



DEMOCRATIC SERVICES COMMITTEE - 27TH MARCH 2013

SUBJECT: WELSH GOVERNMENT CONSULTATION ON THE DRAFT LOCAL AUTHORITIES (STANDING ORDERS) (WALES) REGULATIONS 2006 (AMENDMENT) REGULATIONS 2013

REPORT BY: ACTING CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 The attached report outlines the Welsh Government consultation on the draft Local Authorities (Standing Orders) (Wales) Regulations 2006 (Amendment) Regulations 2013. It is presented to the Democratic Services Committee for consultation

2. LINKS TO STRATEGY

- 2.1 The Local Authority (Standing Orders) (Wales) Regulations 2006, made under the Local Government and Housing Act 1989, require County and County Borough Councils in Wales to include within their standing orders certain matters relating to their staff, meetings and proceedings.

3. SUMMARY

- 3.1 The Welsh Government recently issued a consultation on the above draft regulations. The consultation document is attached as Appendix 1, however, the proposed changes can be summarised as follows:
- A proposal to afford the newly created statutory post of Head of Democratic Services the same protection as other chief officers in relation to disciplinary proceedings. It is also proposed to add Heads of Democratic Services and Monitoring Officers to the list of officers whose appointment and dismissal are dealt with by committee, rather than by a Council's Head of Paid Service.
 - The 2011 Measure removed the "elected mayor and council manager" option for executive structures. The 2006 Regulations require updating to take account of this change. Therefore, this part of the draft regulations can be considered an administrative tidying exercise.
 - The requirement to publicly advertise any chief officer vacancies. The Welsh Government take the view that it is no longer appropriate for such senior posts to be appointed without them being publicly advertised.

- 3.2 The Welsh Government have asked for consultation responses to the following questions:
- a. Do you agree that the Head of Democratic Services should be subject to the same disciplinary procedures as the Head of Paid Service, Monitoring Officer and Chief Finance Officer?
 - b. Do you agree that the role of the independent person should be retained in the disciplinary process applying to these officer posts?
 - c. Do you agree that all vacancies at Chief Officer level should be subject to public advertisement?
 - d. Are there any other issues you would like to raise in relation to these proposals, or more generally in this area?
- 3.3 Members are invited to give their views, which will form the basis of the Council's response to the Welsh Government's consultation exercise.

4. EQUALITIES IMPLICATIONS

- 4.1 This report is for information purposes only so the Council's Equalities Impact Assessment process has not been applied

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications attached to this report.

6. PERSONNEL IMPLICATIONS

- 6.1 There are no personnel implications attached to this report.

7. CONSULTATIONS

- 7.1 Members' comments are requested as part of the consultation process

8. RECOMMENDATIONS

- 8.1 Members are asked to consider the report and provide any comments as part of the consultation process.

9. REASONS FOR THE RECOMMENDATIONS

- 9.1 To ensure that Members comments are included as part of the consultation process

10. STATUTORY POWER

- 10.1 Local Government and Housing Act 1989

Author: Jonathan Jones - Democratic Services Manager
Tel 01443 864242 - Jonesj16@Caerphilly.gov.uk

Consultees: Dan Perkins
Gail Williams