

DEMOCRATIC SERVICES COMMITTEE

Minutes of a meeting of the Democratic Services Committee held in Council Chamber, County Hall, Ruthin and by video conference on Monday, 27 November 2023 at 10.00 am.

PRESENT

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

ALSO PRESENT

Corporate Director: Governance and Business (GW); Democratic Services Manager (SP); Lead Officer – Destination, Marketing and Communication Team (SO); Public Engagement Officer (JS); Legal Services Manager (LJ); Zoom Host (RT-J); and Committee Administrator (SLW)

Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews

1 APOLOGIES

Apologies for absence were received from Councillor Elfed Williams

2 DECLARATIONS OF INTEREST

Councillor Ellie Chard declared a personal interest in item 8 as she is a member of Rhyl Town Council.

Councillor Martyn Hogg declared a personal interest in item 8 as he is a member of St. Asaph City Council.

3 URGENT MATTERS

None.

4 MINUTES

The minutes of the meeting of the Democratic Services Committee held on 24 March 2023 and the Special meeting held on 9 June 2023 were submitted.

RESOLVED that the minutes of the meeting of the Democratic Services Committee held on 24 March 2023 and the Special meeting held on 9 June 2023 be confirmed as a correct record.

5 APPROVAL OF DRAFT COMMUNITY ENGAGEMENT POLICY AND DRAFT PUBLIC PARTICIPATION STRATEGY FOR PUBLIC CONSULTATION PRIOR TO RATIFICATION

The Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews, introduced the report (previously circulated).

The Lead Officer – Destination, Marketing and Communication Team, Sian Owen and the Public Engagement Officer, Jo Sutton were in attendance for the report.

The Council previously sought views of the Special Democratic Services Committee in June 2023 on the draft document prior to the final version being prepared for consultation.

The Strategy required the Council to ensure provisions were in place but no guidance had been provided on the approach that should be taken. The Policy aimed to guide officers' when considering approaches to engagement and consultation activities and the Participation Strategy highlighted existing provision and identified areas for improvement which were to be kept under review.

The Community Engagement Policy was a required output of the 2017-2022 Corporate Plan project – people were involved in shaping and improving services. This had been created following feedback from the residents' surveys that residents did not feel the council was consistent or transparent in its approach to engagement and consultation activities.

A 3-year research project had been developed.

It was found that residents felt the need for their views to be considered by the council. The Policy aimed to provide clear definitions for engagement and consultation which could be utilised as a framework for staff to work to. The Community Engagement Policy and the Public Participation Strategy would be reviewed at least once after every ordinary Council election.

There was a legislative requirement under the Local Government and Elections Act (Wales) 2021 for a Public Participation Strategy. The Act required the council to identify means of facilitating engagement.

During research it was found -

- that only around 18% of people knew who their County Councillor was.
- People were not generally interested in attending Council Committee meetings, although the further south in the county, more people were interested.
- Fewer than 10% of people would consider becoming a Councillor.
- There was a north/south divide with people in the south of the county more likely to consider standing as a Member in the future.

Going forward, before 31 March 2024 the Council has to consult and publish on the Council's website both the Engagement Policy and the Participation Strategy.

By the end of 2024 –

- to use other research such as the annual stakeholder survey to monitor knowledge gaps and identify opportunities for cross-promotion.
- to identify a range of other targets to be achieved prior to the next review of the Engagement Policy and Participation Strategy.
- to formally implement some resources
- to create specific guidance on some key areas which would support the implementation of the Policy.

During discussions the following points were raised –

- it was queried whether the legislation within the Local Government Act, would have funding provided. It was confirmed that the Act had created a number of duties for which funding would not be available. The funding used would be from the Council's overall revenue support grant fund.
- Local members would be informed prior to decisions being taken regarding significant matters which affected their respective wards. Consultation with communities depended on the scope. Unfortunately, a one size fits all approach could not be taken for every decision made by the Council. It was agreed consistency would be required regarding engaging with local members.

Following the discussion, it was –

RESOLVED that Democratic Services Committee approved both documents to be translated and disseminated to the public for a 'final steer' before seeking to ratify them and approve their implementation at a later date.

6 MEASURES TO TACKLE INTIMIDATION AGAINST MEMBERS

The Lead Member for Corporate Policy and Equality, Councillor Julie Matthews, introduced the report (previously circulated). Councillor Matthews welcomed the process to support members.

The Legal Services Manager, Lisa Jones, summarised the report.

The report was about the measures the Council had put in place to support members experiencing hostile, intimidatory, defamatory or violent behaviours due to carrying out their role as Councillors.

The historical approach of supporting members which viewed abuse towards them as being "part of the job" was now outdated. The deaths of Jo Cox and David Amiss were a reminder that harassment and abuse needed to be taken seriously and as a Council certain behaviours over a threshold would not be tolerated.

It was Welsh Government policy to attract people from all walks of life to become Councillors as part of a fairer and more representative Wales and this report contributed to that, so that individuals who may consider a life in politics but are put off as they did not want to be a target for abuse, could be assured that in the event they were experiencing personal abuse and intimidation, the Council had a

framework in place that worked in practice. This would be particularly important if the Council was to attract a diverse membership.

The following measures had been or were recommended to be put in place:

- A Single Point of Contact (SPOC) be appointed from the existing workforce who would follow the framework attached at Schedule 1.
- A dedicated Members Welfare page was in the process of being finalised on the intranet.
- The Community Safety team had been put on notice regarding the framework and working closer with the North Wales Police on this area so they were aware that a SPOC would be in place. There may be an opportunity to benefit from information or training.
- Group Leaders would be briefed on the framework and the new Members' Welfare page and would be expected to cascade the initiative.

The SPOC was not a substitute for the role of the Group Leaders and any political party in providing support to their Councillors. It was the case that Members were not employees who were by law entitled to be protected from abuse and harassment in the workplace, however, it was the Councils position that no one should be subject to such behaviour and that as a large organisation a proportionate framework should be put in place to enable all Members to carry out Council and Ward business without fear but also go about their personal life without restrictions.

The process would be reviewed after 12 months.

It was confirmed that the report would be presented at all Member Area Groups to ensure all members were informed of the details put in place.

RESOLVED that -

- (i) *members agree a Single Point of Contact be appointed from the existing workforce who would follow the framework attached as Schedule 1*
- (ii) *the process to be reviewed after 12 months*
- (iii) *Group Leaders to be briefed on the framework and the New Members' Welfare page and Group Leaders would be expected to cascade the initiative. (iv) all new members to receive information regarding this framework as part of the training programme and induction process.*
- (v) *a report to be presented to each Member Area Group for members to be aware of the processes in place.*

7 A REVIEW INTO "HOW MEETINGS ARE HELD"

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

The previous Council administration took decisions on how Council meetings would be held. This had been in response to changes during 2020 and 2021, a period of pandemic lock-downs 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, had 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”. The report outlined recommendations agreed at a members’ 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.

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 any location, 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 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.
- Any technical problems could affect the business being undertaken or the participation of those experiencing a technical problem.

The Democratic Services Manager reported that the current group leaders had appointed members to a working group (the “How Meetings are Held Working Group”). This working group had designed a survey for all elected members, lay-members and the Council’s Senior Leadership Team. The survey had been opened on the 17 November 2023. He advised that the survey also passed questions about the Council’s hybrid meetings protocol.

During discussions, the following points were raised –

- The voting process during hybrid meetings had been queried as for some meetings a roll call was taken for members attending remotely but the electronic voting took place for those members attending in person in the Chamber. It was requested that this could be addressed so that voting was the same whether attending in person or online. Technical issues had caused the issue regarding voting but this was currently being tested which would then mean a consistent voting process.
- The Chair asked whether support staff had been included in the survey. It was confirmed that all members and SLT were included in the survey but not support staff.
- It was confirmed that it was a legal requirement to allow members to attend public facing formal committees remotely, which meant that those meetings

could only be held either entirely online or as hybrid meetings. Council had chosen to hold those meetings as hybrid meetings.

- The Council's informal, internal elected member meetings did not fall under the statutory provisions of the formal public committees so the Council could choose how they should be held. In 2021 Council decided that the internal meetings would be held as virtual meetings unless there were over-riding reasons for a different method of conducting a meeting.
- The 'How Meetings are Held Working Group would meet again to review the responses from the 2023 survey.

RESOLVED that the Democratic Services Committee accepted the report and the How Meetings are Held Working Group would report at a future Democratic Services Committee.

**AT THIS JUNCTURE (11.30 A.M.) THERE WAS A 10 MINUTE BREAK.
THE MEETING RECONVENED AT 11.40 A.M.**

8 DRAFT ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES FOR 2024-2025

The Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews, introduced the report (previously circulated).

In reviewing the draft report, the committee would be aware of the proposals for the remuneration of members and would be able to respond to the Panel on any issues raised by the Panel's draft report. The Panel was expected to issue its final annual report for the 2024 – 2025 financial year in February.

The Democratic Services Manager, Steve Price, summarised the proposals set out by the Independent Remuneration Panel for Wales (IRPW).

During discussions, the following points were raised –

- The basic salary for the next financial year was proposed to be aligned with three fifths of the 2022 statistics for Wales of the 'Annual Survey of Hours and Earnings in Wales'. This would result in the basic salary rising from £17,600 to £18,666 a year.
- The IRPW was proposing a corresponding increase to the senior salary elements i.e., the part of the senior salary payments beyond the basic salary that were for the roles undertaken by a Cabinet member or committee chair for example.
- Overall, the Panel's proposals for the basic, senior and civic salaries would equate to an increase of 6% in the salary costs for elected members in 2024 – 2025.
- Members stated that it would be important to do more to publicise why and how councillors get paid.
- It would be advantageous for each councillor to provide an annual report of the work they have carried out to ensure the public were aware of the work carried out by councillors.

- It was confirmed that Council could not refuse to pay its members the basic salaries stipulated by the IRPW.
- It was stated that the public needed to be made aware that Councillors were not awarding themselves a pay increase but rather it was a decision made by an independent panel.
- It was agreed that a communication should be ready to be produced when the IRPW publish the report in February 2024. Group Leaders were recommended to be involved in the communication to be submitted in February 2024.

In respect of the Council's co-opted or lay members the Democratic Services Manager advised that the IRPW had noted the changes to working practices over the last few years, with more frequent use of often short online meetings or training courses as well as more regular committee meetings. The IRPW had therefore proposed there should be local flexibility to decide when it would be appropriate to apply a day or a half day rate, or to use an hourly rate where it was sensible to aggregate a number of short meetings.

RESOLVED that –

- (i) *The Independent Remuneration Panel for Wales be notified of the committee's comments on the draft annual report.*
- (ii) *That the Council prepares a public communication on the final determinations made by the IRPW in its annual report in February 2024.*
- (iii) *In respect of remuneration for the Council's co-opted members, the committee endorses a flexible approach allowing the proper officer to apply the appropriate hourly, half-daily or daily rate according to the circumstances and the stipulations of the final 2024-2025 annual report of the IRPW.*

9 SINGLE TRANSFERABLE VOTE

The Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews, introduced the report (previously circulated).

On 6 May 2022, the provisions of the Local Government and Elections (Wales) Act 2021 (the 2021 Act) relating to the single transferable vote system at the election of councillors to a principal council (a county or county borough council) in Wales came into force. The provisions allowed councils to decide to conduct elections using the single transferable vote system rather than the simple majority system, often referred to as first past the post.

A decision on whether to change this Council's voting system was not required. The new provisions were powers not duties. However, there was a deadline set in November 2024 for concluding the consultation and decision-making processes should the Council take the decision to change the voting system.

The Single Transferable Vote (STV) system was a form of proportional representation with the Wales STV provisions having multi-member wards, each with between 3 and 6 councillors representing the ward. The STV system was designed to allow voters more choice than existed in single member wards. Under

the first past the post system, it was argued that votes for minority parties or candidates could be 'wasted' as they did not contribute to the election of any candidates and the results, therefore, not proportionally representative of the electorate as a whole.

Each council would continue to utilise the first past the post system unless it decided to change to the STV system. Any change would require a resolution supported by a two-thirds majority of the full council, at a meeting specially convened for the purpose, with written notice given at least 21 days before the meeting.

If council opted to change the voting system, it would be required to use the new system for the next two rounds of ordinary elections, for a period of 10 years. In the case of a by-election for a casual vacancy after the Council had changed to STV but before the first round of ordinary elections using STV had been held, the voting method at the previous ordinary election would be used. After those two rounds, the council could decide to return to the previous voting system.

If council exercised its power to change the voting system, the council must notify the Welsh Ministers and the Local Democracy and Boundary Commission for Wales of the change. After receiving a notification, the Welsh Ministers would direct the Local Democracy and Boundary Commission for Wales to conduct an initial review of the area of the council. The provisions for these initial reviews included requiring that the number of councillors for each electoral ward would be no less than three, but no more than six.

During discussions the following points were raised –

- Before it could exercise its power to change the voting system the Council would have to consult locally. This would include its local government electors, each city, town and community council in the county and any other people it considered appropriate.
- Concerns were raised if the decision was taken to change to STV that local identity would be lost due to the larger wards, particularly with the representation and voices of rural areas being weakened.
- Members agreed that all political groups would need to be consulted to obtain their feedback.
- Scotland and Northern Ireland used STV and a lot of information would be gained from councils in those countries.
- A wider understanding of the process would be required as the general consensus was that the STV would favour smaller political parties and disadvantage independent candidates and rural areas.
- A Council Workshop for members to decide whether to change to STV was suggested. At the Workshop members could then give a firm steer on whether to take no action at present or proceed with a public consultation with a view to asking full Council before November 2024 to take a formal decision on changing the voting system to the STV system.
- It was also suggested that a survey could be issued to members and residents as to the way forward.

RESOLVED that, subject to the above, the Democratic Services Committee has considered the Single Transferable Vote report and agreed as follows –

(i) To recommend that a Council Workshop be held to inform all members on the provisions for changing the Council's electoral system to the single transferable vote system, and to provide a steer on how the Council should proceed.

(ii) That the involvement of the Group Leaders in the single transferable vote options be facilitated.

(iii) The potential for surveying members and residents on the single transferable vote options be explored.

10 FORWARD WORK PROGRAMME

The Democratic Services Manager, Steve Price, introduced the Democratic Services Committee Forward Work Programme (previously circulated).

A report on "Mandatory Training Policy for Councillors" had not been submitted to this meeting but a survey was to be circulated to all members.

RESOLVED that, subject to the above, the Democratic Services Committee Forward Work Programme be approved.

THE MEETING CONCLUDED AT 12:55 P.M.