

# Draft Minutes

## Democratic Services Committee

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Date:	22 October 2020
Time:	10am
Venue:	Microsoft Teams Live Event
Present:	Councillors C. Ferris (Chair), M. Whitcutt, K. Thomas, P. Hourahine, J. Hughes, C. Evans, M. Evans, T. Watkins, J. Clarke.
In Attendance:	G. Price (Head of Law and Regulation), A Jenkins (Governance Team Leader), P. Tasker (Governance Officer)
Apologies:	None

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### 1 Apologies

None.

### 2. Declarations of Interest

None

### 3. Minutes of the Last Meeting.

#### Agreed:

The minutes of the 20 February 2020 were accepted as a true record.

### 4. Annual Report of the Democratic Services Committee.

The Head of Law and Regulation confirmed for the committee that there were two parts to this agenda item, which contained the Head of Democratic Services Report as well as the Annual Report of the Democratic Services Committee.

The Head of Law and Regulation referred members to the Annual Report of the Head of Democratic Services Committee, item 4a on the agenda. This report summarised the support provided to the committee and in an unprecedented year with the Covid 19 pandemic, it was an overview of the first part of the year and the restructure of Democratic Services.

Last year it was the intention to restructure the management within the Governance Team with more focus on the statutory role. The Covid Lockdown had affected this process and the previous post holder covered both Democratic Services and other functions related to PR, Communications and Events. When the previous post holder left, it was felt that the post

then needed to be focused more on the statutory role. This post was now merged with the Scrutiny & Governance manager's role, which was also vacant. Therefore, a single Head of Democratic Services post was now available which just dealt with members support, governance and mayoralty. The other parts of the service were to be dealt with separately.

This post was advertised last year and there have been two Scrutiny Advisor post vacancies since then. However in March lockdown occurred, so there were no interviews in that period as the recruitment process was suspended.

Interviews were supposed to have taken place for the Democratic Services Manager post when the local lockdown came into effect so those interviews would now be held remotely and it was hoped that the post would be appointed in the next couple of weeks.

The Scrutiny Advisor posts would then be interviewed and the posts filled before the end of December 2020. In the interim there were arrangements made to cover. The Head of Law and Regulation had been covering the Democratic Services manager role, supported by the Governance Team in terms of Scrutiny meetings.

Meetings that were suspended in March 2020 due to the Covid 19 pandemic were now reinstated remotely and more support would be needed for members as those remote meetings become more defined.

The Head of Law and Regulation gave thanks to the Governance Team for their hard work over the last 9 months in establishing remote meetings in terms of member training, technology and getting procedures in place etc.

#### **Questions:**

- Councillor Evans paid tribute to all the staff who had been working very hard in difficult times. They expressed concern about the manager's post as the previous post holder left in 2018 and they felt like the section was too short staffed for too long. The Chief Executive Post interview was completed remotely in the summer and those remote interviews should be continued in the meantime. They also commented that there should be a sense of urgency in filling those vacant posts.

The Head of Law and Regulation explained that the Democratic Services Manager post was advertised last October 2019 after the previous post holder left and the first set of applications that were received were not suitable as it was a critical post. It was acknowledged that it would have been favourable if the post was filled earlier however as the first round of applicants were not suitable the post was advertised again in December 2019. Interviews were due to be conducted in March 2020 and then lockdown occurred.

The Head of Law and Regulation assured the Committee that interviews were due to be held remotely very soon and that it was imperative that the correct person was appointed due to the role being such a crucial one.

The Head of Law and Regulation stated that other Councils held remote meetings earlier as they did not have the Scheme of Delegation that Newport Council had. It was important at the time to make sure that technology was being done correctly. Other Councils such as Torfaen and Monmouthshire expressed difficulties with their early remote meetings so it was felt that Newport Council had the timing correct.

- Councillor Thomas raised a point in Appendix A in the fourth paragraph down and objected to the phrase “new normal” and they suggested the phrase ‘reappraised standard way of working’ instead as they felt ‘new normal’ didn’t explain how things were likely to turn out, as things were different and that it was now the standard way of working.

The Head of Law and Regulation advised that the report was there to advise the committee on resource implications.

- Councillor Hughes stated that they were very grateful for the work that the Governance Team had been doing so far but that they were concerned about the number of people that had left at the same time and wondered whether the staffing level was right for the team at the current time.

The Head of Law and Regulation confirmed that exit interviews had been completed with all members of staff that had left and it was acknowledged from the previous manager that the role had been too broad which was previous feedback taken on board. It was difficult to compare staffing levels with other Councils as other Councils operate in very different ways. For example, Cardiff Council had a full team of Scrutiny advisors as they had a large number of Scrutiny committees. It was felt that there would be enough Scrutiny Staff present when the recruitment was completed but it was acknowledged the recruitment needed to happen as soon as possible but the right staff was needed.

- Councillor Whitcutt commented on remote meetings and that they were very familiar with them and stated that these had been picked up well within the Council and it was important to understand the interruption the pandemic has caused across the public sector. Councillor Whitcutt also thanked staff for their hard work.
- Councillor T. Watkins mentioned the issue of the supply of Scrutiny officers and that it seemed that there was just enough and that the Governance team were filling in and they expressed concern as to what would happen if other staff left in the future.

The Head of Law and Regulation explained that there had been an element of succession planning from the last turnover of staff from the previous Governance Team and that some things were not planned for. In all other sections there was no slack there and there was enough staff to deliver services but there was not enough resources in the budget to build in the resilience and when new posts were filled, it would be better.

The Chair confirmed that there seemed to be a recurrent theme about the level of Scrutiny in Newport and that Cardiff was an example of great resources in Scrutiny that Newport maybe could not match.

The Head of Law and Regulation explained that other councils have different governance processes and so it was very difficult to make comparisons. Many Councils have a call in process with Scrutiny Committees where in relation to their cabinet executive decisions, everyone was subject to the call in process so there was far more work for those Scrutiny committees. In Newport, our challenge process in terms of pre decision Scrutiny was to send every Councillor every report so they could comment on it. In the report in terms of the Scrutiny function, it was felt that there was enough staff now to support Councillors in that role.

- Councillor Thomas questioned as to whether the Councils delivery of services have been adequately scrutinised or have the pressures of administration processes meant delays or failure to ensure services and delivery was satisfactory.

The Head of Law & Regulation stated that despite the disruption, the service area has continued to operate in an effective way and there have been no failures in this period. The report was sent to Cabinet when the reintroduction of remote meetings was being looked at and Newport was fortunate as our Governance procedures allowed us to have no formal meetings for the first 3 months of lockdown. There was still a Scrutiny function as written reports were still being sent out and communication was still being had with Members in terms of Scrutiny. During that period, we still conducted business in a clear manner. Remote meetings regulations did not come into effect until May 2020 and technology had to be in place before remote meetings were introduced.

- Councillor Thomas stated that few members of the public understand how the new Council processes have changed. It was noted that ward Councillors have had a big increase in enquiries and a lot of this fed into commenting on processes, which was not open to Councillors at that time. Councillor Thomas expressed concerns that the public could understand and were satisfied, that while things were difficult, Councillors were able to catch up and why Councillors were not completing their role as normal. Councillor Thomas also wished that constituents could know that there were reasons why Councillors were not playing the normal role at the moment and asked whether current processes were going to cover the shortfall which may put pressure on staff.

The Head of Law & Regulation stated that there were still effective procedures in place to help Councillors to fulfil their democratic role. During the period, these were unprecedented times and the focus was on emergency planning. The PR and Communications team were producing updates on social media and on the website to inform members of the public of what the Council were doing. If Councillors felt there could be improvements made in this area that Councillors could recommend then these could be considered.

Councillor Evans stated that in relation to recommendations, that a line could be added that stated recruitment should be carried out as a matter of urgency if agreed with the committee. The Head of Law & Regulation stated that this did not need to be a recommendation as they were happy to take this on board and for it to be recorded in the minutes.

**Agreed:**

That the Annual Report of the Head of Democratic Services be noted and approved by the Council's Democratic Services Committee.

The Committee then discussed the second part of item 4 which was the Annual Report of the Democratic Services Committee.

The Head of Law & Regulation stated that the report was presented to full Council in November and followed on from the previous report.

The Chair stated that they were satisfied with the report.

Councillor Evans stated that there was huge amount of work completed last year and that the Committee worked well as a team.

**Agreed:**

That the Annual Report of the Democratic Services Committee be noted and approved by the Council's Democratic Services Committee.

## **5. Independent Remuneration Panel for Wales Draft Annual Report 2021**

The Head of Law & Regulation stated that this report was received at this time every year from the IRP and comments were invited by the 23 November 2021.

The cover report summarised the full IRP report, which was attached, in case the Democratic Services Committee wished to make any comments to the IRP .

### **Main Points:**

-Members allowances have been uplifted again in line with inflation- a flat rate increase of all basic salaries of £150 for all members.

-All senior salaries are also to be uplifted and will go up by 1.06%, which was listed in the schedule.

-The allowances for co-opted members have also gone up by a similar percentage.

The only other difference was that there was a section of the report devoted to the reimbursement of costs of care for Members. It was retitled again this time to a Contribution towards Costs of Care and the cap was removed on what could be claimed, as it was recommended that Members should be fully reimbursed for costs claimed.

There was also a section as to how this should be publicised to Members.

Councillor Thomas stated that in relation to Determinations 34-39 omitting 38 where it stated Members may wish to agree proposals; Councillor Thomas stated that they were happy to agree these proposals. It was recognised that Members were following these recommendations already.

### **Agreed:**

That the report be noted and approved by the Council's Democratic Services Committee.

## **6. Any Issues for Discussion with the IRP**

The Chair was due to meet with the IRP on the 27<sup>th</sup> October 2020 and the Chair asked the Committee whether any Members had any issues that needed to be brought forward to the meeting.

Councillor T. Watkins asked whether the IRP had any concerns in their role and do they have any concerns or reservations as to whether Councils adhered to their recommendations.

The Head of Law & Regulation stated that there was no choice, we have to by law, adhere to the recommendations regarding allowances and that their role was legislative so we have to follow it.

- Councillor T. Watkins questioned whether the IRP wanted to go further but didn't have the authority to and whether the IRP had any concerns in not being able to go further and whether they had concerns about their own limitations.

The Chair stated that they would bring this to the Chair of IRP at their meeting.

The Head of Law & Regulation stated that before Covid the IRP used to meet with Councillors to make sure they had enough support to carry out their role, that the allowances were sufficient and there was enough IT support and provision etc.

The Chair stated that carers allowances was raised previously and the Head of Law & Regulation stated that this was the Equality agenda and was all about diversity and making sure certain Councillors weren't disadvantaged due to caring responsibilities and commitments. In terms of remote meetings, Welsh Government were keen to continue these, as this could assist members who could not always travel in.

- Councillor Hughes questioned as to what were the barriers in becoming a Councillor and what were the barriers to accessing the support. Could there be a more in depth look into barriers by the Committee.

It was discussed how there was a mix of Councillors in Newport but maybe there was not enough to bring in more members from ethnic backgrounds and Councillors with a disability.

The Chair also agreed to take this to the meeting with the IRP.

The Head of Law & Regulation asked whether any members of the Committee wanted to mention anything specific to go on the Forward work programme to be reviewed.

Councillor Evans stated that there could be a look at inclusion of the people we represent and as ward meetings were suspended maybe remote surgeries could be held in future to connect with people.

Councillor Watkins requested feedback for the committee from the IRP at the next Democratic Services Committee.

## 5 **Date of Next Meeting**

18 February 2021 at 10am