



DEMOCRATIC SERVICES COMMITTEE

9.30 am THURSDAY, 11 JULY 2019

COMMITTEE ROOMS 1 AND 2,

CIVIC CENTRE PORT TALBOT

PART 1

1. Declarations of Interest
2. Minutes of Previous Meeting (*Pages 3 - 8*)
3. Data Protection Act 2018 training and Data Protection Fees (*Pages 9 - 14*)
Report of the Head of Legal Services enclosed.
4. Webcasting
Verbal Report of the Assistant Chief Executive and Chief Digital Officer.
5. Member Attendance at Pre Briefings (*Pages 15 - 18*)
Report of the Assistant Chief Executive and Chief Digital Officer enclosed.
6. Forward Work Programme 2019/20 (*Pages 19 - 20*)
7. 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

S.Phillips

Chief Executive

**Civic Centre
Port Talbot**

5 July, 2019

Committee Membership:

Chairperson: Councillor J.D.Morgan

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

**Councillors: S. ap Dafydd, M.Harvey, S.Miller, S.Pursey,
S.Renkes, A.J.Taylor, R.L.Taylor, A.Llewelyn,
A.J.Richards and S.K.Hunt**

DEMOCRATIC SERVICES COMMITTEE

(Committee Room 1/2 - Port Talbot Civic Centre)

Members Present:

7 March 2019

Chairperson: Councillor J.D.Morgan

Vice Chairperson: Councillor M.Harvey

Councillors: S. ap Dafydd, S.K.Hunt, S.Purseley, S.Renkes, A.J.Richards, A.J.Taylor, R.L.Taylor and A.N.Woolcock

Officers In Attendance K.Jones, D.Giles, C.Furlow, J.Davies and A.Manchipp

1. **MINUTES OF PREVIOUS MEETING 7 NOVEMBER 2018**

RESOLVED: That the minutes of the previous meeting held on 7 November 2018 be approved.

2. **ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES**

The committee received information in relation to the Annual Report of the Independent Remuneration Panel for Wales as contained within the circulated report.

Members expressed concerns that the carers allowance was taxable, and queried whether it should be classed as a reimbursement of cost to an individual instead. Members queried whether there had been any interest from members to receive the carers allowance. Officers stated that there had been no interest from members, and there appeared to be a reluctance across Wales to receive the allowance.

RESOLVED: That officers liaise with the Director of Finance for advice before writing to the Independent Remuneration Panel for Wales for further clarification on why the carers allowance was classified by Her Majesty's Revenue and Customs as an

income rather than a reimbursement.

3. **MEMBER SCRUTINY CHAMPION - UPDATE**

The committee received information in relation to the Member Scrutiny Champion - Update as contained within the circulated report.

The committee agreed that issues regarding grammar in reports and minutes should be raised with the relevant officers outside of the meetings.

The committee acknowledged the importance of non-committee members giving advance notice to the relevant chair of their intention to attend a meeting. The committee also agreed that non-committee members should only attend for the relevant items that they had expressed an interest in. Officers advised that a firm rule for non-committee members' attendance at meetings might not be a suitable arrangement as flexibility should be built in for exceptional circumstances.

The committee commented that pre-briefings provided committee members with an opportunity to discuss matters on the agenda and to organise themselves in preparation for the main meeting. The committee stated that pre-briefings added value by seeking different perspectives in advance of the main meeting and reaching better conclusions.

Members raised concerns with regard to the timing of pre-briefings, particularly Cabinet Scrutiny which began at 9:00am, and posed an issue for those taking their children to school first. The committee recommended that discretion be given to chairs to slightly alter commencement times for meeting to accommodate members with childcare responsibilities. Officers stated that this could be raised during the re-constitution of Council.

RESOLVED:

- a) That the Assistant Chief Executive & Chief Digital Officer circulates an e-mail to all members reminding them that grammatical issues contained in reports and minutes are to be raised with relevant officers and dealt with outside of meetings
- b) That the Assistant Chief Executive & Chief Digital Officer and Head of Legal

- Services prepare a report at the next meeting regarding non-committee member attendance at meetings
- c) That the attendance of members at pre-briefings be monitored by the Chairs and Vice Chairs of Scrutiny Forum, and any issues to be reported back to the committee

4. **MEMBERS' DEVELOPMENT AND TRAINING PROGRAMME - UPDATE**

The committee received information in relation to the Members' Development and Training Programme as contained within the circulated report.

Officers reported that following the meeting on the 5th September 2018, social media training and committee procedures training had not yet been delivered. Due to the multifaceted nature of both topics, officers requested a steer from the committee. Members commented in relation to social media that it was difficult to identify specific training that met the needs of all members as knowledge and skill levels varied. Members requested for two courses to be arranged in relation to social media; a beginners course which provided members with basic knowledge, such as how to register accounts, publish posts, make comments, 'do's and don't's,' code of conduct issues in relation to social media; and an intermediate course which would provide a refresher as well as how to maximise the use of social media and provide members with the knowledge of which platforms to use when attempting to target a particular audience. Members also requested for the courses to include information on how to deal with harassment and abuse on social media and the impact on individuals.

In relation to committee procedures, members requested training and further guidance on the following areas:

- the 'Call-in' process;
- legislation and the process in place to request the attendance of external organisations/partners at meetings;
- how to put motions forward at meetings;
- notice of motions and amendments;

- procedures for full council;
- recorded voting;
- general powers available to committees.

- RESOLVED:**
- a) That beginner and intermediate social media training be arranged for members
 - b) That the Assistant Chief Executive and Chief Digital Officer and Head of Legal Services deliver a course to members on the areas identified by the committee in relation to committee procedures.

5. **MEMBERS' ANNUAL PERSONAL DEVELOPMENT REVIEW (PDR) - UPDATE**

The committee received information in relation to the Members' Annual Personal Development Review (PDR) as contained within the circulated report.

The committee were informed that nominations had been received from group leaders and that training had been arranged for nominees on the 15th April which would be provided by the Welsh Local Government Association.

RESOLVED: That the committee note the report.

6. **DISABILITY AUDIT**

The committee received information in relation to the Disability Audit - Update as contained within the circulated report.

The committee were informed that Proudlock Associates (sub-contractors of Shaw Trust) had been approached to carry out the disability audit for the Neath and Port Talbot Civic Centres, and that the Disability Audit Working Group were due to meet on the 14th March to consider the proposal. If the proposal was accepted by the working group, then the audit would take place in April.

RESOLVED: That the committee note the report.

7. **DEMOCRATIC SERVICES STAFFING STRUCTURE**

The committee received information in relation to Staffing Structure – Democratic Services and the Re-modelling of Scrutiny Support as contained within the circulated report.

Officers explained that due to the extra demand placed on Democratic Services as a result of the Swansea Bay City Region, further resources were required as indicated in the report. Officers reported that the additional hours required in the team were still being worked through.

Members queried whether the posts would still be required if the Swansea Bay City Region was disbanded. Officers stated that they were waiting for an indication on the future of the Swansea Bay City Region which was due imminently. Officers informed the committee that there was a separate strand of work being carried out to develop the scrutiny support for members, and that Dave Mckenna was currently assisting with this.

RESOLVED: That the structure be endorsed by Council once the hours for the new posts were determined.

8. **MEMBERS IT REFERENCE GROUP - UPDATE**

The committee received information in relation to the Members IT Reference Group as contained within the circulated report.

Members queried whether there were any plans to install Microsoft Word on members' i-pads. Officers stated that Microsoft 365 was currently being trialed by the IT department, and if successful would provide functionality on i-pads for the entire Microsoft Office Suite.

RESOLVED: That the committee note the report.

9. **DEMOCRATIC SERVICE COMMITTEE WORK PROGRAMME**

Officers advised that with further legislation anticipated from Welsh Government, that the committee may wish to review the frequency in which it convenes each year.

RESOLVED: That an additional meeting be arranged for July, and that the meeting in September be re-arranged for November. The meeting in March 2020 to remain in place.

10. **CHAIRPERSON'S REPORT**

The committee received information in relation to the Chairpersons report as contained within the circulated report.

The Chair explained that the report was a summary of the activities undertaken by the committee during the civic year.

RESOLVED: That the committee note the report.

11. **URGENT ITEMS**

Members raised concerns with regard to the timing of some meetings that fell during the school holidays, which provided difficulties for members with child care responsibilities. Officers stated that this would be explored and reported back to the committee.

Members requested for pre-briefings and Planning site visits to be inserted into members' electronic calendars. Officers stated that this would be explored and reported back to the committee.

Members requested that when members' seminars were cancelled, that the word 'cancelled' be added first in the subject box before sending the e-mail notification in order to eliminate the possibility of members missing the information. Officers agreed to change the wording in the subject box when cancelling members' seminars.

Members asked for pre-briefings to be added to members' weekly lists. Officers agreed to add pre-briefings to the members' weekly lists.

CHAIRPERSON



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Democratic Services Committee

11th July 2019

Report of the Head of Legal Services

Matter for Information

Wards Affected:

All Wards

Data Protection Act 2018 training and Data Protection Fees

Purpose of the Report:

1. To provide an overview to members of the data protection training that has taken place since the implementation of the Data Protection Act 2018 and to provide an update on changes in respect of the payment of fees to the Information Commissioner's Office

Executive Summary:

2. This report provides an overview to members of the data protection training that has taken place since the implementation of the Data Protection Act 2018 and to provide an update on changes in respect of the payment of fees to the Information Commissioner's Office

Background:

Data Protection Training

3. In order to ensure members are fully aware of their obligations under the Data Protection Act 2018 there was a need to ensure that members were trained in their respective obligations. If members handle personal data in their role as a ward member (i.e. advising, assisting or acting as an advocate for residents within their ward), it is essential that they are aware of the requirements
4. Training Sessions were carried out on the following dates:
 - Friday 1st Feb
 - Tuesday 5th February
 - Wednesday 6th February
 - Tuesday 16th April
5. As some members were unable to attend the training on those dates, a number of individual training sessions were arranged.
6. Since this date the Head of Legal Services has provided to members the following documents to assist in compliance with data protection matters:
 - A guidance note on the implementation of the Data Protection Act 2018 and the General Data Protection Regulations 2018 for Members
 - A template Privacy Notice
 - A template Data Sharing Agreement (incorporating authorisations to act on behalf of residents)

7. For those members who have not yet undergone the training, individual sessions will be arranged with the Head of Legal Services (or an officer of the Legal Section) to go through any aspects of training that might be required and members should contact the Head of Legal Services accordingly to arrange a convenient time to undertake this.

Data Protection Fees

8. On 25 May 2018, the Data Protection (Charges and Information) Regulations 2018 (the 2018 Regulations) came into force, changing the way data protection work was funded by the Information Commissioner's office
9. Under the 2018 Regulations, organisations that determine the purpose for which personal data is processed (Data Controllers) must pay a data protection fee unless they are exempt. Elected representatives were caught by this definition meaning all local government members would have to pay a fee of £40 for registration with the Information Commissioner's Office.
10. The Council proceeded to pay this sum for members and registration took place accordingly.
11. From 1 April 2019, the Data Protection (Charges and Information) (Amendment) Regulations 2019 has now exempted the processing of personal data by elected representatives, meaning there will no longer be a requirement to pay this sum.
12. Members will still be required to register with the Information Commissioner's Office as a Data Controller but a fee will no longer be payable to do this.

Financial Impacts:

13. Previously, in order to register members as Data Controllers, the Council was under an obligation to pay the sum of £40 per member to the Information Commissioner's Office. A sum of £2,560 sum was earmarked in budgets accordingly. This sum will no longer require payment

Integrated Impact Assessment:

14. There is no requirement to undertake an Integrated Impact Assessment as this report is for information purposes only.

Valleys Communities Impacts:

15. No implications

Workforce Impacts:

16. No implications

Legal Impacts:

17. No specific implications but Members will note the requirement for compliance at all times with the provisions of the Data Protection Act 2018.

Risk Management Impacts:

18. Failure to comply with the requirements of the Data Protection Act 2018 can expose Members to financial penalty. The registrations of members with the Information Commissioner's Office as Data Controllers and the training provided by the Head of Legal Services are part of an attempt to ensure that members are aware of their obligations in respect of data protection and to ensure the safeguarding of information they are provided as part of their role in representing their constituents.

Consultation:

19. There is no requirement for external consultation on this item'

Recommendations:

20. It is recommended that Members note the outcome of the training that has been undertaken by the Head of Legal Services in respect of member compliance with the Data Protection Act 2018 and the position in respect of members now being exempt from data protection fees.

Reasons for Proposed Decision:

21. To provide an update for Member on the training provided to members on compliance with the Data Protection Act 2018 and to notify them of the exemption in respect of members for the payment of data protection fees.

Appendices:

22. None

List of Background Papers:

23. None

Officer Contact:

Mr Craig Griffiths
Head of Legal Services
Email: c.griffiths2@npt.gov.uk
Tel: 01639 763767



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

DEMOCRATIC SERVICES COMMITTEE

11th July 2019

Report of the Assistant Chief Executive

Matter for Decision

Wards Affected:

All Wards

Member Attendance at Pre-briefings

Purpose of the Report:

To report the outcome of a review of Member attendance at pre-briefings.

Summary:

As part of a programme of improvement work undertaken during the last Administration, pre-meetings were introduced prior to Scrutiny Committee meetings;

The general view is that pre-meetings have delivered a range of benefits: greater coherence in lines of inquiry; improved participation of all Members – to name just a few;

Whilst most Members attend the pre-briefings, it was identified that there could be scope to improve on this and the Head of Democratic Services was asked to review the position;

Records indicate that very few Members routinely miss pre-meetings;

Most of the those Members are in employment;

Council approved, on the recommendation of this Committee, that flexibility be given to each Committee to vary their start times by up to an hour to better accommodate these Members;

Having reviewed the position, no further actions are considered necessary at this stage.

Financial Impacts:

None

Integrated Impact Assessment:

Not required

Valleys Communities Impacts:

None

Workforce Impacts:

None

Legal Impacts:

There is no requirement for Members to attend pre-meetings.
Attendance is voluntary.

Risk Management Impacts:

Very limited. The participation of people in the meetings who did not attend the pre-meetings can be managed by the Chair in other ways.

Consultation:

'There is no requirement for external consultation on this item'

Recommendations:

1. That the Democratic Services Committee notes this report.

Reasons for Proposed Decision:

To confirm action/or not related to a request from the Committee to examine the attendance at pre-meetings in the context of identifying further opportunities to enhance the scrutiny arrangements of the Council.

Appendices:

None

Officer Contact:

- Mrs K Jones, Assistant Chief Executive and Chief Digital Officer. Tel: 01639 763284 E-mail: k.jones3@npt.gov.uk

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**WORK PROGRAMME 2019/20
DEMOCRATIC SERVICES COMMITTEE**

MEETINGS TO START AT 9.30am AND FINISH AT 11.00am

DATE	Agenda Items	Type - Decision, Monitoring or Information	Rotation - Topical, Annual, Biannual, Quarterly, Monthly	Contact Officer/Head of Service
<p align="center">14th November 2019</p>	<ul style="list-style-type: none"> • Webcasting • IT Reference Group Update • Disability Audit Update • IRPW Draft Report 			

<p>3rd March 2020</p>	<ul style="list-style-type: none">• Assessment of Resources for Democratic Services• IRPW Final Report• Webcasting Final Report• Member Training and Development Priorities for 2020/21• Annual Update on Member Annual Reports and PDR's			
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Version 1 – 11th July 2019

Head of Democratic Services to decide agenda size and if additional meetings are required