

Minutes



Democratic Services Committee

Date: 17 February 2017

Time: 9.30 am

Present: Councillors C Ferris (Chair), M Evans, M Linton, D Mayer and K Thomas

In Attendance: G Price (Head of Law & Regulation), R Jefferies (Head of Democratic Services) and J Howells (Democratic Services Support Officer)

Apologies: Councillors T Bond and J Mudd

1 Apologies for Absence

Councillors T Bond, J Mudd and W Godfrey (Chief Executive)

2 Declarations of Interest

None

3 Minutes of the Previous Meeting

The minutes of the meeting held on 24 November 2016 were confirmed as a true record.

4 Members Induction Pack

The next Local Government elections are to be held in May 2017. It is likely that the outcome of the election will result in a mix of elected members in terms of experience with some newly elected individuals alongside some returning elected members.

It is proposed that an information Pack is designed for elected members to receive following the election to provide them with some essential information and to provide a series of documents that need to be signed by all members whether they are returning to the Council or newly elected.

The content of the suggested information pack was discussed by the Democratic Services Committee. The purpose of the discussion was to find out if committee members consider that the pack meets the needs of elected members and whether there should be any additional information provided, documents removed from the pack or any other comments.

The Head of Democratic Services summarised the contents of the induction pack which had been broken down into sections:

- Section one will contain paperwork and declarations which would need to be actioned within the first few days following the election.
- Section two consisted primarily of paperwork relating to personal matters such as allowances and ID.
- Section 3 would include everyday basic and useful information.

- Section 4 would be a copy of the WLGA guidance on being a Councillor
- Section 5 would outline the induction programme, and
- Section 6 would provide information on IT equipment and its protocol

The committee discussed the contents of the pack and made the following suggestions:

- The inclusion of information on pensions.
- Information on corporate parenting was also suggested. However the Monitoring Officer confirmed that this would form part of the induction programme.
- Reference was also made to unwritten convention with regard to ward issues. This was considered to be a political matter and it was suggested that Business Managers prepare a short information sheet which would be included in section 3 of the pack.

Agreed:

That the contents of the Information Pack to be provided to all members following the 2017 elections be agreed

5 **Framework Member Role Descriptions and Person Specifications**

At the suggestion of the Democratic Services Committee, the previous version of the Framework Member Role Descriptions and Person Specifications were adopted as a guide

In 2015 an updated version was produced by the WLGA following a series of consultation exercises.

As part of this Committee's commitment to review the constitution, it was suggested that the Framework Member Role Descriptions and Person Specifications are recommended to Council for adoption.

These role descriptions are good practice and are included as part of the new model constitution which needs to be used as a guide to the Council's own constitution.

It needs to be made clear that these documents are not for use as job descriptions and/or being used as requirements for political appointment to specific roles in the Council.

Their main use will be as a guide about what each role involves. The person specifications will help in identifying what should be included in the Member development programme.

The role descriptions will also provide advice to the public about the various types of tasks undertaken by members in their varying roles.

It was suggested that the Framework Member Role Descriptions and Person Specifications are recommended to Council for adoption in readiness for the May elections. They help provide a clear guide for any new Councillors as to the various roles within the Council.

A brief discussion ensued on the WLGA document following which it was agreed that it be adopted.

Agreed:

To recommend to Council that the Framework Member Role Descriptions and Person Specifications be adopted and included in the Council's Constitution, recognising that these documents are not for use as job descriptions and/or being used as requirements for political appointment to specific roles in the Council.

6 **Scheme of Delegation**

At its previous meetings, the Committee had been informed that the Corporate Assessment contains a proposed action that states: "Reviewing and updating the Council's constitution ensuring that roles, responsibilities and accountabilities are clear, and that all members understand and apply their respective roles in relation to each other without compromising independence". With this in mind the Committee agreed to review various aspects of the Constitution, one of which would be the Scheme of Delegation.

The Scheme of Delegation aims at making it clear where the distinction lies between the decision-making responsibilities of elected members and Chief Officers within the Council.

The Head of Democratic Services confirmed that Councillors make decisions in relation to new policies and any change to policies whilst officers take decisions on operational matters within the policies set by Council.

In July 2016 the Committee received an updated report on progress and viewed the Scheme of Delegation to elected members.

The Scheme of Delegation to officers has been amended incrementally in the past to take account of changes to the officer team and to any new responsibilities that have fallen to the Council owing to changes in legislation or other factors.

In general there are few 'new' delegations other than those arising from new legislation or Central Government requirements. There have been a number of changes in the Chief Officer Structure since the original scheme was drafted.

The proposed scheme presented to the Committee provided Council with a scheme that reflects the existing structure. Inevitably incremental changes will need to be made over time as the Council has to react to new legislation, policies or other factors.

The Scheme of Delegation for officers was discussed at length and clarification sought on the role of some departments and also Norse and Newport Live.

Agreed:

To recommend to Council that the amended Scheme be adopted and included in the Constitution

7 Mayoralty

Newport City Council's method of selecting the Mayor is fair and balanced and determined exclusively on seniority. What this means is that the longest serving member on the Council who has not served as the Mayor will be nominated to serve as Mayor, irrespective of which political party he or she represents.

However, from time to time the prospective incoming Mayor may need to defer his or her election as Mayor for personal reasons.

There is no written protocol to take account of this situation but in the past there has been an informal agreement between the parties that an individual can defer for twelve months.

This appears to be a reasonable position as it will allow the individual time to resolve any specific issues but it also take away the opportunity for individuals to 'pick and choose' when they serve as Mayor.

It is suggested that a form of words is written into the constitution that allows an individual to defer for one year from his or her original nomination date and that any longer deferral be a matter for decision by the Council.

One other issue to be clarified refers to an election year. In January of each year an individual is nominated to serve as Mayor. Obviously in an election year, if the individual who is nominated fails to retain his or her seat then the Mayoralty will fall to the next in line, according to seniority

Another complication may arise in an election year. An individual could be re-elected to the Council following an absence and, on strict seniority rules would qualify as Mayor in the year of his or her election. However by that time the Council will have already made a nomination for the coming year.

It is suggested that in such circumstances the person already nominated by the Council will become Mayor in the election year and the re-elected member will take his other place according to seniority in the following year. Any agreed deferrals will then be extended for a further period of time.

The format of Council AGM was also discussed. In previous years, for practical reasons, the outgoing Mayor has chaired the official part of the Council AGM which deals with the relevant Council appointments ie. Leader, Chairs of Committees etc. and this is followed by the ceremonial Mayor-making part, when the new Mayor is officially sworn-in. That has never been a problem where the outgoing Mayor remains as an elected Councillor. However, where the out-going Mayor is not re-standing in the elections or is not re-elected, then his/her term of office as a Councillor will have ceased before the AGM. Therefore, he/she should not Chair the official Council AGM in May. In the circumstances, it is suggested that the ceremonial Mayor-making process should now be conducted first to enable the new Mayor to be appointed and to chair the official Council business at the AGM.

The Head of Democratic Services clarified some of the points raised regarding member seniority including the successful re-election of an individual following an absence. Whilst the Committee agreed that an individual can only defer their election as Mayor for 12 months it was agreed that the protocol be amended to show that that the election to Mayor could be deferred by an individual for longer than 12 months, in exceptional circumstances.

Agreed:

That the protocol be adopted including the change of format for the Council AGM.

8 Date of Next Meeting

To be advised.

9 Chairman's Announcement

The Chairman informed the Committee that it was the last meeting with the present Head of Democratic Services who would be retiring in April. The Chair thanked him for the service he had given to the committee and this was echoed by the members in attendance.