

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to	DEMOCRATIC SERVICES COMMITTEE
Date	18th October
Subject	Establishing a Democratic Services Committee
Portfolio Holder(s)	Councillor H.Eifion Jones
Lead Officer(s)	Chief Executive
Contact Officer	
Nature and reason for reporting	

A – Introduction / Background / Issues
<p>1. BACKGROUND</p> <p>1.0 The Local Government (Wales) Measure 2011 places a duty on the local authority to establish a Democratic Services Committee and to appoint one of the officers as the authority's Head of Democratic Services.</p> <p>1.1. At its annual meeting on 10 May 2012, the Isle of Anglesey County Council resolved to establish such a committee as part of the Council's corporate governance arrangements, and it made appropriate provision within it's constitution to ensure that the committee operates effectively including appointing its Chairperson.</p> <p>1.2. On 17th May 2012 at an extraordinary meeting of the County Council it was resolved to appoint Councillor H.Eifion Jones to serve as the Chair of The Democratic Services Committee for the 2012-13 municipal year.</p> <p>1.4 The Committee, at its first full meeting on 19th October 2012, is requested to consider its remit, the way it is to develop and implement its work programme for the year, keeping in mind the high priority attached by the</p>

Council to the need for strong corporate governance arrangements established on the basis of robust scrutiny processes and the need for the Council to ensure that its decision making process is open, transparent and inclusive, allowing opportunities for effective engagement by the communities it serves.

2. Local Government (Wales) Measure 2011.

2.1 The Local Government (Wales) Measure 2011 states that local authorities must:

- a) establish a Democratic Services Committee
- b) appoint a Head of Democratic Services
- c) review the adequacy of provision within the authority, in terms of staff, accommodation and other resources to fulfill the duties and functions of democratic services.
- ch) provide reports and recommendations to the authority in respect of such provision.

2.2 The Measure also directs the Democratic Services Committee as follows:

- a) every member of the committee must be a member of the authority;
- b) not more than one member of the committee can be an Executive member;
- c) the chair of the committee cannot be a member of the Executive;
- ch) the committee must meet at least once within the municipal year (it must also meet if the local authority resolves that it should meet, or if a third of its membership calls for a meeting).

2.3 In respect of appointing a Head of Democratic Services the measure states that the post is politically restricted, and that the following officers may not be appointed:

- a) Head of Paid Services

b) Monitoring Officer

c) Chief Finance Officer

2.4 Subject to the above, it is a matter for the committee to decide how it wishes to implement its functions.

3. Appointing a Head of Democratic Services

3.1 Bearing in mind the restrictions under 2.3 above, the Strategic Leadership Team and the Head of Paid Services are of the opinion that the Head of Policy should undertake this function on the basis:

- a) his position as a senior officer within the management structure;
- b) his responsibilities for supporting and developing the elected members of Council in policy areas, community engagement and democratic process.
- c) his arms-length position in respect of the Council's scrutiny arrangements.

3.2 The main role and responsibilities of the Head of Democratic Services shall be:

- a) providing support and advice to committee members or the overview and Scrutiny committees of the authority;
- b) draft reports and make recommendations in respect of:
 - i) the number and grades of staff to fulfill the democratic services functions;
 - ii) appoint staff to fulfill democratic services functions;
 - iii) arrange and manage appropriately the staff that fulfill democratic services functions.

3.3 In allocating this responsibility to the Head of Policy, the Strategic Leadership Team recommends that this is done initially for a specific period extending until the end of the present Council's term of office, with a view that the matter is reviewed

when the new Council post May 2013 adapts its new governance arrangements.

4. Developing and Supporting Members to fulfill the expectations in respect of promoting good democracy and robust corporate governance within the Council.

4.1 Generally, it is a matter for individual authorities to decide the scope and remit of that committee provided that it meets its statutory obligations. As indicated above, taking into considerations the tasks undertaken to improve and recover corporate governance within Isle of Anglesey County Council, it is recommended that the committee aims to hold at least three meetings per year in addition to its annual meeting (to adopt a report to be submitted to the Council). To this end, it is suggested that the Council could allocate responsibility to the committee for matters relating to member training and development. There is a duty on each local authority to provide training and development opportunities for its members, in addition to undertaking an annual review of the training and develop needs and making such information available to each member.

4.2 At present the Council has a Member Development Working Group and it has appointed a Member Champion to promote appropriate provision for members and opportunities, both internally and externally, for individual member development. It is suggested, that the Member Development Working Group activities and the Member Champion function could become part of the work programme for this committee from now on, with the committee assuming responsibility for setting the direction accessibility and quality assurance for all available development and support programmes.

5. Information Technology Support for Members

5.1 Members have specific needs in relation to accessing ICT support to enable them to undertake their duties in a Council which is increasingly taking a more modern outlook to the way it conducts its business. It is foreseen that an increasing proportion of the Council's business will be electronically based as the dependence on printed reports become less. It is suggested that the committee, in the context of its responsibilities, for member support and promoting good democracy, could undertake an overview role in respect of member training and development in the use of ICT and Social Media in pursuance of their work.

6. Committee Work Programme

In addition to its Statutory responsibility to present a report on the adequacy of resources to support effective Scrutiny, to be presented to the Council's annual meeting (together with undertaking the necessary research in the production of such a report) it is suggested that the committee, for the remainder of the Council's current term, could give attention to some of the following matters:

- a) the development and effectiveness of the Council's website to promote democracy;
- b) the adequacy of the translation services to support the democratic process;
- c) the training and development programme for members including annual performance reviews based on the job-descriptions.
- ch) presenting an application to the WLGA for the Member Support and Development Charter status;
- d) developing a strategy for member ICT skills development;

- dd) to consider the implications to democratic services in the Executive's budget proposals for 2013/14
- e) to consider the implications of the review of the Council's constitution to the democratic functions.
- f) to consider the role and responsibilities of the Head of Democratic Services.

7. Job Descriptions for the Chair and Members of the Committee

The WLGA have drafted and presented job descriptions for the Chair and members of the Democratic Services Committee. They are attached as an appendix to this report and the committee is requested to consider their adoption.

B - Considerations

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C – Implications and Impacts		
1	Finance / Section 151	
2	Legal / Monitoring Officer	
3	Human Resources	
4	Property Services (see notes – seperate document)	
5	Information and Communications Technology (ICT)	
6	Equality (see notes – seperate document)	
7	Anti-poverty and Social (see notes – seperate document)	
8	Communication (see notes – seperate document)	
9	Consultation (see notes – seperate document)	
10	Economic	
11	Environmental (see notes – seperate document)	
12	Crime and Disorder (see notes – seperate document)	
13	Outcome Agreements	

C – Implications and Impacts	

CH - Summary

D - Recommendation
<p>8. Recommendations</p> <p>The following recommendations are presented to the Committee to enable it to undertake its responsibilities and to ensure the strengthening of the quality of democratic services.</p> <p>8.1 To endorse the appointment of the Head of Policy as interim Head of Democratic Services until the matter is reviewed by the new Council following the May 2013 elections.</p> <p>8.2 To adopt the draft job-descriptions (see appendix) for the role and responsibilities of the Committee Chairperson and the role and responsibilities of Committee Members.</p> <p>8.3 To recommended to Council that it extends the remit of the Committee to undertake responsibilities for the member training and development programme, including their ICT skills and support.</p> <p>8.4 To resolve on its work programme up to 30th April 2013.</p> <p>8.5 To recommend to Council that the Committee holds three general meetings in addition to its annual meeting per each municipal year, with the right to arrange further meetings as required.</p>

Name of author of report

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Job Title
Date

Appendices:

Draft Job Description for the role of Chair of Democratic Services Committee
(appendix 1)

Draft Job Description for the role of Member of Democratic Services Committee
(appendix 2)

Background papers

Chair of Democratic Services Committee Draft Role Description for Consultation

1 Accountabilities

- To Full Council

2 Role Purpose and Activity

▪ Providing leadership and direction

- To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
- To lead the committee in its role in:
 - Designating the head of Democratic Services
 - Keeping under review the provision of staff, accommodation and other resources made available to the Head of Democratic services, ensuring that these are adequate
 - Make annual reports to the full council in relation to the above
 - Appointing sub committees and chairs of subcommittees to undertake functions delegated by the committee
 - Considering reports prepared by the Head of Democratic Services
 - Developing the Authority's member support and development strategy
 - Ensuring that members have access to a reasonable level of training and development as described in the Authority's member development strategy and the Wales Charter for Member Support and Development
 - Ensuring that the budget for member development is sufficient
 - Ensuring that members have access to personal development planning and annual personal development reviews
 - Work with the member support and development champion where relevant to promote the role of members and necessary support and development.
- To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements

- **Promoting the role of the Democratic Services Committee**

- To act as an ambassador for the DS committee, facilitating understanding of the role
- To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
- To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings.

- **Internal governance, ethical standards and relationships**

- To develop the standing and integrity of the committee and its decision making
- To understand the respective roles of members, officers and external parties operating within the Democratic services committee's area of responsibility
- To promote and support good governance by the Council.

3 Values

- To be committed to the values of the council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural differences
 - Sustainability

Member of a Democratic Services Committee Role Description Draft for Consultation

1 Accountabilities

- To Full Council
- To the Chair of the Democratic Services committee

2 Role purpose and activity

▪ Understanding the nature of the audit committee:

- To be aware of and effectively undertake the role of the committee in:
 - Designating the head of Democratic Services
 - Keeping under review the provision of staff, accommodation and other resources made available to the Head of Democratic services, ensuring that these are adequate
 - Make annual reports to the full council in relation to the above
 - Appointing sub committees and chairs of subcommittees to undertake functions delegated by the committee
 - Considering reports prepared by the Head of Democratic Services
 - Developing the Authority's member support and development strategy
 - Ensuring that members have access to a reasonable level of training and development as described in the member development strategy and the Wales Charter for Member Support and Development
 - Ensuring that the budget for member development is sufficient
 - Ensuring that members have access to personal development planning and annual personal development reviews

- To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee.
- To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the committee
- **Participating in meetings and making decisions**
 - To participate effectively in meetings of the Democratic services committee,
 - To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements
- **Internal governance, ethical standards and relationships**
 - To ensure the integrity of the committee's decision making and of his/ her own role by adhering to the Code of Conduct(s) and other constitutional and legal requirements
 - To promote and support good governance by the Council
 - To understand the respective roles of members, officers and external parties operating within the Democratic Services committee's area of responsibility

3 Values

- To be committed to the values of the Council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability