

Report

Democratic Services Committee

Part 1

Date: 24 September 2024

Subject Annual Report of the Head of Democratic Services

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

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

Ward All wards

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

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

Proposal The Committee is asked:

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

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

This report was prepared after consultation with:

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

Background

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

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

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

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

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

Financial Summary

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

Risks

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

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

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

Proposal

The Committee is asked:

- (i) To consider and comment upon the Annual Report;
- (ii) To endorse the view of the Head of Law and Standards and Democratic and Electoral Services Manager that the provision of staff, accommodation and other resources by the Council is adequate to discharge the statutory requirements in relation to decision making, democratic administration and scrutiny; and

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

Comments of Chief Financial Officer

To note that the comments of the Chief Financial Officer are not available at the time of writing this report, but will be circulated to members as soon as possible.

Comments of Monitoring Officer

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

Comments of Head of People, Policy and Transformation

This report to the Democratic Services Committee presents the Annual Report of the Head of Democratic Services, which provides an outline of the provision of staff, accommodation and other resources made available to the Head of Democratic Services, to ensure the committee can fulfil its responsibilities under the Local Government (Wales) Measure 2011. Ensuring effective corporate governance and decision-making processes are in place will support the principles of the Well-being of Future Generations (Wales) Act 2015 and its five ways of working.

The programme supports the Council's Corporate Plan 2022-27 vision of 'an ambitious, fairer, greener Newport for everyone', and supports its four Well-being Objectives including Objective 4 (An Inclusive, Fair and Sustainable Council)

A Fairness and Equalities Impact Assessment was not required and there are no staffing or HR related issues arising directly from this report.

Fairness and Equality Impact Assessment:

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

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

Consultation

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

Background Papers

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

Dated: 20th August 2024



Head of Democratic Services Annual Report 2024

1. Introduction

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

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

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

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

2. Functions and requirements of the statutory role

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

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

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

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

3. Provision of staff

There was one change to the existing provision of staff during the reporting period. A new team member joined in April 2024 under the Council's apprenticeship scheme. The role spans both Democratic Services and Electoral Services to support development of knowledge, skills and experience in both areas. This appointment has been invaluable in supporting the delivery of the Mayoralty and AGM, and the preparation for both the Police and Crime Commissioner and General Election.

The permanent structure of the Democratic Services team remained the same during the reporting period (Appendix A).

4. Adequacy of Staffing

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

During the period for reporting, there was an increase of one full time equivalent in the available resource as reported in Section 3 of this report.

There was a full complement of staff within the Democratic Services team during the reporting period. Therefore, the provision of staff, accommodation and other resources under this structure is considered to be adequate to discharge democratic services functions, as they currently exist.

In accordance with the requirements of the Measure the staffing and resources available to discharge these democratic functions will need to be kept under regular review, to ensure that they remain adequate and effective. Active workforce planning is in place with the aim of ensuring that the team has the necessary skills, knowledge, experience and capacity to be able to effectively deliver against current and anticipated objectives.

The team is responsible for organising and supporting meetings involving members, including Full Council, Cabinet, Committees and Licensing hearings; the team's role includes ensuring that the necessary logistical arrangements for the meetings are in place, collating, distributing and publishing agendas and reports, providing technical support during the meetings themselves and producing and publishing minutes of meetings. Hybrid meetings require more resource to administer and produce the meetings than is required to support meetings held solely online or solely in person.

The team is responsible for providing day-to-day support to members, including arranging the induction programme for new members and co-ordinating the delivery of the Council's agreed member training programme, and the ward meeting arrangements, as well as often being the first port of call for day-to-day queries from members. In addition, the team is also responsible for the Mayor's office, which includes managing the Mayor's diary, responding to communications sent to his office and replying to requests for him to attend events.

Democratic Services support is available by Teams, email and in person at the Civic Centre Monday to Friday.

A key challenge faced by the team is the need to process large numbers of enquiries and documents with a relatively small team, however, it is anticipated that the appropriate and careful use of AI and automation technology can assist with these tasks, thereby freeing up staff to focus on other important matters.

6. Training

During this period staff have received training and support as part of their ongoing development. Cross-training on duties has also continued to ensure that there is resilience and shared knowledge of processes and protocols.

Officers have continued to maintain mandatory training during this period, and this has been monitored through a training matrix to ensure that targets are reached. This has covered essential topics such as Welsh History and Legislation, and Information Security.

Specialist training has been provided by the Welsh Local Government Association on scrutiny, and from the Association of Electoral Administrators on all aspects of Electoral Administration.

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

As part of the team’s commitment to ensuring that the service it provides remains efficient and effective, arrangements are being made to seek feedback from senior members with regard to the delivery of the team’s functions; it is anticipated that this feedback, which will be gathered during the second quarter of 2024/25, will be used to inform the objectives and priorities of the team.

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

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

Head of Law and Standards and Democratic and Electoral Services Manager

APPENDIX A

Democratic Services Team Structure

