

DEMOCRATIC SERVICES COMMITTEE

Minutes of a meeting of the Democratic Services Committee held in the Council Chamber, County Hall, Ruthin and video conference on Friday, 22 March 2024 at 10.00 am.

PRESENT

Councillors Ellie Chard, Karen Edwards, Justine Evans, Martyn Hogg (Chair) and Cheryl Williams.

ALSO PRESENT

Corporate Director: Governance and Business (GW), Democratic Services Manager (SP), Senior Committee Administrator (KJ) and Committee Administrator (NH).
Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews.

1 APOLOGIES

Apologies for absence were received from councillors Michelle Blakeley-Walker, Brian Jones, Delyth Jones and Elfed Williams.

2 DECLARATION OF INTEREST

None.

3 URGENT MATTERS

No items of an urgent nature had been raised with the Chair prior to the commencement of the meeting.

4 MINUTES

The minutes of the Democratic Services Committee meeting held on the 27 November 2023 were submitted.

Accuracy –

No issues relating the accuracy of the minutes were raised.

Matters arising –

Page 10 – (minutes) Item 8 – Draft Annual Report Of The Independent Remuneration Panel For Wales For 2024-2025.

The Democratic Services Manager stated that the final annual report had been received in February which confirmed the proposals made in the draft report.

It was:

RESOLVED: that, subject to the above, the minutes of the meeting held on the 27 November 2023 be received and approved as a true and correct record of the proceedings.

5 WORKING GROUP RECOMMENDATIONS 'HOW MEETINGS ARE HELD'

The Lead Member for Corporate Strategy, Policy and Equalities introduced the report to Members (previously circulated).

The report was regarding the Council's arrangements for holding its member-level meetings. The report included recommendations from the Working Group. The Lead Member thanked officers and the Working Group for their hard work on the report.

The Democratic Services Manager guided Members through the report.

Shortly before the last Council elections the previous Council administration took decisions on how Council meetings would be held. This was in response to changes during 2020 and 2021, a period of pandemic lockdowns which temporarily halted traditional face-to-face meetings, changes in the law governing certain Council and Committee meetings, and the technical advancements made during that period that has allowed business to be conducted using virtual or hybrid meetings.

In December 2021 full Council considered a report on "Proposals for Members to adopt New Ways of Working". That report outlined the recommendations agreed at a member's task and finish group and by the Democratic Services Committee that looked at the New Ways of Working agenda, primarily focusing on how members' meetings should be conducted, and the ICT equipment required for members. The report and discussion at Council considered points in favour of virtual meetings, and points in favour of face-to-face meetings.

In favour of virtual meetings

- Council had declared a Climate Change and Ecological Emergency. Virtual meetings did not have the carbon emissions generated from member and officer journeys to meeting venues.
- Reduction in travel expenses.
- Reduction in time spent travelling to meetings.
- Virtual meetings could be more accessible (participants could attend from wherever they happen to be, and the time commitment was limited to the meeting time itself) and likely to promote participation in local democracy.

In favour of face-to-face meetings

- Some members felt that face-to-face meetings enabled them to engage better in debate and to be able to interpret the atmosphere of a meeting, or the body language of participants.
- Some members missed the social benefits of interacting directly with their peers in the same location.

- Technical problems could affect the business being undertaken or the participation of those experiencing a technical problem.

Council acknowledged that it could not hold public meetings of its statutory Committees as face-to-face meetings. Recent changes in the law in Wales required local authorities to offer remote attendance for those meetings, thereby leaving the virtual or hybrid meeting options.

In addition to the main public Council and Committee meetings, Councillors participate in a range of internal meetings, for panels and groups established by the Council to consult and engage with members on specific topics. These meetings were not under the statutory requirements of the public committee and therefore the Council could choose whether they were held as face-to-face, virtual or hybrid meetings.

In 2023 the Council's Group Leaders called for a new member working group to be formed to review the 2021 decisions by considering the legal framework and options available in order to present any recommendations to the Democratic Services Committee and full Council. The working group, chaired by Councillor Julie Matthews, decided to issue a survey (attached in appendix 1 and previously circulated) to councillors, lay members and the senior leadership team. The working group also considered good practice for hybrid and virtual meetings. In 2021 the Council adopted a hybrid committee meetings protocol designed to guide participants and clarify expectations. The protocol (attached in appendix 2) contained the amendments recommended by the working group.

The Democratic Services Manager guided members through the survey questions, results and analysis that were considered by the working group in February 2024. The survey responses indicated that extending the range of meetings held as hybrid meetings would be popular with many members. However, hybrid meetings would include at least some of the carbon travel expenses and time costs that the Council in 2021 were keen to reduce. The costs of hybrid meeting would also include the on-site attendance of support officers. The range and availability of suitable hybrid meeting rooms was also a relevant consideration.

The working group were keen to promote high standards of meeting behaviour and professionalism for the Council's public hybrid meetings. The working group were satisfied the existing arrangements for holding internal member-level meetings virtually was largely appropriate. However, the survey results and the working group's views supported allowing the individual Member Area Groups (MAGs) to decide how their meetings would be held.

There were four recommendations presented to the Democratic Services Committee.

The Chair thanked the Lead Member and the Democratic Services Manager for the report and comments were welcomed from Members. Members commented on the benefits of hybrid meetings, they gave members more flexibility to attend meetings.

Members referred to recommendation 3 from the Working Group, which related to allowing MAGs to decide whether their meetings were held virtually or face to face. Members felt that the individual MAGs should be able to decide but they should have due regard to the increased costs of travel (both in time and carbon emissions) and of officer time that holding a face-to-face or hybrid meeting entails. For example, some MAGs might want all their meetings held virtually and others may agree to have a face-to-face meeting once a year.

The Monitoring Officer highlighted an incident involving a councillor from another local authority who found themselves in trouble for voting during a meeting whilst they were driving. The Monitoring Officer suggested that the hybrid meetings protocol be amended to include the requirement for remote participants to attend meetings safely and to be safely parked up if attending from a vehicle.

The committee agreed that where a meeting room was required to facilitate either a hybrid or face-to-face MAG meeting the clear expectation would be for the meeting room to be a free-to-use Council meeting room. The use of an external meeting room had to be justifiable in terms of the added benefits gained from using an external meeting room clearly outweighing any financial and administrative costs incurred.

Following a discussion it was –

RESOLVED: that the Democratic Services Committee endorses the recommendations of the Working Group as follows –

- (a) That the Hybrid Meetings Protocol be amended as indicated in appendix 2 to the committee's report to promote high standards of meeting behaviour and practices for both hybrid and virtual member-level meetings. In addition, the protocol be amended to include the requirement for remote participants to attend meetings safely and to be safely parked up if attending from a vehicle.
- (b) That internal member-level meetings (excluding the Member Area Groups) be held as virtual meetings unless there is an over-riding benefit to the Council from holding a meeting as a hybrid or face-to-face meeting.
- (c) That the individual Member Area Groups be allowed to decide whether their meetings be held as face-to-face, hybrid or virtual. In determining this the MAGs should have due regard to the added costs of carbon dioxide emissions, travel expenses and officer time associated with attending and supporting hybrid and face-to-face meetings.
- (d) That where a meeting room was required to facilitate either a hybrid or face-to-face MAG meeting the clear expectation would be for the meeting room to be a free-to-use Council meeting room. The use of an external meeting room had to be justifiable in terms of the added benefits gained from using an external meeting room clearly outweighing any financial and administrative costs incurred.

6 COUNCIL POLICY ON MEMBER TRAINING

The Lead Member for Corporate Strategy, Policy and Equalities introduced the report to Members. The report was welcomed, and Member training should be seen as a positive attribute of being a Councillor.

The Democratic Services Manager guided members through the report (previously circulated).

A programme of member inductions, training and development commenced immediately after Council elections in May 2022. The sessions delivered as part of the initial induction for new and returning members included training in the Council's Code of Conduct, members' ICT provision, familiarisation with services, equality and diversity, safeguarding and an introduction to Scrutiny.

Mandatory and Discretionary Training

The Council could decide to designate certain training as being mandatory for all members, or for members undertaking certain roles. Attending at least one training session on the Members' Code of Conduct during each full term of office was mandatory because the requirement was included in the Council's Code of Conduct. The Council has continued to operate mandatory training for members of the Planning Committee, because of the quasi-judicial role being undertaken. Mandatory training which was decided by the previous Council was outlined to members.

In June 2023 the Democratic Services Committee recommended the setting of reasonable mandatory training requirements for appropriate subjects and roles. The committee thought the use of 'once a term' as a timescale for mandatory training to be completed as being unsuitable. The committee supported a role for the political groups and group leaders in encouraging compliance with any mandatory training requirements and supported the use of appropriate sanctions for non-compliance.

In July 2023 full Council considered member training issues however, it was unable to agree a Council Policy on mandatory training and referred member training for consideration by group leaders who subsequently requested that a survey be issued to clarify the views of members.

The results of the survey, which was opened in February 2024 and closed on the 8 March and was open to Councillors, Senior Officers and Lay Members were outlined to Members (appendix 1, previously circulated).

The Chair thanked the Democratic Services Manager for the report.

The Chair suggested that the results of the survey should be used to inform the Committees decision. It was agreed that each topic of training would be voted on individually.

The results of the Committee votes were as follows –

- Chairing of Meetings – Mandatory for Certain Members
- Climate Change/ Ecological Emergency – Mandatory for all
- Code of Conduct -Mandatory for all
- Corporate Governance – Mandatory for certain Members
- Corporate Parenting – Mandatory for all
- Data Protection – Mandatory for all
- Equality/ Diversity – Mandatory for all
- Gypsy and Traveller – Mandatory for all
- Health and Safety – Mandatory for all
- Local Government Finance and Budget Setting – Mandatory for all
- Licensing – Mandatory for Certain Members
- Mental Health and Well-being – Mandatory for all
- Performance data – Not Mandatory
- Planning Committee – Mandatory for Certain Members
- Questioning Skills – Not Mandatory
- Safeguarding – Mandatory
- Schools and Education – Not Mandatory
- Scrutiny- Mandatory for all
- Well-being of Future Generations Act – Mandatory for all
- Welsh Language Standards – Not Mandatory

Members discussed the importance of the Welsh Language Standards training and the Monitoring Officer explained that this training related to the incorporation of the Welsh language within everyday Council workings for example correspondence in Welsh, which the Council needed to legally adhere to, not the wider Welsh Language and Culture.

The Democratic Service Manager continued to explain the sanctions element of the report. Members needed to agree on the sanctions they wished to put forward to Council.

Members discussed the need for sanctions to be positively enforced and discussed the proposed sanctions within the report.

Members felt that it would be inappropriate to publish individual Members training records on the Denbighshire County Council public website and felt that group leaders receiving this information to discuss with their Members would be a more suitable sanction.

Following an in-depth discussion, it was –

RESOLVED: *that the Democratic Services Committee seeks Council approval to the mandatory requirements for each topic as outlined in the bullet-points above and to the provision of member training records to the group leaders for the groups to encourage and enforce compliance with the Council's policy on member training.*

The Democratic Services Manager, Steve Price, introduced the report (previously circulated).

The report provided an overview of the various scrutiny arrangements currently in place, or being proposed, for the regional/sub-regional public service bodies that were directly associated with local authorities across the North Wales Region.

With local authorities for the foreseeable future attempting to balance increased demand for services against reducing resources regional management of public service delivery may well come to the fore. In addition, Welsh Government (WG) had directed that specific areas of service delivery should be guided by regional plans, hence its decision to establish Corporate joint Committees (CJCs). These factors reinforce the need for local authorities to have robust scrutiny arrangements in place to safeguard the delivery of high -quality regionally coordinated services in their local area.

The Democratic Services Manager outlined the Boards and Services that operated on a regional or sub-regional footprint. Similar to other authorities, Denbighshire contributed to the work of these bodies.

Local authority Scrutiny Committees had an important role in engaging members and the public in regional service delivery and in providing challenge and accountability measures where necessary.

The Democratic Services Manager highlighted within the report the explanations of Denbighshire's current arrangements with each Board with details of the purposes for each.

The Chair thanked the Democratic Services Manager for the report and the Committee expressed its gratitude for the information provided within the report.

Members highlighted the potential for confusion about the purpose of each Board and their level of engagement with regards to working with Denbighshire. Members thought a Council Workshop being provided to all Members would be useful.

The Monitoring Officer further explained the differences between the regional and sub-regional service delivery boards and stated that due to the current financial climate, partnership work would be essential in the future.

The Chair welcomed the report and stated that a workshop for all Members would be beneficial to aide further understanding of the scope of scrutiny arrangements in place and the impact this can have within ward areas.

RESOLVED: that the Democratic Services Committee recommends that an all-member workshop be held on how the regional delivery of services is organised and scrutinised and how regional arrangements impact on Denbighshire.

8 FORWARD WORK PROGRAMME

The Democratic Services Manager presented the Forward Work Programme for consideration.

Three business items were listed for the Committees September meeting –

- An Archive for Webcasts
- The Local Government and Elections (Wales) Act
- Petition Scheme

Members were encouraged to contact the Democratic Services Manger if there were any items they wished to be considered for the Forward Work Programme.

RESOLVED: *that the Democratic Services Committee's forward work programme be approved.*

Meeting concluded at 12.03PM