



DEMOCRATIC SERVICES COMMITTEE – 2ND MARCH, 2016

SUBJECT: DESIGNATION OF INTERIM HEAD OF DEMOCRATIC SERVICES

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

1.1 To designate an Interim Head of Democratic Services.

2. SUMMARY

2.1 This report seeks approval from the Democratic Services Committee to designate the Scrutiny Manager as the statutory Head of Democratic Services on an interim basis.

3. LINKS TO STRATEGY

3.1 To implement the provisions of the Local Government (Wales) Measure 2011 and subsequent Assembly guidance. The Council has a statutory duty to designate an officer as the Head of Democratic Services.

4. THE REPORT

4.1 The Local Government (Wales) Measure 2011 contains provisions aimed at promoting participation and strengthening democratic processes within Local Government. As part of these reforms the Measure introduced a new statutory officer role of 'Head of Democratic Services'.

4.2 The Measure requires each Local Authority to designate an officer to the statutory post of Head of Democratic Services and provide that officer with sufficient support to discharge their responsibilities. The Democratic Services Committee has responsibility for designating the post following advice from the Chief Executive. The responsibilities of the Head of Democratic Services are:-

(a) To provide support and advice -

- To the Authority in relation to its meetings
- To Committees of the Authority and the Members of those Committees
- To any joint Committee which a Local Authority is responsible for organising and the Members of that Committee
- In relation to the functions of the Authority's overview and Scrutiny Committee(s), to Members of the Authority, Members of the Executive and Officers
- To each Member of the Authority in carrying out the role of the Member of the Authority**.

- (b) To promote the role of the Authority's overview and Scrutiny Committee(s).
- (c) To make reports and recommendations in respect of the number and grades of staff required to discharge democratic services functions and appointment, organisation and proper management of those staff.
- (d) Any other functions prescribed by the Welsh Ministers.

*Limited to the functions of Scrutiny and the Democratic Services Committees.

**Does not include advice to a cabinet Member in exercising their executive functions other than at a meeting of a Scrutiny or Democratic Services Committee meeting..

- 4.3 The Council's Deputy Monitoring Officer carries the statutory designation as Head of Democratic Services. However the substantive postholder has been appointed to the role of Interim Head of Legal Services & Monitoring Officer.
- 4.4 As a result of the above arrangements, the Democratic Services Committee at its meeting held on 28th May, 2014, confirmed the designation of the Interim Deputy Monitoring Officer as Head of Democratic Services.
- 4.5 The Interim Officer has recently left the Authority and therefore it is necessary to make a new designation.
- 4.6 The Head of Democratic Services must not be the Council's Head of Paid Service, Monitoring Officer, or Chief Finance Officer, as these posts already carry a statutory officer designation. It is proposed therefore that the Council's Scrutiny Manager be designated as the Council's Interim Head of Democratic Services initially until 31st August, 2016, when the interim arrangements for the Head of Legal Services are due to be reviewed.

5. FINANCIAL IMPLICATIONS

- 5.1 The financial implications arising from this report will be met from existing budgets.

6. PERSONNEL IMPLICATIONS

- 6.1 The personnel implications are contained in the body of this report.

7. EQUALITIES IMPLICATIONS

- 7.1 None arising from the Report.

8. CONSULTATIONS

- 8.1 There are no consultation responses that have not been reflected in this report.

9. RECOMMENDATIONS

- 9.1 That Democratic Services Committee designate the Scrutiny Manager as the Interim Head of Democratic Services, on an interim basis, initially until 31st August, 2016.
- 9.2 Democratic Services Committee recommend to Full Council the designation of the Scrutiny Manager as Interim Head of Democratic Services on an interim basis until 31st August 2016 and the Interim Head of Legal Services and Monitoring Officer is given delegated authority to

make the appropriate amendments in the Council's constitution.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To comply with the Local Government (Wales) Measure 2011.

11. STATUTORY POWER

11.1 Local Government (Wales) Measure 2011.

Authors: G. Williams, Interim Head of Legal Services and Monitoring Officer

Consultees: Nicole Scammell, Acting Director of Corporate Services
Chris Burns, Interim Chief Executive
Councillor C. Mann – Chair of Democratic Services
Councillor C. Forehead – Cabinet Member

Background Papers:

Report to Democratic Services Committee – 28th May, 2014