**Timetable** To publish and submit the schedule of remuneration for 2022-23 by 31 July 2022.

This report was prepared after consultation with:

- Democratic Services Committee
- Head of Finance
- Head of People Policy & Transformation.

**Signed**

Tudalen 3

## **Background**

The Independent Remuneration Panel for Wales (IRP) is the body tasked with setting the remuneration levels for councils in Wales. The Panel makes determinations in relation to basic and senior salaries, and also the rates and conditions for expenses paid by public authorities. The IRP's determinations for payments to be made to elected members as from 9<sup>th</sup> May 2022 are set out in the latest Annual Report, which was published in February 2022.

## **Summary of Proposed Changes**

In summary, the IRP has determined that the basic annual salaries for elected members should be re-based at £16,800 to take account of inflationary increases over the past few years and to ensure that remuneration is linked to average salary levels. Senior salaries are also increased and re-set in line with relevant comparators.

The Panel does not propose any increase in the daily allowances payable to co-opted members. Independent chairs of Standards and Governance & Audit Committee will continue to receive £268 per day or £134 for up to 4 hours. Ordinary co-opted members of Committees will continue to receive £210 per day or £105 for up to 4 hours. The allowances and rates for travelling and subsistence and care costs also remain the same

The increases in basic salaries will take effect as from 9<sup>th</sup> May 2022. The additional remuneration for senior salaries will be payable as from the date of appointment of the post-holders at the Council AGM on 17<sup>th</sup> May.

## **Revised Schedule of Remuneration**

The attached Schedule of Remuneration at Appendix 1 has been updated with the IRP's changes. The Council is required to publish the revised schedule and submit this to IRP by 31st July 2022. Council is asked to approve the revised schedule, which will be updated with post holder names following the AGM on 17<sup>th</sup> May 2022 before being published and submitted to IRP in line with the deadline.

## **Consultation**

The IRP's draft report was shared with the Democratic Services as part of the consultation process.

## **Financial Summary (Capital and Revenue)**

The determination to increase basic and senior salaries incurs an increased cost and the relevant budget for 2022/23 for this was increased to take account of this. This is an increase that the Council must deliver to meet the IRP's determinations.

## **Links to Council Policies and Priorities**

There is no direct link to Newport's individual policies or plans as this is a national issue about payments to Councillors.

## **Proposed Action**

That Council approves and adopts the Members Schedule of Remuneration 22/23, as set out in Appendix 1.

## **Comments of Chief Financial Officer**

Provision has been made within the budget for 22/23 for the increased allowances. As always, there is a degree of uncertainty in the actual costs and therefore budget required as that is affected by a number of things; for example, how many roles attracting senior salaries will be in place, how many members join

the LG pension Scheme, which members claim travel and other expenses and make use of the other allowances available to support them in their duties. These expenses/allowances have been very minimal in the past and the Council is required to report these annually on the Council's website for each member.

### **Comments of Monitoring Officer**

There are no specific legal issues arising from the Report. The IRP has statutory power under Section 147 of the Local Government (Wales) Measure 2011 to set Members Allowances. Democratic Services Committee have previously expressed the opinion that the amounts of basic and senior salaries should be prescribed by the IRP and not left to the discretion of individual councils. The latest IRP Report and prescribed scheme removes most discretionary elements but there is still some element of local discretion.

The basic salary for all Members is increased to £16,800, which is an increase of approximately £2,500 compared with 2021/22. The IRP has re-based the level of allowances to take account of inflationary increases and increases in average salaries and relevant comparators. Senior salaries have also been increased on the same basis by an equivalent amount. Allowances for co-opted members and rates for travel and subsistence remain the same.

The only remaining discretionary element of the Members Allowances Scheme is in relation to the whether the Council decides to pay civic salaries to the Presiding Member, Mayor and Deputy Mayor and senior salaries to Chairs of Committees. The Council has previously determined to pay these discretionary allowances and the amounts are, therefore, fixed at £25,593 and £20,540 for the Deputy Mayor.

The IRP has determined that the costs of care should be paid as a separate reimbursement rather than as part of a member's salary, to encourage more eligible members to apply for reimbursement. They have relaxed the rules on publication to enable councils to anonymise these payments and not identify the individual members concerned and the Council agreed to this last year. Therefore, it is recommended that only the total amount of care costs reimbursed by the authority during the year should be published and not the names of the individual members claiming reimbursement. The IRP has reminded councillors of their entitlement to claim reimbursement of care costs.

Council, is therefore, required to formally approve and adopt the proposed Scheme of Remuneration for the financial year 2022/23. There is no requirement for any member to declare a personal interest, as there is a general dispensation for the approval of Members allowances.

### **Comments of Head of People Policy & Transformation**

There are no specific HR or equalities issues arising from the report, as the appointment to posts attracting senior salaries is a political decision by the Council. There are no specific issues in the response in relation to the Wellbeing of Future Generations Act, although those appointed to Cabinet posts in particular will need to consider the principles of the Act as part of the decision making process.

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

No FEIA was undertaken as the report affects elected members only.

### **Background Papers**

IRP Annual Report 2022/23



independent-remu  
neration-panel-wale

**Dated: 11 May 2022**

Mae'r dudalen hon yn wag yn

# Report

## Council

---



### Part 1

Date: 17 May 2022

**Subject** Revised Scheme of Delegation to Officers

**Purpose** To agree an updated and revised Officer Scheme of Delegation

**Author** Head of Law & Standards

**Ward** City wide

**Summary** In accordance with the Council's approved scheme of delegation, which is set out at Part 3 Appendix 3 of the Council's Constitution, a number of statutory functions are delegated to statutory officers and Heads of Service who are authorised to discharge these duties on behalf of the Council.

The Officer Scheme of Delegation was last reviewed and updated in 2020 and, since that time, there has been a senior management restructure and a re-alignment of services. Therefore, these changes and amendments have been incorporated into a revised and updated scheme of delegation for adoption by full Council. There are no substantive changes to the previous scheme of delegation but responsibility has been transferred, where appropriate, to the new Head of Service.

**Proposal** To agree and adopt the proposed amendments to the Scheme of Delegation to Officers under Part 3 Appendix 3 of the Council Constitution

**Action by** Head of Law & Standards

**Timetable** In line with legislative requirements

This report was prepared after consultation with:

- Chief Executive
- Strategic Directors
- Head of Finance
- Heads of Service and Corporate Management Team.

### Background

1. Section 37 of the Local Government Act 2000 requires the Council to keep up-to-date and publish its written Constitution. The written Constitution forms part of the Council's Policy Framework and any amendments must, therefore, be formally approved and adopted by full Council.
2. In accordance with the Council's approved scheme of delegation, which is set out at Part 3 Appendix 3 of the Council's Constitution, a number of statutory functions are delegated to Heads of Service who are authorised to discharge these duties in behalf of the Council. The Officer Scheme of Delegation was last reviewed and updated in 2020 and, since that time, there has been a senior management restructure and a re-alignment of services.
3. Therefore, these changes and amendments have been incorporated into a revised and updated scheme of delegation for adoption by full Council. There are no substantive changes to the previous scheme of delegation but responsibility has been transferred, where appropriate, to the new Head of Service.
4. The reference to the statutory Head of Paid Service has also been amended to the Chief Executive, in accordance with the requirements of the Local government and Elections (Wales) Act 2021.

## Financial Summary

9. There are no financial implications

## 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?
Not updating and revising the officer scheme of delegation	H	M	Failure to update the scheme of delegation would be contrary to the requirements of Section 37 of the Local Government Act 2000, would be contrary to the principles of transparent and accountable decision-making and could lead to decisions being legally challenged.	Head of Law & Regulation
Updating and revising the officer scheme of delegation	L	L	There would be a clear allocation of functions within the Constitution and transparent and lawful decision-making.	Head of Law & Regulation

\*Taking account of proposed mitigation measures.



## **Links to Council Policies and Priorities**

Clear and transparent decision-making is fundamental to the work of the Council and the delivery of the Corporate Plan. Ensuring that the appropriate governance arrangements are in place is also consistent with the sustainability duty under the Well-being of Future Generations Act and the well-being goals of a more equal Wales and a Wales of cohesive communities.

### **Proposal**

To agree and adopt the proposed amendments to the Scheme of Delegation to Officers and as Part 3 Appendix 3 of the Constitution.

### **Comments of Chief Financial Officer**

There are no financial implications.

Clear responsibilities and delegation is important to facilitate good financial management and planning. This document also links with other key documents such as Council Contract Standing Orders and Financial Regulations which govern the framework under which these delegations should be exercised in relation to financial matters.

### **Comments of Monitoring Officer**

Set out in the Report.

### **Comments of Head of People Policy & Transformation**

As outlined in the report clear and transparent decision-making is fundamental to the work of the Council and the delivery of the Corporate Plan. Ensuring that the appropriate governance arrangements are in place is also consistent with the sustainability duty under the Well-Being of Future Generations Act.

There are no direct HR implications arising from the report, and the responsibilities are in line with current staffing structures as agreed by Council.

## **Background Papers**

Part 3 Appendix 3 of the Council's Constitution

**Dated: 11 May 2022**

Mae'r dudalen hon yn wag yn

# Constitution

## Part 3: Responsibility for Functions

### Appendix 3: Scheme of Delegation to Officers

#### Section A:

#### GENERAL SCHEME OF DELEGATION APPLYING TO ALL HEADS OF SERVICE

##### 1. General Delegations to all Chief Officers

NB: This section relates to those matters delegated to all Chief Officers. To see the scheme of delegation to individual Chief Officers, please see Section 2 below.

##### 1.1 Human Resources

- (i) To determine operational issues relating to the service area based on the needs of the council; its customers and the service.

All decisions must be within agreed Council policies and within the budget allocation for the service area.

As set out in (ii) below, certain decisions will be subject to consultation with the Head of Law and Standards (Monitoring Officer), Head of Finance and Head of People, Policy and Transformation. Any dispute will be determined by the Strategic Director Transformation and Corporate.

- (ii) To determine the following subject to consultation with the Head of Law and Standards (Monitoring Officer), Head of Finance and Head of People, Policy and Transformation.

- the movement of posts within the service area and between service areas;
- the creation of new permanent posts or the deletion of posts within the structure of a service area;
- salary protection
- early release of pension
- market supplements
- job descriptions and person specifications for all posts within the service area
- the creation of any new post or the deletion of any new post.

(iii) To determine all operational Human Resource matters for the service area. All decisions must be within agreed Council policies and within the budget allocation for the service area. Operational matters include:

- To make appointments other than those reserved to Council.
- To determine Temporary/Fixed term posts
- To determine any application for secondary employment for employees working a 37 hour week or where the combined hours of the jobs equate to more than 37 hours.
- To determine any change to hours of any post
- To determine any job share arrangement or any scheme of reduced hours of work
- To vary the pattern of the working week
- To determine any secondment arrangements.
- To determine the employment of agency employees and any contract arrangements with agencies or contractors, in line with agreed contract arrangements.
- To determine any Honorarium payments within agreed criteria.
- To determine planned overtime payments.
- To determine salary protection to be applied under the Council's job security policy.
- To determine grade starting point and any progression through grades within any agreed schemes.
- To determine any application for payment of professional fees within the Council's policy
- To work with colleagues to secure redeployment opportunities or development opportunities for unplaced employees and as a last resort, to serve redundancy notices, where there is no suitable alternative employment available with the authority.
- To determine any application for time off for trade union activity in line with agreed policy
- To determine paid or unpaid leave of absence in accordance with Council policy
- To determine whether to allow 'carry over' of leave beyond the requirements of the European Working Time Directive
- To determine Health and Safety arrangements within a service area.
- To authorise attendance at training events or conferences, subject to budget provision being available.
- To determine any disciplinary action in accordance with the Councils disciplinary procedures.
- To determine any application for legal assistance relating to any private prosecution relating to violence at work.

## **1.2 Tenders**

In accordance with the Council's Procurement Strategy, Standing Orders and/or Financial Regulations:

- To accept the most economic advantageous tender for work goods or services. Heads of Service will record acceptance of tenders in a register and act in compliance with the Council's agreed procurement strategy and Contract Standing Orders. Records must show when the most economically advantageous tender is not financially the lowest tender received.
- To agree the issuing of orders for work goods and services.
- To submit tenders and make arrangements for carrying out work.

### **1.3 Finance**

- To exercise powers of virement from within own budgets within overall corporate guidelines and agreed limits.
- To control service budgets within overall agreed limits subject to the strategies, policies, objectives and targets agreed by the Council.
- To determine grants expenditure in accordance with agreed grant criteria and Council Financial regulations and Contract Standing Orders

### **1.4 Land and Buildings**

- To authorise an application for planning permission to the Planning Committee in respect of any development of land and/or buildings within the relevant portfolio or service area.
- On receipt of permission from the Planning Committee or, where appropriate, the Council, to authorise carrying out of such development.
- To determine operational issues relating to the use of buildings within the portfolio, including adjustments to opening times

## **Section B:**

### **SCHEMES OF DELEGATION TO INDIVIDUAL CHIEF OFFICERS**

#### **2 CHIEF EXECUTIVE**

##### **2.1 Statutory functions**

- The Chief Executive is a statutory appointment pursuant to Section 54 of the Local Government and Elections (Wales) Act 2021.
- Under the provisions of the Local Government and Elections (Wales) Act 2021 to determine when it is appropriate to prepare a report to the Authority setting out proposals in relation to:
  - the manner in which the discharge by the Authority of its different functions is co-ordinated;

- the council's arrangements in relation to—
- financial planning,
- asset management, and
- risk management
- the number and grades of staff required by the Authority for the discharge of its functions;
- the organisation of the Authority's staff; and
- the appointment and proper management of the Authority's staff.

## 2.2 As Chief Executive

- (i) To determine the activities of the Council's Management Team and to coordinate the team's activities.
- (ii) To determine cross-cutting operational issues that cover a range of services
- (iii) To determine necessary actions appropriate for the proper emergency planning of the Council area and, where appropriate adjacent areas, including liaison with other authorities and bodies.
- (iv) To determine necessary action to be taken on behalf of the council in emergencies in consultation with the Leader of the Council, or in the absence of the Leader another member of the Cabinet.
- (v) To determine methods of monitoring and activities in relation to performance management of the Council's staff.
- (vi) To determine the framework for Service Plans by each Head of Service.
- (vii) To have overriding authority for all delegated matters of staffing and operations to ensure appropriate allocation of resources to deliver agreed outcomes.

## 2.3 As Returning Officer

To effectively fulfil the statutory roll of Returning Officer at all Local Government Elections and to discharge the roll of promoting participation in those elections.

## **STRATEGIC DIRECTORS**

### **3 STRATEGIC DIRECTOR – SOCIAL SERVICES**

#### 3.1 As Director of Social Services

- (i) To exercise the statutory responsibilities of the role of Director of Social Services and undertake such delegated responsibilities consistent with the discharge of that statutory role as set out in the statutory guidance on the role and accountabilities of the Director of Social Services issued under Part 8 of

the Social Services and Wellbeing (Wales) Act 2014 and any other relevant legislation.

- (ii) To determine the responsibilities of the Head of Adult Services, the Head of Children Services, and the Head of Prevention and Inclusion for the management and delivery of operational services within social services and the exercise of specific statutory functions on behalf of the Director of Social Services (as set out in the scheme of delegation to Heads of Service), ensuring that systems are in place to monitor the quality and effectiveness of services.
- (iii) To meet the core responsibilities and functions of a Director of Social Services as set out in the Welsh Assembly Government's Code of Practice on the Role of the Director of Social Services (2016) as follows:
- Providing clear professional and strategic leadership to effectively deliver care and support services which discharge the Council's social services functions and meet the Council's well-being objectives.
  - Having direct access to and advising the Chief Executive and councillors on social services matters and on the direction the council should take in fulfilling its social services responsibilities and ensuring that the Chief Executive, Cabinet and councillors have access to the best, up-to-date professional advice and information on all aspects of care and support services.
  - Identifying and advising councillors on priorities, challenges and risks across all aspects of social services, including areas of co-dependency between agencies and circumstances where staffing issues affect the Council's ability to discharge its statutory responsibilities.
  - Ensuring that strong performance management arrangements are in place across social services, and reporting at a corporate level and to members on the authority's performance in respect of these.
  - Ensuring that the authority has proper safeguards to protect vulnerable children and young people, adults and older people, reporting at a corporate level and to members on their effectiveness and briefing the Head of Paid Service and councillors on high-profile cases and other matters likely to cause public concern.
  - Fulfilling overall responsibility for social services workforce planning, training and professional development.
  - Advising councillors on strategies for improving methods of intervention, service provision, practice and use of resources.
  - Ensuring that there are adequate arrangements in place to work effectively with others, both within and outside the authority, in fulfilling its social

services functions and in contributing to the achievement of wider policy objectives.

- Fostering effective joint working relationships both within and outside the local authority, including formal integrated arrangements with health boards.

- (iv) To provide clear professional leadership for Social Services
- (v) To provide advice to the Chief Executive and Councillors on the strategic direction and social service responsibilities.
- (vi) To determine and provide strong management of performance and transparent arrangements for planning and delivering improvements in social services
- (vii) To determine and provide arrangements to ensure the safeguarding of children, young people and adults and to report to members on the operation, monitoring and improvement of those safeguarding systems
- (viii) To work with Further and Higher Education and the CIW to enhance workforce planning and professional development for all staff across the sector.
- (ix) To determine arrangements for governance, strategic direction and operational management
- (x) To report annually to the Council on the delivery, performance risks and plans for improvement on the full range of social services functions.
- (xi) To advise Scrutiny Committees on children's and adult's social services.
- (xii) To determine any guardianship application and to make an order for the discharge of patients subject to guardianship under the Mental Health Act 1983.
- (xiii) To approve the institution of adoption proceedings by a foster parent
- (xiv) .To approve the payment of the legal expense of prospective adoptive parents for children whom the Council as an Adoption Agency is placing for adoption.
- (xv) To grant allowances to persons who have adopted children in accordance with the Adoption and Children Act 2002 and regulations that may be issued by the Secretary of State.
- (xvi) To determine provision for the accommodation of children in secure accommodation in accordance with Section 119 Social Services and Wellbeing (Wales) Act 2014.



- (xvii) To act as nearest relative, appointee or receiver in all matters in which it is appropriate for an officer of the Council to act.
- (xviii) To appoint officers to act as approved mental health professionals under Mental Health Act legislation.
- (xix) To act as the lead director for children and young people's services under Section 27 of the Children Act 2004 to co-ordinate and oversee arrangements to improve the well-being of children in the local authority area.

### 3.2 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to social services functions in accordance with the general delegation of powers to all Heads of Service set out in this constitution (except insofar as they have been delegated to the Head of Adult Services, the Head of Childrens Services, and the Head of Prevention and Inclusion).

## **4 STRATEGIC DIRECTOR – TRANSFORMATION AND CORPORATE**

### 4.1 As Director of Transformation and Corporate

### 4.2 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, strategic performance and risk management operational plans and legal agreements relating to the relevant service areas in accordance with the general delegation of powers to all Heads of Service set out in this constitution (except insofar as they have been delegated to the Head of Law and Standards, the Head of People Policy and Transformation and the Head of Finance).

## **5. STRATEGIC DIRECTOR – ENVIRONMENT AND SUSTAINABILITY**

### 5.1 As Director of Environment and Sustainability

### 5.2 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to the relevant service areas in accordance with the general delegation of powers to all Heads of Service set out in this constitution (except insofar as they have been delegated to the Head of Regeneration and Economic Development, the Head of Housing and Communities, the Head of Environment and Public Protection and the Head of City Services).

## **HEADS OF SERVICE REPORTING DIRECTLY TO THE CHIEF EXECUTIVE**

## **6 HEAD OF EDUCATION (Chief Education Officer)**

### **6.1 As Head of Service**

To determine operational issues relating to:

- Education Resources and Planning, School Reorganisation and School Admissions.
- School Improvement;
- Early Years Education.
- Engagement and Learning, including the Music Service; GEMMS and Education Welfare Services
- Inclusion Services, including Education Psychology, ALN & SEN and the Pupil Referral Unit.

### **6.2 As Chief Education Officer**

- (i) To determine operational issues relating to: Education Resources and Planning, including; 21CS Capital Programme; Education Business Support; School Admissions & Appeals; Service Development, Outdoor Education Advisor, Early Years settings, School Improvement, ALN, SEN, Educational Psychology and the Pupil Referral Unit.
- (ii) To determine the pattern of operational services within the service area, ensuring that systems are in place to monitor the quality and effectiveness of services;
- (iii) To determine arrangements for governance, strategic direction and operational management in the service area
- (iv) To determine circumstances in which to make formal representations to a governing body, on behalf of the Authority, about the performance of a head teacher.
- (v) To determine appointments of persons recommended or accepted for appointment by governing bodies to fill teaching posts in schools unless the person so recommended does not meet any staff qualification requirements applicable to the post.
- (vi) To conclude upon determinations of governing bodies of schools relating to the potential dismissals and any subsequent appeals against such dismissals, which are within the Authority's powers to determine.
- (vii) To determine adjustments to designated areas of individual schools for admission purposes. Significant adjustments will be determined by the Cabinet Member.
- (viii) To determine Instruments of Government for School Governing Bodies.
- (ix) To determine any action to be taken by the Local Authority in response to a report following an inspection of any school, including the appointment of additional governors, and the removal of those additional governors

- (x) To determine any necessary action which results from a school which 'causes concern' set out in the Welsh Government Schools Causing Concern Circular 202/ 2016.
- (xi) To determine the name of a school, taking account of any proposals by the governing body.
- (xii) To determine appointments to temporary governing bodies only (Permanent appointments are to be made using the agreed procedures).
- (xiii) To direct schools to go over Published Admission Number where appropriate.
- (xiv) To determine the Fair Funding Budget Formula for Schools and delegate the responsibility for individual school budgets to the Head Teacher and Governing Body of each School.

#### 6.2.1 Improvement and Inclusion

- (i) To determine a pattern of provision for education otherwise than at school.
- (ii) To determine any action to be taken in relation to the education of children looked after by the local authority.
- (iii) To determine any advice or guidelines to schools on all matters regarding attendance, special educational needs, exclusions and equal opportunity issues
- (iv) To exercise the powers and duties of the authority in relation to children's employment
- (v) To determine applications for free school meals
- (vi) To determine applications for other benefits available to eligible families, including free transport to schools outside of the Council's agreed policies.
- (vii) To determine Instruments of Government for School Governing Bodies.

#### 6.2.2 Education Achievement Service

To determine any operational issues arising from decisions taken by the Education Achievement Service.

#### 6.2.3 Attendance at School

- (i) To exercise the powers and duties of the Authority in respect of children excluded from school and to determine suitable arrangements for the

continuing education of pupils who are excluded or otherwise unable to attend school.

- (ii) To authorise any proceedings necessary to enforce any enactment relating to the non-attendance of pupils at school, or education other than at school.
- (iii) To determine the allocation of Education Welfare Officers to schools
- (iv) To undertake the powers and duties of the Authority under Section 36 of the Children Act 1989 regarding Education Supervision Orders and any subsequent statutory powers
- (v) To determine patterns for home to school transport with agreed policies.
- (vi) To determine appropriate transport arrangements in accordance with the Authority's policies

#### 6.2.4 Special Educational Needs/ Additional Learning Needs

- (i) To determine arrangements for children to be assessed in accordance with the requirements of the Education Acts, to secure the special educational provision which should be made for them and to maintain and review statements of special educational need in accordance with any regulations concerning these.
- (ii) To determine out of County placements for children with special needs
- (iii) To determine the pattern of specialist education for pupils with special educational needs.
- (iv) To determine special needs funding arrangements.
- (v) To determine appropriate arrangements for support parents under the Education Act Provisions.

#### 6.2.5 Curriculum and School Standards

- (i) To exercise the responsibility of the Authority for securing school improvement, including the setting of targets.
- (ii) To determine the pattern of in-service training and such other support for school staff and governors as appropriate.
- (iii) In accordance with arrangements approved by the Secretary of State to determine complaints concerning alleged failures of schools to comply with the National Curriculum/ Curriculum for Wales including in conjunction with the Newport SACRE, the requirements for religious education and collective worship, and the arrangements for statutory assessment and moderation of the National Curriculum / Curriculum for Wales.

- (iv) To determine whether application is to be made to the Secretary of State to direct that a Local Authority maintained school be authorised to conduct curriculum experiments outside the National Curriculum
- (v) In the case of foundation schools to exercise any advisory rights relating to the appointment of head teachers, deputy head teachers or other teaching or ancillary staff conferred by agreement or legislation.
- (vi) To determine the appointment of Schools Clerks
- (vii) To exercise the powers and duties under the School Teacher (Appraisal) Regulations 1991 in respect of head teachers.
- (viii) To determine action to be taken arising from reports by the schools inspectorate, following discussion with appropriate governors and the head teacher.
- (ix) To determine processes for target setting in schools.
- (x) To determine methods to ensure the implementation of any ICT Project or other curriculum developments in schools.
- (xi) To determine the methodology to be used in relation to literacy, numeracy or similar initiatives.
- (xii) To exercise the powers of the Local Education Authority in respect of the Licensed Teacher Scheme.

### 6.3 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation.

## 7. HEAD OF REGENERATION AND ECONOMIC DEVELOPMENT

### 7.1 As Head of Service

To determine all operational matters in relation to the following

- Development Services, including building control; Development management; and planning policy;
- Regeneration;
- Museum and Heritage Services, including the Museum and Art gallery; the Newport Ship and the Transporter Bridge
- Theatre and Arts Centre, Riverfront
- Newport Live, including: business support, catering services, leisure operations and business development

## 7.2 Development Management

The Head of Service has authority to carry out the following:

(In the absence of an appointed Head of Service, the following authority passes to the Development Services Manager)

- (i) To determine all applications made under planning legislation\*, including granting applications which are a departure from the Development Plan in force at the time of decision, except:
- Applications for outline or full planning permission where the development is defined as ‘major’ development in Article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended or modified by subsequent legislation) and where the site does not already benefit from an extant consent (outline or detailed) for a similar type and scale of development;
  - Applications where an Elected Member has requested that an application be determined by the Planning Committee, giving planning reasons for that request, in accordance with the Protocol for Delegated Powers;
  - Any matter to be determined where a judgement is made by the Leader of the Council in consultation with the Chair and Deputy Chair of the Planning Committee, on advice from appropriate officers that the matter is one that should be considered by Council
  - Any matter which has been delegated to any Cabinet Member or to a Head of Service or any matter which is the responsibility of the Cabinet or Council
  - Any application made by any Elected Member of the Council; or made by any Officer employed within the Regeneration and Regulatory Services Area and who works in close association with the Development Services Section for example as a regular consultee, other than where that application is submitted solely in that Officer’s professional capacity as a Council employee and where the Officer has no personal or non-pecuniary interest in the outcome of the application; or
    - in respect of which an Elected Member of the Council has been consulted as a neighbour; or
    - in respect of which the Head of Regeneration and Regulatory Services has responsibility for any aspect of the management of any land or buildings to which the application relates; or
    - in any other circumstance where the Head of Regeneration and Regulatory Services considers it appropriate for the matter to be determined by Planning Committee

Such matters shall be determined by Planning Committee (where that matter falls within its Terms of Reference).

\* This includes applications for planning permission, Reserved Matters, advertisement consent, Listed Building consent, Conservation Area consent, Hazardous Substances consent, the discharge of planning conditions, works to trees protected by Tree Preservation Orders, notifications of works to trees located within Conservation Areas, applications for Lawful Development Certificates, Hedgerow Removal, and any determinations (including granting consent) in relation to permitted development rights under the General Permitted Development Order (including telecommunications, demolition and agricultural determinations).

(ii) To negotiate and determine the Heads of Terms for Section 106 planning contributions and/or contributions under the Community Infrastructure Levy, including deferred payments, time-limited discounts and setting the level of the monitoring fee;

(iii) To agree any variations to Section 106 agreements or contributions under the Community Infrastructure Levy in liaison with the Ward Members, or, where that agreement was made by the Planning Committee, in liaison with the Ward Members and the Chair and Deputy Chair of Planning Committee;

(iv) To defend the Council's decisions on planning matters at appeal and making all decisions relating to the conduct of appeals, including agreeing Statements of Common Ground, planning contributions and any other obligations pursuant to Section 106 agreements or the Community Infrastructure Levy, wording draft conditions, instructing expert witnesses, and seeking awards of costs when appropriate. In the case of appeals against non-determination, determining the Council's case to be presented at appeal unless the application falls within category (a)i or (a)ii above;

(v) To make and confirm (where unopposed) footpath diversions/stopping up orders pursuant to the Town and Country Planning Act 1990.

(vi) To make and confirm (where unopposed) Tree Preservation Orders pursuant to the Town and Country Planning Act 1990.

(vii) To provide informal pre-application advice

(viii) To authorise the removal of telephone call boxes.

### 7.3 Enforcement matters

(i) To investigate and resolve complaints of unauthorised development (enforcement complaints) including issuing Planning Contravention Notices and Requisitions for Information, instigating prosecution proceedings, action under the Proceeds of Crime Act, taking direct action, removing and/or obliterating advertisements and placards, and/or resolving to take no further action where formal enforcement action is not considered expedient.

- (ii) To issue formal enforcement notices or similar under the Planning Acts or associated legislation\*\* unless:
  - a) The unauthorised development in question is defined as ‘major’ development in Article 2 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended or modified by subsequent legislation); or
  - b) Where a Ward Member has requested that the matter be determined by the Planning Committee, giving planning reasons for that request, in accordance with the Protocol for Delegated Powers;

\*\* This includes issuing Enforcement Notices, Listed Building Enforcement Notices, Stop Notices, Breach of Condition Notices, Unsightly Land Notices (under Section 215 of the Planning Act), Hedgerow Replacement Notices and Tree Replacement Notices;
- (iii) To investigate and determine complaints relating to high hedges including issuing Remedial Notices under the Anti-Social Behaviour Act, except where a Ward Member calls the item to Planning Committee giving relevant reasons for that request; and taking direct action to implement the requirements of a Notice issued under the High Hedges regulations and/or instruct the Head of Law and Standards (or other appropriate officer) to instigate prosecution proceedings for failure to comply with such a Notice;
- (iv) To serve graffiti removal notices and to issue penalty notices for graffiti and fly posting under the Anti-Social Behaviour Regulations.
- (v) To authorise officers to undertake covert surveillance in accordance with the Regulation of Investigatory Powers Act 2000

#### 7.4 Planning Policy

- (i) To agree minor changes to the Development Plan during the Plan-making process, and to make decisions in consultation with the Cabinet Member for Regeneration regarding any other changes;
- (ii) To prepare and agree the evidence base for the Development Plan, including appointing consultants where necessary.

#### 7.5 Building Control

- (i) The exercise of all powers and duties under the Building Act 1984 and Regulations made there under and related functions:
- (ii) To support national initiatives introduced by the Local Authority Building Control Services, Local Authority National Type Approval Consortium, Building Control Wales or similar.



- (iii) To carry out any incidental functions or supplementary services including SAP energy performance certificates, and Code for Sustainable Homes and BREEAM assessments and certification, including setting fees for those services.
- (iv) To exercise powers under the Local Government (Miscellaneous Provisions) Act 1982 Section 29 regarding the securing of buildings to prevent unauthorised entry.
- (v) To issue Licences pursuant to the Highways Act 1980 in relation to scaffolding or other structures on the highway and to exercise related powers.
- (vi) To serve Requisitions for Information.

#### 7.6 Planning: Miscellaneous and Procedural Matters

- (i) To decline to determine planning applications.
- (ii) To Finally Dispose of applications under Article 29(15) of the Town & Country Planning (Development Management Procedure) (Wales) Order 2012 (or equivalent provision amending this provision).
- (iii) To add, delete or amend conditions or reasons for refusal and/or reasons for taking enforcement action in relation to decisions made under delegated powers or, in liaison with the Chair of Planning Committee#, in relation to Committee decisions.
- (iv) To agree minor amendments or non-material amendments that involve no significant increase in the scale of development proposed pursuant to the appropriate application.
- (v) To determine responses in relation to:
  - Consultations by utility companies in relation to power lines, pipelines and other utilities infrastructure;
  - Fringe area consultations from other local authorities (where the development concerned does not fall within category 1a(ii) above);
  - Applications submitted to the Infrastructure Planning Commission (or any equivalent successor body).
- (vi) To make any determination under the Environmental Assessment Regulations (including a decision regarding whether an Environmental Statement is required and the scope of such an assessment).
- (vii) To undertake appropriate assessments and to make determinations under the Habitats Regulations.
- (viii) To compile and maintain all Registers required by the Planning Acts and any orders or regulations made there under.

- (ix) To make any determinations (including decisions of an administrative nature) regarding the processing of any applications received (including decisions relating to the validity, adequacy of information provided and fees payable), and correcting errors on Decision Notices.
- (x) Proper Officer function for signing Decision Notices or Certificates issued as a result of the exercise by the Council of any functions pursuant to the Planning Acts or Regulations or Orders made thereunder or to the Building Regulations or Orders made thereunder.
- (xi) Power to authorise officers to sign and issue Decision Notices, Licences and other formal documents as referred to above.
- (xii) Power to authorise officers for the purposes of the powers of entry onto land granted by the Planning Acts, Building Act, the Environment Act, the Anti Social Behaviour Regulations and any regulations made there under;

(For the avoidance of any doubt where any judgment has to be made, for example, concerning whether any development is minor or is in accordance with the Development Plan policies, such decision shall be made by the Head of Regeneration, Investment and Housing).

# Should the Chair of Planning Committee be unavailable, authority shall pass to another member of the Planning Committee.

## 7.7 Grant Applications

- (i) To determine grant applications for building and related improvement in industrial and commercial improvement areas under Sections 5 and 6 of the Inner Urban Areas Act or similar or subsequent legislation and to administer relevant grants under the Strategic development Scheme or subsequent schemes to a value of £20,000
- (ii) To determine business grants to a value of £20,000
- (iii) To determine whether to make bids for European Funding and to determine methods of processing schemes, subject to determination of whether to accept grant aid in line with Council policies

## 7.8 Regeneration

To determine any operational issues relating to:

- Regeneration of the City Centre
- Regeneration of the wider City Region
- Housing and Community Regeneration, including community development; Community Regeneration; private sector housing; and preventative services;

## 7.9 Museum and Heritage Services

To determine any operational issues relating to museum and heritage services including:

- Museum and Art Gallery; including use of any reserve funds
- Newport Ship and
- Transporter Bridge

#### 7.10 Riverfront Theatre and Arts Centre

To determine all operational matters relating to the Theatre and Arts Centre. All policy matters are to be determined by the Cabinet Member, Cabinet or Council as appropriate.

#### 7.11 Newport Live

To determine all operational matters relating to the relationship with the Newport Live

#### 7.12 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation.

## **HEADS OF SERVICE REPORTING TO THE STRATEGIC DIRECTORS**

### **8 Head of Law and Standards**

8.1 As Head of Service:

(i) To determine all operational issues relating to:

- Legal Services and Insurance
- Democratic Services, including Scrutiny and Mayoralty
- Registration Services
- Electoral registration
- Coroners Service

(ii) Procedural Issues

- To determine any guidelines to be issued to officers and / or members on legal, procedural and proprietary issues.
- To affix the Common Seal of the Council to any Deed or other document required to be executed under Seal and to subscribe his name thereto as attesting such sealing.

- To determine the content of any binding contract or any other such documentation between the Council and any third party.
- To sign contracts or other formal documents on behalf of the Council (which do not have to be executed as a deed) in accordance with Contract Standing Orders.

## 8.2 As Monitoring Officer

- (i) To determine any action to be taken and to exercise the powers and responsibilities of the Monitoring Officer for the purpose of Section 5 of the Local Government and Housing Act 1989, part 3 of the Local Government Act 2000 and any other or subsequent relevant legislation.
- (ii) To determine when it is necessary and to issue reports to the Council as Monitoring Officer.
- (iii) To make payments of compensation, provide other benefits or take any other appropriate action to settle maladministration complaints in accordance with Section 92 of the Local Government Act 2000.
- (iv) To monitor and review the Council Constitution and determine any minor or consequential amendments.
- (v) To maintain the statutory register of Members interests in accordance with section 81 of the Local Government Act 2000

## 8.3 Democratic Arrangements and Scrutiny

- (i) To determine action to be taken as "Proper Officer" for the purposes of implementing the provisions in the Local Government Act 1972 and any other subsequent legislation relating to:
  - a. Exclusion of Reports
  - b. List of Background papers
  - c. identification of Background papers
  - d. "Need to know"
- (ii) To act generally as Proper Officer of the Council unless legislation or the Scheme of Delegation names another officer or unless the Council determines otherwise.
- (iii) To determine arrangements for the proper record and maintenance of records of decisions taken by the Council, the Cabinet or any other element of the decision-making process empowered to take decisions.
- (iv) To determine arrangements to record in the statutory register maintained for the purpose, particulars of any notice given by a member or officer of the Council

under Section 117 of the Local Government Act 1972 of any pecuniary interest in a contract or any declarations of personal interest, or gifts and hospitality in accordance with any relevant code of practice.

(v) To administer the Members' Allowance Scheme

#### 8.4 Legal Proceedings

- (i) To institute, defend or settle any legal proceedings he or she considers necessary (either in the name of the Council or an individual officer of the Council), at common law or under any enactment, statutory instrument, order or bye-law conferring functions upon the Council or in respect of functions undertaken by them and to lodge appeals against any decisions affecting the discharge of any of the Council's functions. For the avoidance of doubt, this delegation shall extend to the taking of all procedural steps, including the service of any notices, statutory or otherwise, counter-notices and notices to quit.
- (ii) To authorise officers of the Council to prosecute or defend or appear in any legal proceedings by virtue of the provisions of Section 223 of the Local Government Act 1972 or any modification or re-enactment thereof.

#### 8.5 Registration Services

- (i) To act as "Proper Officer for registration of births, deaths and marriages
- (ii) To determine individuals who will be authorised to attest notices of civil partnerships;
- (iii) To designate a sufficient number of civil partnership registrars and determine who within the authority will be responsible for recording details of the formation into the civil partnership register.
- (iv) To act as Proper Officer for the approval of premises for the conduct of civil marriages and civil partnerships in accordance with the Marriage Act 1949 and the Civil Partnership Act 2004.

#### 8.6 Land and Property

- (i) To determine when and to serve statutory notices to ascertain the legal interest of any person in land.
- (ii) To sign certificates of title and execute any land sale, transfer or lease on behalf of the Council.

#### 8.7 General Delegations

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as

contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation.

## **9 Head of Finance**

9.1 The chief financial officer must be qualified through membership of a specified professional accountancy body.

9.2 As Head of Service

To determine any operational issues relating to the following functions:

- Accountancy
- Strategic Procurement and Payments
- Income collection and Tax
- Internal Audit
- Benefits
- Customer Services

9.3 As Section 151 Officer

- (i) To determine methods for the proper administration of the council's financial affairs.
- (ii) To determine when it is necessary to report to the full Council (or to the Cabinet in relation to an executive function) and Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or an unbalanced budget, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- (iii) To report to full Council for the purposes of budget determination, on the robustness of budget estimates and the adequacy of financial reserves, including the minimum level of general reserves.

9.4 Financial Management

- (i) To determine and maintain adequate and effective systems of internal control systems and accounting records
- (ii) To determine systems required to carry out the Council's obligations under the Accounts and Audit Regulations including the need to maintain an adequate system of internal audit.
- (iii) To determine and issue guidelines, as necessary, in respect of finance.
- (iv) To determine methods and take action to manage: the Council's funds and accounts; reserves and provisions; any trusts held and any pension fund affecting Council employees.
- (v) To determine arrangements for the billing, collection, recovery and writing off of Council Tax, Non- Domestic Rates and other amounts or debts due to the Council.
- (vi) To determine when and how to borrow and repay debt on behalf of the Council.

- (vii) To determine when and how to invest monies on behalf of the Council.
- (viii) To determine interest rates charged for amounts borrowed and lent by the Council.
- (ix) To determine when to sign bond certificates on behalf of the Council.
- (x) To sign cheques and pay amounts due on behalf of the Council.
- (xi) To determine operational actions in relation to collection and debt recovery in connection with sundry debts and mortgages, including the writing off of all debt and making provision for doubtful debts.
- (xii) To determine and make adequate and secure arrangements for the collection and banking of cash.
- (xiii) To determine circumstances in which to write off irrecoverable debts
- (xiv) To determine the method of finance for individual projects in the Capital Programme and the acquisition of assets.
- (xv) To administer the spending of the Church Funds
- (xvi) To determine the Tax base.
- (xvii) To determine expenditure of any amounts from contingencies in consultation with the Chair of the Cabinet and the Chief Executive
- (xviii) To review and determine changes in Contract Standing Orders and / or Financial Regulations for recommendation to the Council
- (xix) To review and determine detailed procurement guidelines and processes
- (xx) To determine and undertake anti-fraud measures, including data matching

## 9.5 Local Taxation

- (i) To take all decisions required for local Non-Domestic Rating List and Council Tax Valuation List display and public inspection and to update and maintain the accuracy of the lists throughout the period that they are effective.
- (ii) To determine methods to compile and maintain records of persons liable for Non-Domestic Rates and Council Tax.
- (iii) To determine when and how to serve demand Notices on all persons liable to pay Non-Domestic Rates and Council Tax, detailing the payments required.
- (iv) To determine all appropriate actions under statute and regulations to collect and enforce the payment of Non-Domestic Rates and Council Tax.
- (v) To determine when to make application to the Magistrates Court for liability orders to be made against defaulters.
- (vi) To determine when to levy distress and take all other actions empowered by the liability order
- (vii) To determine applications for mandatory charitable relief.
- (viii) To determine applications for discretionary rates relief in line with agreed Council policy.
- (ix) To determine effective measures to maintain the General Fund for non-domestic rating pooling arrangements
- (x) To determine appeals against administrative matters and give evidence at Valuation Tribunals.
- (xi) To determine method of bringing to the attention of the Valuation Office Agency all material facts that affect the accuracy of the rating and valuation lists.
- (xii) To determine circumstances in which to sign agreements for alteration of entries in the local non-domestic rating list.
- (xiii) To determine methods to liaise with all agencies, including the Valuation Office Agency and the Magistrates Courts on matters associated with the

administration, billing, collection and enforcement of all revenues and taxation matters.

#### 9.6 Customer Services and Benefits

- (i) To determine operational issues in relation to the Council's Face to Face Centre and Contact Centre.
- (ii) To determine all operational issues relating to Housing and Council Tax Benefits

#### 9.7 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation.

### **10 Head of People Policy and Transformation**

#### 10.1 As Head of Service

To determine all operational issues relating to:

- Human Resources
- Employment Services
- Organisational Development and training
- Health and Safety
- Policy and Partnership
- Performance Management and Organisational Risk
- Intelligence Hub
- Digital Services and Complaints
- Business Transformation
- PR & Communications
- Assets

#### 10.2 Human Resources

- (ii) To determine procedures to provide good employee relations with all the recognised trade unions and their representatives.
- (iii) To determine action necessary to ensure adherence to corporate Human Resources policies as agreed by Council.
- (iv) To determine operational actions for all payroll matters and arrange payment of national pay awards.



- (v) To determine pay and grading matters in line with the Council's collective agreement regarding job evaluation

## 10.2 Business Transformation

To determine all operational issues relating to Business Service development and Business Improvement, Including the Change Team.

## 10.3 Partnership and Policy

To determine all operational issues relating to:

- Partnerships and Planning
- Policy Development
- Engagement
- Organisational Planning, Performance and Risk Management

## 10.4 Digital Services

- (i) To determine standards of technology to be used by elected members and employees and to determine standards of communications systems appropriate to members, officers and schools and other Council functions, particularly in regard to advances in technology.
- (ii) To determine arrangements to ensure the confidentiality, integrity and availability of all data held in Council ICT systems.
- (iii) To determine standards of technology used to provide a comprehensive internal communications system.
- (iv) To determine standards and when to take advantage of technological changes relating to ICT and communication in all forms.
- (v) To lead on the partnership with the Shared Resource Service (SRS) and IT support provision
- (vi) To manage the centrally held IT budgets and issue of IT equipment
- (vii) To determine all operational issues relating to:
- Electronic Document management systems
  - Information Development and Risk Management
  - Document Services

## 10.5 Complaints

To manage complaints and compliments in accordance with the Council's complaints policy.

#### 10.6 Intelligence Hub

##### 10.6.1 Customer Insight

To determine operational issues in relation to the gathering, recording, analysis and maintenance of customer insight data.

##### 8.6.2 Spatial Data

- (i) To determine all operational issues in relation to the gathering, recording and maintenance of spatial data.
- (ii) To co-ordinate and manage all data sets for the Council
- (ii) To determine the naming and numbering of streets

#### 10.7 PR and Comms

To determine any operational matters relating to the Council's PR and communications functions

#### 10.8 Wellbeing of Future Generations

To determine all operational issues relating to the implementation of policies relating to the Well-being of Future Generations (Wales) Act 2015 and the Equalities Act 2010.

#### 10.9 Assets

##### Minor Property Transactions

- (i) To dispose of and acquire freehold interests or grant and acquire leasehold interests on parcels of land not exceeding 100 square metres in extent;
- (ii) To grant/acquire interests in property with an annual value not exceeding £1,000;
- (iii) To grant/acquire easements for services;
- (iv) To grant licenses to graze animals and/or mow grass for haymaking;
- (v) To grant/acquire licenses to use property;
- (vi) To grant/acquire leases for a period of less than 7 years;
- (vii) To grant the release/discharge of covenants relating to Council land;

The relevant Cabinet Member(s) and Ward Member(s) shall be consulted before any decisions are taken in relation to minor property transactions that relate to their portfolios or wards.

#### 10.10 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation.

### **11. HEAD OF ADULT SERVICES**

#### 11.1 As Head of Service

To determine all operational issues relating to the following:

- Safeguarding services including the protection of vulnerable adults
- Quality Assurance, including performance; planning and development; quality assurance; substance misuse; commissioning and contracts;
- Occupational Therapy Services
- CRT and Frailty Services
- Mental Health Services to adults and older people, including assertive outreach
- Adult Disability learning
- End to end services including adult assessment and the review team
- Provider services including residential; homecare; supported living and supporting people

#### 11.2 The discharge of the following statutory duties on behalf of the statutory Director of Social Services:

- (i) To undertake assessments of the need for care and support, determine eligibility and make arrangements for meeting those assessed needs of adults and carers in accordance with the Council's statutory duties under the Social Services and Well-Being (Wales) Act 2014
- (ii) To exercise the Council's functions under Part 4 of the Social Services and Well-Being (Wales) Act 2014 to maintain and review care and support plans to meet the assessed needs of adults and carers.
- (iii) To exercise the Council's functions under Section 15 of the Social Services and Well-Being (Wales) Act 2014 in providing or arranging preventative services, to include delaying the need for care and support, minimizing the effect on disabled persons of their disabilities and preventing people from suffering from abuse and neglect.

- (iv) To be responsible for discharging the Council's safeguarding role in relation to adults at risk in accordance with part 7 of the Social Services and Well-Being (Wales) Act 2014.
- (v) To authorise and approve the maintenance costs for any person admitted to any residential accommodation.
- (vi) To authorise the following facilities for any registered disabled person, within the approved budget and within approved policies;
- (vii) attendance at a day activity providing appropriate development opportunities
- (viii) the provision of special facilities
- (ix) minor alterations and adaptations to premises including the installation of appropriate equipment, the works to be supervised by the appropriate professional staff
- (x) To contribute, where appropriate, and within local and / or national guidance, to the cost of adaptations to premises where the person is not eligible for a grant.
- (xi) To make arrangements for the burial or cremation of deceased residents of residential or nursing homes and to act in the administration of their estates in the absence of family or other individuals able to do so.
- (xii) To authorise the making of the necessary amendment orders providing for exemption for disabled car badge holders in accordance with the Disabled Persons (Badges for Motor Vehicles) Regulations 1982.
- (xiii) To administer badges for disabled persons as drivers or passengers.
- (xiv) To issue and recall badges in accordance with the Disabled Persons (Badges for Motor Vehicles) Regulations 1982.
- (xv) To discharge the duties towards disabled people under the Social Services and Wellbeing (Wales) Act 2014 and any other relevant legislation.
- (xvi) Within the arrangements for the hearing of representations and complaints in accordance with Part 10 of the Social Services and Wellbeing (Wales) Act 2014 to respond to recommendations of complaint review panels including application of financial redress, as considered appropriate within the framework of the Council's policy on remedies to complaints, Financial Regulations and where necessary in consultation with the Monitoring Officer.
- (xvii) To be responsible for the exercise of the Council's functions under the Mental Health Act 1983 in relation to the welfare of mentally disordered people and under the Mental Capacity Act 2005 in relation to people lacking mental capacity.

### 11.3 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation.

## **12 HEAD OF CHILDREN SERVICES**

### **12.1 As Head of Service**

To determine operational issues in relation to:

- Safeguarding Services including child protection and quality assurance, domestic abuse, child protection, and acting as the Local Authority Designated Officer
- Youth Offending Services
- Integrated Family Support Services including substance misuse, family support and crisis support;
- Mentoring, assessment and planning services
- Resources including residential, fostering and placement matching and support services
- Services to disabled children; and
- Services to looked after children and young people

12.2 The discharge of the following statutory duties on behalf of the Strategic Director of Social Services:

- (i) To maintain the Child Protection Register.
- (ii) To undertake assessments of the need for care and support, determine eligibility and make arrangements for meeting those assessed needs of children in accordance with the Council's statutory duties under the Social Services and Well-Being (Wales) Act 2014
- (iii) To safeguard and promote the well-being of looked after children in accordance with Section 78 of the Social Services and Well-Being (Wales) Act 2014
- (iv) To exercise the Council's functions under Part 6 of the Social Services and Well-Being (Wales) Act 2014 to secure sufficient accommodation and maintenance for looked after children and to maintain and review care and support plans.
- (v) To exercise the functions of the Council under Sections 120 and 121 of the Social Services and Well-Being (Wales) Act 2014 in relation to children accommodated by health and education authorities or in residential care homes or mental nursing homes.
- (vi) To inspect arrangements for the care of children accommodated in independent schools in accordance with Section 87 of the Children Act 1989.
- (vii) To exercise the powers of the Council under Section 7 of the Children Act 1989 to report to the Court on the welfare of children in private proceedings.

- (viii) To exercise any functions of the Council relating to Orders with respect to children in family proceedings under Part II of the Children Act 1989.
- (ix) To exercise the powers of the Council under Section 16 of the Children Act 1989 to provide advice, assistance and befriending under the terms of a Family Assistance Order.
- (x) To exercise the functions of the Council under Section 17 of the Children Act 1989 to safeguard and promote the welfare of children in need including financial assistance within current budgetary limits.
- (xi) To determine provision for the day-care of pre-school children and provision for out-of-school and holiday care and activities as appropriate in accordance with the duties and powers of the Council under Section 18 of the Children Act 1989.
- (xii) To determine arrangements for the financial and other support of young people formerly looked after by the Council and by others under Section 24 of the Children Act 1989 within current budgetary limits.
- (xiii) To determine the assessment scale in respect of financial contribution by a parent or young person to any service provided by the Council under Part III of the Children Act 1989 and part 6 of the Social Services and Well-Being (Wales) Act 2014.
- (xiv) To vary or waive the charges for any service provided by the Council under Part III of the Children Act 1989 and part 6 of the Social Services and Well-Being (Wales) Act 2014.
- (xv) To exercise the functions of the Council in relation to the duty to make investigations as necessary to decide whether action should be taken to safeguard or promote the welfare of children in accordance with Section 47 of the Children Act 1989.
- (xvi) To take such action as is necessary under Section 31 of the Children Act 1989 to bring a child or young person before a Court where there are grounds for bringing care proceedings.
- (xvii) To present an application to a Court for the variation or discharge of any care order or supervision order in accordance with Section 39 of the Children Act 1989.
- (xviii) To exercise responsibilities in respect of Section 36(8) of the Children Act 1989, relating to Education Supervision Orders.
- (xix) To present an application to a Court for a Child Assessment Order, an Emergency Protection Order or a Recovery Order under Part V of the Children Act 1989.

- (xx) To determine appropriate accommodation for children in need in pursuance of the Council's duty under Sections 20 to 23 of the Children Act 1989, including the provision of placements outside the City as necessary.
- (xxi) To exercise the functions of the Council to undertake parental responsibility for children who are the subject of Care Orders and to make arrangements for reasonable contact with birth parents and others in accordance with Sections 33 and 34 of the Children Act 1989.
- (xxii) To give consent to medical or surgical treatment for children who are subject of Care Orders or who are accommodated by the local authority.
- (xxiii) To allow children the subject of a care order to reside at home in accordance with Section 22C of the Children Act 1989
- (xxiv) To make contributions towards the maintenance of children placed with a person as a result of a Child Arrangements Order in accordance with paragraph 15 of Schedule 1 of the Children Act 1989.
- (xxv) To determine payment of the legal expenses of applicants for a Child Arrangements Order or other Section 8 Orders under the Children Act 1989 in respect of children in care to the extent that the Legal Services Commission funding is not available.
- (xxvi) To change the names of children who are the subject of a care order in favour of the Council, subject to the requirements of Section 33 of the Children Act 1989.
- (xxvii) To give consent to the marriage of a young person in care pursuant to Section 3 of the Marriage Act 1949 as amended by the Family Law Reform Act 1969.
- (xxviii) To approve and sign applications for passports for children and young persons in the care of the Council.
- (xxix) To consent to children and young persons in the care of the Council travelling abroad.
- (xxx) To determine the applications of children and young persons in the care of the Council who wish to join HM Forces.
- (xxxi) To exercise the powers of the Council under Section 125 of the Social Services and Well-Being (Wales) Act 2014 in relation to the death of children looked after by local authorities.
- (xxxii) To exercise the functions of the Council under Part VI of the Children Act 1989 in relation to the provision of accommodation for children in community homes.
- (xxxiii) To arrange loans to foster parents to provide accommodation for sibling groups by extending their present homes or to purchase larger homes, the

amount of the outstanding loan to be reduced by way of a special allowance for as long as they care for foster children, subject to consultation with the Head of Finance.

- (xxxiv) To vary foster care allowances, in line with budgets approved by the Council, and following consultation with the Head of Finance
- (xxxv) To sanction payment of the cost of the initial clothing and equipment required by children looked after by the Council who are placed in boarding schools and other establishments within current budgetary limits.
- (xxxvi) To approve applications to go on school expeditions, including expeditions abroad, of children looked after by the Council including expenditure on equipment and pocket money within current budgetary limits.
- (xxxvii) To make payments to promote contact between parents, families and friends with children looked after by the Council in accordance with Section 96 of the Social Services and Well-Being (Wales) Act 2014. .
- (xxxviii) To assess the contributions to be paid towards board and lodging by working children, provided that the amount remaining for weekly personal allowance and clothing allowance should not be less than the amount currently approved under the payment of foster care allowances.
- (xxxix) To maintain a Panel of Guardians ad Litem in accordance with the Guardians ad Litem and Reporting Officers (Panels) Regulations 1991
- (xl) To maintain a Panel of Guardians ad Litem in accordance with the Guardians ad Litem and Reporting Officers (Panels) Regulations 1991.
- (xli) To exercise the functions of the Council undertake Part VII of the Children Act 1989 in relation to the provision of accommodation by voluntary organisations.
- (xlii) To exercise the powers conferred on the Council under Part IX of the Children Act 1989 in respect of arrangements for the care of privately fostered children.
- (xliii) To make decisions to exempt persons from the usual fostering limit in accordance with paragraph 4 of Schedule 7 of the Children Act 1989.
- (xliv) To grant applications for and impose conditions of registration of child minding the day-care for young children under Part XA of the Children Act 1989.
- (xlv) To exercise the Council's adoption functions under the Adoption Act 1976 and the Adoption and Children Act 2002

### 12.3 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as



contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation.

### **13 HEAD OF PREVENTION AND INCLUSION**

#### 13.1 As Head of Service

To determine operational issues in relation to:

- Families First
- Flying Start
- Youth Services
- Childrens Prevention
- Early Years Integration, FIS and play
- DFGs
- Substance misuse

#### 13.3 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation.

### **14 HEAD OF HOUSING AND COMMUNITIES**

#### 14.1 As Head of Service

To determine operational matters relating to:

- Strategic housing
- Housing needs and homelessness
- HSG/Supporting people
- Community Regeneration to include Libraries, Community Hubs, operational management of Community Centres, Community Development and Community First legacy.
- Community Cohesion and Resettlement

#### 14.2 Strategic Housing

- (i) To determine any operational matters relating to the Council's strategic Housing function
- (ii) To determine the allocation of funds available for Renovation and Repairs Grants

- (iii) To determine when to carry out work in connection with improvement grants on behalf of owners at their expense, and with their agreement, in accordance with the Local Government and Housing Act 1989
- (iv) To determine circumstances in which divulge information relating to tenants as follows: (Subject to the requirements of the Data Protection Act)
  - Tenancy references to building societies providing the authority of the tenant is given.
  - Tenancy references in confidence to other local authorities irrespective of authority given by tenant.
  - Forwarding addresses only to statutory bodies, e.g. utility companies, Post Office, British Gas etc.
  - forwarding addresses only to other agencies on receipt of a search fee

## 14.2 Community Regeneration

- (i) To determine any operational issues relating to:
  - Housing and Community Regeneration, including community development; Community Regeneration; private sector housing; and preventative services;
  - Community Learning
  - Libraries
  - Community Hubs
  - Community Centres
  - Community Development
  - Community Services

This includes determination of

- Anti-poverty programmes
- Activity programmes
- Promotional and marketing activities for the Council's facilities within the service area.
- Improvements upgrading or additions to facilities within the service area, subject to available finance.
- Any management agreements for leisure facilities or community learning facilities either owned by the service area or used by the service area.
- Management arrangements for all premises used primarily for community, youth or adult education, including community centres on school sites
- Applications for Grant Aid of £5,000 or less- Higher amounts to be determined by the Cabinet member
- Charges for the hire of facilities, pricing structures, coaching and other fees subject to the Council's agreed charging policies
- Conditions of hire
- Operating times
- Designs and siting of play areas within new developments

#### 14.4 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as contained in the general delegation of powers to all Heads of Service set out in this constitution

### **15 HEAD OF ENVIRONMENT AND PROTECTION**

#### 15.1 As Head of Service

To take all operational decisions in relation to:

- Environmental Services including
- Waste disposal
- Recycling and Sustainability
- Green Services
- Cremation Services
- Refuse
- Grounds maintenance
- Street cleansing services
- Parks and outdoor recreation
- Climate change

#### 15.2 Public Protection

##### 15.2.1 General

- i. To appoint and authorise Officers, of the Council, to carry out duties and exercise powers as required or permitted by the relevant “Public Protection” (See below) statutes and statutory instruments,
- ii. To issue, grant, renew, vary, revoke or refuse licences, registrations, permits, consents or approvals under Public Protection statutes and statutory instruments; or to determine the fitness to hold such licences consult on changes to council licensing policies etc. under Public Protection statutes and statutory instruments, (including those licensing duties/powers that are Council “executive functions” eg Housing Act, Scrap Metal Act) in accordance with Council policies, UNLESS for specific licences where the delegations are to the Licensing (Sub) Committee or Panel-as detailed in the Paragraphs e and g, and 11-13 below;
- iii. To grant or renew all applications for Hackney Carriage Vehicle Licences, Private Hire Vehicle Licences, Hackney Carriage /Private Hire Driver's Licences and Private Hire Operator's Licences. Where refusal is considered possible due to criminal or driving convictions or other matters, then the decision will be taken by the Officer or, depending upon the seriousness/complexity, will be referred to the Licensing Committee (Panel), in accordance with Council Policies;

(Revocation of an existing taxi licence is a matter for the Licensing Committee (Panel));

- iv. To suspend any Hackney Carriage or Private Hire Licences in accordance with S60 61 62 and 68 of the Local Government (Miscellaneous Provisions) Act 1976 or instead to serve a "deferred" notice as warning that the licence may be suspended if certain matters are not attended to;
- v. To revoke any Hackney Carriage or Private Hire Licences in accordance with S60 61 62 and 68 of the Local Government (Miscellaneous Provisions) Act. Where refusal is considered appropriate due to criminal or driving convictions or other matters, then the decision will be taken by the Officer or, depending upon the seriousness/complexity, will be referred to the Licensing Committee (Panel), in accordance with Council Hackney Carriage and Private Hire Policies;
- vi. To grant, renew, refuse, suspend and revoke "street furniture" licence Section 115E of the Highways Act 1980 and to determine terms and conditions for the grant of such licences.
- vii. To grant/renew licence under the Lotteries and Amusements Act 1976 / House to House and Street Collections/ Street Trading Part 3 of Schedule 4 Local Government (Miscellaneous Provisions) Act 1982, if no objections are raised.

If objections are raised then the application must go before the Licensing Sub-Committee.

- viii. Together with Public Protection officers so authorised by the Head of Service, to charge offences where appropriate for contraventions of Public Protection criminal offences;
- ix. To enter into an agreement with another Local Authority or Enforcement Body to authorise that Local Authority/ Enforcement Body and its Officers, either, to discharge a function under Public Protection legislation in Newport; or to investigate and institute proceedings against offenders; or to assist with an investigation in Newport under the direct control of the Public Protection officers of Newport City Council; or to enter into an agreement with another Local Authority/ Enforcement Body to allow Public Protection officers of Newport City Council to investigate and for Newport City Council to institute proceedings against offenders for matters relating to that other Local Authority/ Enforcement Body; or assist with an investigation in that other Local Authority or for that Enforcement Body;
- x. To appoint the Council's Chief Inspector of Weights and Measures under Section 72(1) of the Weights and Measures Act 1985 and delegates to that the power under section 72(4) of the Act to designate suitably qualified and experienced officers as Deputy Chief Inspectors of Weights and Measures

with powers to perform any of the powers and duties of the Chief Inspector in his or her absence or as directed by the Chief Inspector from time to time: and

- xi. To appoint the Council's Proper Officer for the purposes of the Public Health (Control of Disease) Act 1984 and in respect of the Council Functions relating to notifiable diseases and food poisoning and for the purposes of the Health Protection (Part 2A Orders) (Wales) Regulations 2010;
- xii. To appoint the Council's Medical Officer for Port Health for the purposes of the Public Health (Ships) Regulations 1979 (as amended), the Public Health (Aircraft) Regulations 1979 (as amended); the International Health Regulations 2005;
- xiii. To appoint a public analyst as required by Section 27 of the Food Safety Act 1990;
- xiv. To appoint an agricultural analyst as required by Section 67 of the Agriculture Act 1970;
- xv. To issue Certificates and exercise powers pursuant to the Safety of Sports Grounds Act 1975, and Fire Safety and Safety of Places of Sport Act 1987 in relation to the use of sports grounds.
- xvi. The "Public Protection" statutes, common law and statutory instruments to which these delegations apply, including any Regulations or Orders made there under, any amendments and additions thereto, and any licensing/registrations/authorisations/permits/approvals etc. in connection with that legislation, are those that cover:
- xvii. Community safety, anti-social behaviour, nuisance, food safety and standards, nutrition, health promotion, public health, port health, control of disease and infection, health and safety at work, explosives, licensing and registration, water supply quality and pollution, air quality and pollution, energy, littering, fly posting, fly tipping, land pollution, noise and noise pollution, contaminated land, waste, environmental control protection & improvements, nuisance, housing safety and conditions, houses in multiple occupation, camping, caravans, mobile homes and illegal eviction, the condition of buildings and land, fire safety and means of escape, sports and events ground safety, Hackney Carriage and private hire vehicles, street trading, street and house to house collections, CCTV and security, entertainment, alcohol supply, gambling, consumer protection, consumer credit, age -restricted goods, trading standards, fair trading, advertisements, descriptions, omissions, classifications, counterfeiting, trademarks, product safety, agricultural produce, fertilisers and animal feed, marketing and quality standards, medicines and poisons, animal health and welfare, dog and pest control, imports and exports, weights and measures, trading practices, fraud, deception, forgery, aiding and abetting, conspiracy and the European Communities Act 1972.

This includes any new legislation that has been passed by Parliament or the Welsh Government that is relevant to the above.

xviii. Sex Shop / Sex Cinemas Local Government (Miscellaneous Provisions) Act 1982, section 2 and schedule 3)/ Lap dancing and other sexual entertainment venues Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009).

- To grant, refuse or revoke a Sexual entertainment venue licence is a matter for the Licensing Sub Committee.

xix. (2) Lap dancing and other sexual entertainment venues Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009

- To grant, renew, revoke or refuse Sexual entertainment venue licensee.

#### 15.2.2 Licensing Act: Arrangements for Applications Relating to Licensed Premises or Individuals

Matter to be dealt with	Sub Committee	Officers
Policy –consulting on proposed changes		x
Application for personal licence	If a Police objection	If `No` objection
Application for personal licence with `Unspent` Convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	If `No` relevant representation made
Application for ` Provisional Statement `	If a relevant representation made	If `No` relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If `No` relevant representation made
Application to vary designated premises Supervisor	If a Police representation	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a Police objection	All other cases
Application for Interim Authorities	If a Police representation	All other cases
Decision on whether a complaint is irrelevant frivolous vexations etc.		All cases
Decision to object when Local Authority is a `Consultee` and not the ` Lead Authority `	All cases	
Determination of a Police representation to a temporary Event Notice	All cases	

#### 15.2.3 As to the Gambling Act

Matter to be dealt with	Full Council	Sub-Committee	Officers
Policy –consulting on proposed changes			x
Approving Policy	x		
Policy not to permit casinos	X		
Fee Setting - when appropriate			X (to be approved by Cabinet Member)
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

### 15.3 Waste Management and Recycling

To determine all operational matters relating to Waste management and Recycling. All policy matters are to be determined by the Cabinet Member, cabinet or Council as appropriate.

#### 15.4 Litter Control Notices

To serve Street Litter Control Notices under Sections 93 and 94 of the Environmental Protection Act 1990.

#### 15.5 Cremation Services

To determine all operational matters relating to the Gwent Crematorium. All policy matters are to be determined by the Gwent Cremation Joint Committee, Cabinet Member, Cabinet or Council as appropriate.

#### 15.6 Ground, Parks and Recreation

To determine all operational matters relating to grounds, parks and recreation.

#### 15.7 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation.

### **16 Head of City Services**

#### 16.1 As Head of Service

- Civil Contingencies
- Street Scene Services and Area Services, including:
  - Street works
  - Traffic and transport
  - Highways
  - Drainage
  - Road safety
  - Integrated Transport Services
  - Active Travel.
  - Countryside

#### 16.2 General Delegations for City Services

- (i) To enter into Section 38, 278 and 111 Agreements in connection with development affecting public highways.
- (ii) To determine Transport Grant submissions to the National Assembly.
- (iii) To determine traffic calming priority lists.
- (iv) To approve the adoption of highways maintainable at public expense.
- (v) To determine the siting of School Crossing Patrols.



- (vi) To determine issues relating to the operation of the Transporter Bridge.
- (vii) To determine street naming and numbering of properties.
- (viii) To determine any issues relating to bus shelters
- (ix) To determine day to day operational issues relating to home to school transport.
- (x) To determine issues relating to the maintenance of the Highways Act 1981 to include preventing obstruction of the highway.

### 16.3 Engineering and Construction

- (i) To adopt roads and sewers where agreements exist under Sections 38 and 278 of the Highways Act 1980 and Section 18 of the Public Health Act 1936.
- (ii) To adopt roads and sewers under Section 228 of the Highways Act 1980 and Section 17 of the Public Health Act 1936 where no Adoption Agreements exist.
- (iii) To deal with applications under Section 152 of the Highways Act 1989 for consent to fix or place any overhead beams, rail, pipe, cable, wire or other similar apparatus over, along or across a highway.
- (iv) To serve Notices under Section 134 of the Highways Act 1959 requiring the lopping of vegetation over highways and certain other roads and paths.
- (v) Execute repairs to unadopted roads and rear access lanes in accordance with the provisions of Section 47 of the Public Health Act 1961 to prevent or remove danger to persons or vehicles with an annual cost limit of £10,000. Schemes of above £10,000 shall be determined by the Cabinet Member.
- (vi) Approve terms for connections to Council sewers and the granting of any necessary easements on terms to be agreed by the Head of Law & Standards
- (vii) To make emergency and temporary prohibition Orders and Notices under Section 14 of the Road Traffic Regulation Act 1984, as amended.
- (viii) To give instructions to issue notices under Section 184 of the Highways Act 1980 (which notify owners of premises that the Council intends to construct vehicle cross - over's and to recover the cost from the owners)
- (ix) To issue certificates for payment in respect of highway construction or other engineering works.

### 16.4 Statutory Appointments

To determine the statutory appointment of a person (to be known as the "Traffic Manager") to perform such tasks as the authority consider will assist them to perform their network management duty.

### 16.5 Traffic Orders

To determine and implement non - contested Traffic Orders. Orders which receive representations are to be determined by the Cabinet Member.

### 16.6 Integrated Transport Services

To determine all operational matters relating to integrated transport services

#### 16.7 Statutory duty to the Council to secure the 'expeditious movement of traffic'

- (i) To exercise the powers and duties of the Council in relation to Street Works conferred by Part III New Roads and Street Works Act 1991.
- (ii) To authorise officers so that they may issue Fixed Penalty Notices under section 95 of the New Roads and Street Works Act as amended by section 41 of the Traffic Management Act 2004.

#### 16.8 Reservoirs Act 1985

- (i) To appoint a Supervision Engineering and an Inspection Engineer from the Welsh Office Panel to supervise, inspect and report appropriately as required by the Reservoirs Act 1985.
- (ii) To be responsible for carrying out the Council's duties under the Reservoirs Act 1985.

#### 16.9 Flood and Water Management Act 2010

- (i) To exercise all of the powers and duties of the Council as the designated Sustainable Drainage Systems ("SuDS") Approving Body ("SAB") under Schedule 3 to the Flood Water Management Act 2010.
- (ii) To determine all outline and full SuDS applications on behalf of the SAB;
- (iii) To provide all pre-application advice in relation to SuDS and undertake all necessary statutory consultation;
- (iv) To undertake all statutory inspections and approvals of SuDS work;
- (v) To adopt and maintain SuDS schemes, subject to the conditions and exemptions specified in the 2010 Act and to agree the terms of any adoption agreement, including any commuted sums or maintenance charges.

#### 16.10 City Centre Management

To determine all operational matters relating to overall management of the City Centre. .

#### 16.11 Countryside and Footpaths

- (i) To make orders for diversion and extinguishment of public rights of way under the Highways Act 1980.
- (ii) To service notices and take appropriate action under the enforcement provisions of the Highways Act 1980 where public rights of way are affected.

(iii) To make orders concerning public rights of way under the Wildlife and Countryside Act 1981.

(iv) To act within the Council's powers and duties under the Countryside and Rights of Way Act 2000.

#### 16.12 General

To determine matters relating to Human Resources, tenders, finance, land and buildings, operational plans and legal agreements relating to this service area and as contained in the general delegation of powers to all Heads of Service set out in Part 1 of this scheme of delegation

Mae'r dudalen hon yn wag yn

# Report

## Council

---



### Part 1

Date: 17 May 2022

**Subject** Council Standing Orders and Arrangements for Multi-location meetings

**Purpose** For Council to formally approve and adopt amended Standing Orders and Arrangements for multi-location meeting.

**Author** Head of Law & Standards

**Ward** City wide

**Summary** Sections 46 and 47 of the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”) impose a statutory duty on all Welsh local authorities to make and publish arrangements for “hybrid” or multi-location meetings and for the broadcasting of these meetings.

The proposed arrangements and policy for the conduct multi-location meetings are attached to this report, together with updated Standing Orders to reflect the legislative changes and the new arrangements for the appointment of a Presiding Member.

Council are requested to approve and adopt the amended Standing Orders and Arrangements for multi-location meeting

**Proposal** To approve and adopt amended Standing Orders and Arrangements for multi-location meeting.

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

**Timetable** In line with legislative requirements

This report was prepared after consultation with:

Democratic Services Committee  
 Head of Finance  
 Head of People Policy & Transformation  
 Strategic Director (Transformation & Corporate)

## Background

1. Section 4 of the Local Government (Wales) Measure 2011 enabled local authorities in Wales to introduce voluntary arrangements for remote meetings. The Local Government (Coronavirus) (Wales) Regulations 2020 (“the Regulations”) were then introduced on 22<sup>nd</sup> April 2020 and they enabled Welsh local authorities to hold remote meetings to overcome Covid 19 social distancing restrictions during the pandemic lock-down. All Council meetings have been held remotely since June 2020 using Microsoft Teams and Microsoft Live Event applications, to enable live broadcasts of remote meetings.
2. The Regulations continued in force until 1<sup>st</sup> May 2021, when they were superseded and replaced by the provisions of sections 46 and 47 of the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”). The 2021 Act imposes a statutory duty on all Welsh local authorities to make and publish arrangements for “hybrid” or multi-location meetings and for the broadcasting of these meetings.
3. Since May 2021, the Council has continued to operate fully remote meetings under the 2021 Act, to comply with Covid restrictions and social distancing requirements. However, the removal of all Covid restrictions means that the Council can now introduce arrangements for hybrid or multi-location meetings where participants have a choice about joining remotely or attending in person
4. As part of the Council’s Strategic Covid-Recovery Aims, a New Working Model has been agreed for both elected members and Council staff, based on flexible working arrangements. An integral part of this New Working Model is the use of technology and the freedom to participate remotely in Council meetings.
5. Therefore, the technology and the protocols for the conduct of multi-location meetings will provide the freedom and flexibility for all Councillors (and any other participants) to either attend in person or remotely. The Council Chamber will be designated as the physical location for the meeting and any elected member, participant or member of the public will be entitled to attend in person. Elected members (and other participants) will also be able to attend remotely from multiple locations using MS Teams and the screens in the meeting room will ensure that they are capable of being seen and heard at all times by other Councillors, participants and members of the public attending in person. Members of the public will also be able to view proceedings remotely via the live-stream broadcast of the meeting on the Public-i system, which can be accessed through the agenda hyper-link on Council’s web site. The meeting arrangements will enable one or all of the participants to join remotely or in-person, or any combination of numbers. If all members elected to join remotely, facilities will still be provided in the meeting room for members of the public or other participants to attend in person and view the broadcast proceedings on the screens from the public gallery or seating areas. In the event that no suitable meeting room is available, with the necessary equipment or facility for remote attendance and electronic broadcasting then, by agreement with the Chair of the meeting, the multi-location meeting can take place wholly by remote means.
6. The attached protocol set out how the Council intends to discharge its statutory duties under sections 46 and 47 of the 2021 Act in relation to the broadcasting of meetings, and the convening of meetings involving participants in multiple locations. The rules and procedures set out in Section 3 of the document will constitute the mandatory, core requirements for compliance with the legislative framework. As such, they will form part of the Council’s published Constitution and will need to be read in conjunction with the Council’s Standing Orders relating to the conduct of meetings. Council is, therefore, asked to consider and adopt the Arrangements for Multi-location meetings and to publish this as part of the Constitution.

7. Section 4 sets out the Council's wider multi-location meetings policy, which reflects the general legislative principles in section 3, while setting out more detailed practices and procedures to ensure that multi-location meetings work efficiently, effectively and accountably. This non-statutory policy will be subject to periodic oversight and review by Democratic Services Committee and should also be considered in conjunction with the Council's wider Public Participation and Engagement Strategy.
8. Council Standing Orders have also been updated and amended to reflect the legislation and the new arrangements for the appointment of a Presiding Member to chair Council meetings, instead of the Mayor. Council is asked to approve and adopt the attached Standing Orders.

### Financial Summary

9. There are no specific financial implications, as the multi-location meetings will be delivered within existing resources. The upgrade to the technical infrastructure in the Council Chamber to facilitate multi-location meetings and their live web-casting has been undertaken using Welsh Government grant funding

### 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?
Failure to adopt and publish arrangements for multi-location remote meetings will have a reputational impact on the openness and transparency of the governance processes	Medium	Low	The proposed arrangements will meet legislative requirements and will ensure that members have the flexibility to participate in meetings remotely, with equal status as those attending in person.	Head of Law & Standards.
The processes and procedures for multi-location meetings do not operate effectively due to technology problems of lack of member training	High	Medium	Democratic Services and IT staff will support the systems and deliver appropriate training to members, to meet their needs.	Head of Law & Regulation/Head of People Policy & Transformation

\*Taking account of proposed mitigation measures.

## **Links to Council Policies and Priorities**

The proposed arrangements are consistent with the Council's Strategic Recovery aims and support the Council's Corporate Plan 2017-22. The principles of open and transparent governance are also enshrined in the well-being plan and objectives under the Well-being of Future Generations (Wales) Act.

## **Options Available and considered**

The options available to Cabinet:

1. To approve and endorse the amended Standing Orders and Arrangements for multi-location meeting
2. To not approve and endorse the amended Standing Orders and Arrangements for multi-location meeting

## **Preferred Option and Why**

Option 1 is preferred, as this will enable the Council to comply with the legislative requirements.

## **Comments of Chief Financial Officer**

There are no financial implications and any costs associated with multi-location meetings will be met from existing budgets.

## **Comments of Monitoring Officer**

Set out in the Report.

## **Comments of Head of People Policy & Transformation**

There are no HR implications arising directly arising from this proposal. The proposals support remote working and greater flexibility through providing opportunities for Councillors and staff to attend meetings physically or remotely.

As highlighted under Equalities Impact Assessment and the Equalities Act 2010, the increased flexibility of multi-location meetings provides opportunities for those who have difficulty in attending physical meetings and/or who have specific equipment available off site to enable participation. The amended Standing Orders and Arrangements for multi-location meetings also consider welsh language requirements.

## **Local Issues**

Not applicable.

## **Equalities Impact Assessment and the Equalities Act 2010**

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users.



The new governance arrangements for multi-location meetings should not unfairly disadvantage any of the protected groups, both in relation to Councillor participation and the general public. The ability to attend and observe meetings remotely provides greater flexibility for those individuals who, because of their particular protected characteristic, have difficulty in physically attending meetings and should promote greater accessibility for these groups. In the longer term, consideration can be given to further enhance the remote access arrangements to provide an improved service for the hearing impaired, with the provision of subtitles and/or BSL interpreters. We will consult and engage with disability groups to monitor and review the impact of these governance arrangements and any further adjustments required

## **Wellbeing of Future Generations (Wales) Act 2015**

The arrangements for multi-location meetings will support the development of A More Equal Wales; achieving more diversity and transparency.

The Strategy supports the Equality Plan 2020-2024 objectives;

1. Leadership, Governance and Involvement.
2. Community Cohesion

## **Background Papers**

Welsh Government Interim Guidance on Multi-location meetings

**Dated 11 May 2022**

Mae'r dudalen hon yn wag yn

## Arrangements for Multi-location meetings

### 1. Legislative Framework

- 1.1 Section 47 of the Local Government and Elections (Wales) Act 2021 (“the 2021 Act”) requires the Council to make and publish arrangements for the purpose of ensuring that its meetings are able to be held by means of any equipment or other facility which:-
- (a) enables persons who are not in the same place to attend the meetings, and
  - (b) in the case of meetings required to be electronically broadcast under section 46 of the 2021 Act, to speak to and be heard by each other and to see and be seen by each other.
- (hereinafter referred to as “**multi-location meetings**”)
- 1.2 If the Council revises or replaces its arrangements for multi-location meetings, it must publish the revised or new arrangements. In making arrangements for multi-location meetings, the Council must have regard to any guidance issued by the Welsh Ministers.
- 1.3 For the purposes of these multi-location meeting arrangements, “meetings” are formal meetings convened under the Local Government Act 1972 or the Local Government Act 2000 of:-
- (a) Council;
  - (b) Cabinet;
  - (c) Any Committee or sub-committee of Council or Cabinet;
  - (d) Any joint committee where the Council is the host or lead authority
- and, for the avoidance of doubt, these meetings include panel hearings held by the Council’s Licensing Committee established under section 6 of the Licensing Act 2003 or a sub-committee established by the Licensing Committee.
- 1.4 Part 2 of schedule 4 to the 2021 Act amends the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 to make the approval and adoption of arrangements for multi-location meetings a non-executive function for Council. Once adopted, these arrangements for multi-location meetings will form part of the Council’s published Constitution and will need to be read in conjunction with the Council’s Standing Orders
- 1.5 Section 47 of the 2021 Act also provides that any reference in the Local Government Act 1972 and the Local Government Act 2000
- (a) to the attendance, presence or appearance of a person at a Council meeting includes, in relation to a multi-location meeting, attendance, presence or appearance by remote means; and
  - (b) the place at which a multi-location meeting is held is not to be read as limited to a single physical location.
- 1.6 Part 1 of schedule 4 to the 2021 Act also makes consequential amendments to Part 5A and Schedule 12A of the Local Government Act 1972, in relation to the publications of notices, agendas, reports, documents and minutes of multi-location meetings. The Council is required to:-
- (a) publish notice of the meetings electronically at least 3 clear days before the meeting;
  - (b) publish details of how to access the meeting remotely and the place in which the meeting is held if it is partly or wholly taking place physically;

- (c) where a multi-location meeting is not open to the public, give public notice of the time and place of the meeting, the fact that it is being held partly by remote means, and that it is not open to the public.
- (d) publish the agenda and reports for multi-location meetings electronically at least 3 clear days before the date of the meeting;
- (e) where the multi-location meeting is partly or wholly taking place physically, make available for the use of members of the public attending the meeting a reasonable number of hard copies of the agenda and of the reports for the meeting;
- (f) provide hard copies of agendas and reports, upon request and on payment of reasonable costs, for any newspapers
- (g) publish electronically within 7 days of the multi-location meeting a written record of the business carried out at the meetings, including a record of the names of who attended the meeting, apologies, declarations of interest, voting and decisions taken (excluding exempt information).
- (h) make copies of all agendas, reports, background documents and minutes of meetings accessible electronically to members of the public for a period of 6 years following the date of the meeting (or provide facilities for inspection or copying of the published documents, on payment of a reasonable charge, if it is not reasonable practicable to publish or access them electronically).

1.7 Section 46 of the 2021 Act requires the Council to make and publish arrangements for the purpose of ensuring that:-

- (a) a broadcast of proceedings at formal Council, Cabinet, committee and sub-committee meetings is available electronically so that members of the public not in attendance at the meeting can see and hear the proceedings;
- (b) the proceedings are broadcast as they take place, subject to any specified exceptions;
- (c) the broadcast is available electronically for a specified period after the meeting.

1.8 If the Council revises or replaces its arrangements for broadcasting meetings, it must publish the revised or new arrangements. In making arrangements for broadcasting, the Council must have regard to any guidance issued by the Welsh Ministers, who are also empowered to make Regulations regarding the broadcasting of meetings. The validity of any decision taken at these meetings is not affected by the availability or otherwise of a broadcast (whether as the proceedings take place or afterwards).

## 2. Purpose of these Arrangements

2.1 The meeting arrangements in **Section 3** (“the **Arrangements**”) set out how the Council intends to discharge its statutory duties under sections 46 and 47 of the 2021 Act in relation to the broadcasting of meetings, and the convening of meetings involving participants in multiple locations. These rules and procedures constitute the mandatory, core requirements for compliance with the legislative framework. As such, they will form part of the Council’s published Constitution and will need to be read in conjunction with the Council’s Standing Orders relating to the conduct of meetings.

2.2 Any provisions in Council Standing Orders or any other parts of the Constitution shall be read subject to these Arrangements and shall take effect as if varied or dis-applied by these Arrangements. In the event of any conflict or inconsistency between anything in these

Arrangements and any rules of procedure in the Constitution, then the provisions of these Arrangements shall take precedence insofar as they relate to multi-location meetings.

- 2.3 However, except as may be varied or dis-applied by the terms of these Arrangements, then all other relevant provisions of Council Standing Orders, and other rules of procedure set out in the Constitution shall continue to apply to all multi-location meetings.
- 2.4 **Section 4** sets out the Council's wider multi-location meetings policy, which reflects the general legislative principles in section 3, while setting out more detailed practices and procedures to ensure that multi-location meetings work efficiently, effectively and accountably. This non-statutory policy will be subject to periodic oversight and review by Democratic Services Committee and should also be considered in conjunction with the Council's wider Public Participation and Engagement Strategy.

### 3. Multi-location meeting Arrangements

#### 3.1 Location

Any reference in Standing Orders to the “location” of the meeting shall, where the meeting is partly or wholly taking place physically, mean the Council Chamber (or such alternative meeting room with the necessary equipment or facility for remote attendance and electronic broadcasting). The “place” at which the meeting is being held will be the Council Chamber or the designated meeting room and it shall be open to any elected member or member of the public to physically attend the meeting in person. However, elected members shall be entitled to attend remotely from multiple locations, and are not required to be physically present in the meeting place, provided that they are capable of being seen and heard at all times by other Councillors, participants and members of the public attending in person or viewing the broadcast meeting.

In the event that no suitable meeting room is available, with the necessary equipment or facility for remote attendance and electronic broadcasting then, by agreement with the Chair of the meeting, the multi-location meeting can take place wholly by remote means. All references to the “place” of the meeting shall mean the electronic, digital or virtual locations of each of the members who join the meeting remotely.

#### 3.2 Notice and summons to multi-location meetings

At least 3 clear working days before a multi-location meeting (or if the meeting is convened at shorter notice, then at the time it is convened), the designated Proper Officer or his or her representative will publish a **notice** electronically on the Council’s website specifying

- (a) the date, time and place of the meeting;
- (b) the business to be transacted at the meeting;
- (c) where an Extraordinary Meeting is called by members of the Council, the notice shall set out the names of those members
- (d) details of how the public can access the electronic broadcast of the meeting;
- (e) details of those parts of the meeting that will not be open to the public, both in person and remotely;

3.3 At least 3 clear working days before a multi-location meeting (or if the meeting is convened at shorter notice, then at the time it is convened), the designated Proper Officer or his or her representative shall send an authenticated **summons** by electronic mail to every Member of the Council, Cabinet, Committee or sub-committee at their official council e-mail address, giving the date, time and place of each meeting, details of the business to be transacted at the meeting and the link to join the meeting remotely.

If a Member gives notice in writing to the Proper Officer that he/she desires summonses to attend meetings of the Council to be sent to him/her at an address specified in the notice rather than electronically, such summonses must be sent to that member by being left at, or sent by post to, that address.

Want of service of a summons on any Member shall not affect the validity of any meeting.

Except in the case of business required by or under any legislation to be transacted at the annual meeting of the Council and other business brought before that meeting as a matter of urgency in accordance with the Council’s Standing Orders, no business shall be transacted at any meeting than that specified in the summons.

3.4 For the purpose of these Arrangements:-

- (a) Clear days do not include the date of issue, the date of the meeting, Saturdays, Sundays, bank holidays or additional days following a bank holiday;
- (b) references to joining and attending a meeting remotely means joining or attending electronically from multiple locations by means of any equipment or other facility which enables Members who are not in the same place to speak to and be heard by each other and to see and be seen by each other.

### 3.5 **Access to agendas, reports and information.**

At least 3 clear working days before a multi-location meeting (or if the meeting is convened at shorter notice, then at the time it is convened), the designated Proper Officer or his or her representative shall publish electronic copies of the agenda and reports on the Council's website.

If an item is added to an agenda, copies of which have been published, copies of the item or revised agenda and copies of any report for the meeting relating to the item will be published electronically on the Council website at the time the item is added to the agenda.

An item of business may not be considered at any meeting unless either—

- (a) a copy of the agenda including the item (or a copy of the item) is published electronically at least 3 clear days before the meeting, or, if the meeting is convened at shorter notice, at the time it is convened, or
- (b) by reason of special circumstances, which must be specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

### 3.6 Where the multi-location meeting is partly or wholly taking place physically, the designated Proper Officer or his or her representative shall:-

- (a) make available for the use of members of the public attending the meeting a reasonable number of hard copies of the agenda and of the reports for the meeting; and
- (b) provide hard copies of agendas and reports, upon request and on payment of reasonable costs, for any newspapers.

### 3.7 If Proper Officer thinks fit, there may be excluded from the copies of reports published electronically under paragraph 3.5 and made available under paragraph 3.6 the whole of a report which, or any part of which, relates only to items during which, in the Proper Officer's opinion, the meeting is likely not to be open to the public. Where the whole or part of a report is excluded it shall be marked "Not for publication", and there must be stated on every copy of the report or part a description, in terms of Schedule 12A of the Local Government Act 1972, of the exempt information by virtue of which the public are likely to be excluded from the meeting during the item to which the report relates.

### 3.8 **Attendance**

The attendance, presence or appearance of any Member or other person at a Council meeting includes, in relation to a multi-location meeting, attendance, presence or appearance by remote means.

Remote participation by any Member in any multi-location meeting will count as an official "attendance" for the purposes of the 6 months' rule under Section 85 of the Local Government Act 1972.

Where a Member has a right to attend any meeting in accordance with any statutory or common law right or under the terms of the Council's Constitution, then that right is to be interpreted as a right to attend by remote access.

A written record of the names of who attended the multi-location meeting, either remotely or in person, and all apologies for absence will be published electronically within 7 days of the date of the meeting. To assist in this process, Members attending in person will be asked to sign an attendance sheet, but there is no legal requirement to do so. Members joining remotely will be automatically recorded on the system.

Apologies for absence should be sent to the Proper Officer or his or her representative in advance of the multi-location meeting. The Chair will announce the names of the members who have sent their apologies at the start of the meeting. Any additional apologies should be reported either verbally at the meeting or submitted remotely in writing by electronic means.

### **3.9 Quorum**

The number of Councillors required to be present for a quorum at any remote meeting shall be as set out in the Constitution. For the purposes of determining whether a quorum of Councillors is present at any multi-location meeting, the Chair shall include all those members in remote attendance at any one time.

If at any time during the multi-location meeting, there is no longer a quorum of participating Members, both in person and in remote attendance, the Chair shall immediately adjourn the meeting. The remaining business shall be considered at a future meeting to be convened on a date and time to be agreed by the Proper Officer in consultation with the Chair.

### **3.10 Speaking**

The order of speaking and the time limits for speeches and questions shall be as set out in the Council's Standing Orders.

No person shall speak until invited to do so by the Chair and shall cease to speak when instructed to do so by the Chair.

If two or more Members indicate that they wish to speak the Chair will ask one to speak and the other(s) will remain silent. While a Member is speaking, other Members will remain silent unless raising a point of order or of personal explanation

When a Member is speaking, no other Member shall interrupt or seek to speak over that Member. If a Member interrupts or speaks over another Member then the Chair will warn that Member about their conduct. If the Member concerned persists in interrupting the speaker then the Chair may move that the Member shall not be heard further. If the Member continues to interrupt after such a motion is carried, the Chair may move that either the Member leaves the meeting (in person or remotely), or that the meeting is adjourned.

3.11 When the Chair opens up a matter for debate or question, Members should indicate their wish to speak by raising their hands, if they are present in person, or by using the chat facility if they are joining the meeting remotely. At the beginning of each agenda item, the Governance Officer will activate the "Raise Hand" application within the chat facility. Members joining remotely should click on the raised hand icon in the chat box and their name will appear in the list of speakers. The Chair will invite Members to speak in the strict order that they have indicated, either in person or remotely.

3.12 If a Member who is attending the meeting remotely wishes to raise an urgent point of order, personal explanation or closure motion, then a message should be written in the chat facility, to request that the Chair allow the Member to speak out of turn.



### 3.13. **Written motions**

Where the Chair of the meeting requires a motion or amendment to be written out before allowing the matter to be discussed, Members joining the meeting remotely should post their written motion or amendment in the chat box and the Chair will read out the motion or amendment before opening the discussion. If required, the electronic motion or amendment will be written down and hard copies provided for those Members attending in person. Members attending in person should write out their motion or amendment, which will be copied and circulated to the other Members present in person and posted electronically in the chat facility for the benefit of those Members attending remotely. The meeting may be adjourned to allow this to be done.

### 3.14. **Voting**

Any matter will be decided by a simple majority of votes cast by those Members present in the meeting, wither in person or remotely, at the time when the question was put. Where Committees are acting in some form of quasi- judicial capacity and rules of natural justice apply, then members cannot vote or participate in any decision if they have not been present in the meeting, in person or remotely, throughout that item. In the case of an equality of votes, then the Chair will have a second and casting vote.

3.15 Unless a recorded vote is demanded under Council Standing Orders, the Chair will take the vote by a show of hands by those Members present in person. Members attending remotely should cast their votes electronically using the voting application in the chat box. The Chair will declare whether the motion has been carried or lost once there is a clear majority. This process will be repeated for every agenda item that requires a vote.

3.16 If any Member attending remotely is unable to cast their vote using the electronic voting application, they can submit their vote in writing by adding it to the chat facility and it will be counted with the other votes already cast.

3.17 If a recorded vote is requested, the Chair will ask each Member in alphabetical order to state whether they wish to vote for or against the motion or whether they wish to abstain. The votes will then be counted and recorded. At the conclusion of the voting, the Chair will declare the numbers of votes cast and whether the motion has been carried or lost.

### 3.18 **Declaration of Interests**

If a Member has any pecuniary or personal interest in any matter under discussion at the multi-location meeting then that interest should be declared as soon as possible by notifying the Chair either through raising their hands, if present in person, or electronically through the chat facility if they are attending remotely. The Chair will then invite the Member to speak and declare the nature of the interest, which will be recorded in the written minutes.

3.19 Where the personal interest is a pecuniary or prejudicial interest and the Member is required to leave the multi-location meeting during the discussion of the item, the Member shall leave the meeting room or immediately disconnect their electronic remote access. The Member should not re-join the meeting, in person or remotely, until notified by the Proper Officer or his or her representative that the item has been concluded.

3.20 Wherever possible, Members should notify the Proper Officer or his or her representative at least 2 working days in advance of the multi-location meeting whether they have any personal or pecuniary interest to declare. The Proper Officer or his or her representative provide a copy of the declaration of interest form to Members for completion and return. For members declaring an interest remotely, the form will be sent by e-mail for completion and return after the meeting. This will be added to the electronic register of members' interests.

### 3.21 **Interpretation of these Arrangements and Standing Orders**

Where the Chair is required to interpret Standing Orders and the provisions of these Arrangements for multi-location meetings, for remote participation, they shall take advice from the Monitoring Officer prior to making a ruling. However, the Chair's decision shall be final.

### 3.22 **Disorderly Conduct by Members**

In accordance with Standing Orders, if any Member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs the business of the multi-location meeting, the Chair may move that the Member shall not be heard further. If the Member continues to behave improperly after such a motion is carried, the Chair may move that either the Member leaves the meeting, either in person or remotely, or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

### 3.23 **Technical issues.**

In the event that the Chair or the Proper Officer identifies a failure of the electronic remote participation facility, the Chair should declare an adjournment while the fault is addressed. If it is not possible to address the fault and the meeting becomes inquorate because of this fault, the meeting will be adjourned until such time as it can be reconvened on a date and time to be agreed by the Proper Officer in consultation with the Chair. If the meeting is quorate, because of the numbers of Members present in person, then it will continue.

### 3.24 **Access to information**

The Proper Officer or his or her representative shall as soon as reasonably practicable after a multi-location meeting publish electronically on the Council's website copies of:-

- (a) the draft minutes of the meeting, excluding so much of the minutes of proceedings during which the meeting was not open to the public due to the disclosure of exempt information;
- (b) a copy of the agenda for the meeting, and
- (c) a copy of so much of any report for the meeting as relates to any item during which the meeting was open to the public.

3.25 If the draft minutes are not available for publication before the end of 7 working days beginning with the date on which the meeting was held, the Proper Officer or his or her representative shall publish electronically on the council website a not setting out:-

- (a) the names of the members who attended the meeting, and any apologies for absence;
- (b) any declarations of interest;
- (c) any decision taken at the meeting, including the outcomes of any votes, but excluding anything relating to a decision taken when the meeting was not open to the public as discloses exempt information."

3.26 The Proper Officer or his or her representative shall make copies of all agendas, reports, background documents and minutes of multi-location meetings accessible electronically to members of the public for a period of 6 years following the date of the meeting (or provide

facilities for inspection or copying of the published documents, on payment of a reasonable charge, if it is not reasonable practicable to publish or access them electronically).

### 3.37 **Broadcasting**

All multi-location meetings of formal Council, Cabinet, committee and sub-committee meetings will be broadcast live, as they take place, via the Council's website, so that members of the public not in attendance at the meeting can see and hear the proceedings.

If a motion is passed to exclude the press and public from a multi-location meeting while confidential or exempt information is being discussed (as defined in Schedule 12A of the Local Government Act 1972) under Part 2 of the agenda, then the right of the press and public to see and hear the meeting shall cease and the Proper officer or his or her representative will immediately disconnect the livestream broadcast and their remote access. The remote access rights of any external participants in the multi-location meeting will also be removed.

- 3.38 The recording of the live broadcast will be uploaded onto the Council website within 7 working days from the date of the meeting and will be available for viewing for a period of up to 6 months. Copies of the recording can be downloaded and made available upon request for a period of up to 6 years following the date of the meeting, in accordance with paragraph 3.26

#### 4. **Multi-location meetings policy**

4.1 This multi-location meetings policy sets out more detailed practices and procedures to ensure that multi-location meetings work efficiently, effectively and accountably. This is a non-statutory policy, which will be subject to periodic oversight and review by Democratic Services Committee and should also be considered in conjunction with the Council's wider Public Participation and Engagement Strategy.

#### 4.2 **Background**

Section 4 of the Local Government (Wales) Measure 2011 enabled local authorities in Wales to introduce voluntary arrangements for remote meetings. The Local Government (Coronavirus) (Wales) Regulations 2020 ("the Regulations") were then introduced on 22<sup>nd</sup> April 2020 and they enabled Welsh local authorities to hold remote meetings to overcome Covid 19 social distancing restrictions during the pandemic lock-down. All Council meetings have been held remotely since June 2020 using Microsoft Teams and Microsoft Live Event applications, to enable live broadcasts of remote meetings. The Regulations continued in force until 1<sup>st</sup> May 2021, when they were superseded and replaced by the provisions of sections 46 and 47 of the Local Government and Elections (Wales) Act 2021 ("the 2021 Act"). The 2021 Act imposed a statutory duty on all Welsh local authorities to make and publish arrangements for "hybrid" or multi-location meetings and for the broadcasting of these meetings. Since May 2021, the Council has continued to operate fully remote meetings under the 2021 Act, to comply with Covid restrictions and social distancing requirements. However, the removal of all Covid restrictions means that the Council can now introduce arrangements for hybrid or multi-location meetings where participants have a choice about joining remotely or attending in person.

4.3 As part of the Council's Strategic Covid-Recovery Aims, a New Working Model has been agreed for both elected members and Council staff, based on flexible working arrangements. An integral part of this New Working Model is the use of technology and the freedom to participate remotely in Council meetings. The Council recognises the benefits of multi-location meetings in terms of:

- (a) Improved transparency and democratic decision-making,
- (b) Improved diversity and equality – empowering a wider range of people to take an active role in local democracy and removing barriers to people serving as elected members,
- (c) Improved accessibility, public participation and engagement,
- (d) Improved productivity and efficiency, with greater use of technology and reducing the time and cost of unnecessary travel.
- (e) Improved resilience and sustainability - reducing the carbon footprint of physical meetings and mitigating the risks of people being prevented from attending in-person meetings.
- (f) Improving the arrangements for use of the Welsh language and simultaneous translation.

4.4 The critical principle that underpins this multi-location meeting policy is that all participants are treated equally, whether they are attending in person or remotely. The arrangements for multi-location meetings should ensure that anyone joining remotely should have equal status and should not be disadvantaged by comparison with those attending in person. Remote attendance should not be regarded as second best.

4.5 Therefore, the technology and the protocols for the conduct of multi-location meetings will provide the freedom and flexibility for all Councillors (and any other participants) to either attend in person or remotely. The Council Chamber (or another meeting room with the necessary equipment or facility for remote attendance and electronic broadcasting) will be designated as the physical location for the meeting and any elected member, participant or member of the public will be entitled to attend in person. Elected members (and other participants) will also be able to attend remotely from multiple locations using MS Teams and the screens in the meeting room will ensure that they are capable of being seen and heard at all times by other Councillors,

participants and members of the public attending in person. Members of the public will also be able to view proceedings remotely via the live-stream broadcast of the meeting on the Public-i system, which can be accessed through the agenda hyper-link on Council's web-site. The meeting arrangements will enable one or all of the participants to join remotely or in-person, or any combination of numbers. If all members elected to join remotely, facilities will still be provided in the meeting room for members of the public or other participants to attend in person and view the broadcast proceedings on the screens from the public gallery or seating areas.

- 4.6 In the event that no suitable meeting room is available, with the necessary equipment or facility for remote attendance and electronic broadcasting then, by agreement with the Chair of the meeting, the multi-location meeting can take place wholly by remote means.

#### 4.7 **Council meetings**

All formal meetings will be conducted as multi-location meetings. Elected members and other participants will be able to join the following meetings remotely, which will also be broadcast live:-

- (a) Council;
- (b) Cabinet;
- (c) Any Committee or sub-committee of Council or Cabinet;
- (d) Any joint committee where the Council is the host or lead authority;
- (e) Panel hearings held by the Council's Licensing Committee established under section 6 of the Licensing Act 2003 or a sub-committee established by the Licensing Committee.

There may be exceptional occasions where physical attendance may not be possible if there is no suitable meeting room available with the necessary equipment, in which case the multi-location meeting will take place wholly by remote means. However, it will not be permissible for any meeting to be held entirely in person.

- 4.8 Where a meeting room is available with the necessary equipment or facility for remote attendance and electronic broadcasting (usually the Council Chamber), then provision will be made for disability access and any other visual or hearing aids to ensure that those attending in person are able to participate on the same footing as those attending remotely. A public gallery or seating area will be set aside for the public and the press. The display screens and audio equipment in the meeting room will enable those in attendance see and hear those joining remotely, and be seen and heard by them at all times.

#### 4.9 **Multi-location meeting platforms**

Microsoft Teams is the supported and secure application used by the Council for joining multi-location meetings remotely. It has functionality for audio, video, and screen sharing and you do not need to be a member of an organisation (or have a Teams account) to join a Teams meeting. For smaller closed meetings, the MS Teams meeting application can be used. However, for larger numbers of participants and live broadcasting of public meetings, the MS Live Event facility will be utilised.

- 4.10 The multi-location meetings will be broadcast live using the live-streaming facility of the Public-i system in the Council Chamber, which integrates with MS Teams and also with the democratic services governance software, to provide greater functionality. The display screens in the meeting room will enable all those attending in person to see and hear those participants who have joined remotely via MS Teams. The cameras and projectors in the meeting room will focus on the individual member or participant who is speaking and their name will be displayed on the screen to identify them for the purposes of the live broadcast. When a member or participant is

speaking remotely, then his or her name and image will also be displayed on the screen for the purposes of the live broadcast.

#### 4.11 **Notices, agendas, reports and exempt matters**

Democratic Services will publish the agenda and reports for multi-location meetings on the Council's website at least 3 clear working days before the date of the meeting and will notify Councillors by e-mail of the date and time of the meeting, together with a link to the electronic agenda and reports. Paper copies of agendas will not be made available to members. The 2021 Act provides for electronic publication of agendas, reports and minutes and does not require printed copies of documents to be made available to members. Hard copies of agendas will be provided, on request, for any members of the public or press attending meetings in person. However, the Chair can be provided with hard copies of meeting papers, if required, to assist with the management of proceedings.

- 4.12 The Governance Team in Democratic Services will be responsible for organising the multi-location meetings. They will send a meeting request via Microsoft Teams/Live Events to all members and other participants, which will also appear in Outlook calendars. This enables them to be the 'organiser/producer' of the multi-location meetings and gives them more functionality in terms of controlling the proceedings and the live broadcast from the meeting room, in order to support the Chair. Elected members should, wherever possible, advise the Governance Team in advance of the meeting about whether they intend to join the multi-location remotely or attend in person, to give an indication about attendance numbers and to assist with the organisation of the meeting.
- 4.13 It is recommended that Members **use their Council laptops** for participating remotely in multi-location meetings and any tablets or smart phones are used to open the agenda and documents. This will assist with any technical support that may be required. Those members attending the meeting in person should use their laptops or tablets to access the agenda and documents but should not open their MS Team application, to maintain bandwidth and the audio and visual quality of the broadcast. Members attending in person are advised to fully charge their laptops and devices before the meeting because of the limited numbers of charging points in the Chamber.
- 4.14 Notices of meetings will comply with the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001 as amended by the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2021, for multi-location Cabinet meetings. For all other Council meetings, notices will comply with Part 5A and schedule 12 of the Local Government Act 1972 (as amended by the 2021 Act).
- 4.15 Public notice of all multi-location meetings will be published electronically on the Council website at least three clear days before the meeting (or at the time it is convened, if it is convened at shorter notice). The notice will include details of how to access the meeting and the place, date and time of the meeting, if it is partly taking place physically. Where a formal meeting is taking place which is not open to the public, the notice will include the date and time of the meeting and the fact that it is not open to the public.
- 4.16 The agenda and reports for multi-location meetings (including late reports) will be published on the Council website of the authority. Paper agendas will be made available to members of the public attending meetings in person. Background papers relating to written reports considered at multi-location meetings must now be proactively published on the Council website, not merely be available for public inspection upon request (although, exceptionally, if it is impractical to do this, they must be open for public inspection). This will require the automatic placement in the public domain of all background documents listed in written reports. Wherever possible, electronic copies of all background documents that have been used in the preparation of the report should be attached to or embedded within the published reports. Reports writers will, therefore, need to carefully consider how background papers are identified, produced and prepared for publication.

- 4.17. A written record of the names of the elected members who attended the meeting will be recorded in the minutes, alongside apologies, declarations of interest and decisions made. The draft minutes will be published electronically on the Council website as soon as possible after the date of the meeting. Where the full minutes are not available within 7 working days of the meeting, then a written record of the meeting will be published, with the details of attendances, declarations and decisions made. There is no longer any legal requirement for members' signatures to be recorded but members attending a meeting in person will be asked to sign an attendance sheet, to assist with the preparation of the minutes.
- 4.18 If the press and public are excluded from a multi-location meeting while confidential or exempt information is being discussed (as defined in Schedule 12A of the Local Government Act 1972) under Part 2 of the agenda, then the right of the press and public to see and hear the meeting shall cease. Any members of the press or public attending in person will be required to leave the meeting room and the Democratic Services officer will immediately disconnect the livestream broadcast and the remove the remote access rights of any external participants. Members (and any officers) who remain as remote participants in the Part 2 meeting should ensure that no other person is able to see or hear the confidential discussion from their laptop/device. Any such disclosure of confidential information would be a breach of the Officer or Members Code of Conduct. The business to be conducted at meetings will be organised to ensure that all exempt and confidential reports and discussions are listed at the end of the agenda under Part 2 and that confidential reports containing exempt information are clearly identified and are not publicly accessible.
- 4.19 Copies of all agendas, reports, background documents and minutes of multi-location meetings will remain accessible electronically to members of the public for a period of 6 years following the date of the meeting. The documents will be uploaded and can be accessed electronically via the Council website. Where it is not reasonably practicable to publish or access them electronically, Democratic services will make arrangements for public inspection or copying of the published documents, on payment of a reasonable charge.
- 4.20 The recording of the live broadcast will be uploaded onto the Council website within 7 working days from the date of the meeting and will be available for viewing for a period of up to 6 months. Copies of the recording can be downloaded and made available upon request for a period of up to 6 years following the date of the meeting.
- 4.21 **Meeting attendance**
- If any elected member joins any multi-location meeting, either in person or remotely, for any part of the meeting, then this will count as an official "attendance" for the purposes of the 6 months' rule under Section 85 of the Local Government Act 1972. For a member to be in attendance remotely he or she must be capable of participating in the meeting or part of the meeting and must be capable of being seen and heard by the other members.
- 4.22 Remote participation in any multi-location meeting will be automatically recorded in the participants list in MS Teams. Members attending in person will be asked to sign an attendance sheet for record purposes, although there is no legal requirement to do so. All attendances will be formally recorded in the published minutes.
- 4.23 Any apologies for absence should be sent to the Governance Team in advice of the multi-location meeting. The Chair will be provided with the list of apologies received and will announce the names of the members who have sent their apologies at the start of the meeting. Any additional apologies should be reported either verbally at the meeting or recorded in the chat box where a member is attending remotely.
- 4.24 If a member has any pecuniary or personal interest in any matter under discussion at the multi-location meeting then that interest should be declared at the appropriate time by notifying the

Chair in person or remotely in the chat facility. The Chair will then invite the member to speak and declare the nature of the interest, which will be recorded in the written minutes.

- 4.25 Where the personal interest is a pecuniary or prejudicial interest and the member is required to leave the multi-location meeting during the discussion of the item, the member will need to leave the meeting room or disconnect their remote access by clicking the Leave button or clicking the red square with the white telephone in the toolbar. The Democratic Services officer will notify the member that the item has been concluded and that he or she may re-join the meeting. Where the member has disconnected their remote access, they will be contacted by e-mail, text or telephone to confirm that they can reconnect and re-join the meeting remotely. The Chair should check that any member has left and re-joined the meeting remotely at the appropriate time by clicking on the 'show participants' button in the toolbar next to the chat icon.
- 4.26 Wherever possible, members should notify Democratic Services at least 2 working days in advance of the remote meeting whether they have any personal or pecuniary interests to declare. The Democratic Services officers provide copies of declarations of interest forms for members declaring an interest in person at the meeting and will e-mail forms to members attending remotely, for completion and return following the meeting. The completed and signed declarations of interest forms will be added to the electronic public register of members' interests.
- 4.27 In the event of any failure of the technology for remote attendance, so that all remote participants are unable to continue to participate fully in the meeting, the Chair should declare an adjournment while the technical fault is addressed. If it is not possible to address the fault and the meeting becomes inquorate because of this fault, the meeting will be abandoned and reconvened at a later date. However, if the meeting remains quorate because of the numbers of members attending in person, then it will continue, unless the Chair considers that this would be undemocratic because of the nature of the business being discussed and the numbers of members who have been prevented from attending and voting remotely. If an individual member who has joined the meeting remotely loses internet connection or otherwise has technical difficulties, then the meeting will continue while those issues are being resolved.
- 4.28 There is no facility for pausing and restarting the live stream. Therefore, during any adjournment, remote participants should switch off their microphones and cameras. The Chair will confirm the time for recommencing the meeting and all remote participants will need to re-join the meeting at the restart time.

#### 4.29 **Participation in multi-location meetings**

Councillors who intend to participate remotely are encouraged to join the meeting promptly (i.e. at least 10 minutes before the scheduled start time) in order to avoid disrupting the meeting. Attendees should use the link within the calendar invite for the meeting which will say '**Join Microsoft Teams Meeting**', which will open the Microsoft Teams application on the laptop automatically. Any member having technical issues opening the link or joining the meeting should e-mail or call the meeting organiser/presenter.

- 4.30 Prior to participating remotely in any Council meetings, all members and officers should activate the corporate background to avoid unnecessary distractions or inappropriate images being shown on the screen. The Governance Team will send the corporate image to all participants, with instructions as to how the picture can be saved and opened as the background image within MS Teams.
- 4.31 Members who are joining remotely should ensure that they **click on the chat icon** in the tool bar as they will need this to indicate to the Chair that they wish to speak or cast their vote in relation to any item on the agenda. If this is not activated then they will not be able to fully participate in the meeting. The chat facility will appear on the right hand side of the screen and will be visible to all the other participants in the meeting, including those members attending in person and viewing the screens in the meeting room.



- 4.32 Remote participants should also ensure that, where confidential matters are being discussed remotely, no other person can hear the audio broadcast. The relevant provisions of the Officer and member Codes of Conduct regarding the disclosure of confidential information will apply at all times to remote participation in meetings. Where other people may be present in the room, then the use of headphones or earphones may be appropriate.
- 4.33 Members and other participants are requested to notify Democratic Services before the meeting whether they intend attending in person or remotely, to enable the Governance Officer to check that all required participants are present at the start of the meeting. However, with live broadcasts, meetings will need to commence at the designated time and will not be delayed until everyone has joined, either in person or remotely. Members will be able to join the meeting later, and this will count for attendance purposes, but where Committees are acting in some form of quasi-judicial capacity and rules of natural justice apply, then members cannot participate in any debate or decision if they have not been present throughout that item.
- 4.34 The Democratic Services team will also have details of any members of the public or external participants who have been invited to participate. If they are joining remotely, they will be sent an invitation to join the meeting with the appropriate appointment, link or dialling code. If they are attending in person, then they will be notified of the place and time of the meeting.
- 4.35 The meetings will be live-streamed using the Public-i system and the press and public will be able to access the meeting remotely by clicking on the link published on the Council's website. They will be able to see and hear the live debate but they will not be able to participate.
- 4.36 The Chair will ask all members and officers joining remotely to **turn off and mute all unnecessary microphones**, unless they are speaking. This prevents background noise, which is intrusive and disruptive during the meeting, and also saves bandwidth and connectivity. The Governance Officer will also monitor this and will be able to mute microphones when they are not in use. Remote participants are reminded to **turn their microphones back on when they are invited to speak**. The Governance Officer cannot un-mute microphones.
- 4.37 The Chair will also ask all remote participants to **turn off all unnecessary cameras**. This helps to maintain bandwidth and call quality and avoids anyone being filmed/recorded without realising. If the Chair is attending remotely then he/she should keep their camera on at all times. There is no facility for the Governance Officer to turn off other participants' cameras (unlike muting microphones), although they are able to change the live display. The Chair will also remind members and participants attending remotely to **activate the chat box** for the purposes of speaking and voting.
- 4.38 The Democratic Services team will act as meeting organisers/presenters and will support the Chair in managing the remote attendance. They will be responsible for managing the live-stream broadcast and will operate the cameras to display the speakers on the screen. They will ensure that the chat box facility is activated for remote participants to indicate their wish to speak and will operate the electronic poll for remote voting. At the direction of the Chair, the Governance Team may pause or adjourn the meeting by taking down the live stream or live-feed from public viewing and may mute any speaker at any time. The Governance Team shall also allocate different levels of access to people logging in remotely (based on whether they are the Chair, a Councillor, officer or participant).
- 4.39 The order of speaking and the time limits for speeches and questions are set out in the Council's Standing Orders and the Arrangements for Multi-location meetings. When the Chair opens up a matter for debate or question, members should indicate their wish to speak by raising their hand if they are present in person or by using the chat facility if they are attending remotely. At the beginning of each agenda item, the Governance Officer will activate the "Raise Hand" application within the chat facility for the benefit of those members attending remotely. Members should click on the raised hand icon in the chat box and their name will appear in the list of speakers. The Chair will invite Members to speak in the strict order that they have indicated, in person or via the chat box.

- 4.40 If a Member attending remotely wishes to raise an urgent point of order, personal explanation or closure motion, then a message should be written in the chat facility, to request that the Chair allow the Member to speak out of turn.
- 4.41 The messaging function in the chat window should only be used for communicating and interacting with the Chair. Members attending remotely should not use the chat box to communicate with each another as this function needs to be kept clear to allow the Chair to manage the meeting effectively. Any messages posted in the chat window will be available for all participants to read.
- 4.42 All remote participants in the multi-location meeting should comply with the following etiquette at all times:-
- (a) Join the meeting promptly to avoid any unnecessary interruptions
  - (b) Mute your microphone when you are not talking.
  - (c) Switch off your camera if you are not speaking.
  - (d) Indicate a wish to speak by using the chat function
  - (e) Only speak when invited to do so by the Chair
  - (f) Speak clearly
  - (g) If referring to a specific page or slide, mention the page or slide number
  - (h) Switch off your video and microphone after you have spoken.

4.43 **External participants**

All Members and Council staff have Microsoft Teams installed on their laptop/device linked to their email account and therefore they can join a remote meeting using this application. External participants can also use the Teams application, by downloading it to their laptop, smartphone or tablet. They can be sent the meeting request via email and if a participant is included in this way, they can use all the functions of Teams (video / chat) to participate remotely in the meeting. This can be used for external presenters at Committee meetings or where public speaking is allowed (for example, Planning Committee). Alternatively, the Democratic Services Officer can add an external participant in part of a meeting as a voice call at the appropriate time. There is also provision for a conference call number and ID to be given to external participants, to enable them to join the meeting remotely. Again, this will be arranged by the Governance Team as part of the meeting organisation/production.

- 4.44 External remote participants will require access to appropriate equipment. A desktop PC or laptop with access to a stable broadband connection will be the best way to engage. Participants will need a camera (if they do not have a laptop with an integrated camera) and ideally should use headphones to avoid background noise.
- 4.45 Democratic Services will assist remote participants in resolving any basic technical problems before or during a multi-location meeting, ensuring that they know how to mute and unmute themselves, to activate and disable video, to check their internet connection etc. IT staff will be on call staff to deal with more complex technical issues. Participants will be advised about using the “raised” hand facility as well as etiquette around muting and unmuting when speaking. If the “raise hand” feature is not usable for those joining on mobile or on a tablet, then remote participants may have to indicate to the Chair on screen or through the audio link that they wish to speak.

- 4.46 External participants will be required to check the environment around them before joining a meeting remotely to ensure that lighting and background is suitable, to avoid visual distractions and the inadvertent display of personal information. Mobile telephones and onscreen notifications should also be set to silent to avoid any unnecessary disturbance.
- 4.47 The Protocols and Procedures for Planning Committee and Licensing panel hearings should also be read as if varied or dis-applied by the provisions of this the Arrangements and Policy for multi-local meetings and in the case of any conflict or inconsistency then terms of the Arrangements and Policy shall take precedence insofar as they relate to remote attendance at meetings and hearings.
- 4.48 Where external participants have the right to speak at meetings, they have the right to attend the meeting in person or remotely. It may be advisable for external participants to attend in person, if they do not have access to, or are unfamiliar with, the necessary technology for remote participation. Where external participants wish to join the meeting remotely but they do not have access to the necessary technology, then the Democratic Services team will arrange for the participant to attend the Council offices and use a Council laptop. External participants may also be required to attend the meeting in person if this is considered necessary for the efficient conduct of the meeting, to ensure that they speak and leave the meeting at the appropriate time. A pre-recorded speech may also be used, where appropriate.

#### 4.50 **Voting**

Any matter will be decided by a simple majority of votes cast by those Members present in the meeting, wither in person or remotely, at the time when the question was put. In the case of an equality of votes, then the Chair will have a second and casting vote. Unless a recorded vote is demanded under Council Standing Orders, the Chair will take the vote by a show of hands by those Members present in person. Members attending remotely should cast their votes electronically using the voting application in the chat box.

- 4.51 When a motion has been put to the vote, the Democratic Services officer will enable the Polling application in the chat box. Members voting remotely must ensure that they have the chat functionality enabled and open on the right hand side of the screen in order to cast their votes. A voting survey will appear in the chat box on the right hand side of the screen and with options to indicate whether a member wished to vote For, Against or Abstain. Members should click on the circle alongside the option that they wish to vote for, followed by the "Submit Vote" box underneath it.
- 4.52 If a Member makes a mistake when voting remotely, they can click the correct option and submit the vote again and it will override the original vote option submitted. The Chair will allow sufficient time for members to cast their votes correctly. The Poll will update in real time. The votes will be automatically counted as they are submitted and are visible to all participants in the meeting. Electronic votes are recorded on the system but individual votes are not identified on the screen and the chat room Poll is not available on the live stream for public viewing. If the Polling function fails or any Member is unable to cast their vote remotely, they can submit their vote in writing by adding it to the chat facility and it will be counted with the other votes already cast.
- 4.53 The Chair will declare whether the motion has been carried or lost once there is a clear majority of votes cast in person and remotely. This process will be repeated for every agenda item that requires a vote.
- 4.54 If a recorded vote is requested, the Chair will ask each Member in alphabetical order to state whether they wish to vote for or against the motion or whether they wish to abstain. The votes will then be counted and recorded. At the conclusion of the voting, the Chair will declare the numbers of votes cast and whether the motion has been carried or lost.

#### 4.55 **Chairing**

Chairing a multi-location meeting is very different to chairing a face-to-face meeting. Chairs will need to be supported to carry out their role in specific ways. The job of the Chair will be a particular challenge where some members and participants are attending in person and others are joining the meeting remotely. It may, therefore, be advisable for Chairs to attend multi-location meetings in person, wherever possible, as this will make it easier for officers to provide face-to-face technical and governance support in managing the meeting. However, Chairs are able to attend multi-location meetings remotely, if they choose to do so.

4.56 Chairs have a particular responsibility to prepare for the meeting in a more planned and directed way than might be necessary for a physical meeting. This may involve the Chair consulting with officers, and other members, to determine:

- (a) What the meeting is about, and the possible purpose and outcomes for every item on that meeting's agenda;
- (b) What information will need to be made available in order for these outcomes to be delivered;
- (c) Where councillors or other meeting participants will want to contribute – and where and how public participation might need to be facilitated;
- (d) Where these people might need particular support in order to participate in the way that they want.

4.57 Chairs will also need to engage with all participants (which may include external witnesses and members of the public or others with a role to play) to ensure that their role and means of involvement are well understood. Chairs should:

- (a) Think about the accessibility of the meeting to the public, and whether there are any things they can do that will ensure that public observers are welcomed and that business is explained in a way that is understandable, including the operation of the multi-location meeting itself;
- (b) Ensure that they are prepared for the meeting in a logistical sense by being aware of which members and other participants may be joining by remote means;
- (c) Ensure before the start of the meeting that everyone is able to access the meeting, and that everyone is able to both see and hear each;
- (d) Provide a reminder of meeting arrangements and policies, particularly relating to conduct and voting arrangements;
- (e) At the beginning of the meeting, Chairs should remind participants of the protocols and arrangements and explain to those members of the public present in the meeting room that the proceedings are being recorded and broadcast live. The images and sound recording may also be used for training purposes within the Council. Generally the public seating areas are not filmed. However, by entering the meeting room and using the public seating area, they are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.
- (f) Check at the end of each agenda item that all members are content that they have been able to contribute, and ensure that agreed voting arrangements are followed where relevant.

4.58 The “balance” between individuals in a room, and those joining by remote means, will have a significant effect on how business will be transacted. Therefore, it is important that Chairs and their support officers know in advance of the meeting which members intend to attend physically and who may join by remote means. For meetings with a mix of arrangements, particularly if the Chair themselves will be joining by remote means, planning is essential. This may include:

- (a) Understanding the motivations and objectives of individual participants on specific agendas items, and having a sense of what they may want to say and ask;
- (b) Identifying how a support officer or other member may bring their attention to a member wishing to make a comment through remote means or in the committee room;
- (c) Planning debate to be themed or otherwise structured rather than inviting comments generally, to ensure that all participants have an opportunity to contribute;
- (d) Ensuring that reports reflect the above sets of circumstances.

#### 4.59 **Training**

Participation in remote meetings will also require a fundamental change in culture and, therefore, elected members will need to be fully trained and confident in using the technology in order to contribute effectively to the debate and decision-making. The role of the Chair will become even more important in managing the conduct of the remote meeting in a structured way. Therefore, additional training will be required for those members who Chair remote meetings, particularly their interaction with other members and officers and the use of electronic speaking and voting applications.

- 4.60 All elected members will be provided with initial training as part of their induction programme and a more comprehensive programme of training will be delivered as part of the on-going member-development process, tailored to the particular needs and roles of individual Chairs, members and Committees.

Mae'r dudalen hon yn wag yn

# Constitution

## Part 4: Rules of Procedure

---

### Appendix 1: Standing Orders

#### Section 1: Council Meetings

##### Standing Order 1: Meetings of the Council

###### 1.1 Annual Meeting of the City Council

- (a) In a year when there is an ordinary election of City Councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year the Annual Meeting will take place on a date on which the Council will determine.
- (b) The Annual Meeting will:
- Elect a person to preside if the Presiding Member or deputy Presiding Member is not present;
  - Elect the Presiding Member/Chair of Council for the new municipal year;
  - Appoint the Deputy Presiding Member/Deputy Chair of Council;
  - Receive any announcements from the Presiding Member;
  - Appoint the Leader of the Council
  - Give effect to appointments to the Cabinet as made by the Leader of the Council;
  - Appoint the Chairpersons of any committees, subject to legislative requirements. Also, to appoint Deputy Chairpersons if deemed appropriate. All such appointments may be deferred to an Ordinary Meeting of the Council;
  - Give effect to nominations to committees and /or other groups by the political groups under political balance arrangements to the Council's Committees. Such appointments may be deferred to an Ordinary Meeting of the Council;
  - Appoint to outside organisations. Such appointments may be deferred to an Ordinary Meeting of the Council; Appointments made to executive bodies may be made by the Cabinet.
  - Approve a programme of ordinary meetings for the year; This may be deferred to an Ordinary Meeting of the Council;
  - Consider any other business set out in the notice convening the meeting.

###### 1.2 Ordinary Meetings

- (a) Ordinary meetings will:
- Elect a person to preside if the Presiding Member or Deputy Presiding Member is not present;
  - Approve the minutes of the previous meeting(s);
  - Receive any announcements from the Presiding Member, Leader of the Council, Cabinet Member or Chief Executive;
  - Deal with any appointments to internal or external bodies, unless the appointments are to executive bodies and are reserved to the Cabinet;

- Deal with any business outstanding from the last meeting;
  - Determine action to be taken on any matters referred to the Council for decision.
  - Consider reports from the Cabinet or scrutiny or other committees as appropriate and any other Council body or officer and determine any action to be taken arising from the consideration of reports;
  - Consider motions;
  - Provide an opportunity to question Members of the Cabinet, Chairs of Scrutiny and other Chairs of Committees in line with agreed procedures;
  - Other business specified in the agenda.
- (b) The Presiding Member or person chairing the meeting may at his or her discretion vary the order of business.
- (c) If there is a legal requirement for a matter to be considered urgently or if an urgent issue for decision arises, the Presiding Member or person chairing the meeting may bring forward for consideration an item which is not on the agenda and the reasons for so doing shall be recorded in the minutes of the meeting.
- (d) The Presiding Member or person presiding at the meeting may at any time call upon any person who is not a Member of the Council to advise the Council on any matter

### **1.3 Extraordinary Meetings**

- a) Those listed below may require the Chief Executive to call a Council meeting in addition to ordinary meetings:

The Council by resolution;

The Presiding Member in response to a written request from at least five City Councillors;

The Monitoring Officer.

- b) When five City Councillors give written notice of their wish to call a meeting, the Presiding Member may:-
- i. Call a meeting within a reasonable time;
  - ii. Refuse to call a meeting; or
  - iii. Take no action.
- c) If the Presiding Member refuses to call a meeting or takes no action within seven days, the five named City Councillors may require the Chief Executive to convene a meeting on a date which they will determine. The Chief Executive shall then convene the meeting on the specified date.
- d) Extraordinary meetings of the Council shall only deal with the business set out in the agenda.

### **1.4 Location and Times of Council Meetings**

The Council will determine the number, location and times of ordinary Council meetings. The programme will be agreed at either the annual meeting or at an ordinary council meeting.

### **1.5 Notice and Summons to Meetings**

- a) Notice to the public of the time and place of any meeting shall be given in accordance with the access to information procedure rules and the Council's published Arrangements for multi-location meetings
- b) The agenda for the meeting shall be published in the public area of the Council's website.



- c) At least 3 working days before a meeting, the Proper Officer will, wherever possible, send a summons by electronic mail to every Member of the City Council;
- d) Working days do not include the date of issue, the date of the meeting, Saturdays, Sundays, bank holidays or additional holidays following a bank holiday.
- e) The summons will give the date, time and place of each meeting and will set out the business to be transacted at the meeting. The Council's website will provide information and access to relevant public documents to the press and public at least three working days before a meeting.

## **Standing Order 2: Presiding Member/ Chairperson of Meeting**

### **2.1 Presiding Member and Chairperson of the Meeting**

- a) The Presiding Member and Deputy Presiding Member will be elected from among the councillors at the Annual Meeting of the Council, and shall continue in office until resignation or disqualification or until the Council appoints a successor. A member of the Council's Executive may not be elected as Presiding Member or Deputy Presiding Member. The role of the Presiding Member shall include the function of the Chairperson of the Council.
- b) The Presiding Member shall be entitled to receive a senior salary. The Deputy Presiding Member shall not be entitled to receive a senior salary
- c) The Presiding Member and Deputy Presiding Member should maintain a non-political manner to allow a proper, full and effective debate. Therefore, in addition to the Leader and Cabinet Members who are disqualified from being appointed, the Presiding Member and Deputy Presiding Member should not be selected from the following:-
  - Leader of the Opposition;
  - Leader of any political group serving on the Council.

### **2.2 Conduct of the Meeting**

- a) The Presiding Member or person chairing the meeting shall conduct the meeting so as to secure a proper, full and effective debate of business items where a decision is required. The steps the Presiding Member or person chairing the meeting may take include:

Allowing more time to allow a speaker to properly explain a matter;  
Allowing a Councillor to speak more than once in a debate;  
Allowing a full discussion of reports and matters for decision.
- b) The person chairing the meeting may exercise any power or duty of the Presiding Member, except for the Deputy Presiding Member.

### **2.3 No Confidence in the Chair**

- a) Any Member of the Council may move a vote of no confidence in the Presiding Member or person chairing the meeting if it is considered that the Presiding Member or the Chairperson of the meeting is not conducting the meeting in a way that allows a proper, full and effective debate
- b) Any Member moving the motion will need to be supported by at least 5 other Members before any vote is taken.

- c) Only if the motion is supported by two-thirds of the Members in attendance, will the motion be carried. If the motion is carried it will be effective only for the meeting taking place at the time.
- d) If the motion is carried the Deputy Presiding Officer will take the chair for remainder of the meeting. In the absence of the Deputy (or in the case of the removal of the Deputy Presiding Member from the chair under this Standing Order) the Council will elect a chair from the Members present.

## **Standing Order 3: Quorum**

No business shall be transacted at meetings of the Council unless at least one quarter of the whole number of Members of the City Council is present.

The Quorum for meetings of the Council is one-third of the total membership. This constitutes 17 City Councillors, based on a full membership of 51 members serving on the Council. In any other circumstance, the quorum shall be one-third of elected members.

During any meeting of the Council, the Presiding Member or person chairing the meeting may count the number of Members present and if that number has fallen below the required quorum, the Mayor or Presiding Member person chairing the meeting may declare that there is not a quorum present and the meeting will be adjourned. If the meeting is adjourned, any business which has not been dealt with will be deferred to the next ordinary meeting of the Council.

## **Standing Order 4: Questions by Members**

### **4.1 General**

A Councillor may ask a Member of the Cabinet questions on any policy issues relating to the appropriate portfolio; or the chairperson of a committee on any matters within the remit of the committee. Questions may be submitted and answered as follows:

### **4.2 Questions at Council to the Leader of the Council**

At each ordinary Council meeting there will be an open session for elected members to ask questions of the Leader of the Council. The following process will be followed for questions to the Leader at Council:

- a) The first question will be posed to the Leader by the Presiding Member or person chairing the meeting as follows:
  - Before we commence questions from Members, does the Leader have any announcements to make to the Council?
- b) No more than 15 minutes will be allocated at the Council meeting for questions to the Leader. The 15 minute time limit will not include the Leader's announcements, and will commence upon the second question being asked.
- c) Each Member asking a question may ask one supplementary question to clarify any point arising out of the answer received to the original question.
- d) Each opposition group will be allocated one question each, to be asked in order of group membership e.g. the largest opposition group goes first, followed by the second largest opposition group, and so on. Each of the Group Leaders or their appointed deputies will be invited to put the question to the Leader in turn.
- e) After the allocated opposition group questions are completed, questions will be opened up to all Members.

- f) Questions from all other Members will be allocated according to a ballot:
- Councillors wishing to ask a question of the Leader must notify the Head of Democratic Services in writing by midday on the day of the council meeting. In writing includes electronic mail.
  - The content of the question does not need to be submitted in advance.
  - Question notifications will be grouped according to opposition / ruling party Members then shuffled to produce a random order.
  - Invitations to pose a question will be alternated between opposition and ruling party Members.
  - Example of question order:
    1. Presiding Member asks Leader to make any announcements

Followed by questions from:

    2. Leader of Opposition Group A
    3. Leader of Opposition Group B
    4. Leader of Opposition Group C
    5. Ruling Party Member from notification list
    6. Opposition Party Member from notification list
    7. Ruling Party Member from notification list
    8. Opposition Party Member from notification list
- g) The agenda item will end when the 15 minute time is over, or when the list of balloted questions is complete, whichever is the earliest.

### **4.3 Questions at Council to Cabinet Members and Committee Chairs**

- a) This process will be followed for questions at Council to other Cabinet Members and Committee Chairs
- b) Questions must be provided in writing not later than 4pm three working days before the Council meeting (“Working days” do not include the date of issue, the date of the meeting, Saturdays, Sundays, Bank holidays or additional holidays following a Bank holiday). Where proper written notice has not been provided of any question, then the question may not be asked at the Council meeting.
- c) The question must be forwarded in writing to the Head of Democratic Services. The term “in writing” includes electronic mail.
- d) Only questions submitted in this way will be allowed at Council meetings.
- e) The question is then asked orally at the Council meeting and an oral answer will be given at the Council meeting. The question and the answer will be appended to the Council minutes and published to the Council’s website normally within five working days of the meeting.
- f) Questions will be put in the order in which they are received. However if any councillor wishes to ask two or more questions to the same Cabinet Member they will be allocated a slot in rotation, allowing opportunities for other Members to ask their question.
- g) The councillor may ask one supplementary question to clarify any point arising out of the answer received to the original question. If possible, an answer will be provided orally at the Council meeting. Alternatively a written answer may be provided.
- h) No more than 10 minutes will be allocated at the Council meeting for questions to each Cabinet Member or Committee Chair.

- i) If Members are unable to ask their question orally within the allocated time, remaining questions will be answered in writing. The question and response will be appended to the minutes.
- j) The question must be addressed through the Presiding Member or the person chairing the meeting and not directly to the person being questioned.
- k) Members must ask any question within the allocated time as set out in these standing orders and should not seek to introduce any debate on the subject.
- l) Any dispute in relation to the validity of a question shall be resolved by the Council's Monitoring Officer.

#### **4.4 Time allowed for questions**

- a) As mentioned in Standing Order 4.2 and 4.3 above, no more than 15 minutes will be allocated at the council meeting for questions to the Leader and no more than 10 minutes will be allocated at the Council meeting for questions to each Cabinet Member.
- b) If Members are unable to ask their question orally within the allocated time, remaining written questions will be answered in writing. The question and response will be appended to the minutes.
- c) The time allowed to ask a question shall be no more than two minutes. This includes any question or any supplementary question.
- d) The sole arbiter of the time allocation shall be the Presiding Member or person chairing the meeting.

#### **4.5 Rejection of Questions at Council**

The Presiding Member or person chairing the meeting may reject a question if in his or her opinion, having regard to the Council's responsibilities and community leadership role, it:

- a) Is not about a matter for which the Council has a responsibility or which affects the administrative area of the Council;
- b) Is defamatory or frivolous or vexatious or offensive;
- c) Is substantially the same as a question which has been put at the meeting by any Member;
- d) The question concerns an item of business which is the subject of a report to the meeting;
- e) Requires the disclosure of confidential or exempt information where there is no demonstrable need to know.
- f) Is an operational matter that is better dealt with by the relevant officer on an informal basis.

#### **4.6 The Three - Month Rule does not apply**

The three month rule does not apply to questions to Cabinet Members or Chairs. A respondent will be able to inform a questioner that the answer to his or her question is substantially the same as that given at a previous meeting if that is appropriate.

#### **4.7 Point of Order and Questions**

A point of order may only be raised during a question and answer session if a Member considers that the requirements of Standing Orders 4.1 to 4.6 have been breached. The Presiding member or person chairing the meeting will only consider a point of order if the person raising the point of order states the Standing Order that he or she considers has been breached. No other 'points of order' will be considered.

## 4.8 Formal Questions at any other time

- a) Written questions can be forwarded to any Cabinet Member (including the chair) at any time although any submitted at weekends or later than 4pm on any working day will not be deemed to have been received for the purposes of response times until the next working day.
- b) The answers to such Questions will be provided within 10 working days of the receipt of the question by the Cabinet Member. The question and answer will be copied to all Members of the Council via electronic mail and will be subsequently published on the Council's website to allow public access to the exchange.
- c) "Working days" do not include the date of issue, Saturdays, Sundays, Bank holidays or additional holidays following a Bank holiday.
- d) The question must be forwarded in writing to the Head of Democratic Services and the question must be identified as a formal question to the Cabinet Member to be dealt with in accordance with this standing order. The term "in writing" includes electronic mail.
- e) Any dispute in relation to the validity of a question shall be resolved by the Council's Monitoring Officer.

## 4.9 Councillors to request how questions are to be answered

When submitting a question, councillors must identify clearly whether it is a formal question to be answered at council or a formal question to be asked at any time. If it is not clear from the submission, the question will be treated as a question asked at any time as described in Standing Order 4.8.

## 4.10 Rejection of Questions at any time to Cabinet Members

- a) The Cabinet Member may reject a question if in his or her opinion, having regard to the Council's responsibilities and community leadership role, it:
  - Is not about a matter for which the Council has a responsibility or which affects the administrative area of the Council;
  - Is defamatory or frivolous or offensive;
  - The question concerns an item of business which is the subject of a report being considered as part of the decision making process as Councillors have other opportunities to ask questions or comment on reports
  - Requires the disclosure of confidential or exempt information where there is no demonstrable need to know.
  - Is an operational matter that is better dealt with by the relevant officer on an informal basis. The Cabinet Member will take a view on whether the question relates to an operational matter better answered by the officers.

**NB:** When a question has been asked in general terms and it is difficult to determine what information the applicant actually wants, the Cabinet Member may ask the questioning Member to refine or clarify the question being asked

- b) If a Cabinet Member intends to reject a question he or she must respond to the questioning Member within 10 working days informing the Member that he or she intends to reject the question and the reason for that intention.
- c) Any dispute in relation to the validity of a question shall be resolved by the Council's Monitoring Officer.

## **Standing Order 5: Procedural Standing Orders**

### **5.1 Notices of Motion**

- a) Except for motions which can be moved without notice under these Standing Orders, written notice of motions for discussion at Council meetings signed by the proposer and seconded must be delivered by **4.00pm** at least **7 working days** before the next meeting of the Council to the Head of Democratic Services.
- b) Motions may be submitted within the same timescale by electronic mail but the seconder must send a separate email, or written confirmation within the same timescale confirming he or she is the seconder of the motion.
- c) Working days do not include the date of issue, the date of the meeting, Saturdays, Sundays, bank holidays or additional holidays following a bank holiday.
- d) The Monitoring Officer will maintain a record of all motions submitted for the meeting and the order in which they have been received. This record will be open to inspection by any Member of the Council.
- e) The Monitoring Officer will conclude if the motion as submitted is appropriate for consideration or can be resolved by the Council.
- f) No motion under this Standing Order will be debated at the Annual Meeting of the Council.

### **5.3 Motions Set Out in the Agenda for a Meeting**

- a) Motions for which proper notice has been given under this procedural standing order will be listed on the agenda in the order in which they were received.
- b) The Monitoring Officer will conclude if the motion as submitted is appropriate for consideration or can be resolved by the Council and inform the mover of the motion before a matter is placed on the agenda.

### **5.4 Scope**

- a) Motions must be about matters which are related to the responsibility of the City Council or which affect the administrative area of the Council.
- b) The Monitoring Officer's decision on whether or not a motion is relevant to the responsibility of the City Council will be final.
- c) If a motion which is set out in the agenda is not moved, either by the Member who gave notice of it or by some other Member on his/her behalf, it will be treated as withdrawn and will not be moved without fresh notice.
- d) If the motion relates to an executive function, and the Monitoring Officer decides that it can be discussed at Council, the Council will not be able to take a resolved decision on the matter but may ask the Cabinet or Cabinet Member to consider the matter in the light of any views expressed or recommendations made by the Council.

### **5.5 The Three Month Rule**

- a) A motion or amendment to rescind the decision made at a meeting of the Council, including a decision taken under delegated powers by a committee, within the past three months and a motion or amendment in similar terms to one which has been rejected at a meeting of Council in the past

three months cannot be moved, unless the mover asks the consent of the Council to propose such a motion and consent is given by the Council.

- b) There shall be no speech or discussion upon a request for consent and if consent be refused by the Council, the same motion or one to the like effect shall not be placed on the agenda for at least three months from the date of such refusal.

## **5.6 Exceptions**

This rule shall not apply to motions which are moved by the Leader of the Council or the Chair of any other Council body or other Member on their behalf, following a recommendation in the report of the Cabinet or other Council Committee.

## **5.7 Motions without Notice**

The following motions may be moved without notice:

- To appoint a Chairperson at a meeting at which the Presiding member and Deputy Presiding Member are not present;
- To dispute the accuracy of the minutes of the Council;
- To change the order of the business specified in the agenda;
- To refer to the Cabinet any recommendation to Council as the matter is executive in nature.
- To appoint a Council body or representatives of the Council to an outside organisation arising from an item on the agenda;
- To adopt or amend recommendations to the Council.
- To amend or withdraw a motion;
- To extend the time limit for speeches or questions;
- To proceed to the next business;
- To suspend the Standing Orders;
- To exclude the press and public in accordance with the Access to Information Act 1985;
- By the Presiding member or person chairing the meeting, not to allow another contribution to the debate from a Member named or to exclude a Member from the meeting under the procedural Standing Order relating to Members conduct;
- To give consent of the Council where such consent is required.
- No confidence in the Presiding Member or person chairing the meeting (as described in Standing Order 2).

## **Standing Order 6: Rules of Debate**

### **6.1 Speaking in Council**

- a) When a Member wishes to speak, he or she will indicate this to the Presiding member or person chairing the meeting whilst remaining seated. No Member will speak unless called upon to do so by the Presiding Member or person chairing the meeting.
- b) When called upon to speak, the Member will normally stand, (unless this is not appropriate for the individual).
- c) The speaker must address the meeting through the Presiding Member or person chairing the meeting.
- d) If two or more Members indicate that they wish to speak the Presiding Member or person chairing the meeting will ask one to speak and the other(s) will remain silent. While a Member is speaking, other Members will remain silent unless raising a point of order or of personal explanation.

## **6.2 Matters Which May Not Be Raised**

- a) A motion or amendment shall not be moved which is inconsistent with a decision already made by the Council at the meeting or in relation to an executive function where a decision has been taken by the Cabinet or Cabinet Member or to a decision delegated to a Committee.
- b) A matter shall be treated as dealt with if a motion, amendment or discussion relating to it has been replied to by the Leader, or Cabinet Member, the Chairperson of a committee or other group or other mover of a motion, or if the Council has proceeded to the consideration of another matter.

## **6.3 No Speeches until a Motion is Seconded**

No other speeches may be made after a Member has moved a motion and has explained the purpose of it until the motion has been seconded by another Member.

## **6.4 Right to Require a Motion to be in Writing**

The Presiding Member or person chairing the meeting may require a motion or amendment to be written out before allowing the matter to be discussed. The meeting may be adjourned to allow this to be done.

## **6.5 Seconder's Speech**

When seconding a motion a Member may reserve his/her right to speak until later in the debate.

## **6.6 Content and Length of Speeches**

- a) Speeches must be directed to the matter of the discussion or to a personal explanation or point of order. The mover of a motion may speak to it for not more than 7 minutes and may also speak in reply to it at the end of the debate without restriction.
- b) No other speech including a speech by the mover of an amendment may be longer than 3 minutes without the agreement of the Presiding Member or person chairing the meeting.
- c) The 7 or 3 minutes allowed will take account of any points of order or points of personal explanation raised during the speech
- d) The speaker must address the meeting through the Presiding Member or person chairing the meeting .
- e) The sole arbiter of the time allocation shall be the Presiding Member or person chairing the meeting.

## **6.7 Amendments to a Motion**

- a) A Member may move an amendment to a motion and explain the purpose of it. The amendment must be seconded by another Member. The Presiding Member or person chairing the meeting may require that the amendment be written out before allowing the matter to be discussed. An amendment must be relevant to the motion and shall either be:-
  - To refer the subject of debate to the Cabinet or appropriate Council body for consideration or reconsideration;
  - To omit words;
  - To omit words and add others;
  - To insert, substitute or add words.
- b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been dealt with.



- c) No speech by the mover of an amendment may be longer than 3 minutes without the agreement of the Presiding Member or person chairing the meeting.
- d) If an amendment is rejected, different amendments may be proposed on the original motion.
- e) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion upon which the vote shall then be taken unless notice has been given before the vote on the amendment of a further amendment or amendments.
- f) After an amendment has been carried, the Presiding Member or person chairing the meeting will advise the meeting of the content of the amended motion before any further amendment or amendments shall be moved on the substantive motion.
- g) The sole arbiter of the time allocation shall be the Presiding Member or person chairing the meeting.

## **6.8 When a Member May Speak Again**

Subject to Standing Orders, when a Member has spoken on a motion he/she may not, without the consent of the Presiding Member or person chairing the meeting, speak again during the debate except:

- To speak once on an amendment moved by another Member;
- To move a further amendment if a motion has been amended since he / she last spoke;
- On a point of order;
- By way of personal explanation.

## **6.9 Alteration of Motion**

A Member may:-

- Alter a motion of which he or she has given notice; or
- With the consent of the seconder alter a motion which has been moved without notice.

In either case, the alteration to the motion must be worded as an acceptable amendment in accordance with the procedural standing order relating to amendments to a motion.

## **6.10 Withdrawal of a Motion or Amendment**

A Member may withdraw a motion which he/she has moved with the consent of both the seconder and the meeting. The meeting's consent will be taken without discussion. No Member may speak on the motion after the mover has asked permission to withdraw unless permission to withdraw is refused. A Member may withdraw an amendment with the consent of the seconder.

## **6.11 Right of Reply**

- a) The mover of a motion has the right to reply at the end of the debate on the motion, immediately before the motion is put to the vote. If an amendment to the motion is moved, the mover of the original motion will also have the right to reply at the end of the debate on the amendment. Other than this, the mover of the original motion will not be allowed to speak in the debate on the amendment, except to answer questions during the debate if permitted to do so by the Presiding Member or person chairing the meeting.
- b) The Member who has proposed an amendment shall have a right of reply to the debate on his/her amendment. The right to reply will take place immediately before the final speech by the mover of the original motion.

- c) The Member exercising the right to reply shall not introduce any new issues into the debate.

## 6.12 Closure Motions

- a) A Member may move without comment, the following procedural motions.
- To proceed to the next business;
  - That the question be put;
  - To adjourn a debate;
  - To adjourn a meeting.
- b) A motion to proceed to next business should be moved, seconded and discussed. If it is carried, then the Presiding Member or person chairing the meeting will move to the next item of business on the agenda. If the motion is lost, the debate will continue from where it was left.
- c) A motion 'that the question be put' will take precedence over all other business – even if it interrupts a speaker. If the motion is seconded, it must be voted upon without further discussion. If the motion is carried the mover of the original motion being considered by Council may reply before the vote is taken. If the motion 'that the question be put' is moved during debate on an amendment, it only disposes of the amendment and does not affect the original motion.
- d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Presiding Member or person chairing the meeting thinks that the item has been discussed sufficiently and cannot reasonably be discussed further on that occasion, he or she will put the motion to adjourn to the vote without giving the mover of the original motion the right to reply.
- e) A Member who moved or seconded the original motion under debate cannot move any of these closure motions. A Member cannot move a motion which contains more than one of these closure motions.

## 6.13 Point of Order

- a) A Member may raise a point of order relating to procedural matters at any time. The Presiding Member or person chairing the meeting must hear him/her immediately. A point of order shall relate **only** to an alleged breach of these standing orders or the law relating to meetings.
- b) Before making his or her point, the Member must indicate the standing order/point of law and the way in which he or she considers it has been broken.
- c) The ruling of the Presiding Member or person chairing the meeting as to whether the matter raised is a point of order will be final.

## 6.14 Personal Explanation

- a) A Member may make a personal explanation at any time.
- b) A personal explanation shall only relate to a material point made in an earlier speech by the Member which may appear to have been misunderstood during the current debate. The Presiding Member or person chairing the meeting will hear the explanation and his / her ruling as to whether the issue raised constitutes a personal explanation shall be final.

## Standing Order 7: Voting

## **7.1 Majority**

Unless the constitution provides otherwise any matter will be decided by a simple majority of those Members present in the room and voting.

## **7.2 Presiding Member's Casting Vote**

If there are equal numbers of votes for and against, the Presiding Member or person chairing the meeting will have a second or casting vote. The Presiding Member or person chairing the meeting can only use a second or casting vote if he or she has participated in the original vote on any motion.

## **7.3 Method of Voting**

Unless a recorded vote is demanded under these rules, the Presiding Member or person chairing the meeting will take the vote by a show of hands of those attending in person and an electronic vote from those attending remotely, or if there is no disagreement, by the consent of the meeting.

## **7.4 Recorded Vote**

If five Members present at the meeting demand it, the names of those who vote for and against a motion or amendment or abstain from voting will be recorded in the minutes. A demand for a recorded vote may only be made before the vote is taken.

## **7.5 Right to Require Individual Votes be recorded**

If, immediately after the vote is taken, a Member requests it, his/her vote will be recorded in the minutes to show whether he/she voted for or against the motion or abstained from voting.

# **Standing Order 8: Minutes, Attendance and the Public**

## **8.1 Signing of Minutes**

- a) The Mayor or person presiding is required to sign the minutes at the next suitable meeting. The Mayor or person presiding will move that the minutes of the previous meeting be signed as a correct record, provided he/she attended the meeting. Only the accuracy of the minutes can be discussed.
- b) When the next meeting of the Council is an extraordinary meeting or the annual meeting, there is no requirement to sign the Minutes of the previous meeting. These minutes can be signed at the next ordinary meeting.
- c) At an extraordinary meeting called for a single purpose, no minutes of previous meetings will be approved and there will be no items on the agenda relating to questions to the Police Commander or Cabinet Members and Chairs of Committees.

## **8.2 Record of Attendance**

The names of the Members present at a meeting of the Council will be recorded. To assist the record, Members who attend in person will be asked to sign their names on an attendance sheet. Members attending remotely will be automatically recorded on the system.

## **8.3 Exclusion of the Public**

Members of the public and media may only be excluded from the meeting either in accordance with the access to information procedure rules in this Constitution or by the procedural standing order relating to disturbance by Members of the public.

## **Standing Order 9: Members Conduct**

### **9.1 Respect for the Mayor or Person Presiding**

Whenever the Presiding Member or person chairing indicates that he or she wishes to speak during a debate the rest of the Council shall be silent and seated.

### **9.2 Member Discipline**

If a Member persistently disregards the ruling of the Presiding Member or person chairing by behaving improperly or offensively or deliberately obstructs the business of the Council, the Presiding Member or person chairing may move that the Member shall not be heard further. If seconded, the motion will be voted upon without discussion.

### **9.3 Member to Leave the Meeting**

If the Member continues to behave improperly after such a motion is carried, the Presiding Member or person chairing may move that either the Member leaves the meeting, or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

### **9.4 General Disturbance**

If there is a general disturbance making ordinary business impossible, the Presiding Member or person chairing may adjourn the meeting for as long as he or she thinks fit.

## **Standing Order 10: Members Interests in Contracts and Other Matters**

- a) If any Member of the City Council has any direct or indirect financial interest under the provisions of Sections 94 to 98 of the Local Government Act 1972 in any contract, proposed contract or other matter, the Member shall inform the meeting of that interest and withdraw from the meeting while the matter is under consideration unless:
  - b) The disability to discuss that matter imposed by the section has been removed by the Secretary of State under Section 97 (1) of the Act; or
  - c) The contract, proposed contract or other matter is under consideration by the Council as part of the report of the Cabinet or other appropriate body and is not itself the subject of debate; or
  - d) Dispensation to remain has been granted by the Standards Committee.
- e) Any Member of the Council who has a personal interest within the terms of the Council's Code of Conduct in any matter before the Council must declare that interest and act in any matter before the Council must declare that interest and act in accordance with the provisions of the Code.
- f) Any disclosure, withdrawal or dispensation under this rule shall be recorded in the minutes of the meeting.

## **Standing Order 11: Disturbance by the Public**

- a) If a Member or Members of the public interrupt the meeting, the Presiding Member or person chairing will warn the people concerned. If they continue to interrupt, the Presiding Member or person chairing will order their removal from the meeting.
- b) If there is a general disturbance in any part of the meeting room open to the public, the Mayor or person presiding may call for that part to be cleared.

## **Standing Order 12: Photography and Audio Recordings of Meetings**

- a) The Council shall determine whether or not to broadcast or webcast meetings of the Council or any committees for viewing via the Council's website.
- b) The filming, videoing, photographing or audio recording of a meeting shall not be permitted without the agreement of the Presiding Member or person chairing. The agreement of the Presiding Member or person chairing have been obtained and the Chief Executive notified by not later than one hour before the meeting.
- c) The Presiding Member or person chairing will announce at the commencement of the meeting any agreement to allow photography or audio recording of the meeting.

## **Standing Order 13: Electronic Communication and Social Media**

- a) If these standing orders require that written notice is given in any circumstance, such notice will be accepted if received by e-mail or other forms of electronic mail within any specified deadline.
- b) The Council does not wish to prevent Members from the use of social media during meetings but Members are reminded that the code of conduct remains in force when social media is being used by elected Members.

## **Standing Order 14: Suspension and Amendment of Standing Orders**

- a) Any of the standing orders set out in Standing Order 5 may be suspended whilst the meeting is in progress.
- b) Any motion to add to, vary or revoke these procedural standing orders, other than a motion to adopt a recommendation of the Cabinet or other Council body, will when proposed and seconded stand adjourned without discussion to be dealt with at the next ordinary meeting of the Council.

## **Standing Order 15: Authority of the Presiding Member or person chairing the meeting**

The ruling of the Presiding Member or person chairing or the application of any of the standing orders shall be final and shall not be challenged by any Member at a meeting.

## **Section 2: Cabinet, Committees and Meetings with Cabinet Members**

NB: Procedural standing orders (above) relating to the Council meeting apply to meetings of the Cabinet and Committees.

### **Standing Order 16: Appointments**

- a) The Council will determine its democratic structures.
- b) The Chair of the Cabinet/Leader of the Council will be appointed by the Council. The Chair of the Cabinet/Leader of the Council shall appoint Cabinet Members and determine and allocate Cabinet portfolios.
- c) The Council shall make appointments to the Chairs in line with any requirements relating to proportionality and, where appropriate, deputy chairs of committees and/or other groups to be appointed; the terms of reference and any powers delegated to each, subject to any legislative requirements. The Chair and Deputy Chair of the Governance & Audit Committee is, however, to be determined by the Committee.
- d) The Council shall also determine the composition of each committee in line with any requirements relating to proportionality; and give effect to nominations by the political groups under political balance arrangements to the Council's Committees
- e) The Cabinet shall determine and make appointments to any Cabinet Sub Committee, determine the chair of any Cabinet Sub Committee and the terms of reference of any such committees. The Cabinet may withdraw or amend any powers delegated to a Cabinet Sub Committee at any time.
- f) No Member of the Cabinet, Committees or other groups shall be appointed so as to hold office later than the next annual meeting of the Council. In the case of the Standards Committee, no independent Member shall be appointed so as to hold office for more than two consecutive periods of four years.
- g) The Council may, at any time amend the membership of or delegation to Committees or other groups and may at any time withdraw any powers delegated in relation to non-executive functions.
- h) The Chair of the Cabinet/Leader of the Council may at any time amend the membership of the Cabinet and may at any time withdraw any powers delegated in relation to executive functions.
- i) In the event of a vacancy occurring in the membership of the Committees or other groups other than the Cabinet by resignation or other cause during the year an appointment shall be made by the Council to fill the vacancy during the next appropriate meeting of the Council.
- j) In the event of a vacancy occurring in the membership of the Cabinet by resignation or other cause during the year, the Chair of the Cabinet shall determine any appointment to the vacant post or any action to be taken for powers delegated to that Cabinet post to be undertaken.
- k) In the event of a vacancy occurring as to the Chair of the Cabinet/Leader of the Council by resignation or other cause during the year an appointment shall be made by the Council to fill the vacancy during the next appropriate meeting of the Council

### **Standing Order 17: Attendance by Non-Members**

- a) Members who are not Members of the Cabinet, Committees or other groups shall be entitled to attend those meetings upon the invitation of the Chair and may speak upon specific issues but shall not be entitled to vote.
- b) The Council can decide how many people will serve on the Governance & Audit Committee and how many independent members will be appointed. At least one-third of the Governance & Audit committee must be independent members. Independent members of the Governance & Audit Committee shall have full voting rights.
- c) The appropriate ward Members shall be entitled to attend site inspections of the Planning Committee. Members of the public are allowed to attend and speak at meetings of the Planning and Licensing Committees and Sub Committees at appropriate times and in line with agreed protocols.
- d) The Council shall co-opt a representative of the Roman Catholic Church and the Church in Wales and two parent governors to the appropriate Scrutiny Committee with voting rights for education matters only. Should the appropriate Committee deal with matters other than education matters, the co-opted Members shall not be entitled to participate, other than at the invitation of the Committee.
- e) The Council shall appoint an independent Chair to its Standards Committee, a vice chair and a community council Member together with lay Members, with voting rights. The Standards Committee will operate in accordance with the regulations relating to Standards Committees.
- f) Any other co-opted or invited Members appointed to the Committees or other groups shall be entitled to speak on any item but will not be entitled to propose or second a motion or to vote upon any matter.
- g) Co-opted Members are subject to the provisions of these Standing Orders and to the Council's Code of Conduct.
- h) Where decisions are being taken by individual Cabinet Members, no other Member shall be entitled to attend, unless they have requested a private meeting as part of any consultation response.
- i) Members who are not Members of the Cabinet, Committees or other groups shall be entitled to attend and speak at those meetings upon the invitation of the Chair and may speak upon specific issues but shall not be entitled to vote. The Cabinet or Committee may agree for any Member to attend that part of the meeting that includes exempt or confidential information. Unless the Chair of the Cabinet or Committee agrees, the Member shall leave the meeting when the resolution to exclude the public is passed.

## **Standing Order 18: Special Meetings**

Three Members of the Cabinet, any Committees or other group may require the Monitoring Officer to call a special meeting at any time to consider matters specified by them in writing unless a meeting is due to be held within the next five days. Such matters shall be set out in the agenda sent to Members, and no other business shall be considered at that meeting of the Cabinet, Committees or other groups.

## **Standing Order 19: Quorum**

- a) Three elected Members shall constitute a quorum of the Cabinet, Committees or other groups. Co-opted, added or invited Members shall not be considered for this purpose.
- b) During any meeting, the Chairperson may count the number of Members present and if that number has fallen below the required quorum, the Chairperson may declare that there is not a quorum present and the meeting will be adjourned.

## **Standing Order 20: Pecuniary or Personal Interests**

- a) Any Member who has a pecuniary interest in a matter which he or she is required by Section 94 of the Local Government Act 1972 to disclose shall withdraw from the meeting whilst the matter is under consideration unless the disability to discuss the matter has been removed by the Secretary of State or Standards Committee.
- b) Any Member, who has a non-pecuniary personal interest in any matter, shall disclose that interest in accordance with the provisions of the Council's Code of Conduct. The existence and nature of the interest must be declared at the commencement of the discussion or when the interest becomes apparent. If that personal interest is such that a Member of the public might reasonably conclude that it would significantly affect the Member's ability to act purely on the merits of the case and in the public interest if that Member were to take part in the discussion of that matter, the Member must also withdraw from consideration of the matter at that meeting unless granted a dispensation by the Council's Standards Committee.
- c) Involvement in the affairs of another public body or voluntary organisation etc. by a Member who has been appointed as a representative of the Council shall be regarded as a personal interest and should be disclosed. However, in such a case that Member may still speak but must not vote on the matter.
- d) In relation to a matter which a Cabinet Member has delegated authority to decide, the Member will have a personal interest if a Member of the public might reasonably perceive a conflict between the Member's role in taking that decision on behalf of the authority as a whole and the Member's role in representing the interests of constituents in the Member's ward. The Cabinet Member must disclose the existence and nature of the interest, and withdraw from involvement in the decision. Where a Cabinet Member has an interest, the matter shall be determined by the Chair of the Cabinet or, in the absence of the Chair, another Member of the Cabinet. The fact that such a declaration has been made must be included in the record of the decision.

## **Standing Order 21: Voting and Recording of Votes**

### **21.1 Majority**

Unless the constitution provides otherwise any matter will be decided by a simple majority of those Members present in the room and voting.

### **21.2 Chairperson's Casting Vote**

If there are equal numbers of votes for and against, the person presiding will have a second or casting vote. The person presiding can only use a second or casting vote if he or she has participated in the original vote on any motion.

### **21.3 Method of Voting**

Unless a recorded vote is demanded under these rules, the Chairperson will take the vote by a show of hands by those attending in person and an electronic vote by those participating remotely, or if there is no disagreement, by the consent of the meeting.

### **21.4 Recorded Vote**



If five Members present at the meeting demand it, the names of those who vote for and against a motion or amendment or abstain from voting will be recorded in the minutes. A demand for a recorded vote may only be made before the vote is taken.

## **21.5 Right to Require Individual Votes be recorded**

If, immediately after the vote is taken, a Member requests it, his/her vote will be recorded in the minutes to show whether he/she voted for or against the motion or abstained from voting.

## **Standing Order 22: Urgent Matters**

### **22.1 Urgent Decisions outside the Budget or Policy Framework**

- a) The Cabinet or an individual Member of the Cabinet may take an executive decision, which is contrary to the Council's Policy Framework or contrary to or not wholly in accordance with the Budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken:
  - i. If it is not practical to convene a quorate meeting of the full Council;
  - ii. Having regard to advice from relevant officers, including the Monitoring Officer and Chief Financial Officer.
- b) The reasons why it is not practical to convene a quorate meeting of full Council must be noted on the record of the decision.
- c) Urgent decisions will be effective and implemented immediately and will not be subject to the "call-in" procedure.
- d) Following the decision, the decision-taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency. This will also be included in the decision record.

### **22.2 Matters Too Urgent to Await the Next Meeting**

- a) The Chairperson of the Cabinet/Leader of the Council is authorised to take decisions on matters which are too urgent to await the next meeting of the full Cabinet. In the absence of the Chairperson of the Cabinet/Leader, the Deputy Leader shall be authorised to take urgent decisions.
- b) The individual Cabinet Members are authorised to take decisions in accordance with their Scheme of Delegation on matters. In the absence of the individual Cabinet Member, the Leader of the Cabinet shall be authorised to take urgent decisions.
- c) Urgent decisions will be effective and implemented immediately and will not be subject to the "call-in" procedure.
- d) The reasons why the matter was considered to be too urgent to await the next meeting must be noted on the record of the decision and, where appropriate, the record must also note that the decision was taken in the absence of consultation.
- e) Following the decision, the decision taker will provide a full report to the next appropriate meeting of the Governance & Audit Committee explaining why the decision was treated as a matter of urgency.

### **22.3 Matters Too Urgent to Await the "Call-In" Procedure**

- a) Where an executive decision made by the Cabinet or an individual Cabinet Member at a formal meeting needs to be implemented urgently and cannot reasonably be deferred, the decision will be effective and implemented immediately and will not be subject to the "call-in" procedure
- b) The reasons why the matter was considered to be too urgent to await the "Call-in" procedure must be noted on the record of the decision.
- c) Following the decision, the decision-taker will provide a full report to the next appropriate meeting of the Governance & Audit Committee explaining why the decision needed to be implemented urgently and could not reasonably be deferred.

## **22.4 Regulatory Committees**

- a) In the case of non-executive functions, the Chief Executive and other Chief Officers are authorised to make decisions, after consultation with the Chairperson or (in the absence of the Chair) any appointed Deputy Chairperson of the relevant regulatory committee, on matters which are too urgent to await the next formal meeting of the committee. In the absence of the Chairperson and Deputy, the most senior Member of the majority party serving on the committee shall be consulted.
- b) The reasons why the matter was considered to be too urgent to await the next meeting of the committee must be noted on the record of the decision.
- c) Following the decision, the decision-taker will provide a full report to the next appropriate meeting of the Governance & Audit Committee explaining why the decision was treated as a matter of urgency.

## **Standing Order 23: Suspension of Standing Orders**

Standing Orders may be suspended if agreed by the Cabinet or by an officer in consultation with Cabinet Members in matters of urgency. Any suspension of Standing Orders must be reported to the Governance & Audit Committee to ensure safeguards against any possible misuse of this provision.

## **Standing Order 24: Reports to the Cabinet, Cabinet Members and Committees**

- a) Each report to Council, the Cabinet, Cabinet Members, committees or other groups shall comply with corporate report writing standards, as approved by the Council, and be written using the approved template with all sections completed.
- b) All reports shall contain the views of the Monitoring Officer and the Head of Finance and the Head of People Policy & Transformation, together with the views of other relevant professional advisors.
- c) Where a report affects a single or two wards, the local Ward Members must be consulted and invited to comment.
- d) Reports to Cabinet must be cleared with the relevant Cabinet Member before it is included on any agenda.

## **Standing Order 25: Call-In Mechanism**

Decisions by the Cabinet or by individual Cabinet Members are subject to the Council's adopted 'Call in' mechanism. The call-in mechanism is described in detail in the Council's Constitution.

## **Standing Order 26: Notice, Summons, Decisions and Dates of Meetings**

- a) Notice to the public of the time and place of any meeting shall be given in accordance with the access to information procedure rules and the Council's Arrangements for Multi-location meetings..
- b) At least 3 working days before a meeting, the Head of Democratic Services or his or her representative will, wherever possible, send a summons by electronic mail to every Member of the Cabinet, Committee or other group. This requirement does not apply to occasions upon which individual Cabinet Members take decisions.
- c) The Council's website will provide information and access to relevant documents to the press and public at least three working days before a meeting
- d) Clear days do not include the date of issue, the date of the meeting, Saturdays, Sundays, bank holidays or additional days following a bank holiday
- e) The summons will give the date, time and place of each meeting and will set out the business to be transacted at the meeting.
- f) Decisions taken by the Cabinet or an individual Cabinet Member shall be published as soon as possible and normally within three working days of the decision(s) being taken.
- g) Dates of meetings of the Council, the Cabinet, Committees or other groups shall appear in the Council's Schedule of Meetings. Other non-executive groups shall meet as required. The Chairperson of the Cabinet or of any committee are authorised to cancel or change the scheduled date of a meeting in exceptional circumstances.
- h) Decision-making by individual Cabinet Members may take place at any time, without the requirement for any formal meeting. In the case of the Cabinet, committees or other groups, at least three days' notice of meeting must be given. Decision schedules must be issued in the normal manner for any meeting involving the taking of decisions.
- i) If these Standing Orders require that written notice is given in any circumstance, such notice will be accepted if received by e-mail or other form of electronic mail within any specified deadline.

## **Standing Order 27: Staff**

All grading and structure proposals and recommendations to the Council for additional staff shall be undertaken in accordance with Scheme of Delegation, as agreed by Council, and set out in the Constitution.

## **Standing Order 28: Financial Estimates**

- a) Each year, each Head of Service in consultation with the appropriate Cabinet Member shall prepare capital and revenue estimates for collation by the Head of Finance and submission to the Leader for recommendation to the Cabinet.
- b) The Cabinet shall consider the aggregate effect of these programmes and estimates on the Council's financial resources. After making such amendments, as they consider necessary they shall submit their budget proposals to the Council for approval with a recommendation as to the level of local tax.

## **Standing Order 29: Capital Expenditure**

Before considering any proposal involving capital expenditure, every Head of Service or appropriate Cabinet Member, shall receive a project appraisal report in writing from the appropriate officer setting out full details of the proposed expenditure and including a complete financial appraisal of the scheme, incorporating the views of the Head of Finance.

## **Standing Order 30: Absence of Cabinet Member or Chairpersons and Deputy Chairpersons**

- a) Where delegated powers have been allocated to individual Cabinet Members, in the absence of that Cabinet Member, the Leader or a Cabinet Member nominated by the Leader will take the decision.
- b) In the absence of the Leader at a meeting of the Cabinet, the Deputy Leader (or if there is no deputy leader, a Cabinet Member nominated by the Leader) shall Chair the meeting. In the absence of the Leader and Deputy Leader, the Chair shall be taken by a Member of the Cabinet as elected by a simple majority ballot
- c) In the absence of any Cabinet Member at a meeting of the Cabinet no substitute or deputy shall be nominated.
- d) In the case of committees and other groups, in the absence of the Chair at a meeting of the Committee or group, the Deputy Chair shall Chair the meeting. In the absence of the Chair and Deputy or if no deputy has been appointed, the Chair shall be taken by a Member of the committee as elected by a simple majority of votes cast.

## **Standing Order 31: Joint Meetings**

- a) Where a matter crosses the portfolio areas of two or more Cabinet Members, the matter may be dealt with jointly provided agreement to a joint decision is reached. If there is no agreement, the matter shall be passed to the Cabinet for decision.
- b) Where any joint meeting of committees is convened, the first item of business of any joint meeting shall be to appoint a chairperson of the meeting.

## **Standing Order 32: Policy Matters**

No change in the Policy Framework as set out in the Constitution and previously adopted by the Council shall be made without a written report to the Council.

Any proposed changes to the Policy Framework will be determined by the Council.

## **Standing Order 33: Smoking**

Smoking shall not be permitted at any meetings

## **Standing Order 34: Photography and Audio Recordings of Meetings**

- a) The filming, videoing, photographing or audio recording of a meeting shall not be permitted without the agreement of the chairperson of the meeting concerned. The chairpersons agreement must have been obtained and the Chief Executive notified by not later than one hour before the meeting.
- b) The chairperson will announce at the commencement of the meeting any agreement to allow photography or audio recording of the meeting.
- c) The Council will determine if any meeting shall be web casted or made available in any form on the Council's website or the internet.
- d) No filming, video recording, photography, audio recording, or webcasting will take place when exempt or confidential items are being considered by the Council or any of its committees or other groups.

Mae'r dudalen hon yn wag yn

# Report

## Council

---



### Part 1

Date: 17 May 2022

**Subject** Participation Strategy 2022-26

**Purpose** For Council to consider a proposed Participation Strategy.

The Council is required to publish a Participation Strategy as soon as is reasonably possible following 5<sup>th</sup> May 2022, in accordance with legislative requirements.

**Author** Democratic and Electoral Services Manager

**Ward** City wide

**Summary** Under the Local Government and Elections (Wales) Act 2021 Local Authorities are required to develop and consult on a Participation Strategy that supports residents to become more involved in decision-making and to encourage more diversity in decision-makers. As part of this public engagement process, the Council is also required to make and publish a Petition Scheme, setting out how public petitions can be submitted and how the Council will respond.

Democratic Services Committee have supported the development of the Strategy and the Petition Scheme, which are now presented to Council for formal adoption and publication.

**Proposal** To adopt and publish the Public Participation Strategy and the Petition Scheme.

**Action by** Democratic and Electoral Services Manager

**Timetable** In line with legislative requirements

This report was prepared after consultation with:

- Head of Law and Regulation

## Background

The Local Government and Elections (Wales) Act 2021 aims to enable a local democracy which reflects Wales' diversity as a nation, provide local government with new ways to support and serve their communities, and reinvigorate local democracy in Wales.

The Act requires that principal councils in Wales encourage local people to participate in local government through the preparation of a public participation strategy.

Local Authorities are required to publish a Participation Strategy as soon as reasonably possible after 5<sup>th</sup> May 2022.

The Act encourages Local Authorities to adopt strategies with arrangements that suit their own circumstances and are designed around the needs of those who use their services. Welsh Government guidance states that Democratic Services Committees should have a central role in developing, implementing and monitoring the different elements of this guidance. In accordance with this, Democratic Services Committee have shaped and developed the strategy throughout the preceding year.

## Public Participation

For the purpose of the strategy and accompanying report, the following working definition taken from the 'Practitioners' Manual for Public Engagement' (Participation Cymru, 2012) is used;

*Participation: People being actively involved with policy makers and service planners from an early stage of policy and service planning and review.*

Two linked, but separate, concepts are:

*Engagement: An active and participative process by which people can influence and shape policy and services that includes a wide range of different methods and techniques.*

*Consultation: A formal process by which policy makers and service providers ask for the views of interested groups and individuals.*

Different approaches are required for different functions. Participation and engagement are particularly important for democratic arrangements and co-production might become more of a feature in future. Councils already have some experience in participation, engagement, consultation and co-production across their organisations. The expectation is that councils will build on this experience and move towards greater participation.

## The Public Participation Strategy

The Act places a duty on principal councils to encourage local citizens to participate in the making of decisions by the council and to prepare and publish a strategy specifying how it proposes to do this.

In consultation with the public and key stakeholders, councils must publish their first public participation strategy as soon as reasonably practicable after 5<sup>th</sup> May 2022. Councils must also review their strategy, in consultation with the public and key stakeholders, after each ordinary election of Councillors and more often if required. Following a review, Councils may either revise or replace their existing strategy and must consult the public and key stakeholders when they do so.

The Act states that a public participation strategy must, in particular, address:



- (a) ways of promoting awareness among local people of the principal council's functions;
- (b) ways of promoting awareness among local people of how to become a member of the principal council, and what membership entails;
- (c) ways of facilitating access for local people to information about decisions made, or to be made, by the principal council;
- (d) ways of promoting and facilitating processes by which local people may make representations to the principal council about a decision before, and after, it is made;
- (e) arrangements made, or to be made, for the purpose of the council's duty in section 62 of the 2011 Measure (bringing views of the public to attention of overview and scrutiny committees);
- (f) ways of promoting awareness among members of the principal council of the benefits of using social media to communicate with local people.

The benefit of a public participation strategy is that it allows the council, in partnership with local citizens, to take a consistent and holistic approach to public participation while making the best use of limited resources.

The proposed Strategy reflects the existing functions in place that support Participation, whilst also including actions that support further progression and development.

## **Petition Scheme**

In order to promote greater and more effective use of petitions as an option for residents to engage in democratic processes and decision making, the Local Government and Elections (Wales) Act 2021 requires local authorities to include a petition scheme as part of their participation and engagement arrangements, setting out how it will handle and deal with petitions, including e-petitions.

Such a proposal is similar to schemes already in place within a number of public bodies in Wales, such as the Welsh Assembly. Encouraging the use of electronic petitions specifically is in line with the Welsh Government's digital agenda. The Participation Strategy includes the petition scheme, that sets out;

- a) how a petition may be submitted to the council;
- b) how and by when the council will acknowledge receipt of a petition;
- c) the steps the council may take in response to a petition received by it;
- d) the circumstances (if any) in which the council may take no further action in response to a petition;
- e) how and by when the council will make available its response to a petition to the person who submitted the petition and to the public.

## **Consultation**

Statutory consultation concerning the proposed strategy was open for 30 days in February and March 2022. This was available as an online consultation and on public wi-fi across Newport. Due to risk mitigation concerning coronavirus it was not appropriate to conduct workshops or face-to-face surveys during that time. The survey was also promoted through the One Newport Partnership.

The feedback received as part of the consultation supported the actions outlined in the strategy to encourage participation. The full response to the consultation can be found in Appendix B. The responses to questions and comments feedback indicates that residents are interested in the decisions that the Council makes, and would welcome having more of a voice as part of the decision making process. The feedback gathered as additional

comments in the responses indicate that respondents felt that there was room to improve in terms of citizen engagement and involvement in the democratic process. The respondents felt that the actions outlined in the strategy would help residents to become more involved in decision making. The insights gained through the additional comments indicate that residents would like engagement to focus on more varied and alternative methods of communication, particularly with potentially harder to reach groups.

## Financial Summary

There are no direct financial implications associated with the strategy.

## Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of Risk occurring	What is the Council doing or what has it done to avoid the risk or reduce it's effect	Who is responsible for dealing with the Risk?
Failure to publish a Participation Strategy and Petition Scheme in May 2022	H	L	Plan in place to develop and publish the strategy and petition scheme  Regular updates on progress to Democratic Services Committee	Democratic Services Manager

\*Taking account of proposed mitigation measures.

## Links to Council Policies and Priorities

Under the Corporate Plan, the Participation Strategy focusses on the principles of the Citizen Role and Tailored Approach across the themes of Thriving Cities and Resilient Communities. In addition, the Strategy also promotes the principles of Enabling and Capacity Building, and Evidence Based under Aspirational People and Modernised Council.



Other Council strategies and plans that link closely to this work are The Strategic Equality Plan 2020-24 and the Newport Well-being Plan 2017-22. The commonality with the Equality

Plan is involving local people in the decisions that affect them, considering diverse needs when developing services and helping people to feel connected to the place that they live.

The goals that the Strategy shares with the Newport Well-being Plan relate to Sustainable Development principles under the Wellbeing and Future Generations (Wales) Act 2015. Specifically, Involving People and developing solutions in partnership with local people and communities, and ensuring they are involved in decisions that affect them. The aim under the Well-being Plan is that people and communities are friendly, confident and empowered to improve their well-being.

### **Options Available and Considered**

1. Approve the strategy and petition scheme for adoption and publication.
2. Do not approve the draft strategy and petition scheme and make further amendments at this stage. This would mean a delay in the timeline of delivery of the strategy and failure to publish the strategy and scheme as soon as reasonably possible after 5<sup>th</sup> May 2022, as required by the legislation.

### **Preferred Option and Why**

Option 1. The Council is asked to note the report, consider the strategy and petition scheme and approve for adoption and publication.

### **Comments of Chief Financial Officer**

There are no budgetary implications as a result of these proposals, any costs associated with the consultation process and implementation of the strategy will be met from existing budgets.

### **Comments of Monitoring Officer**

The Council has a statutory duty under section 39 of the Local Government & Elections (Wales) Act 2021 to encourage local people to participate in local government decision making. As part of this overriding duty, there is a specific requirement under sections 40 and 41 of the Act to prepare and publish a Public Engagement and Participation Strategy on or before 5<sup>th</sup> May 2022, setting out how the Council intends to comply with this duty and to review the strategy at least once during every Council term of office. The legislation and Guidance provides that the Strategy must, in particular, address ways of promoting public awareness about the Council's functions, ways of promoting awareness of how to become an elected member and what this entails, ways of facilitating access to information about decision-making, promoting and facilitating public consultation and engagement in decision-making and in the Scrutiny process and ways of promoting awareness among elected members of the benefits of using social media to communicate with their constituents. In accordance with section 41, the Strategy must be subject to public consultation before it can be adopted and published by the Council. The draft Strategy has been prepared to meet the requirements of the legislation and sets out the measures that the Council already has in place to engage with the public and to publish details of decisions and information about the role of elected members. A Fairness and Equality Impact Assessment is also attached to this report, which assesses the impact of these current measures in relation to the Council's equalities and socio-economic duties. The draft Strategy also includes suggested measures for assessing the effectiveness of the public engagement and participation processes and suggested actions for review and improvement.

There is also a further specific requirement under section 42 of the act for the Council to make and publish a petition scheme and review the scheme from time to time. The scheme must set out how public petitions can be submitted and how the Council will respond. A draft Petition Scheme, which meets the requirements of the legislation and Welsh Government

guidance, is attached, as part of the Participation Strategy. This includes provisions for submitting e-petitions, determining the validity of the petitions and also an escalation process for referral, depending on the numbers of signatories.

The strategy and the petition scheme are intended to be dynamic documents which will need to be reviewed and updated regularly to reflect changes and improvements to the Council's governance arrangements. Therefore, it is recommended that Council approves and adopts the proposed strategy and scheme at the AGM, to meet the requirements of the legislation, but Democratic Services Committee are tasked with monitoring and reviewing the arrangements as part of their forward work programme.

## **Comments of Head of People and Business Change**

This strategy meets the requirement under the Local Government and Elections (Wales) Act 2021 for Local Authorities to develop and consult on an approach to public participation that promotes the involvement of a range of citizens and stakeholders in decision-making and increases the diversity and representativeness of Elected Members. In addition, the strategy seeks to better inform citizens about key decisions and the democratic processes of the Council with a view to strengthening participation and engagement in public life, and providing for more evidence based ways of working.

The strategy notes the recent progress made in empowering citizens in decision making as demonstrated through the Council's major investment in participatory budgeting and innovative use of technology to broaden public engagement.

There are no direct human resources implications in this report, however workforce development will need to support the development of public engagement skillsets.

## **Local Issues**

Not applicable.

## **Equalities Impact Assessment and the Equalities Act 2010**

A fairness and equalities impact assessment has been drafted and updated following further consultation. Please see Appendix C.

## **Wellbeing of Future Generations (Wales) Act 2015**

The Strategy will have support the development of A More Equal Wales; achieving more diversity in decision-makers and the voices that are heard in decision-making will help to reduce inequalities. The Strategy does not adversely affect any of the other Well-being Goals for Wales.

The Strategy supports The Well-being Plan 2018-23 objective;

3) People and communities are friendly, confident and empowered to improve their well-being

This will be supported through working with residents and communities to develop solutions and empowering the community as part of the decision making process.

The Strategy supports the Equality Plan 2020-2024 objectives;

1. Leadership, Governance and Involvement.
2. Community Cohesion

By supporting residents to be involved in making the decisions that affect them, considering diverse needs when developing services and helping people to feel connected to the place that they live.

The Strategy will also evolve over time, meeting the short-term needs required to support Participation now, but also looking towards the long-term development of better engagement and involvement of residents over time so that it continues to meet the changing needs of local people.

## Consultation

Full details of public consultation are outlined in an earlier section of this report. Statutory consultation concerning the proposed strategy was open for 30 days.

## Background Papers

- [Corporate Plan 2017-2022](#)
- [The Strategic Equality Plan 2020-2024](#)
- [Well-being Plan 2018-2023](#)

## Appendices

### Appendix A



2021\_01\_001  
Participation Strateg

### Appendix B

Responses to Consultation



Consultation  
Results Participator

### Appendix C

Fairness and Equality Impact Assessment



FEIA Participation  
Strategy November 2

**Dated 11 May 2002**

Mae'r dudalen hon yn wag yn



# Report

## Newport City Council

---

### Part 1

Date: 17 May 2022

**Subject** Pay and Reward Policy 2022/23

**Purpose** Council to consider the updated Pay and Reward Policy for 2022/23

**Author** Head of People, Policy and Transformation

**Ward** All

**Summary** The Localism Act 2011 required English and Welsh local authorities to produce a “pay policy statement”, initially for the financial year 2012-13, and then on an annual basis. The legislation outlined a number of statutory requirements, which must be included in any pay policy statement.

The Pay and Reward Policy 2022/23 has been reviewed and no changes are proposed this year. This statement will come into immediate effect once fully endorsed by Council.

**Proposal** Council to approve the updated Pay and Reward Policy in order to meet the statutory requirement for a pay policy statement to be approved and published by Council on an annual basis.

**Action by** Chief Executive/Head of People, Policy and Transformation

**Timetable** Immediate

This report was prepared after consultation with:

- Chief Executive
- Head of Law and Regulation
- Head of Finance
- Cabinet

## Background

The Localism Act 2011 required English and Welsh local authorities to produce a 'pay policy statement,' initially for the 2012-13 financial year, and then on an annual basis. Items which must be included in the statutory pay policy statement are as follows:

- A local authority's policy on the level and elements of remuneration for each chief officer
- A local authority's policy on the remuneration of its lowest-paid employees (together with its definition of 'lowest-paid employees' and its reasons for adopting that definition)
- A local authority's policy on the relationship between the remuneration of its chief officers and other officers
- A local authority's policy on other specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additional to remuneration, use of performance-related pay and bonuses, termination payments, and transparency.

The Act also specifies that the pay policy statement:

- must be approved on an annual basis formally by the full Council meeting (the responsibility cannot be delegated to Cabinet or a sub-committee)
- can be amended in-year
- must be published on the authority's website (and in any other way the authority chooses)
- must be complied with when the authority sets the terms and conditions for a chief officer.

The Act requires an authority to have regard to any statutory guidance on the subject issued or approved by the Secretary of State or Welsh Ministers. The Welsh Government issued statutory guidance on "*Pay Accountability in Local Government in Wales*" in March 2012 and the Public Services Staff Commission published further supplementary guidance in December 2016.

## Pay and Reward Policy

The Council recognises that, in the context of managing scarce public resources, remuneration at all levels needs to be adequate to secure and retain high quality employees dedicated to the service of the public; but at the same time needs to avoid being unnecessarily generous or otherwise excessive.

The Council's Pay and Reward Policy, initially approved in March 2012, was developed to meet the statutory requirements contained in the Localism Act 2011. However, in the spirit of transparency, the Council took the opportunity to take a wider view and include information relating to school based employees. Local authority schools are specifically excluded from the Localism Act's statutory requirements. However, as employees in community maintained and voluntary controlled schools are employees of the Council, reference has been made to school based employees within the Pay and Reward Policy. It is recognised that the pay decisions for these employees are delegated to school Governing Bodies by legislation and that each school is responsible for publishing its own Pay Policy. For the avoidance of doubt, the relevant school Pay Policies are the definitive version of policy for school based staff engaged by the governing body of the respective school.

Subject to approval by full Council, to meet the requirements of the Localism Act, this Pay and Reward Policy will be published on the Council's Website. In addition, in accordance with the provisions of Accounts and Audit (Wales) Regulations 2005, the Council's Annual Statement of Accounts will include a note setting out salary and remuneration information for Council posts where the full time equivalent salary is at least £60,000.

The updated Policy has also been received by Cabinet (April 2022)



## Updates since April 2021

The pay award for the Chief Executive and Chief Officers is set by the Joint National Council (JNC) and has been confirmed as 1.5% with effect from April 2021-March 2022.

The pay award for all other non-teaching staff (with the exception of the small number of staff employed on Soulbury pay) is set by the National Joint Council (NJC) and has been confirmed as 1.75% with effect from April 2021-March 2022. The Soulbury pay award was implemented in September 2021, as was the pay award for all teaching staff.

Discussions are underway on a national basis in relation to any pay award decisions for 2022/23.

From November 2021 the Real Living Wage increased to £9.90 per hour and the Council will therefore apply a supplement to pay for those employees whose contractual pay falls below this rate. This is usually paid at the same time as the NJC pay award for all other employees.

In line with the requirements of the Local Government and Elections (Wales) Bill all references to the Head of Paid Service have been removed when referring to the Chief Executive, as has reference to 'salary' which is replaced with 'remuneration.'

## The Gender Pay Gap

In accordance with the Equality Act (Gender Pay Gap Information) Regulations 2017, the Council is required to publish its gender pay gap information on its website and upload them onto the national Government website.

We have 2,407 relevant employees (excluding schools) for the purpose of establishing the gender pay gap, of which 69.46% are women and 30.54% are men. The median pay gap increased from 0.57% to 2% whilst the mean pay gap decreased further from 3.6% in 2019, to 1.92% in 2020 and now 1.5% in 2021.

Newport City Council has one of the smallest gender pay gaps from amongst local authorities in Wales and compares favourably to the national average of 15.5%. Our gender pay gap report is published on the Council's transparency page each year [here](#) and will be updated in April 2022. Implications are also considered in the Strategic Equalities Annual Report.

### Our Mean pay gap

- Our average hourly rate for women is £14.45
- Our average hourly rate for men is £14.66
- Our mean pay gap between men and women is 1.5%. This means that, on average, a woman's hourly rate of pay is 1.5% lower than a man's.

### Our median pay gap

- Our median hourly rate for women is £12.69
- Our median hourly rate for men is £12.95
- Our median pay gap between men and women is 2%. This means that the median (or midpoint) hourly rate for a woman is 2% lower than a man's.

### Our bonus pay gap

- Following the implementation of Single Status Pay and Grading Arrangements in 2015, the Council no longer makes any bonus payments to either men or women.

## Our pay quartiles

We must report the percentage of men and women in each pay quartile. Quartiles are created by listing the rates of pay for all employees from lowest to highest, before splitting that list into four equal sized groups and calculating the percentage of men and women in each quartile.

	FEMALE	MALE	TOTAL
LOWER	73%	27%	100%
LOWER MIDDLE	67%	33%	100%
UPPER MIDDLE	69%	31%	100%
UPPER	69%	31%	100%

## **Pay Relativities within the Council**

The relationship between the rate of pay for the lowest paid Council employee and that of the Council's Chief Officers is determined by the processes used for determining pay and grading structures set out in the Pay and Reward Policy. The Council's lowest paid employee is paid on spinal column point 1 of the NJC for Local Government Workers.

As part of its commitment to pay transparency, and following the recommendations of the Hutton Review, the Council will publish information on pay relativities on an annual basis in the Pay and Reward Policy. This information for **2022-23** is as follows:

<b>Multiple of Salary</b>	<b>Ratio</b>
<ul style="list-style-type: none"><li>the multiple between the annual salary of the lowest paid Council employee and the Chief Executive (full-time equivalent basis) as a ratio</li></ul>	1 : 7.19
<ul style="list-style-type: none"><li>the multiple between the annual salary of the lowest paid Council employee and the average Chief Officer (full-time equivalent basis) as a ratio</li></ul>	1 : 4.7
<ul style="list-style-type: none"><li>the multiple between median earning of Council employees and the Chief Executive (full-time equivalent basis) as a ratio</li></ul>	1 : 4.26
<ul style="list-style-type: none"><li>the multiple between median earning of Council employees and the average Chief Officer (full-time equivalent basis) as a ratio</li></ul>	1 : 2.7

Note:

- i) Column A provides the pay ratio as per the requirement of the Localism Act 2011
- ii) These figures exclude remuneration for appointments within organisations for which the Council provides a payroll service but is not the employer.
- iii) These figures exclude remuneration for joint appointments where the Council is not the employer

## **Financial Summary**

There are no financial implications contained in the updated *Pay and Reward Policy*, as the policy confirms the current pay and reward arrangements in place in the Council.

## 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?
Failure to comply with statutory requirement to approve and publish a “pay policy statement” on an annual basis	H	L	Produced an updated <i>Pay and Reward Policy</i> which meets the statutory requirements and which is recommended for approval by Cabinet and full Council	Chief Executive / Head of People, Policy and Transformation

\* Taking account of proposed mitigation measures

## Links to Council Policies and Priorities

The Pay and Reward Policy forms a key part of the Council’s People and Culture Strategy. The strategy underpins the Council’s Corporate Plan and strategic objectives - how employees are rewarded for their contribution is directly linked to the delivery of the council’s key aims. The updated Pay and Reward Policy will ensure, when approved, that the Council complies with the statutory requirement to publish a “pay policy statement” on an annual basis.

## Options Available

The options available are as follows:

1. For Council to approve the updated Pay and Reward Policy.
2. For Council not to approve the updated Pay and Reward Policy.

## Preferred Option and Why

For the Council to approve the updated Pay and Reward Policy in order to meet the statutory requirements for a ‘pay policy statement’ to be published on an annual basis.

## Comments of Chief Financial Officer

The Council’s Budget is based on the overall pay structures in place, as outlined in the updated *Pay and Reward Policy*. There are therefore no direct financial implications contained in the report.

## Comments of Monitoring Officer

The Council has a statutory duty under Section 38 of the Localism Act 2011 to approve and publish its Pay Policy on an annual basis. The proposed Pay and Reward Policy has been prepared in accordance with the legislation and Welsh Government Guidance. There are no significant changes since last year, but pay levels have been updated in line with national pay awards and references to the salary of the Head of Paid Service have been replaced by “remuneration” paid to the statutory “Chief Executive” in accordance with the requirements of the Local Government and Elections (Wales) Act 2021. The policy has to be approved by full Council on an annual basis, in order to comply with the statutory requirements. The previous Cabinet agreed the policy in April and have recommended its approval. Therefore, Council is now required to consider and retrospectively approve and adopt the final Pay and Reward Policy as from April 2021. Once adopted, the Pay and Reward Policy will need to be published and the Annual Statement of Accounts will also need to include details of the remuneration of individual Chief Officers, to comply with the requirements of the Audit (Wales) Regulations.

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

As the report author, the comments of the Head of People, Policy and Transformation are contained within the main body of the report.

The report outlines how the sustainable development principle has been considered in developing the Pay and Reward policy.

### **Local issues**

N/A

### **Scrutiny Committees**

N/A

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

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

The Pay and Reward Policy contributes to the well-being goals for a more equal Wales and a prosperous Wales. The policy demonstrates how employees are rewarded for their contribution to the organisations local and national priorities, and will ensure the Council complies with the statutory requirement to publish a “pay policy statement” on an annual basis.

The five ways of working have been applied when considering this proposal. The Council is required to publish a Pay Policy Statement each financial year and this updated policy meets this requirement. This policy provides a framework for decision making on pay and allows the Council to demonstrate its key approaches to pay and reward for employees, ensuring resources are managed effectively both in the short and longer term.

This updated policy outlines the Council’s approach to pay and reward of its employees in the interests of openness and transparency, and is in place to prevent problems and issues occurring with any decisions made in relation to public sector pay. The policy also forms a key part of the Council’s People and Culture Strategy. The strategy underpins the Council’s Corporate Plan and strategic objectives - how employees are rewarded for their contribution is directly linked to the delivery of the council’s key aims and objectives.

As part of this policy, the Council’s intention is to continue to develop collaborative working on a planned and strategic basis with local authority partners and other public and third sector organisations. In addition, the policy provides the public with the Council’s policy on all aspects of pay and reward, including senior posts and the lowest paid posts, explaining the relationship between remuneration for senior post holders and other groups.

An FEIA has been undertaken in relation to the proposed Pay and Reward Policy in 2020 which is still relevant for the 2022 update as there are no changes.

The FEIA consulted Corporate Management Team and Trade Union representatives on behalf of the workforce. No disproportionate impact on people that share protected characteristics, people who experience inequalities as a result of socio-economic disadvantage, or Welsh language stakeholders were identified.

### **Consultation**

As outlined within the report.

## **Background Papers**

Cabinet Report April 2022  
Pay and Reward Policy 2022/23  
Gender Pay Gap Report 2021/22  
FEIA October 2020

**Dated: 11 May 2022**

Mae'r dudalen hon yn wag yn

# Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

**Completed by:** Rachael Davies                      **Role:** HR&OD Manager

**Head of Service:** Rhys Cornwall                      **Date:** October 2020

**I confirm that the above Head of Service has agreed the content of this assessment**

**Yes / No**

**When you complete this FEIA, it is your responsibility to submit it to**  
impact.assessment@newport.gov.uk

**1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.**

The Pay Policy is an annual statement required to be adopted by the Council. It outlines the organisation's approach to pay and reward for the workforce and sets out the terms and conditions related to pay. This FEIA considers the impact from one new proposal within the policy, and not the policy in itself. The proposal is to restrict re-employment to those who apply for voluntary redundancy to 24 months and to restrict re-employment to those who terminate employment via a settlement agreement.

**2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal**

Consultation with trade unions on behalf of the workforce

**3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.**

Discussed with CMT group and received feedback from trade unions.





**4. Equalities and Welsh language impact**


Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
<b>Age</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is evidence to suggest potential disproportionate impact on older people because of their age. Over 50s regularly struggle to regain employment in entry level to medium seniority roles, however are successful in senior and management roles. Whilst older workers may be more likely to opt for voluntary redundancy on the basis that they can access their pension benefits from age 55, this is the compensatory benefit to requesting voluntary redundancy. The organisation will take into account the reasons that employees choose voluntary redundancy and consider alternative adjustments if those reasons could be related to other characteristics e.g. changes to their long term health (physical, mental and wellbeing) or who have a change in circumstances, or who have a wealth of knowledge, expertise and experience. For example, a part time role may benefit them with reduced responsibilities that was not available to them previously when they were employed. As new opportunities arise it would be best practice to wish to recruit the best talent for the role, regardless of previous employment with NCC.</p> <p>A focus on professional development of older workers to retain skills and experience in the workplace will be considered.</p> <p>Any compulsory redundancy would not preclude any worker from returning to the organisation with immediate effect.</p>
<b>Disability</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is no evidence of any disproportionate impact on people because of their disability. There may be changes to their previously employed disability status, which may impact the need to return to employment</p>



Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
<b>Gender reassignment/transgender</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is some potential disproportionate impact on people because of their gender identity. This could depend on their gender 'status' when employed and if this had any bearing on the reasons they took redundancy and if this has changed, but no direct impact from policy
<b>Marriage or civil partnership</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their marital or civil partnership status.
<b>Pregnancy or maternity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their pregnancy/maternity. The Council's Job Security Policy references the pregnancy/maternity impact when going through a redundancy process and this is taken into consideration at the time of selection.
<b>Race</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their race.
<b>Religion or Belief or non-belief</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their religion, belief or non-belief.
<b>Sex/ Gender Identity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their sex or gender identity.
<b>Sexual Orientation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their sexual orientation.
<b>Welsh Language</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence of any disproportionate impact on people because of their ability to speak Welsh.

**5 How has your proposal embedded and prioritised the sustainable development principle in its development?**

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p><i>The proposal to introduce restrictions on reemployment following redundancy provides a longer term need to protect the Council's budget in releasing severance packages against the short term decisions that are taken to reduce staffing resource.</i></p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p><i>Not relevant</i></p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p><i>Consultation with trade unions on behalf of the workforce Consultation with CMT group</i></p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p><i>Not relevant</i></p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p data-bbox="244 660 336 683">Integration</p> <p data-bbox="140 698 424 842">Considering impact on all wellbeing goals together and on other bodies</p>	<p data-bbox="459 304 647 336">Not relevant</p>

6

**7 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?**

No

**8 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission**

Adopting an approach already followed by many other Welsh Councils to protect the public purse from severance packages that are then followed by reemployment shortly afterwards is a fair and

balanced proposal. Our duty to minimise public money being spent in this way gives opportunity for budget to be focused on delivering services to all residents.

## **9 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?**

Any negative impacts (potentially related to age and older workers being more likely to apply for voluntary redundancy) are considered proportionate due to the higher percentage of older workers that the Council recruits and continues to employ. They are also balanced against the proposal being relevant to voluntary redundancy only, which is a choice that employees will elect to request and their re-employment is a matter for them. However, we should recognise that older people may be more likely to take voluntary redundancy and be mindful of the reasons why someone is taking it (age, disability etc.) which should be mitigated by our approach to developing/supporting those members of the workforce to remain in work if they want/need to.

Any decision on the part of the Council to make a compulsory redundancy will not impact on any worker.

Heads of Service will need to ensure that within their areas any volunteers for redundancy are aware of the potential impact on the re-employment of such individuals before any requests are accepted, as this could mitigate the potential negative impact on not being able to return to the organisation for 24 months.

## **10 Monitoring, evaluating and reviewing**

The policy is reviewed and updated every 12 months

## **11 Involvement**

Guidance will be sent to managers via heads of service and department managers, and placed on the intranet.

**12 Summary of Impact (for inclusion in any report)**

<b>Equality Act 2010 AND Welsh Language</b>
<b>Wellbeing of Future Generations (Wales) Act 2015</b>

Mae'r dudalen hon yn wag yn

## Introduction

Newport City Council recognises the importance of remuneration decisions that are appropriate, transparent, provide value for money and reward employees fairly for the work that they perform. This policy statement sets out the Council's key approaches to pay and reward for our employees.

## Aims of Policy

To outline Newport City Council's approach to the pay and reward of its employees in the interests of openness and transparency.

## Scope

To provide the public with the Council's policy on all aspects of pay and reward, including senior posts and the lowest paid posts, explaining the relationship between remuneration for senior post holders and other groups.

## School Based Employees

Employees who are appointed and directly managed by Head teachers and/or Governing Bodies are not required to be included within the scope of Pay Policy Statements as the provisions in the Localism Act (2011) only apply to employees appointed and directly managed by the Council. This reflects the requirements contained within the Staffing of Maintained Schools (Wales) Regulations (2006) where school-based staff are considered to be employees of the Council, yet the appointment and management of this staff group is discharged to the Governing Body.

In the interests of consistency and transparency, the pay related data set out within this Pay Policy Statement includes information relating to those who are appointed and managed by Head teachers/Governing Bodies. Schools are required to develop their own Pay Policies.

## To be read in conjunction with

Annual Statement of Accounts 2021/22  
Job Evaluation Scheme  
School Teachers' Pay and Conditions (Wales) Document/School Pay Policies  
Market Supplement Guidance  
Early Retirement and Redundancy Payments Guidance  
Out of Hours/Additional Duties/Detriment Schemes  
Travel and Subsistence Policy

## Principles

This is Newport City Council's 2022/23 annual Pay and Reward Policy for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023. This Pay and Reward Policy provides the framework for decision making on pay and in particular decision making on senior pay.

The Council recognises that there is public interest in public sector pay and therefore the importance of being transparent in its decisions relating to pay. It is recognised that senior posts in the Council are accountable for delivering the current strategic objectives of the organisation, including demonstrating value for money and the role that senior leadership plays in the quality of service delivery. The context of managing resources effectively and appropriately is of importance to the Council and transparency on pay is therefore appropriate to publish for public scrutiny.

In accordance with the requirements of Section 38 of the Localism Act 2011 and of the Revised Guidance issued by the Welsh Government in December 2015, Newport City Council is required to publish a Pay Policy Statement for each financial year detailing:

- a) The Council's definition of senior posts
- b) The Council's definition of lowest paid employees
- c) Reasons for adopting these definitions
- d) The relationship between the remuneration of senior posts and that of the lowest paid employees

In addition to this Pay and Reward Policy, remuneration reporting is included in the Council's Annual Statement of Accounts. The 2021/22 information can be found [here](#)

The Council's senior posts are defined as:

Chief Executive  
Strategic Director – Social Services  
Strategic Director – Environment and Sustainability  
Strategic Director – Transformation and Corporate Services  
Chief Education Officer  
Head of Finance (Section 151 Officer)  
Head of Law and Regulation (Monitoring Officer)  
Head of People, Policy and Transformation  
Head of Children's Services  
Head of Adult's Services  
Head of Prevention and Inclusion  
Head of Regeneration and Economic Development  
Head of City Services  
Head of Environment and Public Protection  
Head of Housing and Communities



**POLICY****1.0 Legislative Framework****1.1 General**

In determining the pay and remuneration of all its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act (2010), Part Time Employment (Prevention of Less Favourable Treatment) Regulations (2000), the Agency Workers Regulations (2010), Transfer of Undertakings (Protection of Employment) Regulations (2006) where relevant, and the National Minimum Wage Act (1998).

With regards to Equal Pay requirements contained within the Equality Act, the Council aims to ensure that there is no pay discrimination within its pay structures and that pay differentials can be objectively justified using equality proofed job evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

**1.2 Pay in schools**

Employees who are appointed and directly managed by Head teachers and/or Governing Bodies are not required to be included within the scope of Pay Policy Statements as the provisions in the Localism Act (2011) only apply to employees appointed and directly managed by the Council. This reflects the requirements contained within the Staffing of Maintained Schools (Wales) Regulations (2006) where school-based staff are considered to be employees of the Council, yet the appointment and management of this staff group is discharged to the Governing Body.

In the interests of consistency and transparency, the pay related data set out within this Pay Policy Statement includes information relating to those who are appointed and managed by Head teachers/Governing Bodies. Schools are required to develop their own Pay Policies.

**2.0 Responsibility for Pay Decisions****2.1 Responsibility for the Approval of the Pay and Reward Policy**

The Council's Pay and Reward Policy incorporates the statutory provisions of the Localism Act (2011) in relation to pay policy statements. Approval of this statement and of any amendments to it is therefore a matter for full Council and cannot be delegated to any sub-committee.

**2.2 Responsibility for Council Pay Structure and Employment Terms and Conditions**

As per the Council's constitution, overall responsibility for Council policy in relation to pay and grading structures, and employment terms and conditions rests with the Cabinet, with specific policy decisions delegated to the Cabinet Member for Community and Resources.

The exception to this is the matter of senior pay structures, where any proposed changes are a matter for full Council.

### 2.3 Delegated Authority

Managers should be aware of their delegated levels of authority. Delegations for decisions on pay cannot be further delegated below these levels:

Decision	Delegated level of Authority
Remuneration packages above £100,000 per year	Full Council
Starting pay above grade minimum for the Chief Executive, Strategic Directors and Heads of Service	Appointments Committee
Market Supplement for the Chief Executive, Strategic Directors and Heads of Service	Appointments Committee
Performance related pay increases for the Chief Executive	Leader and Deputy Leader of the Council in consultation with the Head of People, Policy and Transformation
Performance related pay increases for the Strategic Directors	Leader, Deputy Leader and Chief Executive in consultation with the Head of People, Policy and Transformation
Pay progression through Head of Service grade	Strategic Directors in consultation with the Head of People, Policy and Transformation
Starting pay above grade minimum for all grades below Head of Service	Head of Service in consultation with Human Resources
Market Supplement for posts below Head of Service	Head of Service in consultation with the Head of Law and Regulation, Head of Finance and Head of People, Policy and Transformation
Pay progression through all grades below Head of Service	Head of Service in consultation with Human Resources
Additional duties payments below Head of Service	Head of Service in consultation with Human Resources
Salary detriment	Head of Service*
Early release of pension	Head of Service*
Planned overtime payments	Head of Service

**Decisions marked with \* are subject to a formal business case and consultation with the Head of Law and Regulation, Head of Finance and Head of People, Policy and Transformation. Any dispute will be determined by a Strategic Director.**

The Head of People and Business Change is responsible for ensuring that the Council's Job Evaluation Scheme (where applicable) and pay processes have been applied. Human Resources is responsible for overseeing any decision on pay to ensure that they are made in accordance with the delegated authority levels and are compliant with the terms of the Pay and Reward Policy.

### 3.0 Terms and Conditions of Service

The Council's employees are employed on a number of different terms and conditions dependent on the role that they fulfil:

Employee Group	Terms and Conditions
Chief Executive	Joint National Council for Chief Executives terms and conditions except for pay which is determined by a local performance related pay arrangement
Strategic Directors and Heads of Service	Joint National Council for Chief Officers' terms and conditions. Strategic Director pay is determined by a local performance related pay arrangement, Head of Service pay is subject to annual incremental movement through the grade
School Teachers	Head, Deputy, Assistant Head teachers and all other classroom teachers employed directly by the Council (as opposed to those employed by the Governing Body of a voluntary aided school) are paid in accordance with the School Teachers' Pay and Conditions (Wales) Document (STPCD).
School Improvement Professionals and Education Psychologists	The Soulbury Committee determine pay arrangements and National Joint Council for Local Government Service Employees terms and conditions apply for all other contractual entitlements
All other employees (including school-based staff other than teachers)	National Joint Council for Local Government Service Employees apply, supplemented by the Newport City Council Single Status Pay and Grading arrangements

### 4.0 National pay bargaining arrangements

The Council uses nationally negotiated pay spines for the relevant groups of employees as the basis for its local pay structures. The Council remains committed to adherence with national pay bargaining in respect of the national pay spines and any increases negotiated in the pay spine.

Employees on all terms and conditions will receive a pay award where this is negotiated nationally by the relevant negotiating committee.

## 5.0 Process for grading posts

The Council utilises the Newport City Council Job Evaluation scheme as the basis for its local grading structure. This determines the salaries of the majority of employees including non-teaching staff in schools. The pay and grading structure was agreed through a collective agreement with the recognised trade unions and implemented with effect from 1<sup>st</sup> April 2015.

The pay grade of posts on Soulbury and Teachers' pay will be determined in accordance with the national and local agreed terms.

The pay grade of JNC posts is through the Hay job evaluation scheme.

## 6.0 Senior Management Remuneration

For the purpose of the Council's Pay and Reward Policy, senior management means 'Chief Officers' as defined within Section 43 of the Localism Act (2011). The posts within the Council's structure identified by the statutory definition are set out below:

- Chief Executive
- Strategic Director – Social Services
- Strategic Director – Environment and Sustainability
- Strategic Director – Transformation and Corporate Services
- Chief Education Officer
- Head of Children's Services
- Head of Adult's Services
- Head of Prevention and Inclusion
- Head of Law and Regulation
- Head of Finance
- Head of People, Transformation and Policy
- Head of Regeneration and Economic Development
- Head of City Services
- Head of Environment and Public Protection
- Head of Housing and Communities

The current salary ranges for these posts can be found in Appendix B.

### 6.1 Recruitment and appointment of Chief Officers

The Council's policy and procedures with regard to the recruitment of chief officers is set out within the Officer Employment Procedure Rules as set out in Part 4 of the Council's Constitution. When recruiting to all posts the Council will take full and proper account of its own Recruitment Policy and Procedures, Job Security and Diversity Policies. The determination of the remuneration to be offered to any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

Where the Council remains unable to recruit chief officers under a contract of employment, or there is a need for interim support to provide cover for a vacant substantive chief officer post, the Council will, where necessary,

consider and utilise engaging individuals under ‘contracts for service’. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. The Council does not currently have any chief officers engaged under such arrangements. Any substantive chief officer appointment made under a contract for service is subject to the approval of full Council in accordance with the provisions of the Council’s Constitution.

## 6.2 The role of the Chief Executive

The Chief Executive is the senior officer who leads and takes responsibility of the organisation. The organisation has a turnover of £275m and is responsible for a wide range of services employing some 5500 staff.

The role of the Chief Executive is a full time and permanent appointment. Post holders are selected on merit, against objective criteria, following public advertisement. They are appointed by the Council’s Appointments Committee. The Chief Executive works closely with elected members to deliver Newport’s corporate plan. The Chief Executive routinely works evenings as well as the standard Monday to Friday business week. The Chief Executive also heads the ‘on call’ arrangements particularly to cover emergency planning requirements.

## 6.3 Chief Executive Pay

The remuneration for the Chief Executive is set out in Appendix B, and the Chief Executive may receive additional payments for any of the elections where they are the Returning Officer.

Details of the Chief Executive’s remuneration, including any additional payments are published in the annual accounts of the Council and can be accessed [here](#)

The Chief Executive is a member of the LGPS pension scheme and details are disclosed in the remuneration report. There have been no increases or enhancements to the pension outside of standard arrangements.

The notice period for the role is 3 months.

## 6.4 Proposals to change the Chief Executive’s remuneration

Where the Council proposes to change the Chief Executive’s remuneration and the proposed change is not commensurate with a change to the salaries of the authority’s other employees, it will consult the Independent Remuneration Panel for Wales (IRPW) about the proposed change. The Council will provide the IRPW with all relevant information regarding its proposed change and will have due regard to any IRPW recommendations on the proposals.

The Council is required to declare whether or not any referrals have been made to the IRPW. To date there have been no referrals made to the IRPW regarding any aspects of the Chief Executive’s salary in the Council’s Pay and Reward Policy.

The Council will have regard to any recommendation received from the IRPW when performing its functions under section 38 or 39 of the Localism Act 2011. This may include any recommendations from the IRPW in relation to a policy within the Council’s Pay and Reward Policy regarding severance packages.

## 6.5 Joint Appointments

The Council's intention is to continue to develop collaborative working on a planned and strategic basis with local authority partners and also with other public sector organisations. Therefore, when senior vacancies arise, including at Chief Officer level, the views of elected Members will be sought as to whether consideration of a joint appointment would be appropriate. If Members are supportive, discussions will take place with partners and neighbouring authorities to determine whether the posts can be reconfigured as a joint appointment, instead of automatically being filled on a like for like basis.

If a decision is made to progress with a joint appointment, both parties will need to reach agreement on the salary and overall remuneration package for the post, and the proportion to this which each party will pay. Where the Council will be the employer of the joint appointee, the determination of salary and other pay arrangements will be in accordance with this Pay and Reward Policy.

Any joint appointments at Chief Officer level will be made in accordance with the provisions of the Officer Employment Procedure Rules contained in the Council's Constitution.

## 7.0 Pay Relativities within the Council

The relationship between the rate of pay for the lowest paid Council employee and that of the Council's Chief Officers is determined by the processes used for determining pay and grading structures as set out in this Pay and Reward Policy. A copy of the Council's grades for NJC posts is published on the external webpage [here](#).

The lowest paid persons employed under a contract of employment with the Council are employed at spinal column point 1 of the National Joint Council pay spine for Local Government Services which is £9.50 per hour and the Council pays a supplement to match the Real Living Wage when it is higher than the lowest spinal column points. No supplement was required in 2021/22.

The Council employs Apprentices (and other trainees) who are not included within the definite of lowest paid employees as they are not employed under Contracts of Employment.

The relationship between the rate of pay for the lowest paid employees and the Council's Chief Officers is regulated by the processes used for determining pay and grading structures as set out in this Pay and Reward Policy.

The salary utilised for the Chief Officer calculations of all the pay multiple data is £135,890.

As part of its commitment to pay transparency and following the recommendations of the Hutton "Review of Fair Pay in the Public Sector" (2011), the Council will publish information on pay relativities on an annual basis. The information for 2021/220 is as follows:

Multiple of Salary	Ratio
<ul style="list-style-type: none"> <li>the multiple between the annual salary of the lowest paid Council employee and the Chief Executive (full-time equivalent basis) as a ratio</li> </ul>	1 : 7.19
<ul style="list-style-type: none"> <li>the multiple between the annual salary of the lowest paid Council employee and the average Chief Officer (full-time equivalent basis) as a ratio</li> </ul>	1 : 4.7
<ul style="list-style-type: none"> <li>the multiple between median earning of Council employees and the Chief Executive (full-time equivalent basis) as a ratio</li> </ul>	1 : 4.26
<ul style="list-style-type: none"> <li>the multiple between median earning of Council employees and the average Chief Officer (full-time equivalent basis) as a ratio</li> </ul>	1 : 2.7

Note:

- i) Column A provides the pay ratio as per the requirement of the Localism Act 2011
- ii) These figures exclude remuneration for appointments within organisations for which the Council provides a payroll service but is not the employer.
- iii) These figures exclude remuneration for joint appointments where the Council is not the employer

In relation to the gender pay gap, the Council's Gender Pay Gap 2021 report outlines the gender pay gap between men and women in the Council. As at April 2021 the Council had a mean gender pay gap of 2% and a median gender pay gap of 1.5%. There is no bonus paid to any employee, therefore no bonus gender pay gap exists, and our quartiles are as follows:

	FEMALE	MALE	TOTAL
<b>LOWER</b>	<b>73%</b>	<b>27%</b>	<b>100%</b>
<b>LOWER MIDDLE</b>	<b>67%</b>	<b>33%</b>	<b>100%</b>
<b>UPPER MIDDLE</b>	<b>69%</b>	<b>31%</b>	<b>100%</b>
<b>UPPER</b>	<b>69%</b>	<b>31%</b>	<b>100%</b>

## 8.0 Starting Pay

New appointments will normally be made at the minimum of the relevant grade for the post. Under exceptional circumstances, and where there are compelling and evidenced reasons to support the decision, a new employee may be appointed to a higher increment. Exceptional reasons may include the need to secure the best candidate and/or having regard to the knowledge, skills and competencies of the individual as well as their current and previous remuneration levels.

All requests to appoint above the minimum of the grade must be agreed by the relevant Head of Service in consultation with their HR&OD Business Partner before any salary offer is made to the candidate. In the case of Chief Officers all requests to appoint above the minimum of the grade must be agreed by the relevant Appointments Committee of the Council.

In addition, all remuneration packages for Chief Officers with a value of £100,000 or more must be approved by the full Council. The remuneration package will include salary, performance related pay, fees or allowances and any benefits in kind.



## 9.0 Annual Pay Progression arrangements

Pay structures for the all employee groups are attached at the appendices as follows:

Appendix A: NCC NJC Salary Structure with Effect from 1 April 2021 (Applicable to National Joint Council for Local Government Employees)

Appendix B: Chief Officer Pay Scales

Appendix C: Soulbury Pay Scale

Appendix D: School Teachers' (Qualified and Unqualified) Pay Ranges and Leadership Group Pay Spines

The pay progression arrangements for the relevant employee groups are outlined below.

### 9.1 NJC for Local Government Employees

Increments will be paid on 1st April each year until the maximum of the level is reached subject to the following:

(i) In exceptional circumstances, increments may be accelerated within the grade at the discretion of the authority on the grounds of special merit or ability, subject to the maximum of the level not being exceeded in accordance with Head of Service delegation. This will only occur after careful consideration of equal pay requirements and consultation with Human Resources.

(ii) Employees with less than six months' service in the grade by 1st April shall be granted their first increment six months from the actual date of their appointment, promotion or re-grading. All future increments will then be paid on 1 April.

NB: Any action under (i) or (ii) shall not interrupt the payment of subsequent increments on 1 April.

### 9.2 Chief Officers – Chief Executive and Strategic Directors

The Chief Executive and Strategic Directors will not be paid any annual increment. Any progression within these salary ranges will be based solely on performance in accordance with the agreed performance related pay arrangements.

### 9.3 Chief Officers – Heads of Service

Increments will be paid to Heads of Service on 1 April each year until the maximum of the level is reached subject to the following:

(i) In exceptional circumstances, increments may be accelerated within the grade at the discretion of the authority on the grounds of special merit or ability, subject to the maximum of the level not being exceeded in accordance with Head of Service delegation. This will only occur after careful consideration of equal pay requirements and consultation with Human Resources.

(ii) Employees with less than six months' service in the grade by 1 April shall be granted their first increment six months from the actual date of their appointment, promotion or re-grading. All future increments will then be paid on 1 April.

NB: Any action under (i) or (ii) shall not interrupt the payment of subsequent increments on 1 April.



#### **9.4 Employees on Soulbury salary scales**

Increments will be paid on 1 September each year until the maximum of the level is reached subject to the following:

(i) In exceptional circumstances, increments may be accelerated within the grade at the discretion of the authority on the grounds of special merit or ability, subject to the maximum of the level not being exceeded in accordance with Head of Service delegation. This will only occur after careful consideration of equal pay requirements and consultation with Human Resources

(ii) Employees with less than six months' service in the grade by 1 September shall be granted their first increment six months from the actual date of their appointment, promotion or re-grading. All future increments will then be paid on 1 September.

(iii) Structured Professional Assessment points will be paid in accordance with the provisions of the Soulbury Committee and the Council's Soulbury Guidance note.

The small group of employees who remain subject to the local agreement reached in June 2005 for employees within school improvement posts are employed on 'spot points' and are therefore not entitled to receive annual increments.

#### **9.5 Withholding an increment**

For all employees in posts subject to incremental progression, an increment may be withheld due to poor performance. This will only apply where formal capability procedures are being followed in accordance with the Council's Capability Policy. Any increment withheld may be paid subsequently if the employee's performance improves.

#### **9.6 Teachers and School Leaders**

Progression for teachers paid on the main or upper pay ranges will be in accordance with the provisions of the STPCD (Wales) 2021; any pay movement, where awarded, applies from 1 September each year. Teachers employed on the Leadership spine (Head Teachers, Deputies and Assistant Head Teachers) are eligible to progress within the pay range for their post on 1 September each year until the maximum point is reached. Progression is subject to meeting the requirements for movement set out in the STPCD (Wales) 2021.

#### **10.0 Pay on Promotion or Transfer**

##### **10.1 Move to a new post at the same level**

Where an employee moves to a new permanent post at the same level, they will normally be appointed on the same salary point and retain the incremental date (where this is relevant) from their original post.

##### **10.2 Pay on promotion**

Where an employee receives a promotion, they will normally be appointed on the minimum point for the new post subject to them receiving a minimum of one increment above their current spinal point in their pre-promotion post.

All requests to appoint above the minimum of the level must be agreed by the relevant Head of Service, in consultation with their HR&OD Business Partner before any salary offer is made.

In the case of Chief Officers all requests to appoint above the minimum of the grade must be agreed by the relevant Appointments Committee of the Council.

### **11.0 Allowances: Overtime, Bank Holiday Working, Night Work, Standby**

Employees on all terms and conditions, other than Chief Officers and teachers, may be paid allowances, where appropriate, in accordance with the relevant provisions of their terms and conditions of employment as supplemented by local agreement.

Chief Officers and teachers are not eligible for such allowances but are expected to undertake duties outside their contractual hours and working patterns as is commensurate with their salary level without additional payment.

### **12.0 Additional Payments – All Employees**

Employees on all terms and conditions may be eligible for the following additional payments unless otherwise stated:

#### **12.1 Additional Duties Scheme**

There may be occasions when an employee is asked to carry out additional duties at a higher level to those of their substantive post for a period of time. In such circumstances an additional payment may be made in line with the Council's Additional Duties Scheme, which can be found [here](#).

N.B. Under the School Teachers' Pay and Conditions Document (Wales) 2021, there are no provisions which allow for the payment of honoraria to teachers.

#### **12.2 Professional Fees**

The Council does not pay or reimburse professional/registration fees with the exception of one designated Environmental Health post in order to retain NCC's accreditation status as a training centre with the Chartered Institute of Environmental Health.

#### **12.3 Market Supplements**

Within a diverse workforce encompassing highly skilled professional and technical roles the Council recognises there may be occasions where market forces produce a situation where, in exceptional circumstances, the Council may offer an additional temporary supplement to the pay of a post.

The Council has a Market Supplement Scheme for Local Government Service employees to ensure that requirement for any market pay supplements is objectively justified. With the exception of teachers, the Scheme may apply to other posts within the council.

Supplements are subject to regular review and can be withdrawn where no longer considered justifiable.

## 12.4 Additional Payments under the STPCD (Wales) 2021

The STPCD (Wales) 2021 makes provision for the following additional allowances/payments for teachers, subject to the necessary criteria being met:

- Teaching and Learning Responsibility Allowances
- Special Educational Need Allowances
- Recruitment or Retention Incentives and Benefits
- Payments for participation in continuing professional development undertaken outside the school day, out-of-school hours learning activities, activities relating to the provision of initial teaching training and / or additional responsibilities and activities
- learning activities

Where the Council has centrally employed teaching staff, it may make use of the above allowances, subject to meeting the relevant provisions of the STPCD (Wales) 2021.

## 12.5 Travel and Subsistence Expenses

The Council's Travel and Subsistence Policy seeks to ensure that no employees will be financially disadvantaged whilst undertaking duties which take them from their normal place of work. Employees will be reimbursed additional travelling or subsistence expenses incurred in the course of their work in accordance with this policy, subject to evidence of expenditure being produced. Details of the current rates for travelling and subsistence expenses can be found [here](#).

## 13.0 Returning Officer

The Council has agreed that the Chief Executive undertakes the role of Returning Officer in respect of local and national elections.

The Returning Officer is an officer of the City Council who is appointed under the Representation of the People Act 1983. Whilst appointed by the Council, the role of the Returning Officer is one which involves and incurs personal responsibility and accountability and is statutorily separate from their duties as an employee of the Council. As Returning Officer, they are paid a separate allowance for each election for which they are responsible.

Other Council staff may undertake duties on behalf of the Returning Officer, e.g. polling clerks, count supervisors, etc. They will receive separate payments for these duties based on their role in any election process.

## 14.0 Employee Benefits

In addition to an employee's salary, the Council is able to offer a comprehensive range of benefits designed to enhance the work / life balance of our employees. The current benefits include:

- the Local Government/Teachers' Pension Schemes as applicable
- generous annual leave entitlements in addition to bank holiday entitlement
- The option to purchase up to one week of additional annual leave
- learning and development opportunities
- flexible working arrangements
- employee wellbeing schemes, such as counselling
- childcare vouchers

- cycle-to-work scheme
- car lease scheme
- technology purchase scheme
- discounted gym and leisure membership
- use of the Vectis card scheme to provide retail discounts
- access to financial support and advice
- pay advance facility
- advance loans for sustainable rail and bus travel

## 15.0 Detriment Arrangements

### 15.1 All employees except Teaching staff

The Council has a non-contractual Detriment Scheme for those employees whose posts are downgraded as a consequence of implementing structural change. This can be found on the Council's Intranet. Detriment arrangements will not apply where the move to a lower graded post is voluntary.

### 15.2 Teaching Staff

There are specific statutory arrangements in place for teachers whose posts are downgraded as a result of implementing structural change or because of the implementation of school reorganisations. These provisions are outlined in the STPCD (Wales) 2021.

## 16.0 Termination of Employment

### 16.1 Payments on Termination

Where an employee's employment is brought to an end on grounds of redundancy or early retirement, they will receive payment on termination of their employment in accordance with the Council's Redundancy Payments and Early Retirement Guidance and discretions relating to the Local Government Pension Scheme policy. This guidance sets out the Council's approach to statutory and discretionary payments on termination of employment of all employees, prior to reaching normal retirement age. It includes the Council's discretions in accordance with the following statutory regulations:

- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006
- The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007, The Local Government Pension Scheme Regulations 2013 and the Local Government Pension Scheme (Transitional Provisions & Savings) Regulations 2014
- The Teachers' Pension Scheme Regulations 2010 and Teachers (Compensation for Redundancy and Premature Retirement) Regulations.

Chief Officer severance packages above £100,000 must be agreed by full Council. The severance /redundancy package includes any redundancy payment, contractual notice period and full cost of early release of pension (as required under Regulation 68 (2) of the Local Government Pension Scheme).

Payments to the Chief Executive falling outside these provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Leader and Deputy Leader.

Other payments to other Chief Officers falling outside these provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Leader and the Cabinet Member for Community and Resources.

## **16.2 Re-employment following termination**

The Council will not re-employ ex-employees who have been made voluntarily redundant (or left in the “efficient exercise of the service”) until a period of 24 months from their leaving date has expired. The same restriction will apply in respect of the placement of such ex-employees via employment agencies or as self-employed consultants under a contract for services. For the avoidance of doubt this restriction does not apply to employees who were made compulsory redundant. Where a former employee is re-employed at Chief Officer level, the appointment will be subject to the approval of full Council in accordance with the provisions of the Council’s constitution.

The Council will not re-employ staff whose termination of employment is covered by a Settlement Agreement or COT3. The same restriction will apply in respect of the placement of such ex-employees via Employment Agencies or as self-employed consultants under a contract for services. Delegated authority will be given to the Chief Executive, Strategic Directors (for posts in their respective services), Head of People and Business Change and the Head of Law and Regulation to consider any pre or post termination requests to waive this policy provision on a case by case basis. A number of factors will be relevant in considering requests to waive this policy provision including, financial, working relationships and trust and confidence (this is not an exhaustive list). In the event that a request to waive is agreed, ex-employees will not be able to recommence employment with the Council (after an open advertisement and successful outcome from a recruitment and selection process) until a period of time has elapsed that is equal in length to the number of weeks’ pay their compensation payment equates to.

## **17.0 Confidentiality**

The application of this Pay and Reward Policy will be undertaken in an open and transparent way but the salary details of individual members of staff shall remain confidential. Where the Council is required to publish salary information in accordance with the provisions of the Accounts and Audit (Wales) Regulations 2005, this information is published on an anonymised basis due to the requirements of the current Data Protection Act.

## **18.0 Workforce Information**

It is recognised that accurate workforce data is critical to the management of the Council’s most valuable and costly resource, its employees, and to the implementation of this Pay and Reward Policy. People, Transformation and Policy will be responsible for analysing the data that is currently collected in order to inform any future proposed changes to this policy/related policy and in order to fully understand the financial context.

## **19.0 Partnership with Trades Unions**

The Council will endeavour to maintain the joint working approach that it has developed with its recognised Trade Unions and will continue to work closely with them on pay related matters. There has been consultation with representatives of the recognised Trade Unions during the development of this Pay and Reward Policy. Collective bargaining processes will be followed as appropriate for any proposed changes to pay and/or allowances.

## 20.0 Publication

Following approval by the full Council, and in accordance with the requirements of the Localism Act, this Pay and Reward Policy will be published on the Council's Website.

In addition, for posts where the full-time equivalent salary is at least £60,000, in accordance with the provisions of Accounts and Audit (Wales) Regulations 2005, the Council's Annual Statement of Accounts will include a note setting out:

- the total amount of salary, fees or allowances paid to or receivable by the postholder in the current and previous year
- any bonuses so paid or receivable by the postholder in the current and previous year
- any sums payable by way of expenses allowance that are chargeable to UK income tax
- any compensation for loss of employment and any other payments connected with termination
- any benefits received that do not fall within the above.

## 21.0 Policy Review

This Pay and Reward Policy outlines the current position in respect of pay and reward within the Council. It will be reviewed and reported to Council on an annual basis to ensure it meets the principles of fairness, equality, accountability and value for money for the authority and its residents.

This Pay and Reward Policy is updated and approved by Council on an annual basis. This statement will come into immediate effect once fully endorsed by Council at its meeting in July 2022.

<b>Created By:</b>	Rachael Davies
<b>Date Created:</b>	March 2021
<b>Reviewed By:</b>	Rachael Davies
<b>Date Reviewed:</b>	28/02/2022
<b>Current Version:</b>	March 2021

## Document Control

Version	Date	Author	Notes/Changes
V2.1	03/03/2021	Rachael Davies	Amended to include reference to Restriction of Public Sector Exit Payments Regulations 2020
e.g. VI	15/03/2022	Rachael Davies	Updated to reflect Local Government and Elections (Wales) Bill
e.g. VI	Click to enter date.	Click to enter text	Click to enter text
e.g. VI	Click to enter date.	Click to enter text	Click to enter text
e.g. VI	Click to enter date.	Click to enter text	Click to enter text
e.g. VI	Click to enter date.	Click to enter text	Click to enter text
e.g. VI	Click to enter date.	Click to enter text	Click to enter text
e.g. VI	Click to enter date.	Click to enter text	Click to enter text
e.g. VI	Click to enter date.	Click to enter text	Click to enter text
e.g. VI	Click to enter date.	Click to enter text	Click to enter text



**Appendix A: NJC FOR LOCAL GOVERNMENT WORKERS SALARY RATES  
 1 APRIL 2021**

Spinal Column Point	Annual Salary £	Monthly Salary £	Weekly Salary £	Hourly Rate (37) £		
1	18333	1527.75	351.59	9.5025	Grade 1	
2	18516	1543.00	355.10	9.5973	(210-253)	
3	18887	1573.88	362.21	9.7894		Grade 2
4	19264	1605.34	369.45	9.9850		(254-297)
5	19650	1637.49	376.84	10.1850	Grade 3	
6	20043	1670.24	384.38	10.3887	(298-341)	
7	20444	1703.67	392.08	10.5966		
8	20852	1737.68	399.90	10.8082		Grade 4
9	21269	1772.44	407.90	11.0244		(342-397)
10	21695	1807.90	416.06	11.2450		
11	22129	1844.05	424.38	11.4698		
12	22571	1880.91	432.87	11.6991		
13	23023	1918.55	441.53	11.9332		
14	23484	1956.97	450.37	12.1721	Grade 5	
15	23953	1996.09	459.37	12.4155	(398-453)	
16	24432	2035.99	468.55	12.6636		
17	24920	2076.67	477.92	12.9167		
18	25419	2118.23	487.48	13.1752		
19	25927	2160.57	497.23	13.4386		
20	26446	2203.83	507.18	13.7076		Grade 6
21	26975	2247.92	517.13	13.9818		(454-509)
22	27514	2292.83	527.66	14.2612		
23	28226	2352.17	541.32	14.6302		
24	29174	2431.18	559.50	15.1217	Grade 7	
25	30095	2507.92	577.16	15.5990	(510-565)	
26	30984	2581.99	594.21	16.0597		
27	31895	2657.92	611.68	16.5320		
28	32798	2733.15	629.00	16.9999		Grade 8
29	33486	2790.48	642.19	17.3565		(566-621)
30	34373	2864.44	659.21	17.8166		
31	35336	2944.69	677.68	18.3157		
32	36371	3030.92	697.52	18.8520	Grade 9	
33	37568	3130.69	720.49	19.4726	(622-677)	
34	38553	3212.76,	739.37	19.9831		
35	39571	3297.58	758.89	20.5106		



36	40578	3381.52	778.21	21.0327		Grade 10
37	41591	3465.94	797.64	21.5578		(678-743)
38	42614	3551.15	817.25	22.0878		
39	43570	3630.87	835.60	22.5836	Grade 11	
40	44624	3718.69	855.81	23.1299	(744-809)	
41	45648	3803.98	875.43	23.6604		
42	46662	3888.49	894.88	24.1860		Grade 12
43	47665	3972.04	914.11	24.7057		(810-875)
44	48855	4071.25	936.94	25.3228		
45	50082	4173.47	960.47	25.9586	Grade 13	
46	51336	4278.02	984.53	26.6089	(876-941)	
47	52614	4384.49	1009.03	27.2711		
48	53930	4494.17	1034.27	27.9533		Grade 14
49	55274	4606.13	1060.04	28.6497		(942-1007)
50	56660	4721.65	1086.62	29.3682		
51	58078	4839.79	1113.81	30.1030	Grade 15	
52	59528	4960.63	1141.62	30.8547	(1008+)	
53	60011	5084.25	1170.07	31.6235		

## Appendix B: CHIEF OFFICER SALARY RATES – 1 APRIL 2021

JOB TITLE	GRADE	SCALE	ANNUAL SALARY £
CHIEF EXECUTIVE	MD01	001	129,323
		002	135,890
		003	142,458
		004	149,027
STRATEGIC DIRECTORS	CD01	001	108,598
		002	112,619
		003	114,357
		004	118,296
HEADS OF SERVICE	HDS01	001	80,122
		002	82,128
		003	84,177
		004	86,277

**Appendix C: SOULBURY SALARY RATES – 1 SEPTEMBER 2021**
**i) EDUCATIONAL IMPROVEMENT PROFESSIONALS (EIPs)**

SPINE POINT	SALARY FROM 1.9.20	SPINE POINT	SALARY FROM 1.9.20
1	37,056	26	68,434
2	38,383	27	69,616
3	39,637	28	70,815
4	40,907	29	72,016
5	42,168	30	73,215
6	43,431	31	74,404
7	44,758	32	75,611
8	46,035*	33	76,819
9	47,552	34	78,056
10	48,849	35	79,291
11	50,158	36	80,560
12	51,425	37	81,809
13	52,860**	38	83,071
14	54,140	39	84,316
15	55,553	40	85,561
16	56,831	41	86,811
17	58,113	42	88,061
18	59,371	43	89,309
19	60,668	44	90,564
20	61,338***	45	91,815
21	62,626	46	93,069
22	63,749	47	94,327
23	64,985	48	95,574****
24	66,093	49	96,825****
25	67,278	50	98,079****

**NOTES:**

Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit and motivate employees.

\* normal minimum point for EIP undertaking the full range of duties at this level

\*\* normal minimum point for senior EIP undertaking the full range of duties at this level

\*\*\* normal minimum point for leading EIP undertaking the full range of duties at this level

\*\*\*\* extension to range to accommodate structured professional assessments.

## ii) EDUCATIONAL PSYCHOLOGISTS

EDUCATIONAL PSYCHOLOGISTS - SCALE A	
SPINE POINT	SALARY FROM 1.9.21
1	38,865
2	40,838
3	42,811
4	44,782
5	46,755
6	48,727
7	50,584
8	52,440
9	54,179*
10	55,921*
11	57,544*

## NOTE:

\*The 11-point scale A provides for up to 3 additional SPA points to be added to the post holder entitlement on the appropriate 6-point range

## ii) SENIOR EDUCATIONAL PSYCHOLOGISTS

SENIOR AND PRINCIPAL EDUCATIONAL PSYCHOLOGISTS (B) SALARY RANGE			
SPINE POINT	SALARY FROM 1.9.21	SPINE POINT	SALARY FROM 1.9.21
1	48,727	10	61,945
2	50,584	11	63,177
3	52,440*	12	64,431
4	54,179	13	65,707
5	55,921	14	66,941**
6	57,544	15	68,235**
7	58,210	16	69,514**
8	59,456	17	70,803**
9	60,690	18	72,090**

## NOTES:

Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate employees.

\* Normal minimum point for the principal educational psychologist undertaking the full range of duties at this level

\*\* Extension to range to accommodate discretionary scale points and structured professional assessments

#### Appendix D: TEACHERS' SALARY RATES – 1 SEPTEMBER 2021

##### i) TEACHER PAY RANGES

QUALIFIED TEACHERS – pay rate from 1/9/21 – 31/8/22	WALES		
MAIN RANGE	£ p.a.	UPPER PAY RANGE	£ p.a.
M1		UPS1	39,368
M2(min)	27,491	UPS2	40,827
M3	29,699	UPS3	42,333
M4	31,987		
M5	34,506		
M6 (max)	37,974		

UNQUALIFIED TEACHERS – pay rate from 1/9/21 – 31/8/22	WALES
1	18,487
2	20,637
3	22,786
4	24,936
5	27,088
6	29,238

##### ii) ADDITIONAL ALLOWANCES / PAYMENTS

TEACHING AND LEARNING RESPONSIBILITY (TLR) PAYMENTS	ANNUAL ALLOWANCE £		ANNUAL ALLOWANCE £	
TLR 3 BAND (fixed-term award only)	Minimum	581	Maximum	2,883
TLR 2 BAND	Minimum	2,924	Maximum	7,140
TLR 1 BAND	Minimum	8,437	Maximum	14,276
SPECIAL EDUCATIONAL NEEDS (SEN) ALLOWANCES	ANNUAL ALLOWANCE £			
SEN RANGE	Minimum	2,310	Maximum	4,558

iii) **PAY SPINE FOR THE LEADERSHIP GROUP 1/9/2021 – 31/8/2022**  
 (This spine applies to Headteachers, Deputy Headteacher, and Assistant Headteachers)

<b>LEADERSHIP PAY – 1/9/21 – 31/8/22</b>			
	<b>WALES</b>		
<b>MAIN RANGE</b>	<b>£ p.a.</b>		
1	42,934	24*	74,847
2	44,008	24	73,766
3	45,107	25	77,474
4	46,230	26	79,391
5	47,381	27*	80,553
6	48,571	27	81,358
7	49,877	28	83,376
8	51,029	29	85,441
9	52,302	30	87,568
10	53,646	31*	88,841
11	55,038	31	89,731
12	56,307	32	96,961
13	57,714	33	94,245
14	59,153	34	96,575
15	60,624	35*	97,996
16	62,237	35	98,976
17	63,665	36	101,426
18*	64,620	37	103,947
18	65,266	38	106,520
19	66,886	39*	108,035
20	68,543	39	109,116
21*	69,544	40	111,838
21	70,240	41	114,632
22	71,984	42	117,504
23	73,766	43	119,248

\*These points and point 43 are the maximum salaries for the eight headteacher group ranges

Mae'r dudalen hon yn wag yn