



DEMOCRATIC SERVICES COMMITTEE

2.00 PM MONDAY, 13 DECEMBER 2021

All mobile telephones to be switched to silent for the duration of the meeting

PART 1

1. Declarations of Interest
2. Minutes of Previous Meeting (*Pages 3 - 10*)
3. Member ICT Policy Report (*Pages 11 - 30*)
4. E-Petitions (*Pages 31 - 54*)
5. Forward Work Programme 21/22 (*Pages 55 - 56*)
6. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the Chairperson pursuant to Section 100B(4)(b) of the Local Government Act 1972

K.Jones
Chief Executive

Civic Centre
Port Talbot

7th December 2021

Committee Membership:

Chairperson: Councillor J.D.Morgan

**Vice
Chairperson:** Councillor A.R.Aubrey

Councillors: J.Hurley, S.Miller, S.Purseley, A.Llewelyn,
A.J.Richards, S.K.Hunt, A.J.Taylor, S.Renkes,
L.Jones and S.Lynch

Democratic Services Committee

(Via Microsoft Teams)

Members Present:

11 October 2021

Chairperson: Councillor J.D.Morgan

Vice Chairperson: Councillor A.R.Aubrey

Councillors: J.Hurley, S.Pursey, A.J.Richards, S.Renkes and S.Lynch

Officers In

Attendance: C.Griffiths, S.Curran and C.Plowman

1. **Minutes of Previous Meeting**

The minutes of the meeting held on 9 September 2021 were approved as an accurate record.

2. **Assessment of Resources for the Democratic Services Committee**

The Committee were provided with a report on the outcomes of an assessment of the adequacy of resources within the Democratic Services Team.

Following the successful appointment of the Democratic Services Manager to the post of Head of Democratic Services, there was a need to consider the operational capacity and structure of the Democratic Services Team; the Head of Democratic Services role involved focussing more on the strategic aspects of the function including implementing the requirements from the Local Government (Wales) Measure 2011 and preparing for Member Induction 2022.

Appendix 1 of the circulated report detailed the existing structure of the Democratic Services Team, and Appendix 2 detailed the proposed structure. It was proposed to introduce two Senior Democratic Services Officers at Grade 9 to the Team; these posts

would be ring fenced to the existing Democratic Services Team members given the level of expertise and knowledge they will need to have). It was highlighted that they would be responsible for overseeing Scrutiny Support and Project Management, and Committee Administration and Forward Work Programmes respectively. Officers added that it was also proposed to recruit to the vacant Grade 7 Democratic Services Officer post.

Following discussion, Members were in support of the recommendations contained within the report.

3. **Report of the Member Induction 2022 and Diversity in Democracy Task & Finish Group**

Officers presented a report containing the outcomes of the Task and Finish Group which was established to consider the Member Induction Programme for 2022 and the Diversity in Democracy.

Following various meetings of the Task and Finish Group, a draft Member Induction Timetable had been produced (detailed in Appendix 1 of the circulated report); the comments and feedback from the Members of the Group had been incorporated into the timetable. It was stated that there will be additional elements that will need to be included over the coming months, and Officers were going to be meeting with Corporate Directors to obtain their views on what they think would be beneficial for Members during this period.

It was explained that the timetable was set out in two formats, a list of the various meetings and training sessions, and a diary marker to display how they were going to be spread out; Officers were conscious not to overload Members in the first few weeks as there would be a lot to take in following the Election. Therefore, Officers had produced a structured Programme providing Members with the basic information needed in the weeks leading up to the Annual General Meeting (AGM), and gradually phasing the other elements into the programme over the summer period.

Members were informed that the Task and Finish Group also completed work in regards to Democracy in Diversity element and how the Council could contribute positively to Diversity in Democracy; following this, an Action Plan had been prepared (detailed in Appendix 2 of the circulated report). It was mentioned that the Action Plan contained various elements, including the establishment of a

Council website page 'Becoming a Councillor'; this webpage was now live, and will be built on further over the coming months to include more relevant information.

Following consideration of the report presented, it was resolved that:

(a) Members of the Democratic Services Committee endorse the Member Induction Timetable for Local Government Elections in 2022 and forward the same to Full Council for information purposes.

(b) Members of the Democratic Services Committee endorse the proposed Diversity in Democracy Action Plan and the same be forwarded to Full Council for approval.

4. **Public Speaking Protocol**

Members were sighted with the draft Public Speaking Protocols which were established as part of a wider public participation scheme.

Detailed within the circulated report it was noted that one of the requirements of the Local Government and Elections Wales Act 2021, was that Local Authorities must establish 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; each Council had the discretion in the way in which this would be taken forward.

Following the introduction of the Act, it was stated that Officers had been looking into the Councils democratic arrangements and public participation; there were various different elements that were going to be a part of this work, in order to involve the public more in the decision making process. Members were informed that the first proposal of this work was to introduce public speaking at various Council meetings; a draft Public Speaking Protocol had been developed (detailed in Appendix 1 of the circulated report) which set out the rules and regulations.

Officers provided further detail on the process and the protocol. It was highlighted that at the start of every meeting, there would be a period of time provided for members of the public to ask questions on the items listed on the agenda; the meetings in which this would apply to in the first instance would be the executive, decision making meetings including full Council, Cabinet and the Cabinet Boards. It was added that the public will have a forum in which they will submit their

questions in advance of the meeting, and then receive the answers during the meeting. Officers explained that this was a pilot, and that the public participation scheme would be developed over time; there was also a need to engage with the public to identify what worked and what didn't work.

Members were informed that Planning Committee and Licencing and Gambling Acts Committee had different protocols and regulations, therefore they were currently excluded from this process.

It was asked whether the public speaking in meetings element would be introduced into the Scrutiny Committees. Officers confirmed that the focus at this stage was to introduce the opportunity for members of the public to ask questions at the decision making forums, in which the questions would be directed to the Cabinet Board Members who make the decisions; Scrutiny Committees provided the opportunity for Members to question and raise issues on particular matters, therefore it was proposed that they be kept separate from this and that they continue to be Member led and driven. It was mentioned that there will be further refinements made moving forward with this, and from experiences there could be a need to change various elements; such as questions being asked in Scrutiny Committees in order to allow the Scrutiny Members to hear what was being asked. Officers explained there will be a flow of communication with the Members of the Scrutiny Committee, as they will be made aware of any questions that had been submitted by the public, to be asked in the Cabinet/Cabinet Board meeting; Members could then determine whether they wished to hear the answer to the questions, and if so, could ask to attend the Cabinet/Cabinet Board meeting.

Members expressed their concerns with the following clause detailed in the draft protocols; 'the number of questions that an individual can ask in a municipal year shall be limited to two, with any further questions being accepted only at the discretion of the Chair'. It was highlighted that limiting the public to two questions per municipal year could prevent good, just questions from being asked and restrict the public participation in meetings.

It was noted that Officers had looked into the approach that other Local Authorities had adopted, and found that most had set a limit to 2/3 per person per municipal year. Members were informed that the Council wanted to encourage questions from the public, however were cautious of the process being hindered by similar types of questions being asked by the same individuals; Officers had tried to

reflect this in the protocol. It was highlighted that if Members were of the collective view that they did not want to include a cap on the number of times a person can attend a meeting and ask a question, then they could implement this.

It was explained that the initial implementation of the public speaking protocol would be a pilot scheme that would be reviewed in 12 months to ensure that it remained appropriate or whether amendments were required to ensure the overarching aims of providing the public the opportunity to raise questions with members were being met. Officers mentioned that the review could be changed to 6 months if necessary; and that any other various formats could be considered.

A discussion took place regarding the wording of the clause. Various suggestions were made, and it was asked if the protocol could be trialled without a limit to the number of questions that could be asked, in order to set the right tone to the public; however, if regular problems were to occur, for this to be reviewed and potentially reverted to the original clause. It was mentioned that other elements of the protocol, such as the time limit set for questions from the public, could help to prevent the discussed concerns in regards to not having a limit.

In regards to the Chairs of the Cabinet Board meetings, it was confirmed that the role was usually agreed at the start of every meeting, and would be dependent on who from the Cabinet were in attendance; if questions were being received from the public for a particular meeting, Officers will need to ask who will be chairing it in advance of the meeting.

Members raised their concerns in regards to Cabinet Members determining which questions should or should not be asked from the public. Officers stressed the importance of a defined criteria, and stated that the criteria in which someone could reject a question, would be limited; there was a need to highlight as to when Chairs discretion can or cannot be applied. It was confirmed that the Head of Legal and Democratic Services would include a clause to reflect this within the protocol.

It was agreed that the Head of Legal and Democratic Services would amend the wording of the clause to reflect the views of the Committee, before the report was presented to full Council for consideration; the wording would not limit the number of questions

that could be asked, however would provide the Chairs with an element of control if the questions weren't contributing towards the effectiveness of the meeting.

Following consideration of the report presented, and the agreement to amend parts of the Public Speaking Protocol to reflect Committees view, it was resolved that:

(a) Members of the Democratic Services Committee consider the draft protocol for public speaking at Council meetings recommending any changes that they feel are appropriate; and

(b) Delegated authority be granted to the Chair of the Democratic Services Committee to agree the final draft for commending to Council on behalf of the Democratic Services Committee.

5. **IRPW Annual Report**

The Draft Annual Report of the Independent Remuneration Panel for Wales (IRPW) was provided to the Committee; the Annual Report set out proposals which, if implemented, would impact on Member remuneration in the civic year 2022/2023. It was mentioned that the IRPW invites comments on its draft proposals before making its final determinations for the following civic year.

It was noted that the Head of Democratic Services would provide a response to the proposals on behalf of the Council, which would include any comments and/or views made by Members of the Democratic Services Committee.

Members were informed that the figures contained within the circulated report had been set by the IRPW and it would be up to the individual Member if they wished to accept the revised arrangements; all Elected Member had the opportunity to provide their individual responses to the proposals by submitting them to IRPW directly.

It was asked if the Democratic Services Committee Members would be sighted of the Council's draft response before it was sent to IRPW. Officers highlighted that the Head of Democratic Services would incorporate the views and comments of the Members of the Democratic Services Committee by taking on board the minutes of the meeting; if it was the case that there were no comments raised, then Officers would provide a neutral response. Members were informed that the response needed to be submitted by the end of

November 2021; prior to this it was agreed that the response will be drafted and sent to Members via email for consideration, before being sent to the IRPW.

In addition, it was highlighted that the Chair and the Head of Democratic Services would be attending an IRPW briefing on Friday 22 October; and would be happy to raise any points that Members had.

Following consideration of the proposals, Members were in support of the recommendations contained within the report.

6. **Forward Work Programme 2021/22**

Members noted the Democratic Services Committee Forward Work Programme for 2021/22.

It was confirmed that an additional meeting had been arranged for Monday 13 December due to the need to consider upcoming business.

CHAIRPERSON

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

DEMOCRATIC SERVICES COMMITTEE

13 December 2021

Joint Report of the Head of Legal and Democratic Services – Craig Griffiths & Chief Digital Officer- Chris Owen.

Matter for Decision

Wards Affected:

All Wards

Members' ICT Scheme and Internet Usage Policy

Purpose of the Report

To seek Member approval for the amended Members ICT Scheme and Internet Usage Policy.

Background

The original Members ICT Policy (including Internet Usage Policy) was revised by Members in 2017 to coincide with the introduction and transition onto the new Committee Document Management System, Modern.Gov and in preparation for the induction of new members in 2017.

As a result of the Covid-19 pandemic and in order to facilitate Council decision making and scrutiny since March 2020, all Council meetings have been held remotely via Microsoft TEAMS and all Council business has remained heavily reliant on the use of digital and ICT systems.

It is important to note that changes in legislation will take place over the coming year in respect of Council meetings. The Local Government and Elections (Wales) Act 2021 will make new arrangements for meetings that will come into effect in May 2022. These arrangements include (amongst others):

- (a) The requirement for principal councils to make, and publish, arrangements that ensure that the proceedings of certain types of council meeting are broadcast electronically in a way that allows members of the public, not in attendance, to see and hear proceedings. The proceedings must be broadcast live (subject to any exceptions that may be specified in regulations) and they must be available electronically after the meeting for a period specified in regulations
- (b) Local Authorities must make arrangements that ensure their meetings can take place in a manner which enables persons who are not in the same place to attend the meeting. The authority must publish these arrangements, if the arrangements are revised or replaced the new arrangements must also be published. This requirement though does not however require meetings to be held in a certain format. Whether they are held fully virtually, partially virtually – whereby some participants are in the same physical location whilst others join the meeting virtually – or as physical meetings will be a matter for those responsible for arranging the meetings

In preparation for the induction of Elected Members following the Local Government Elections, scheduled to take place on 6 May 2022 the Members ICT Policy has been amended (as attached at Appendix 1).

Members of the Democratic Services Committee are asked to review and approve the proposed scheme to ensure that it reflects the future needs Elected Members and maximises the use of digital communication tools in line with legislation and the Council's Digital by Choice strategy.

Financial Impact

The cost of providing Members equipment will be funded via Member ICT reserves.

Integrated Impact Assessment

A screening assessment has been undertaken but a full Impact Assessment is not warranted.

Workforce Impacts

The workforce impacts of implementing the Members ICT Scheme will be met by the existing resources in the Digital Services and Democratic Services Teams.

Legal Powers

The Local Government Measure 2011 places a responsibility on the Head of Democratic Services to ensure that there is sufficient resource in place to support Members in carrying out their roles.

<http://www.legislation.gov.uk/mwa/2011/4/contents>

[Local Government and Elections \(Wales\) Act 2021](#)

Risk Management

Failure to ensure a suitable ICT Policy is in place may have a detrimental effect on the ability of members elected in May 2022 to undertake their functions appropriately and to meet new legislative obligations for council meetings.

Consultation

There is no requirement for external consultation under the Constitution.

Recommendations

That members approve the amended Members ICT Policy (including Internet Usage Policy) and commend the same to Council for ratification.

Reason for Proposed Decision

To ensure that there is sufficient resource in place to support Members in carrying out their roles in readiness for the 2022 Local Government Elections.

Appendices

Appendix 1 - Draft Members ICT Scheme, Including Internet Usage Policy.

List of Background Papers

None

Officer Contacts

Craig Griffiths - Head of Legal and Democratic Services

e-mail: c.griffiths2@npt.gov.uk

Chris Owen- Chief Digital Officer

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Stacy Curran - Democratic Services Manager

e-mail: s.curran@npt.gov.uk



Neath Port Talbot
Castell-nedd Port Talbot
County Borough Council Cyngor Bwrdeistref Sirol

MEMBERS ICT SCHEME

(For Members who access ICT Equipment supplied via NPTCBC)

MAY 2022

Democratic Services and Digital Services Divisions

The Service Desk numbers below are for Members who require assistance when using their Council-owned ICT. Please identify yourself as a Councillor when making your enquiry/request.

Office Hours Help line: 01639 686767

Monday to Thursday: 8.30am – to
5.00pm

Friday: 8.30am – to 4.30pm

Email: ITservicedesk@npt.gov.uk

Out of Hours Help line 07815 795220

Monday to Thursday: 5.00pm to 9.00pm

Friday: 4.30 to 9.00pm

1. Introduction

- 1.1 Neath Port Talbot County Borough Council (“the Council”) promotes the effective use of ICT (Information Communication Technology) by its Elected Members. Effective implementation of ICT for Members will assist the execution of their duties and help to provide improved community leadership.
- 1.2 This policy applies to all Elected Members of the Council and aims to protect Members and the Council against legal challenge, criminal liability and damage to reputation. This is supported by four key objectives, which are:
- (i) To prevent Council resources from being used to promote political activity;
 - (ii) To prevent the Council’s name from being used to promote a Members personal or business interests;
 - (iii) To protect the Council’s private, personal and sensitive information from all threats, whether internal or external, deliberate or accidental;
 - (iv) To prevent unnecessary cost being incurred by the Council.
- 1.3 The use of all ICT equipment or systems provided, or made accessible, by the Council is subject to this policy. Any Member wishing to use the Council’s ICT equipment and systems is required to undertake in writing that they observe and will comply with this policy.
- 1.4 ICT services and support are provided for Members through the Digital Services Team
- 1.5 To ensure the right level of support is offered to all elected members, equality screening sessions will be offered to all Members as part of their initial induction. The objective of the screening is to identify Members at a very early stage who may have disabilities or other needs where the provision of specialist technology may be of assistance in carrying out the role of Councillor. This will ensure that additional measures are put in place to assist individual Members, where necessary, with additional support and advice provided via the UK Government’s ‘Access to Work’ scheme.

2. ICT Equipment

- 2.1 All Members have access to docking stations with Monitors, keyboards and mice at the Civic Centres. If Members are not aware of these details they should contact Democratic Services.
- 2.2 The following choice of Council provided devices for accessing systems are available to Members;

- (i) iPad with keyboard cover and mobile connectivity
- (ii) Laptop, with separate Screen, Keyboard, Case and Mouse

All of which will be encrypted and will require a password to be entered when the device is turned on.

2.3 Due to advances in technology alternative hardware may become available for use by Members, the Council retains the right to offer alternative hardware to those shown above should the situation arise.

2.4 The devices provided by the Digital Services Section will be installed with the current standard security software that will be configured to regularly update virus and malware definitions.

2.5 Optional hardware can also be provided on request:

- (i) Printer
- (ii) Access to Secure Council email on a Personal Mobile Phone Device

2.6 Where a Member accesses emails from a non-Council provided device they must ensure that the device being used to access the Council's systems has appropriate security software installed and that this software has been regularly updated.

2.7

2.8 Outside corporate buildings the connection to NPT services will be via the Member's own Broadband connection or any other publically available Wi-Fi service. Members are able to use the Members remuneration scheme to support broadband costs.

2.9 This Scheme also includes appropriate software i.e. Anti-virus, equipment and software updates, plus support from the Digital Services team via a help line & out-of-hours support arrangements.

2.10 Saving of Work: any documents created under Council Services (i.e. using Word, Excel etc), should be saved to a secure Council server where they will be automatically backed up each evening. For security and confidentiality reasons, all work undertaken as part of a Member's elected duties should be saved in this way.

2.11 Members have a "cldr@npt.gov.uk" e-mail address. Note that this e-mail address should not be used by Members for personal purposes. As well as the corporate e-mail address, any Member can, at no extra cost to themselves, have their own personal e-mail address.

2.12 To facilitate the use of the Modern.Gov system that has been installed to improve access to the Council's Committee business, Members will use Modern.Gov as an alternative to receiving information through traditional paper-based channels

2.13 The services available when members connect to the Council will vary depending upon the method used to connect. The current ways to link to the Council are:

- (i) Using the ICT facilities in the Member's Room
- (ii) Using Council provided Wi-Fi connection in Council buildings
- (iii) Using public Wi-Fi services
- (iv) Using a home broadband connection
- (v) Using a cellular enabled iPad
- (vi) Using a personal smart phone

2.14 When connected via a NPT issued laptop, the Member will be able to access:

- (i) Member application toolkit as set out at Appendix 1
- (ii) The Council's Intranet – an array of information including staff contact information, corporate policies, etc.
- (iii) Member's Hub – Containing Member's Seminar information, key documents, resources, Consultations, etc.
- (iv) Modern.Gov – Committee Documents, Committee Membership, etc.
- (v) Electoral Register Search Facilities.
- (vi) Secure document storage area.
- (vii) Secure printing.
- (viii) HR and Payroll systems.

2.15 When using an NPT issued iPad the services available to Members differ and using the mobile capability of the device allows access to information whilst Members are on the move and also within meetings. The iPad allows Members to:

- (i) Access the Members iPad application toolkit - Appendix 2.
- (ii) Securely receive and send email from their corporate email address.
- (iii) Access the Modern.Gov Application – which allows Members to securely access Committee Documents (including restricted documents) and to annotate those documents.
- (iv) Access the Authority's Intranet Site – where an array of corporate information is available (including access to the Members Knowledge Hub).
- (v) Securely store documents.
- (vi) Access the Internet for research, etc
- (vii) Download and install applications which could aid them to carry out their Member duties – requests to be made via the Service Desk.

3 Training/Development

3.1 The Council will provide training opportunities at the Council's expense on all aspects of Council related use of the software/hardware and related issues, such as Data Protection. Such training will be undertaken by members upon election.

4 Acceptable Use

4.1 Council ICT equipment is provided for Members to use in connection with Council business.

- 4.2 Council business means matters relating to a Member's duties as an elected councillor, as an executive member, as a member of a committee, sub-committee, working party or as a Council representative on another body or organisation.
- 4.3 Council ICT equipment is also available to enable to fulfill Council business through:
- (i) Communications with individual Members of the public, other Members, officers, and government officials in connection with those duties set out above.
 - (ii) To facilitate discussion by a political group of the Council, so long as it relates mainly to the work of the Council and not the political party.
- 4.4 Members must also note the General Principles in the Members Code of Conduct with particular regard to the following principles:
- (i) Members should uphold the law, and on all occasions act in accordance with trust that public is entitled to place in them;
 - (ii) Members should do whatever they are able to do to ensure that their Council's use their resources prudently and in accordance with the law.
 - (iii) ICT equipment should not be used in a manner that breaches the Members Code of Conduct. The Code makes it clear that when using the resources of the Council Members that such resources are not used improperly for political purposes (including party political purposes). This means that the use of the ICT equipment for purely party political purposes, designing and distributing party political material produced for publicity purposes and support of any political party or group activities, elections and campaigning is likely to amount to a breach of the Code of Conduct.
 - (iv) Members should ensure that such ICT equipment is not used for any illegal activities that may bring the Council into disrepute.
 - (v) Members shall ensure that they do not use any ICT equipment for any purpose that is inconsistent with this policy.
- 4.5 The following do not constitute Council business and Council resources should not be used:
- (i) Communications for constituency party meetings, ward party meeting, etc. or letters to party member collectively or in their capacity as party Members.
 - (ii) Documents relating to the policy and organisation of political parties, particularly regarding the conduct of elections.
- 4.6 All of the ICT equipment and software provided to Members remains the property of the Council. Members therefore have an obligation to ensure that they:
- (i) take reasonable care to safeguard ICT equipment and software supplied;
 - (ii) follow the instructions given by the Council, authorised contractors and manufacturers of the equipment as to its use and

- not allow it to be interfered with;
- (iii) protect ICT equipment against theft and unauthorised access;
 - (iv) do not install any software on the ICT equipment. If Members require any software for their work, they must consult the IT Section;
 - (v) do not modify your ICT equipment in any way; this includes any amendments to the hardware and software configuration;
 - (vi) maintain the ICT equipment in working condition and report any faults to the IT Section as soon as is reasonably practical;
 - (vii) allow reasonable access to the equipment for regular inspection, maintenance, upgrades or remedial work. The Council is required by legislation to inspect any provided device at least once within a 12 month period;
 - (viii) otherwise comply with the terms of this policy and any other Information Management Policy and Cyber Security Policy (copies of which will be provide to members)

5 IT Security Policy

- 5.1 It is necessary that Members comply with and have a working understanding of the Council's IT Security Policy, Information Management Policy and Cyber Security Policy and supporting guidance notes, which apply to all ICT equipment and systems – copies of which will be provided to members and training provided.

Email and Internet Acceptable Usage Guidance Notes

- 5.2 Email and Internet is provided to Members as a means of improving communications, knowledge and effectiveness at work. The Council's email and Internet facilities are intended for business use, although occasional personal use is permitted. Nevertheless, all usage of the Council's email and Internet facilities must be regarded as the property of the Council and must not be regarded as private.
- 5.3 Use of email and Internet access introduces security threats such as malicious code attached e.g. viruses, unsolicited or undesirable email, fraudulent attempts to acquire sensitive information such as passwords and credit card details, unauthorised content, and breaches of legislation e.g. computer misuse and copyright legislation. All Members are responsible for complying with the Council's Email and Internet Acceptable Use Guidance.
- 5.4 The Council will provide Members with a Council email address in the format "name@npt.gov.uk", this must used for all emails conducting or in support of official Neath Port Talbot County Borough Council business.
- 5.5 Non work emails e.g. Gmail, Outlook, Hotmail must not be used to conduct or support official Neath Port Talbot County Borough Council business, these forms of email will not be supported by the Council and will access to them will not be available through Council provided

channels.

- 5.6 Members must ensure that any emails containing sensitive information must be sent from an official council email.
- 5.7 No forwarding of emails to personal email addresses will be permitted, either automatic or manual forwarding by officers or Members.
- 5.8 The legal status of an email message is similar to any other form of written communication. Consequently, any e-mail message sent from a facility provided to conduct or support official Neath Port Talbot County Borough Council business should be considered to be an official communication from the Council.
- 5.9 All official external e-mail must carry the official Council disclaimer. The disclaimer below is the current standard approved by the Council and is automatically added to outbound emails;

This transmission is intended for the named addressee(s) only and may contain sensitive or protectively marked material and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it, or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. Under the Data Protection Act 2018 and the Freedom of Information Act 2000 the contents of this email may be disclosed.

A copy of the privacy notice for elected members is available at www.npt.gov.uk or on request to myself

- 5.10 Under no circumstances should Members use email and Internet facilities for any uses that are unacceptable involve the access, use, submission, publication, display, downloading or transmission of any information which:
- (i) Violates any of the Council's regulations, policies or procedures.
 - (ii) Violates or infringes on the rights of any other person, including the right to privacy.
 - (iii) Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material.
 - (iv) Restricts or inhibits other users from using the system or the efficiency of the Council's computer systems.
 - (v) Results in the unauthorised editing of the Council's web pages.
 - (vi) Encourages the use of controlled substances or uses the system for purposes with criminal intent.
 - (vii) Uses the system for any other illegal purpose.
 - (viii) Solicit the performance of any activity that is prohibited by law.
 - (ix) Conduct any unapproved business
 - (x) Transmit material, information, or software in violation of any law.

- (xi) Make any unauthorised purchases or commitments in the name of the Council.
 - (xii) Use by non-Councillors.
- 5.11 Access to certain categories of website will be restricted e.g. adult, drugs & alcohol, gambling etc (if access to a blocked site is required this can be overridden by contacting the IT helpdesk), subject to the site being used for appropriate Council business.
- 5.12 Members must be aware that the Council reserves the right to use monitoring tools to enforce the Council's policies and to produce periodic reports detailing use of its E-mail and Internet facilities
- 5.13 All users of the Internet and/or corporate email must be aware that all activity on the Council's Data Network is the property of the Authority and that, therefore, no such activity can be considered private.
- 5.14 All Members are reminded to ensure that they adhere to the separate guidance in relation to their usage of Social Media platforms during their term of office.

Information Security Incident Management Guidance Note

- 5.15 An incident is an event that could cause damage to the Council's reputation, service delivery or even an individual. This could be a lost laptop or paper case file, a virus on the network or a damaged piece of hardware.
- 5.16 Members should report any incidents or suspected incidents immediately by contacting the Digital Services Section and the Head of Legal and Democratic Services.
- 5.17 Members need to keep evidence of any data or security breaches or system incidents, in case these are required later.
- 5.18 This process also applies to lost paper records as well as data on computers.

Software Guidance Note

- 5.19 Members must not install or configure any software on the Council's ICT equipment. If Members require any software for their work, they must consult the IT Helpdesk.
- 5.20 All standard software installed on Council issued ICT equipment is correctly licensed and the Council will hold the details and records. These licenses apply to a single copy of the software on one machine. The software must not be copied to any other machine.

- 5.21 The security of ICT equipment is the responsibility of each Member as its 'custodian'. Access to the Council's information systems via ICT equipment is subject to password security. Members must ensure that no one other than themselves is given access to those Council information systems and must take all reasonable steps to ensure their password remains confidential.

Removable Media Guidance Note

- 5.21 It is the Council's policy to prohibit the use of all removable media devices. Removable media devices are electronic items usually used for storing or transporting data, for example a computer disk (CD or DVD), USB memory stick, MP3 player, external hard drive or a camera memory card. The use of removable media devices will only be approved if there is a valid business case for its use. All data stored on removable media must be encrypted where possible.
- 5.22 Any removable media device that has not been supplied by the IT Section must not be used. All ICT equipment supplied will by default have removable media facilities disabled unless there is a valid business case.

Legal Responsibilities Guidance Note

The Data Protection Act 2018

- 5.23 The Data Protection Act (DPA), 2018 is concerned with the direct use of personal information, whether that information is a manual record or processed on a computer system. DPA applies to all types of personal information; this includes information which may not be thought to be confidential. Members will note that they are their own data controller for these purposes and the Head of Legal and Democratic Services will register all elected members with the Information Commissioner's Office.
- 5.24 Personal data means data that relates to a living individual who can be identified from that data, or a combination of that data and other information which is in the possession of the Council. It also includes any expression of opinion about the individual.
- 5.25 Members usually access the personal data of others in three different situations:

- (i) Viewing personal information held by the Council for a specific purpose, such as a tenancy file.
 - (ii) Viewing and storing the personal information of their constituents through surgeries or complaints.
 - (iii) Viewing personal information held by their political parties about Members.
- 5.26 Members should ensure that personal information held for council purposes should not be used for political or electioneering purposes.
- 5.27 Members should also be aware that the unauthorised processing or disclosure of such information is prohibited under the DPA and the Member is responsible for ensuring that there is no such unauthorised disclosure of information from the ICT equipment.
- 5.28 If the Council fails to abide by DPA, it could be prosecuted and fined up to £17,000,000. However, the Act also imposes personal liability, so if a Member is found to be contravening the DPA they could be prosecuted or fined to a similar amount. In addition both the Council or individual officers or Members could face a civil action for damages for distress if there is a breach of the DPA.
- 5.29 All Members must comply with DPA, and the Council's supporting DPA policies, procedures and guidelines. It is the Member's responsibility to be familiar with and to adhere to the requirements of DPA.
- 5.30 Members are advised to read the Information Commissioner's *Advice for the elected and prospective members of local authorities* for further details, copies of which be provided to members on induction
- 5.31 Members should note from paragraph 5.23 that they are their own data controller for information that they generate in the course of their work i.e. constituency work. However, the Council remains the data controller for any information that is supplied by the Council to elected members to enable them to fulfill their role. In accepting and utilising Council ICT equipment and utilising software provided by the Council, members hereby agree that the Council shall be entitled to act at a data processor for such information, providing rights of access for any information that is held pursuant to this Members ICT Scheme.

The Freedom of Information Act 2000

- 5.32 The Freedom of Information Act (FOIA) gives a right of public access to information held by the Council. In terms of the Freedom of Information Act:
- (i) Individual Members are not authorities for the purposes of the FOIA.
 - (ii) Correspondence between Members or information held by a Member for their own private, political or representative purposes will not usually be covered by the FOIA
 - (iii) Information received, created or held by a Member on behalf of the Council will be covered by the FOIA, for example, where a Member is acting in an executive role as part of the Council Executive.

- (iv) Information created or received by a Member, but held on a Council's computer system or at its premises will only be covered by the FOIA if it is held for the council's own business.

5.32 Members are advised to read the Information Commissioner's *Information produced or received by Councillors* for guidance on what information held or produced by Members can be requested and disclosed under the Freedom of Information Act – copies of which will be provided to members on induction.

5.33 If Members require advice or assistance on the provisions of the DPA or FOIA they should contact the Head of Legal and Democratic Services.

6 Health and Safety

6.1 Members are required to ensure they use all facilities with due regard to their own and others' health and safety. Members should be aware of how they position their equipment to minimize hazards such as trailing power cables, glare for lighting or posture when working. The responsibility though for ensuring compliance with the same rests with the elected member. Members should contact Legal & Democratic Services to arrange further advice regarding best practice for health and safety.

7 Insurance

7.1 A proportion of the cost of replacement following theft or damage of the Council's ICT equipment is covered under the Council's current insurance arrangements. There is an expectation from the insurer that reasonable care is taken in the use and security of equipment, particularly portable laptops, failure to do so may invalidate any insurance claim. The Council may, at its discretion, require the Member to pay all or some of the cost incurred, if it resulted from their willful neglect.

7.2 Security – reasonable care must be exercised in order to prevent theft, loss or damage at all times. Specifically any mobile devices, e.g. laptops or tablet devices must not be left unattended. An appropriate carrying case should be used to prevent damage to the equipment. All ICT equipment should be kept out of sight overnight in secure location.

7.3 Transit – ICT equipment must be kept out of sight and secured in a locked boot where available. ICT equipment must not be left in an unattended vehicle and must be removed from the vehicle overnight. When using hotel accommodation Members should consider the use of the hotel safe when a mobile device is not in use and where not available, the use of a room safe or lockable cabinets within the room.

7.4 Travelling abroad – it is not envisaged that there will be a regular requirement to take Council-provided mobile devices abroad. In such cases mobile devices must be taken as hand luggage. Legal & Democratic Services should be advised, in good time, prior to overseas travel in order to ensure insurance arrangements are in place. Members should also consult the Foreign and Commonwealth Office

(<http://www.fco.gov.uk/en/travel-and-living-abroad/>) website for further guidance prior to travel.

- 7.5 The Council accepts no responsibility for the theft or damage of the Member's own ICT equipment and Members should ensure that they have their own appropriate insurance arrangements in place.

8 Privacy

- 8.1 It is the policy of the Council that email and internet use may be monitored. Inappropriate use or content will be brought to the attention of the Monitoring Officer and may result in a referral to the Public Service Ombudsman for Wales. The Council reserves the right to inspect the equipment at any time. Members are required to give Council officers access at any reasonable time for inspection and audit, which may be undertaken remotely and without notice to the Member.

- 8.2 Any inappropriate use made of Council ICT equipment will be considered to have been made with the knowledge and co-operation of its custodian.

- 8.3 All incoming and outgoing data (both internet and email) is automatically monitored and filtered. Any suspect traffic is quarantined and IT services notified of the sender and intended recipient.

9 Confidentiality

- 9.1 Members may be able to access confidential council information using the ICT equipment and are responsible for ensuring the continuing security of any such confidential information that they receive, including the security of any storage of such information on the computer.

- 9.2 Members are reminded of their obligations under the Council's Code of Conduct for Members not to disclose confidential information to any third party.

10 Restriction of Use

- 10.1 The Council reserves the right to restrict the use of ICT equipment if it has reason to believe that the use of the ICT equipment is likely to be in breach of the Council's IT Security Policy and supporting guidance. In particular, the Council reserves the right to:

- (i) remove or disable any software or equipment;
- (ii) remove any information stored on the computer.

11 Return and Recovery of Equipment

- 11.1 All ICT equipment and software assigned remains the property of the Council. The Council reserves the right to require the Member to return the ICT equipment at any time and the right to recover the ICT equipment from the Member.

- 11.2 Any Member to whom ICT equipment has been supplied and ceased to hold office, for whatever reason, will be required to return it all to Digital

Services within two weeks of ceasing office. All information held on the equipment will be deleted and the equipment may be re-issued.

12 General Advice

Password Advice:

- 12.1 Passwords should never be divulged to anyone.
- 12.2 Passwords should not be written down.
- 12.3 Passwords should be minimum of 8, complexity enforced (3 items from the 4 -of uppercase, lowercase, numeric, special char). If a Member believes a password has been compromised it should be changed immediately. Please contact the Service Desk if assistance is required to change a password.

Computer Viruses

- 12.4 Viruses are common and can, in some instances, cause considerable damage to a system or network. The following actions should be taken in defence:
 - (i) If Members are unsure about software installed on their NPT machine or if any program or email causes concern they should contact the Service Desk immediately.
 - (ii) If a Member believes a virus has infected their NPT device, the device should be powered off and the Service Desk should be contacted immediately.
 - (iii) Members must not attempt to disable any anti-virus software on NPT machines.

Confidentiality

- 12.5 Members must ensure that sensitive/confidential information is treated in the strictest confidence. No Council-related sensitive information should be stored locally (on a laptop hard drive or USB stick). It is more secure if all Council documents are stored on Council servers.

Support

- 12.6 ICT Support details are shown on the front of this document. Members may also e-mail the Service Desk on It servicedesk@npt.gov.uk (this address is already included in the contact list on your laptop).
- 12.7 Support and assistance **will be** provided on:
 - (i) Technical difficulties and queries in relation to Council supplied equipment.
 - (ii) Network connectivity of Council supplied equipment.
 - (iii) The Members application toolkits, which comprises; MS Office suite, Modgov, remote hybrid meeting applications pertaining to participation in Council meetings e.g. MS Teams, Zoom.

- (iv) Any new software identified by the Members ICT reference group that supports Members in their duties and added to the Members application toolkits for access by all Members.
- (v) Council business Data retrieval from Council supplied equipment.

12.8 Support **will not** be provided for personal queries such as:

- (i) Setting up of personal IT equipment such as laptops, pc's, mobile phones.
- (ii) Remote meetings with friends and family.
- (iii) Personal Data retrieval or personal use.

12.9 **Problems/Technical Enquiries** - Any Member who is not satisfied with the service received or is experiencing problems which are not being addressed should contact the IT Officers below:

Jules Payne – Head of Digital Operations
e-mail j.payne@npt.gov.uk

Chris Owen – Chief Digital Officer
e-mail: c.m.owen@npt.gov.uk

12.10 **Other Assistance** - If a Member wishes to discuss the provision of Members ICT generally, they may contact:

Craig Griffiths, Head of Legal and Democratic Services:
c.griffiths2@npt.gov.uk

Stacy Curran, Democratic Services Manager
s.curran@npt.gov.uk

Appendix 1

Windows application toolkit

Intune Company Portal

Ms Outlook

MS Word

MS Excel

MS Powerpoint

One Drive

Edge

Chrome

Intranet link

Teams

Zoom

Authenticator

MiPermit

Mod Gov

BBC News

Met Office

Google Earth

Facebook

Messenger

Twitter

Instagram

What3words

Appendix 2

Ipad application toolkit

Intune Company Portal

Ms Outlook

MS Word

MS Excel

MS Powerpoint

One Drive

Edge

Chrome

Intranet link

Teams

Zoom

Authenticator

MiPermit

Mod Gov

BBC News

Met Office

Google Earth

Facebook

Messenger

Twitter

Instagram

What3words

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Democratic Services Committee

13th December 2021

Report of the Head of Legal and Democratic Services – Mr Craig Griffiths

Matter for Decision

Wards Affected:

All wards

Creation of Neath Port Talbot Council Petition Scheme

Purpose of the Report:

1. To seek comments from Democratic Services Committee on a draft Petition Scheme before commending the draft protocol to Full Council for approval.

Background:

2. Neath Port Talbot County Borough Council (“the Council”) already has a number of measures in place for the public to participate in decision making. Both elected members and the public have various rights to participate in the Council’s democratic processes. Part 4 of the Constitution sets out the procedure rules of the Council which govern the conduct of all council/cabinet/committee meetings and decision making within these forums.
3. There are two different types of involvement that the public can have as part of the participation in the democratic processes of the Council and these relate to themselves as individuals and also involvement via their local member.

- a. The public are able to attend any meetings of council/cabinet/cabinet boards or committees where matters are considered in public. They are only excluded where matters are deemed confidential or exempt by virtue of the Local Government Act 1972, where reports are considered in private and members subsequently resolve to exclude the public. From the 3rd January 2022, members of the public will be able to ask questions pursuant to our Public Speaking Protocol approved by Council on the 27th October 2021.
- b. The public are able to present petitions on any matter and the Council requires such petitions to be handed to the relevant directorate. The public are not entitled to provide such petitions during an actual meeting of the council/cabinet/cabinet boards or committees. The Council does not have a petition scheme at present (hence the requirement for this report).
- c. Members of the public are entitled to speak in the following circumstances:
 - i. Where they are witnesses before a Standards Committee established under the Standards Committees (Wales) Regulations 2001 to hear code of conduct matters against county borough and town/community councillors;
 - ii. Where they are applicants for a licence or a witness to any matters before the Licensing and Gambling Acts Committee;
 - iii. Where they are making representations for or against a development before the Planning Committee in line with the Council's Protocol for speaking at meetings of the Planning Committee.
 - iv. Where they are invited to attend a Scrutiny Committee to discuss an issue of local concern and/or answer questions in accordance with the Council's Scrutiny Procedure Rules.
- d. It should be noted that a Scrutiny Committee shall make arrangements to enable all persons who live or work in the area of the Council to bring to the attention of the Committee their views on any matter under consideration by that

Committee. The Council achieves this via the publication of the forward work programme and the publication of the agenda (in accordance with statutory rules). However, persons who live or work in the Council's area may submit written representations on any matter under consideration by the Committee by submission to the Chief Executive up until one clear day before any relevant meeting of the Committee and these representations shall be reported to the Committee either in full or in summary at the discretion of the Chair

- e. Elected members are of course able to bring any matter referred to them by their constituents before council/cabinet/cabinet boards or committees.
- f. A member of Council may ask the Leader or the Chair of a cabinet/cabinet board or committee any question without notice on any item being received or under consideration;
- g. If an item is not on the agenda for discussion, a member may ask the Mayor, any member of the Executive or a Chair of any committee any question on any matter to which the Council has powers or duties or which affects the area provided that at least 1 working day notice in writing is given to the Chief Executive or where the matter is urgent they have the consent of the Chair to put the question and it is provided no later than 2 hours before the start of the meeting to the Chief Executive.
- h. Members can make a Motion on Notice provided it is signed by at least 2 members and delivered to the Chief Executive no later than 8 clear days before the date of the meeting.
- i. Members can propose a motion (without notice) on any matter that is being considered by members at a meeting of council/cabinet/cabinet boards or committee.
- j. Members of Scrutiny Committees can request matters be considered by the Scrutiny Committee in respect of matters relating to the discharge of the Council's functions provided 8 clear working days' notice is given.
- k. Members can 'Call In' items following consideration by the executive/cabinet within 3 days of the decision being made

(subject to the appropriate number of members requesting the same).

4. One of the requirements of Local Government and Elections (Wales) Act 2021 will be for local authorities to establish a petition scheme setting out how the Council intends to handle and respond to petition. The petition scheme must set out:
 - (a) how a petition may be submitted to the Council
 - (b) how and by and when the Council will acknowledge receipt of a petition
 - (c) the steps the Council may take in response to a petition receive 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
5. Accordingly, a draft Neath Port Talbot Petition Scheme has been prepared and is enclosed at Appendix 1 for member's consideration. A user friendly guide setting out the key requirements will also be provided to the general public. These documents once approved will also be provided in Welsh for usage.
6. Members of the Democratic Services Committee are accordingly asked for their thoughts and observations on the draft Neath Port Talbot Petition Scheme and following this a revised version will be prepared for Full Council to approve and agree implementation of. In particular, consideration is asked to be given to paragraph 4.10 of the Petition Scheme and whether the number of signatories is appropriate.
7. The Petition Scheme will be fully integrated with the Council's Mod Gov System.
8. Once implemented, it would be proposed that the Neath Port Talbot Petition Scheme be reviewed after a period of 12 months to ensure it remains appropriate or whether amendments may be required to ensure the overarching aims of providing the public the opportunity to influence decision making are met.

Financial Impacts:

9. An additional financial pressure may be identified where there is a need to ensure further welsh language translation of particular questions that may be raised and to accommodate any reasonable adjustments that are necessary to meet Equality Act 2010 obligations to allow members of the public to raise questions. This financial impact will be kept under review.

Integrated Impact Assessment:

10. A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment, attached at Appendix 2, has indicated that a more in-depth assessment is not required.

Valleys Communities Impacts:

11. There are no valley community impacts

Workforce Impacts:

12. There are no workforce impacts associated with the proposed implementation; however any workforce implications that arise from the draft petition scheme will need to be evaluated and in the event of any impacts a report will be brought back to members for consideration.

Legal Impacts:

13. The protocol will enable the Council to meets its legislative obligations under the Local Government and Elections (Wales) Act 2021

Risk Management Impacts:

14. There are no risk management issues associated with this report.

Consultation:

15. There will be no requirement for any consultation.

Recommendations:

16. It is recommended that, having due regard to the Integrated Impact Screening Assessment:

- (a) Members of the Democratic Services Committee consider the draft Neath Port Talbot Petition Scheme recommending any changes that they feel are appropriate; and
- (b) Delegated authority be granted to the Chair of the Democratic Services Committee to agree the final draft for commending to Council on behalf of the Democratic Services Committee.

Reasons for Proposed Decision:

17. To ensure that promoting and facilitating processes by which local people may make representations to the principal council about a decision before, and after, it is made

Implementation of Decision:

18. The decision is proposed for implementation following approval by Full Council

Appendices:

19. Appendix 1- Integrated Impact Screening Assessment
Appendix 2– Draft Neath Port Talbot Council Petition Scheme

List of Background Papers:

20. None

Officer Contact:

Craig Griffiths
Head of Legal and Democratic Services
Tel: 01639 763767 or E-mail: c.griffiths2@npt.gov.uk

Stacy Curran
Democratic Services Manager
Tel: 01639 763194 or E-mail: s.curran@npt.gov.uk

Appendix 1

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Creation of Neath Port Talbot Council Petition Scheme
Service Area: Democratic Services
Directorate: Chief Executives

2. Does the initiative affect:

	Yes	No
Service users	X	
Staff	X	
Wider community	X	
Internal administrative process only		X

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		X				The ability to create a petition and for the item to be considered by the Council will be open to all residents of the County Borough and those that work in the area. If an individual falls within the category of a having a

						protected characteristic, reasonable adjustments will be undertaken to enable needs to be met.
Disability		X				The ability to create a petition and for the item to be considered by the Council will be open to all residents of the County Borough and those that work in the area. If an individual falls within the category of a having a protected characteristic, reasonable adjustments will be undertaken to enable needs to be met.
Gender Reassignment		X				The ability to create a petition and for the item to be considered by the Council will be open to all residents of the County Borough and those that work in the area. If an individual falls within the category of a having a protected characteristic, reasonable adjustments will be undertaken to enable needs to be met.
Marriage/Civil Partnership		X				The ability to create a petition and for the item to be considered by the Council will be open to all residents of the County Borough and those that work in the area. If an individual falls within the category of a having a protected characteristic, reasonable adjustments will be undertaken to enable needs to be met.
Pregnancy/Maternity		X				The ability to create a petition and for the item to be considered by the Council will be open to all residents of the County Borough and those that work in the area. If an individual falls within the category of a having a protected characteristic, reasonable adjustments will be undertaken to enable needs to be met.
Race		X				The ability to create a petition and for the item to be considered by the Council will be open to all residents of the County Borough and those that work in the area. If an individual falls within the category of a having a protected characteristic, reasonable adjustments will be undertaken to enable needs to be met.

Religion/Belief		X				The ability to place a question on the agenda and to ask at a meeting will be open to all residents of the County Borough and those that work in the area. If an individual falls within the category of a having a protected characteristic, reasonable adjustments will be undertake to enable needs to be met.
Sex		X				The ability to create a petition and for the item to be considered by the Council will be open to all residents of the County Borough and those that work in the area. If an individual falls within the category of a having a protected characteristic, reasonable adjustments will be undertake to enable needs to be met.
Sexual orientation		X				The ability to create a petition and for the item to be considered by the Council will be open to all residents of the County Borough and those that work in the area. If an individual falls within the category of a having a protected characteristic, reasonable adjustments will be undertake to enable needs to be met.

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		X				Individuals will be able to present a petition in Welsh and consideration to such matters will be in line with the Council's Welsh Language Standards.

Treating the Welsh language no less favourably than English		X				Individuals will be able to present a petition in Welsh and consideration to such matters will be in line with the Council's Welsh Language Standards.
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5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		X				There are no impacts on from a biodiversity perspective
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		X				There are no impacts on the promotion or resilience of ecosystems

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6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	X		The introduction of a petition scheme will work in conjunction with the current ways of facilitating democratic processes that the Council already embarks on and will assist in promoting and facilitating processes by which

			local people may make representations to the principal council about a decision before, and after, it is made.
Integration - how the initiative impacts upon our wellbeing objectives	X		The proposal impacts on all three wellbeing objections in it will assist promoting and facilitating processes by which local people may make representations to the principal council about a decision before, and after, it is made.
Involvement - how people have been involved in developing the initiative	X		Officers have considered the proposal and to ensure the views of members have been sought, the report will be discussed and approved by Democratic Services Committee before being provided to Full Council for approval and agreeing implementation.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	X		Officers have considered the proposal and to ensure the views of members have been sought, the report will be discussed and approved by Democratic Services Committee before being provided to Full Council for approval and agreeing implementation.
Prevention - how the initiative will prevent problems occurring or getting worse	X		The introduction of a petition scheme will work in conjunction with the current ways of facilitating democratic processes that the Council already embarks on and will assist in promoting and facilitating processes by which local people may make representations to the principal council about a decision before, and after, it is made.

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	X
Reasons for this conclusion	
The introduction of a public speaking protocol will work in conjunction with the current ways of facilitating democratic processes that the Council already embarks on and will assist in promoting and facilitating processes by which local people may make representations to the principal council about a decision before, and after, it is made. No protected characteristics are affected, it will have no impact on biodiversity nor will it be contrary to any welsh language requirements.	

	Name	Position
Signed off by	Craig Griffiths	Head of Legal and Democratic Services

1. Introduction

- 1.1 Neath Port Talbot County Borough Council (“the **Council**”) welcomes petitions as a way in which our residents can make their concerns known and request that action be taken.
- 1.2 Petitions are documents (whether digital or physical) that contain details of issues that are important to communities and the County Borough as a whole, signed by local electors who are in support of the proposed action.
- 1.3 The Council is required by the Local Government and Elections (Wales) Act 2021 to make and publish a scheme setting out how the Council intends to handle and respond to petitions (including electronic petitions).
- 1.4 The petition scheme must set out:
- (a) how a petition may be submitted to the Council
 - (b) how and by and 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
- 1.5 This petition scheme was approved by the Council on **XXX** and is now referenced as “the **Scheme**” for the purposes of this document.
- 1.6 The Council commits to reviewing the Scheme every two years.
- 1.7 A copy of the Privacy Statement relating to this Scheme is available at **XXX**
- 1.8 Any queries on this petition scheme should be addressed to:
- Democratic Services**
Neath Port Talbot County Borough Council
Civic Centre
Port Talbot
SA13 1PJ
Email: democratic.services@npt.gov.uk
Tel: 01639 763194

2. Guidelines for submitting a petition

2.1 A petition for the purposes of this Scheme must include:

- (a) a clear and concise statement of the concern and what the petitioners would like the Council to do in response. Petitions, therefore, must relate to something for which the Council is responsible or over which the Council has some influence. If the Council receives a petition that does not relate to something under the Council's control or influence, it will be returned to the petition organiser with an explanation of the decision as to why we cannot progress the matter further.
- (b) the name and contact details of a petition organiser. For the purpose of taking a petition forward, a petition organiser must be nominated (this is usually the person who starts the petition).
- (c) the names and addresses of local electors (including the person(s) organising the petition). Where petitions are presented in paper form, they must include petitioners' actual signatures. Where an e-petition is submitted, a list of names and addresses will suffice. Only the person(s) organising the petition will be contacted in relation to the petition, but petitioners' addresses are needed for the purpose of verifying the number of petitioners.

Please note: where the term 'signatures' is used in this Scheme, read 'names, addresses and signatures of petitioners'.

2.2 Before submitting a petition, the Council would encourage residents to seek a resolution to any issue by:

- (a) contacting the Council to see whether an ordinary service request would resolve the issue
- (b) contacting a relevant ward Councillor(s) to see whether they can help.

2.3 If a petition is submitted in relation to a consultation or a matter which is under the Council's control but which is subject to a separate policy or procedure, this should be made clear in order that it can be progressed in accordance with the relevant procedures and included as part of the consultation responses being gathered.

2.4 Petitions should be accompanied by contact details, including an address, for the petition organiser who must also live or work in the Neath Port Talbot local authority area. This is the person that will be contacted to explain how the Council will respond to the petition. ***The contact details of the petition organiser will not be placed on the website.***

2.5 If the petition does not identify a petition organiser, contact will be made with signatories to the petition to agree who should act as the petition organiser.

2.6 If your petition does not reach the minimum requirement signatures, particularly where the issue relates to a small locality, the Council will advise the petitioners of other ways in which these views could be considered.

2.7 A form is available as Appendix 1, which sets out the main summary information required when submitting a petition.

2.8 If you want to submit a petition to a specific meeting of the Council or Cabinet or

Cabinet Board or Committee then you need to ensure that we receive a completed petition with details of the petition subject matter, number of signatures and your contact details by no later than **5:00** on the **10** working days before that meeting to enable it to be submitted.

- 2.9 Please note petitions submitted by the petitioner to meetings of the Full Council or relevant Cabinet/Cabinet Board will not be discussed in detail at that point, unless there is an agenda item specifically relating to that issue.
- 2.10 If a petition does not follow the guidelines as set out, the Council may decide not to do anything further with it. In that case, you will receive a written explanation of the reasons.

3. What petitions will not be accepted by the Council?

- 3.1 The following petitions cannot be dealt with through this Scheme
- (a) Any matter relating to a planning decision, including about a development plan document or community infrastructure levy
 - (b) Any matter relating to an alcohol, gambling, taxi licensing or sex establishment licensing decision
 - (c) Any matter where there is an appeals procedure in place
 - (d) Any matter relating to a matter that could be considered by the Council's Standards Committee relating to the standard of Town, Community and County Borough elected members
- 3.2 However a petition that alleged a systematic failure to deliver services in the above area is within the scope of this Scheme (e.g. while a petition on any individual planning application could be not taken, a petition about the Council's failure to deliver an effective service for planning applications would be within the scope of this Scheme)
- 3.3 A petition will not be accepted by the Council if:
- (a) it duplicates another, concurrent petition. In this case, signatures will be added to the first such petition to be received by the Council
 - (b) it repeats a petition received within the previous six months, whether or not the petition organiser is the same in each instance
 - (c) in the opinion of the Council's Chief Executive Officer or Monitoring Officer, it is personal, rude, defamatory or vexatious in nature
 - (d) it becomes apparent that any local elector's name, address or signature has been added to the petition without their explicit consent
 - (e) it is not in relation to a matter for which the Council has a responsibility and which affects the administrative area or citizens of the Council;
 - (f) It would require the disclosure of confidential or exempt information in response;
 - (g) It relates to the personal circumstances or conduct of any officer and Member or conditions of service of employees;
 - (h) It relates to an individual, particular group or business or the questioner's own particular circumstances;
 - (i) It would be ultra vires or illegal for the Council to consider;
 - (j) It relates to a matter which is the subject of legal or enforcement proceedings or an appeal to a court or tribunal or to a Government Minister or the National Assembly or an investigation by the Public Service Ombudsman for Wales;
 - (k) It relates to the activities and aims of a political party or organisation;
 - (l) It would require the expenditure of a disproportionate amount of time, money or effort to prepare the answer.
 - (m) It falls within the criteria set out in paragraph 3.1 above.
- 3.4 If the Council reject your petition or you feel that the Council has not dealt with your petition properly, please contact the Council's Monitoring Officer who will review your complaint and will advise you of the action intended. Please provide a short explanation of your reasons in your communication with us:
- Monitoring Officer
Neath Port Talbot County Borough Council
Civic Centre

Port Talbot
SA13 1PJ
Email: democratic.services@npt.gov.uk

3.5 The decision of the Monitoring Officer or the appointed officer will be final and not subject to the internal complaints process though a complaint may be made to the Public Service Ombudsman for Wales should you remain dissatisfied.

4. What will the Council do when it receives my petition?

4.1 An acknowledgement will be sent to the petition organiser within **3** working days of receiving the petition. It will let you know what the Council plans to do with the petition and when you can expect to hear from the Council again. A copy of your petition will also be forwarded to the Council's Leader, the Cabinet Member responsible for the area of concern, the Chair of the appropriate Scrutiny Committee, the Head of Service responsible for this area and the Chief Executive.

4.2 Where a petition is in respect of a particular local issue affecting a specific ward(s) then the Democratic Services will notify the appropriate elected members.

4.3 The petition will be published on the Council's Petitions Register on the Council's website (www.npt.gov.uk).

4.4 If the Council considers it can meet what the petition asks for, the acknowledgement may confirm what action has been taken on the request and the petition will be closed.

4.5 If some other action is proposed or intended, the acknowledgement will explain this. If the petition has enough signatories to trigger a debate at a meeting of the Full Council or Cabinet/Cabinet Board/Committee, then the acknowledgment will confirm this and advise when and where the meeting will take place. If the petition needs more investigation, you will be advised of the Council's next steps.

4.6 The Council reserves the right to verify signatories as required. Petitioners should ensure that a valid address and postcode is included for all petitioners that relates to a home address (if living in Neath Port Talbot) or work address (if working or run a business in Neath Port Talbot). These details will be taken into account when identifying if there are enough signatories from people who live or work in Neath Port Talbot to trigger a debate.

4.7 Any petition that is a duplicate or near duplicate of another petition that the Council has already received will not normally be considered within a **6** month period although officers will exercise their discretion in individual cases. It is advised that details of previous petitions are checked on the website or contact Democratic Services for advice at the start of your petition.

4.8 To ensure that people know what the Council are doing in response to the petitions received, the details of all the petitions submitted, including those pending action will be published on the Council's website, except in cases where this would be inappropriate

- 4.9 Please note that in the period preceding an election or a referendum, the Council may need to treat any petitions received differently. Under such circumstances, the reasons for this will be explained to the organiser(s) of the petition.
- 4.10 The Council's response may also depend on the number of people who have signed the petition. The table below sets out the thresholds:

Number of Signatories	Response
1-100	Response from the relevant director/head of service (treated as standard correspondence)
101-500	Response from the Cabinet Member
500+	Referred for debate at a meeting of Full Council or the relevant Cabinet/Cabinet Board/Committee

- 4.11 Where the matter is placed before a meeting of Full Council or the relevant Cabinet/Cabinet Board/Committee (dependant on which meetings is the appropriate body), the organiser(s) of the petition will be invited to address, or nominate another person to address, the relevant committee when a petition is considered for the first time giving 5 minutes to present the petition.
- 4.12 Following this first hearing, it will be debated by Councillors up to a maximum of 15 minutes whereupon, it is likely that the Full Council or relevant Cabinet/Cabinet Board/Committee will request an investigation into the issue which will return for further consideration when the investigation has concluded. If a meeting agrees with the statement and request for change cited in a petition, it may seek to resolve the issue by making recommendations to relevant service areas or decision-making bodies within the Council or, where a petition relates to something over which the Council only has influence, by making recommendations to other organisations.
- 4.13 The petition organiser will receive written confirmation of the outcome of the discussion and of the Council's decision and any explanation in the event of Council not being able to take the action which had been requested. This information will also be published on the Council's website.

5 E Petitions

- 5.1 The Council welcomes e-petitions being created and submitted through its website via the website page www.npt.gov.uk/petitions and www.npt.gov.uk/deisebau
- 5.2 E-petitions must follow the same guidelines as for paper petitions and in addition:
- (a) Petition organisers and subscribers must provide a valid email address as well as their name and address; and
 - (b) The period for which the petition shall be open to subscription must be determined at the outset.
- 5.3 The petition organiser will need to provide their name, postal address and email address, and will need to decide how long the petition is to be open for signatories. It maybe that the ending of the petition would coincide with a relevant meeting or decision. It may be helpful to discuss this with Democratic Services. If so, please contact us via email at democratic.services@npt.gov.uk
- 5.4 When an e-petition has been submitted on the Council's website, the petitions will be acknowledge within **3** working days and this will include a link to the petition. Upon the e-petition reaching its end date, it will be closed to further subscription and will then be dealt with as explained in Section 4.
- 5.5 When you create an e-petition, it may take **3** working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.
- 5.6 If it is considered that your petition cannot be published for any reason, the Council will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within **3** working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.
- 5.7 When an e-petition has closed for signature, it will automatically be submitted to Democratic Services. In the same way as a paper petition, you will receive an acknowledgement within **3** working days.
- 5.8 E-petitions that have been created through websites other than the Councils' can be submitted to the Council but will still need to meet the criteria as set out.

Petition Template

Guidance Notes:

Please use this suggested template, additional pages should also include the petition subject at the top of the page.

The petition organiser must live, work or own a business in Neath Port Talbot.

If you wish to sign this petition, please put down your Neath Port Talbot address if you live, work or own a business in Neath Port Talbot area as this will count towards any threshold for debate at full Council meetings (where all Councillors attend).

Signatories from outside Neath Port Talbot will be taken into consideration in respect of the issue being raised, but will not count towards the numbers required for formal debates under the scheme.

Please also refer to the petitions scheme available at www.npt.gov.uk for further information about how we deal with petitions at the Council.

Contact Details of the Lead Petitioner

(the person the Council will contact with responses to the petition)

Full Name:	
Address for Correspondence:	1st Line: _____ 2nd Line: _____ 3rd Line: _____ Post code: _____
Home Telephone No:	
Mobile Number No; :	
Email address:	
Live/Work/Service user (please indicate all that apply)	
Signature	

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Democratic Committee Services
Forward Work Programme 2021/22

Meeting Date	Agenda Item	Type	Comments	Contact Officer
13 December 2021	Member IT Policy Report	Information	Topical	Stacy Curran
	E-Petitions	Decision	Topical	Craig Griffiths/Stacy Curran
PRE ELECTION PERIOD STARTS MID MARCH				
21 February 2022	Democratic Services Annual Report	Information	Annual	Craig Griffiths/Stacy Curran
	Annual Consideration of Constitutional Issues	Monitoring	Annual	Craig Griffiths/Stacy Curran
<p>To be Programmed Annually:</p> <ul style="list-style-type: none"> - Annual Update on Member Annual Reports and PDR's - Democratic Services Committee Annual Report - Assessment of Resources for Democratic Services - Member Training and Development Priorities for upcoming year (March) (defer 2022) - Annual Member Survey and Timings of Meetings Survey (defer 2022) - IRPW Consultation and Annual Report 				

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