

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 5th 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 5th 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 5th 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.

> Citizen role:

In Newport, citizens are equal partners and play a role in the creation and support of strong communities and help to design local public services.

> Enabling and capacity building:

We see the role of our council (both officers and members) as community enabler, facilitator and capacity builder and our practitioners are supported to fulfil their roles as professional experts.

> Tailored approach:

We believe that different people, families and parts of the city may require different approaches and we never assume that one size can fit all. This means flexible use of our buildings, technology and staff that work for our citizens.

> Evidence-based:

Our decisions are based on evidence so that we focus our resources where they are most needed; and we have a good understanding as to whether the actions we are taking are having the intended impact.

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 5th 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 5th 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



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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