

DEMOCRATIC SERVICES COMMITTEE

(Via Microsoft Teams)

Members Present:

2 November 2020

Chairperson: Councillor J.D.Morgan

Councillors: M.Harvey, J.Hurley, S.Miller, S.Pursey,
S.Renkes, A.Llewelyn, A.J.Richards, S.K.Hunt
and E.V.Latham

Officers in Attendance: C.Furlow-Harris, K.Jones, C.Griffiths, S.Curran,
C.Plowman and S.Blewett

1. **Minutes of Previous Meeting held on 3rd March 2020**

The minutes of the previous meeting held on 3 March 2020 were approved as an accurate record.

Members then noted the following:

- Officers clarified Members previous concerns around GDPR with regards to the Independent Remuneration Panel for Wales (IRPW) and carers allowance being claimed; it was stated that although it would be confirmed on the record, if someone were to claim carers allowance, that the person was in recipient of that particular sum, the details and the reasoning why they were claiming it would not be made public
- The few Members who were piloting Office 365 provided positive feedback on the system and highlighted that it works very well and was an essential piece of equipment for Members to have on their iPads. It was noted that other Members had asked if Office 365 could be rolled out to all Members now that it had been piloted, which would be very useful especially during the current circumstances of the Covid 19 pandemic; the only issue raised was that some Members may require training on how to use the package. Officers confirmed that the Chairs and Vice Chairs of Scrutiny Forum had discussed IT support for Members and had agreed that a survey would be carried out in relation to what equipment each Member had and whether they

had any difficulties with using the equipment, and from this would look into the roll out of Office 365. It was mentioned that it had been raised with Dave Giles (ICT Service Manager) and the process of this would start in the next few weeks. It was suggested that an update in terms of Members IT be raised at the next meeting of the Democratic Services Committee and that the IT Reference Group may want to consider whether they would need a meeting in between now and then.

2. Independent Remuneration Panel for Wales (IRPW) - Draft Annual Report 2021/22

The circulated report set out the proposed changes in the Independent Remuneration Panel for Wales (IRPW) Draft Annual Report 2021/22; it was confirmed that the report was currently out for consultation and would be closed on 23 November 2020.

The three proposed changes were listed as the following:

1. The IRPW propose that the basic salary for elected members of principal councils be increased by £150 per annum, effective 1st April 2021. Senior salaries will be increased at the same rate (1.06%) as basic salaries.
2. The IRPW propose the replacing of the £403 monthly cap for the reimbursement of costs of care with the following arrangements:
 - i. all relevant authorities must provide for the reimbursement of the contribution towards necessary costs for the care of dependent children and adults (provided by informal or informal carers) and for personal assistance needs as follows:
 - ii. Formal (registered with Care Inspectorate for Wales) care costs to be reimbursed in full
 - iii. Informal (unregistered) care costs to be reimbursed up to a maximum rate equivalent to the Real Living Wage at the time the costs are incurred
3. The IRPW propose the fees paid for co-opted members (with voting rights) increase by £12.00.

It was noted that on 21 October 2020, Caryn Furlow-Harris (Strategic Manager for Policy and Democratic Services) and the Chair of Democratic Services Committee attended a meeting facilitated by the IRPW where the draft report was discussed; they were joined by colleagues from other Councils in Wales including Bridgend Council,

Swansea Council and Ceredigion Council. It was highlighted that the majority of the debate centred on the change to the £403 monthly cap; the Chair of Democratic Services Committee had provided the IRPW with a number of different scenarios in which they said they would be considering before finalising the final report which was set to be issued in April 2021.

A discussion took place in relation to the percentage of increase the IRPW had proposed to the salary for Members. It was noted that there was 10 years of austerity where Members signalled to IRPW that they didn't want to be seeing large increases to Members remuneration during that period; there were wage restraints and other similar measures being deployed more widely across the public sector, however more recently that had changed and there had been increases in salaries for teaching staff, local government workers, civil servants, MPs etc. Officers highlighted that they were surprised that the IRPW weren't taking up the opportunity in the report to begin to address the considerable gap that's now developed between the bench mark rate and what Members were actually being paid; the Head of Democratic Services, Karen Jones, would be raising these points formally to IRPW.

In relation to the the two tier arrangement around the costs of care, Officers weren't satisfied that the IRPW had given a suitable explanation of the reasoning behind a two tier arrangement and were not really getting at the reasons why Members weren't claiming what they were entitled to; Officers confirmed that they would like to see more information from the IRPW before the arrangements were finalised.

Members stated that there should be a fairer mechanism in place for pay rises/allowances as currently those who were eligible for senior salaries were receiving a considerable amount more than those who were on basic salaries due to the increases being calculated by percentages. Officers mentioned that around 2 years ago, IRPW were looking to a develop a different model for remuneration as they had accepted the current model was no longer fit for purpose; since the model was introduced, there had been many developments for example, Joint Scrutiny Committees, and as local government reform moves forward there will be a lot more collaborative working which enlists a new set of duties, responsibilities and commitment from Members. It was confirmed that when the Head of Democratic Services liaised with IRPW in relation to the concerns, the point about the increases not reflecting the amount of work and responsibilities

Members were taking on would be raised. It was suggested that IRPW could hold a consultation period in the first instance, with a discussion around what the model should look like in the future.

The Committee discussed the importance of equality and ensuring that everyone had the opportunity to put themselves forward as a candidate to become an Elected Member; the allowances helped some people to be able to do this e.g. those who would need to pay for childcare. It was highlighted that there shouldn't be any stigma from the media or on social media platforms in relation to Members claiming the allowances that they were entitled to; there were also still issues around the public perception of what Elected Members get paid. It was asked if the Council could communicate or include any information around this matter as it was previously poorly managed which had an effect on those in local government and resulted in some of them not claiming their money.

In regards to Members care allowance, it was noted that Members were still reluctant to claim the allowances despite the work that had been completed across Wales and the encouragement that the Council had provided; it was also evident with travel allowances as well, as very few Members claimed for travel unless they were incurring substantial costs due to the long distance travels from the Civic Centres. It was highlighted that there was a cultural problem with the way in which the public perceives these payments; the Council had to be prepared to stand behind Members and encourage them to claim the entitlements. It was confirmed that the Head of Democratic Services would write a response to IRPW in regards to the concerns raised by Members and provide a copy to the Democratic Services Committee Members. It was added that there was also scope for individual members and/or political groups to make representations to the panel as well; it was asked if the link to be able to do this be circulated to Members.

RESOLVED:

1. That Members note the draft Annual Report and proposed determinations for 2021/22.
2. That Members agree to make a brief response to the consultation and that the Head of Democratic Services prepare the Council's response on behalf of the Committee including:
 - (i) Requesting clarity and transparency in

terms of the details to help to assist
/support members

(ii) Relaying Members concerns/comments
in relation to the percentage increase to
IRPW

3. **Webcasting/Public Participation**

Members received an update report in relation to introducing webcasting of Council meetings and enhancing public participation to the democratic process which the Democratic Services Committee were tasked to complete by Council. It noted that the outbreak of the Covid 19 pandemic had an impact on the progress of the work and would slightly alter the proposals. The report highlighted the work that had already been carried out on the proposals, the Councils current position in relation to webcasting and public participation and the plans moving forward; it was mentioned that the pandemic had accelerated and taken over a lot of the work that was previously planned.

Officers highlighted that the webcasting element had been paused as meetings had stopped taking place in the Civic Centres and were being held virtually on the software package Microsoft Teams; currently public meetings were being recorded using the facilities on Teams and the footage was then uploaded online for the public to view. The report detailed that the current process was working successfully and captured the range of viewing figures of the public meetings including Council and Cabinet Scrutiny Committee; Officers were pleased with the amount of views that the meetings were receiving, which were much higher than what could be achieved when in the designated meeting rooms in the Civic Centres, therefore improving public participation.

The Committee was informed that staff were routinely publicising what meetings were being held weekly on the Councils social media platforms and webpages to try and obtain even more engagement from the public. It was confirmed that there had been occasions where members of the public and the press had been in attendance during the virtual meetings. It was added that Officers had already started to prepare next steps in readiness for the next phase of the Local Government Wales Bill which was anticipated to detail

expectations of webcasting and public participation for all Councils across Wales.

It was stated that the Council had made a lot of progress in terms of the technology aspects during the pandemic; Officers were pleased with the work that Members had completed with Democratic Services and the IT team in ensuring that all Elected Members had what was required to be able to take part in the meetings being held remotely. It had been noticed that there was an increase in Members attendance at meetings; the remote working model offered some benefits, especially to those who had other responsibilities.

One of the negatives noted was that the bilingual meetings of Council had been lost as the Microsoft product doesn't enable a bilingual meeting support arrangement; Officers had been making enquiries with Microsoft, but currently there was no time scale for it to be delivered. It was highlighted that the Senedd had been able to provide bilingual meetings and there were currently discussions taking place with the Senedd support workers in relation to how they had achieved this; however, it was noted that there would be a lot of work involved and some considerable cost implications if the Council were to adopt the model. Officers added that they hoped to see improvements on this issue for the whole of Wales over the next coming months.

In terms of public participation, it was noted that some work had been completed in relation to promoting the fact that meetings were being held and explaining how the public could participate in the live meetings and how they could access the recordings after the meeting had been held; this hadn't cost the Council any money. In the report Officers were proposing that progress be made over the next few months on some of the other elements that were previously discussed, in particular:

1. Exploring the petition functionality within the Mod Gov software; this could be trialled internally to understand how it works and how the Council can move that forward if required to do so as part of the result of the new legal duties that would be contained within the Local Government Wales Bill.
2. Improving the navigation around the public facing webpages; some work had already been completed in the background around this and it would be continued in order to simplify how people find out about the democratic process, ensuring the Council was promoting and encouraging people to use it.

Members noted that the Council had spent a lot less money holding meetings remotely via Microsoft Teams and recording them, than what would've been spent implementing the original plans which needed to be reflected on going forward. It was also added that the Council supporting hybrid meetings (meetings where some people may meet face to face and others may join remotely) also needed to be added to the new way forward.

Concerns were expressed in relation to the reliability of the technology which would need to be highlighted to Welsh Government if the plans moving forward were to continue with remote meetings as the Council may need financial support to resolve certain technological issues. Officers stated that the cost implications of the new duties was previously raised with Welsh Government and the Council was continuing to work with the WLGA regarding the costs; it was hoped that there would be additional financial settlement around this particular area of work. It was added that the focus to date had been around the technology costs, however some focus needed to be given to the impact that the new duties was having on staff time; Officers were working with WLGA to provide evidence around staff implications.

It was mentioned that for the Swansea Bay City Region Joint Scrutiny Committee, Carmarthenshire Council had been utilising a form of telephone arrangement for those who wished to listen to the meeting in Welsh, as a temporary measure; Members asked if the Council could look into this also as a temporary measure. Officers highlighted that translation arrangements could be made for Welsh speaking Members who wished to have meetings relayed in Welsh, which would be servicing the individual needs of Members, however one of the purposes of the Welsh Language Act was to make the Welsh language visible. It was suggested that if this particular issue could not be solved quickly, Welsh speaking Members could choose to speak in Welsh during meetings as long as they would be prepared to explain what they said in English; this could be included in a protocol going forward. Officers also agreed to find out the arrangements that Carmarthenshire Council had in place for bilingual meetings.

One of the benefits raised in regards to remote meetings was that Members had been able to get used to the idea of meetings being recorded and the fact that they could be reviewed back; this allowed Members to learn some of the etiquette that comes with this. Members asked if any consideration had been given to using Microsoft Teams Live to broadcast meetings as and when they take

place. It was noted that other Councils had done this and it could further engage the public; Members and the public weren't always aware of the timeframe in which the recordings would be uploaded online, which could result in disengagement. Officers mentioned that the target staff worked towards was to upload the recordings on the same day that the meeting had taken place; there had previously been technical issues with the recording being uploaded to YouTube, but going forward these issues should be resolved.

It was confirmed that Microsoft Teams Live was initially looked into at the start of utilising the remote working technology; there was a lot more background work surrounding this particular feature, and it wasn't utilised at the start as the main priority was ensuring that meetings ran smoothly and staff were learning how to use the technology. Members were informed that the current arrangements were that the Council was proactively advertising online meetings and members of the public would be given a link and contact details for Democratic Services if they indicated that they wanted to view a meeting live; the meetings weren't being streamed live, instead recorded and uploaded to YouTube. Officers stated that live streaming of meetings could be explored if the Committee agreed to this, as it would provide the public with a recording of the meeting instantly after the meeting had taken place; however, it was mentioned that although this work hadn't had a financial impact on the Council, it did have an impact on staff time as the amount of extra work for Democratic Services and IT was considerable.

RESOLVED:

1. That Members note the update against the work tasked to the Democratic Services Committee in July 2019 – to introduce webcasting of Council meetings and to enhance public participation in the democratic process.
2. That Members note the impact of the Covid-19 emergency situation on the recommendations prepared by the Democratic Services Committee in respect of webcasting of Council meetings and notes the changes approved by Council in July 2020
3. That Members approve the next steps for progressing the work in relation to

public participation namely:

- what would be involved in establishing a petitioning arrangement, given that the Welsh Government propose to introduce this as a statutory duty and the Council already has an ICT system that could support such a scheme;
- options for introducing rights of audience for certain meetings;
- improvements to the democracy pages on the Council website;
- explaining the forward work programmes and the mechanisms available to the public if they wish to influence agendas and debate.

In addition to the above:

- Find out what Carmarthenshire council have in place in relation to Welsh translation during meetings / look further into servicing bilingual meetings
- Explore live streaming of meetings

4. **Democratic Services Team Structure**

Members were presented with the existing structure of the Democratic Services team and the new proposed structure. It was noted that the Senior Committee and Member Services Manager had retired and rather than filling that particular role, the two senior roles within the team had been combined into the role that Stacy Curran had been appointed to (Democratic Services Manager); the structure was presented to Members to reflect that change and to note that the proposals were not to replace the senior role, but instead to create a grade 7 role.

It was stated that management were planning to fill some of the vacant roles within the structure, but not all of them at the moment due to the new duties and the implements of change in technology that needed to be worked through; there was a need to build resilience in the current structure, however it would be reviewed again when the longer term support arrangements were clear. Members were informed that Corporate Joint Committees were going to be established under the Local Government Reform Act and it was still not very clear what the support for that will entail either.

RESOLVED: The Democratic Services Committee endorsed the proposed structure set out in Appendix 2 and commends this change to Council.

5. Forward Work Programme

Members received the Democratic Services Committee Forward Work Programme for 2020/21.

Concerns were raised in regards to the fact that four out of five Scrutiny Committees had yet to be re-established and meet to scrutinise items within their remits; Cabinet Scrutiny Committee was currently scrutinising items from all Directorates within the Council.

Officers stated that Councils across Wales had received a letter from the Minister asking questions in relation to scrutiny arrangements and responding to that letter provided opportunity to reflect on what Neath Port Talbot Council had done since the outbreak of Covid 19 which included:

- Quickly established electronic version of the Urgency Action procedure, when it was not possible to call meetings. The Chairs and Vice Chairs of the Scrutiny Committees had been involved in this procedure from the start;
- Throughout the pandemic the Council had tried to keep Members updated on matters by sending out bulletins and by recording briefings from the Leader and opposition group Leaders;
- In June/July Neath Port Talbot were the first Local Authority in Wales to stand up a full meeting of Council. Also in this time, before the August recess, each of the Scrutiny Committees had

- a meeting to inform Members on what the Council had done so far in the pandemic and outlined the framework moving forward;
- Arranged Scrutiny Committees in a workshop format, for September onwards, so that the individual Committees could identify what areas they would like to focus on; it took significant time to arrange these workshops as Officers within Democratic Services did not have a cycle of meetings to work around.

It was highlighted that going forward the Scrutiny Committees were going to meet on a slightly different footing due to current circumstances; however, a cycle of meetings had been established and it had been arranged for each Scrutiny Committee to have a meeting before Christmas, as well as additional meetings scheduled for the New Year. Officers confirmed that each Scrutiny Committee had identified the topics that they would like to focus on, therefore the agendas for those meetings will capture what the Committee themselves had decided; it was also important to note that the Forward Work Programme which detailed the decisions that Cabinet were expected to take, would be looked at within the Scrutiny Committees and the onus was on the Committee to decide what they wanted to look at in terms of pre-decision scrutiny. Officers added that the Cabinet Boards would not yet be re-established due to workloads and capacity.

Another level of assurance was provided to Members, in that when Officers had identified that there were major decisions to be taken for certain services, advice was provided that these particular decisions could be dealt with within a Joint Committee between the Cabinet Scrutiny Committee and the other relevant Scrutiny Committee to ensure the Scrutiny Members weren't disenfranchised. Officers highlighted that they were trying to obtain the right balance with meetings, taking into consideration the current service pressures and how the current circumstances had impacted staff capacity. It was mentioned that a review of the current model could be undertaken in the New Year, taking into consideration Members feedback.

The Head of Legal Services provided Members with context around the future agenda item on the Forward Work Programme 'Establish Terms of Reference for Review of the Constitution'. It was stated that as Monitoring Officer, it was the Head of Legal Services duty to ensure that the Constitution was kept up to date and covered all the legal basis for any decision making within the Council; over the few months, it was anticipated that there would be some changes to the

Local Government and Elections Wales Bill which would need to be reflected into the Constitution. Members were informed that over the past few months the Constitution had been updated to reflect new provisions, and in December Officers would be asking full Council to task the Democratic Services Committee in setting up a Task and Finish Group to complete a full review the Constitution, which would include making it more user friendly for the public. Members were asked to contact Officers if they wished to be part of the Task and Finish Group.

RESOLVED: That the Forward Work Programmed be noted.