



DEMOCRATIC SERVICES COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH (SIRHOWY ROOM) ON THURSDAY 13TH FEBRUARY 2014 AT 5:00PM

PRESENT:

Councillor C.P. Mann - Chairman
Councillor D.T. Davies Vice-Chairman

Councillors:

D.G Carter, W. David, R.T. Davies. Mrs C. Forehead, Mrs E. Stenner, Mrs J.G. Jones,
G. Kirby, Mrs D. Price, Mrs M.E. Sargent and J. Taylor.

Together with:

J. Jones (Democratic Services Manager) C. Forbes-Thompson (Scrutiny Research Officer)
and E. Sullivan (Democratic Services Officer)

CHAIRMAN'S ANNOUNCEMENT

The Chair with sadness announced the passing of Mr Allan Pritchard former Leader of Caerphilly County Borough Council and asked for Members approval to send a letter of condolence to his family on behalf of the Democratic Services Committee. Members unanimously agreed that the letter be sent and expressed their sympathy for his family during this very sad time.

1. APOLOGIES

Apologies for absence were received from Councillors Mrs G. Bevan, P.J. Bevan, H.W. David and Mrs P. Griffiths.

2. DECLARATIONS OF INTEREST

There were no declarations of interest received at the beginning or during the course of the meeting.

3. MINUTES

RESOLVED that the minutes of the meeting held on the 25th November 2013 minute nos. 1-4 on page nos. 1-2 be approved as correct records and signed by the Chairman.

4. MATTERS ARISING

The Democratic Services Manager confirmed that the Independent Remuneration Panel for Wales (IRP) had now published their final determinations for 2014/15.

The changes with regard to Members salaries were noted as an increase from £13,175 to £13,300 for the basic salary. Senior salaries were noted to increase from £47,500 to £48,000 for a Council Leader; £33,460 to £33,500 for a Deputy Leader and a Cabinet Member senior salary would increase from £28,780 to £29,000. Committee Chairs/Leader of the Main Opposition Group senior salaries would increase from £21,910 to £22,000. Members were advised that the Mayor's Civic Salary currently set at £21,375 could, as a result of the IRP determinations now be set at either £24,000, £21,500 or £19,000, subject to local determinations. Members were advised that this authority did not currently pay a Deputy Mayor Civic Salary as Councillor Carter received a remuneration as Chair of Planning.

Members were advised that the amounts outlined equated to a 1% increase across the board.

The Officer was thanked for the updated information and clarification was sought as to when Members last received an increase in salary. The Officer advised that he did not have that information to hand but would provide feedback to Members after the meeting.

REPORTS OF OFFICERS

5. MODERN.GOV COMMITTEE MANAGEMENT SOFTWARE SYSTEM

The report updated Members on the purchase of a new Committee Management Software System and the actions taken to date for its implementation.

The tender process was outlined and the savings achieved by replacing the current Stellent system noted. Officers confirmed that Modern.Gov was a full management package that would allow multiple document generation from a single input source. Members were advised that Democratic Services staff would be working over the weekend in order to populate the system with its initial data.

The risks associated with a change of software system were fully explained and Members advised that IT Services had already conducted a 'data scrape' of all Stellent documents onto the new Mod.Gov system. The migration of the data had been checked by Democratic Services Officers and all exempt information had been checked on an individual document basis to ensure that this sensitive documentation had been securely and safely transferred over. It was also noted that the Stellent system would remain available for short period of time as an additional back-up facility. Members were advised that there would be no change to their view of the intranet/internet pages, although they might perceive a more refreshed and modern in appearance to their web pages. With regard to the systems functionality this should be more user friendly with a marked improvement to the document search facility.

The Chair thanked the Officer for his report and full discussion ensued.

Clarification was sought as to any impact on the current Members Portal and the Officer confirmed that there would be no change to this platform.

Clarification was sought in relation to training support for the new system and whether this would also be made available to Members. The Officer confirmed that 5 days of training had been incorporated into the supplier contract of which 2 days training had already been delivered. Member training had not been envisaged as part of the implementation process however R. Barrett and C. Evans from the Committee Services section had been made System Leaders for the project and arrangements could be made for them to make a presentation at the next Democratic Services meeting. Members welcomed the opportunity for a demonstration of the system at the next meeting and requested that the necessary arrangements be made.

A Member also requested that consideration be given to providing specific Member training on the operation of the document search function and information retrieval. The Officer confirmed that arrangements could be made for a drop-in session to be organised before a meeting of full Council to provide one to one assistance to any Members requiring assistance. Members welcomed the opportunity for this additional training and requested that the necessary arrangements be made.

Having fully considered its content the Democratic Services Committee noted the report.

6. TERMS OF REFERENCE AND DESIGNATION OF HEAD OF DEMOCRATIC SERVICES

The report sought Members approval to extend the Democratic Services Committee terms of reference to include relevant associated subject areas and to approve the designation of the Head of Legal and Democratic Services as the statutory 'Head of Democratic Services'.

Members were referred to section 3.1 to 3.16 of the report which detailed the extended terms of reference and section 3.17 and 3.18 which referred to the designation of Head of Democratic Services. This proposed that the Head of Legal and Democratic Services be designated to the role whilst the interim management arrangements are in place. The Officer outlined the terms of reference contained therein and confirmed that the Democratic Services Committee would consider all issues relating to Members and democratic support. This widening of the Democratic Services role provided an opportunity to have a single cross party reference group whereby all Member related issues can be discussed before decisions are taken by Cabinet or full Council.

The Chair thanked the Officer the report and full discussion ensued.

Clarification was sought as to what support would be provided to Members for research facilities and constituency support. The Officer confirmed that this related to any work done for Members by the Scrutiny Research Officer or Democratic Services Officer. These Officers would carry out any research projects on Members behalf as part of the Member services role.

Clarification was sought as to the progress of webcasting and remote attendance. The Officer confirmed that the tender exercise for webcasting was now at the evaluation stage and would shortly be presented at CMT. It was noted that a number of legal issues relating to terms and conditions were in the process of being resolved and it was hoped a contract could be awarded in the near future.

With regard to remote attendance, Members were advised that a vast array of technological and logistical issues had become apparent very early on. The practical as well as constitutional implications of remote attendance were outlined and the operational issues acknowledged. Officers advised that local authorities could choose not to implement remote attendance but this would need to be agreed by full Council.

Clarification was sought in relation to reference 3.10 that the Chair must not be a member of the Executive group. The Officer confirmed that this was a straight lift from the legislation and referred to a Cabinet position. The Member felt that this required clarification with the recommendation.

Clarification was sought in relation to reference 3.16 requiring Members to provide a copy of reports or recommendations to be sent to all Members not on the Democratic Services Committee. The Member expressed the view that this should be an Officer not a Member responsibility. The Officer confirmed that this was again a direct lift from the legislation and advised that this would in practice be an Officer role and as such all the necessary arrangements for the circulation of reports or decisions would be made by Democratic Services.

Clarification was sought as to the progress of the electronic voting system. The Officer confirmed this had been halted due to ongoing technical difficulties and that a procurement exercise had begun for a replacement system..

With regard to items for discussion by the Democratic Services Committee a Member referred to the Williams report on the reorganisation of local government. The Member was of the opinion that a report this fundamental should be brought forward for an in depth review by this Committee. The Officer advised that Council Leaders had secured a meeting with the First Minister in order to present alternative proposals to the Williams report with accompanying business cases. Members were assured that when those discussion had reached a relevant point they would be brought back to this committee for consideration.

The Member felt that the authority's position would have been strengthened had the proposals been presented and discussed at this level first. A Member also agreed that this committee would have provided the right forum for these discussion however he was also mindful that the tight timeframes had not made it possible in this instance.

Members discussed the merits of requesting a report or a special meeting of the Democratic Services Committee in order to discuss the Williams report and were advised that a special meeting of Council to discuss the report was being considered. Members requested that the Democratic Services Manager confirm the proposed meeting date as soon as possible.

Having fully considered the content of the Officer's report it was moved and seconded that the recommendations contained therein be approved and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (I) The Democratic Services Committee's minimum statutory terms of reference be noted;
- (II) Council be informed of the endorsement of the Democratic Services Committee and recommend that Council approve the draft extended terms of reference as detailed in the Officer's report;
- (III) The Head of Legal and Democratic Services be designated as the statutory 'Head of Democratic Services' until the current interim management arrangements are concluded.

7. SCRUTINY IMPROVEMENT ACTION PLAN - MEMBER TRAINING

The report advised Members of the outcome of the training carried out as required by the Scrutiny Improvement Action Plan.

The action plan identified three types of training for Members concerning Questioning and Listening Skills, Effective Pre-Meetings and Chairing Skills. Members were referred to Appendix 1 which detailed the attendance levels achieved and sections 4.3 to 4.13 of the report which provided a breakdown on each of the individual sessions. The Officer confirmed that the feedback received on the training provider had been very good and some of the positive comments received had been noted in section 4.9 of the report.

The Officer confirmed the targets for satisfaction and participation set by the Scrutiny Improvement Action Plan. It was noted that a number of Members had yet to attend the training and in order to meet the targets set additional sessions would need to be provided.

The Chair thanked the Officer for her report and fully discussion ensued.

A Member expressed his disappointment in the attendance levels achieved and clarification was sought on the reasons given for non attendance. The Officer confirmed that the report sought to differentiate between those Members not available due to prior commitments, those who offered apologies prior to the training session and those from whom no response had been received. Concerns were expressed at the number of Members who offered no response and clarification was sought with regard to those concerned. The Officer confirmed that a list had been forwarded to Councillor Mrs B. Jones in relation to Labour Members and Councillor C. Mann requested that the same be done for any Plaid Cymru Members. The Officer also confirmed that non-responders had been emailed with the dates of the additional training sessions.

Having fully considered its content the Democratic Services Committee noted the report.

8. FAMILY ABSENCE REGULATIONS

The report informed the Democratic Services Committee of new regulations which provided Councillors with an entitlement to five types of family absence and sought their recommendation to Council that Standing Orders be made to support the new arrangements.

The family absence entitlement referred to Maternity, Newborn, Adopter's, New Adoption and Parental absence. Members were advised of the provisions under each of the categories and it was noted that written notice (stating the start and return date of the absence period) must be given to the Head of Democratic Services before commencing any period of family absence. Should a Member wish to resume their duties before their elected return date, they must seek permission from the Mayor who can approve or refuse the request. The Member then has the right to appeal against the decision of the Mayor to a Panel of Members who can then uphold or overturn the Mayor's decision.

Members were referred to section 3.31 of the report which detailed the Independent Remuneration Panel draft determinations in relation to Family Absence. The Officer confirmed that a full report would be presented to Council encompassing the final determinations of the IRP and the Family Absence regulations.

The Chair thanked the Officer for his report and full discussion ensued.

Clarification was sought as to any criteria for the Mayor or Panel when considering applications or appeals. The Officer confirmed that there was no set criteria at present however a policy would be drafted to ensure consistency of application.

Clarification was sought as to where the responsibility would lie in the absence of the Mayor. The Officer confirmed that should the Mayor be unavailable the Deputy Mayor would then take up the responsibility. It was noted that no alternative was allowed under the legislation should both the Mayor and Deputy Mayor be unavailable.

Members requested that the role of the Deputy Mayor be included within the recommendations to Council.

Having fully discussed the content of the Officer's report it was moved and seconded that the recommendations contained therein be approved subject to the inclusion of the Deputy Mayor within recommendation 8.2(a) and by a show of hands this was unanimously agreed.

RESOLVED that: -

- (I) the Family Absence entitlement be noted;
- (II) Council be informed of the endorsement of the Democratic Services Committee and recommend to Council that:

- a. any Member can exercise any duty or attend any meeting whilst on a Family Absence within specific dates, subject to the approval of the Mayor/Deputy Mayor.
 - b. a panel be established to consider appeals against refusals of requests by a Member to attend a meeting or undertake a duty whilst on a period of Family Absence and the cancellation of periods of Family Absence by the Head of Democratic Services. The Panel to be political balanced and made up from 3 Members of the Democratic Services Committee.
- (III) the Interim Monitoring Officer be given delegated powers to make the necessary amendments to the Council's Constitution and Standing Orders.

The meeting closed at 17:51pm

Approved as a correct record subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 5th March 2014 there were signed by the Chairman

CHAIRMAN