

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

DEMOCRATIC SERVICES COMMITTEE

13th February 2023

Report of the Head of Legal and Democratic Services - Mr C Griffiths.

Matter for Decision

Wards Affected:

All Wards

Member Annual Report Scheme

Purpose of the Report

1. To remind Members of the current policy to support the production of annual reports by Members of the Council.

Background

2. The Local Government (Wales) Measure 2011 introduced a number of statutory requirements to strengthen democracy in Wales. One of the requirements concerned making arrangements for every elected member to provide an annual report at the end of each civic year.
3. The detail of the legal requirement can be found in Section 5 of the 2011 Measure, which states:-

4. A local authority must make arrangements for:
 - a) each person who is a member of the local authority to make an annual report about that person's activities as a Member of the authority during the year to which the report relates;
 - b) each person who is a member of the authority's executive to make a report about the person's activities as a member of the executive during the year to which the report relates, and
 - c) the authority to publish all annual reports produced by its Members and by Members of its executive.
5. The arrangements may include conditions as to the content of a report that must be satisfied by the person making it and a local authority must publicise its arrangements.

Current process

6. In order to support Members in producing their annual reports at the end of the civic year, the content of such reports follows a standard template form (a copy of which is attached an Appendix 1)
7. In designing the scheme it was hoped that this would enable Members to strike the right balance between providing information that would be relevant and interesting for their electorate, whilst avoiding the risk that the annual reports became political in nature.
8. The scheme also proposed that annual reports would be published in PDF format on the Councillors' profile page accessed via the corporate website.
9. In a similar vein to the introduction of the Annual Personal Development Review (PDR) scheme, despite initial early interest from Members in completing an annual report this has subsequently declined over the past years.
10. Members of the Democratic Services Committee are asked to note the Members Annual Report Scheme and endorse the Democratic Services Manager communication with all Members reminding them of

the scheme and inviting them to complete an Annual Report should they so wish.

Financial Impact

11. There are no financial impacts associated with this report.

Integrated Impact Assessment

12. As this matter goes to governance and publication of member's reports, no integrated impact assessment is required for this report.

Workforce Impacts

13. There are no workforce impacts associated with this report.

Legal Powers

14. Compliance must be had with the requirements of the Local Government (Wales) Measure 2011 (S.5), reference of which is made in this report.

Risk Management

15. There are no significant risks associated with this report.

Consultation

16. There is no requirement under the Constitution for external consultation on this item.

Recommendation

17. It is recommended that, having due regard that no integrated impact assessment is required that the Democratic Services Committee note the Members Annual Report Scheme and that the Democratic Services Manager communicates with all Members via email, reminding them of the scheme and inviting them to complete an Annual Report should they so wish.

Reason for Decision

18. Welsh local authorities are required to have regard to any guidance issued by Welsh Ministers.

19. To assist with the facilitation of the Members Annual Report Scheme.

Implementation of Decision

20. The decision is proposed for implementation after the three day call-in period.

Appendices

21. Appendix 1 - Member Annual Report Guidance

Officer Contacts

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Appendix 1

Elected Member Annual Reports

1. Definition

An annual report will enable elected Members to highlight to the electorate the work that they have undertaken or been involved in during a specific civic year.

2. Background

The Local Government Measure 2011 introduced a number of new statutory requirements to strengthen democracy in Wales. One of the requirements is concerned with making arrangements for every elected Member to provide an annual report at the end of each municipal year.

The details of the statutory requirements are found in section five of the Measure:

- i) A local authority must make arrangements for
 - a) each person who is a member of the local authority to make an annual report about that person's activities as a member of the authority during the year to which the report relates;*
 - b) each person who is a member of the authority's executive to make a report about the person's activities as a member of the executive during the year to which the report relates; and*
 - c) the authority to publish all annual reports produced by its Members and by Members of its executive.**
- ii) The arrangements may include conditions as to the content of the report that must be satisfied by the person making it.*
- iii) A local authority must publicise its arrangements.*
- iv) In exercising its functions under this section a local authority must have regard for any guidance issued by ministers.*

3. Approach

In order to support Members in producing their reports at the end of a municipal year, it has been agreed that the content of such reports follow a simple standard form. This will allow for the right balance between providing information that will be relevant and interesting for the electorate, whilst avoiding the risk that the annual reports become political in nature. The annual reports will be published in PDF format on the Councillors' pages of the Council's corporate website.

It has been agreed that any Annual Report by an elected Member should be concise and limited to two A4 sides. To assist elected Members in preparing an annual report five suggested headings have been agreed to assist in focussing the report:

- Role and Responsibilities;
- Community Activity;
- Initiatives and Special Activities;
- Learning and Development; and
- Other Activities and Interests.

Some examples of information that can be included under each heading are outlined below.

Roles and Responsibilities

The Democratic Services Unit will provide accurate information on the attendance of members at full Council and all other Council committees.

Individual Councillors will be expected to provide information on any external bodies that they sit on, including levels of attendance which must be recorded personally. Examples of external bodies/committees could include:

- School Governing Bodies;
- Local Town/Community Councils;
- Local Authority Consortium Committees; and
- Special Interest Groups

This list is indicative and not exhaustive.

Community Activity

This is an opportunity for Councillors to highlight the work they have undertaken on behalf of their local constituents. It should not include details of specific cases. It could include details of regular surgeries they have held and any relevant outcomes. The Democratic Services Unit will not provide any information within this section.

Initiatives and Special Activities

This is where Councillors have the opportunity to describe any major initiatives or special projects that they have been associated with on behalf of Neath Port Talbot Council.

Learning and Development

Councillors can highlight in this section what Personal Development activities they have undertaken over the previous civic year. Examples can include events such as Council seminars or official training courses. In the future this information will mirror what a Councillor has included within section two of their Personal Development Review.

Other Activities/Interests

This is a general heading for Councillors to provide any information on themselves that they believe will be of interest to their constituents. It can be the opportunity to show the 'personal' aspect of your role as a Councillor.

The Head of Legal and Democratic Services and the Democratic Services Managers will be available to read the reports to offer advice on whether any of the content is inappropriate. We anticipate that many Members will wish to produce the content themselves without the need for administrative support, however, should any Members need assistance then please make contact with the Democratic Services Manager who will be pleased to help. Should there be demand, training can also be arranged.

The Democratic Services Committee will evaluate this scheme annually to ensure that the process is fit for purpose.

Guidelines

As with any publication that is in essence linked to the Council there are a number of areas that must be considered when writing annual reports. The next section ensures that elected Members are made aware of potential issues that can or cannot be included within Annual Reports.

In 1986 Parliament imposed controls on Local Authority publicity prohibiting what was described as “political publicity” which appeared to be designed to affect public support for a political party. Also the law made provision for a statutory code of recommended practice to which Local Authorities must have regard in undertaking any publicity. The current Code of Practice for Local Authorities in Wales was issued by the National Assembly for Wales in October 2001.

Officers do not wish to be seen as censors of Members’ publications but we have to ensure that anything that is published using public money complies with the Code.

In considering the subject areas of the annual reports, the following matters will be important:-

- i. the reports should be relevant to the functions of the authority;
- ii. it should not duplicate unnecessarily publicity produced by central government, another local authority or another public authority

Comment should be objective, balanced, informative, and accurate and issues must be presented clearly and as fairly as possible.

The reports may include information about individual Councillors only where this is relevant to their position and responsibilities within the Council and all content should be objective and explanatory. It is important that annual reports are not liable to misrepresentation as being party political.



Elected Member Annual Report (DATE)

Councillor XXXXXXXXXXXXXXXX

Electoral Division: XXXXXXXXXXXXXXXX

Roles and Responsibilities:

Since I was elected as a Councillor for XXXXXXXX and as you will see in my report, I am very much hands on as a Member and very involved in my community including:

Chair of Governors of XXXXXXXX School

Vice Chair of Governors of XXXXXXXX School

Member of XXXXXXXXXXXXXXXXXXXXXXXX

A Board Member of XXXXXXXXXXXXXXXXXXXXXXXX

Founding member of the XXXXXXXXXXXXXXXX

I am a member of the parish of xxxxxxxxxxxxxx I am Chairman of the xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

I sit on the below Committees in my role as County Borough Councillor:

XXXXXXXXXX

XXXXXXXXXX

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