



COUNCIL – 2ND MARCH 2021

**SUBJECT: CHANGES TO THE CONSTITUTION TO REFLECT THE
INCLUSION OF THE SOCIO-ECONOMIC DUTY IN THE REPORT
TEMPLATE**

REPORT BY: HEAD OF LEGAL SERVICES AND MONITORING OFFICER

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1. PURPOSE OF REPORT

- 1.1 To inform Council of the changes proposed to the Report Template as a result of the implementation of the Socio-economic Duty which will come into force on 31st March 2021.
- 1.2 To seek approval for the Head of Legal Services and Monitoring Officer to amend the Constitution to incorporate the updated Report Template.

2. SUMMARY

- 2.1 To seek approval for the Head of Legal Services and Monitoring Officer to amend the Constitution to incorporate the amended report template attached at Appendix 1.

3. RECOMMENDATIONS

Council is asked to

- 3.1 Note and endorse the changes to the report template at Appendix 1 and authorise the Head of Legal Services and Monitoring Officer to update the Constitution to incorporate the new template including the inclusion of the final version of the full Integrated Impact Assessment.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To comply with the requirements of the socio-economic duty and to make changes to the Constitution.

5. THE REPORT

- 5.1 The current Report Template is contained within Part 4 of the Council's Constitution as an Appendix to the Executive Procedure Rules and was last updated in December 2018.
- 5.2 The content of the report template has now been reviewed and updated as a result of the Socio-economic Duty which is set out in section 1 of the Equality Act 2010 and which will be brought into force on 31st March 2021.
- 5.3 The overall aim of the duty is to deliver better outcomes for those who experience socio-economic disadvantage. The Socio-economic Duty will support this through ensuring that those taking strategic decisions:
- take account of evidence and potential impact
 - through consultation and engagement
 - understand the views and needs of those impacted by the decision, particularly those who suffer socio-economic disadvantage
 - welcome challenge and scrutiny
 - drive a change in the way that decisions are made and the way that decision makers operate
- 5.4 Although there is no reporting requirement associated with the duty, it is for relevant bodies to evidence how they are meeting the statutory requirement. It is recommended that relevant public bodies evidence a clear audit trail for all decisions made under the 2010 Act, using existing processes, such as impact assessment processes and systems for engagement.
- 5.5 To factor in how we evidence this requirement, we have revised the existing **Equality Impact Assessment** (EIA) form, which is now called the **Integrated Impact Assessment** (IIA) form. The IIA includes the following sections and assesses the impact (positive, negative or neutral) a proposal has on:
- Equalities*
 - Socio-economic Duty (when the proposal is of a strategic nature)
 - Corporate Plan – Well-being Objectives*
 - Links to any other relevant Council Policy*
 - Sustainable Development Principles – The Five Ways of Working*
 - Well-being of Future Generations*
 - Welsh language
 - Statutory Consultation v Doctrine of Legitimate Expectation and Gunning Principles
- 5.6 In order to reflect the aforementioned changes, the starred (*) sections listed above will now be removed from the Corporate Reporting Template and instead a new section entitled **Summary of Integrated Impact Assessment** will be added to the Report Template. This new section will be populated with a summary of the IIA (see section 12 of IIA), where the author is asked to give reasons on their decision regarding the proposal and include the key findings, impacts identified, mitigation, data used etc. The IIA will be hyperlinked into this section of the report so that the reader can see the IIA in full. The IIA attached to this report is the subject of officer training throughout March and as such members are advised that there may be

minor changes to the final version which will be implemented on 31st March and attached to the Report Template for use.

5.7 Conclusion

Council is asked to note the changes to the Report Template and to authorise the Head of Legal Services and Monitoring Officer to make the necessary changes to the Constitution.

6. ASSUMPTIONS

6.1 It has not been necessary to make any assumptions as part of this report.

7. LINKS TO RELEVANT COUNCIL POLICIES

7.1 The requirement to establish and maintain the Council's Constitution is set out in the Local Government Act 2000 and contributes the following Well-Being Goals within the Well-Being of Future Generations Act (Wales) 2015 as it sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. It sets the framework for the decision-making roles and responsibilities which will impact on future generations.

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A globally responsible Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language

8. WELL-BEING OF FUTURE GENERATIONS

8.1 This report contributes to the Well-Being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that the Constitution sets out a clear framework for how the Council operates in particular the decision making responsibilities which will consider the positive and negative impacts on future generations, long term resilience, economic, environmental and social capital.

9. EQUALITIES IMPLICATIONS

9.1 There are no equalities implications arising from this report

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications arising from this report

11. PERSONNEL IMPLICATIONS

- 11.1 There are no personnel implications arising from this report, however report authors will receive the necessary training in order to implement the changes to the report template.

12. CONSULTATIONS

- 12.1 Consultation has taken place as outlined below and any comments received have been reflected in this report.

13. STATUTORY POWER

- 13.1 Local Government Acts 1972 -2021
Equality Act 2010

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Background Papers: Report to Council 13th December 2018 - Proposed Changes to the Constitution

Appendices:

Appendix 1 Updated report template with Integrated Impact Assessment attached