

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: DEMOCRATIC SERVICES COMMITTEE –
22ND MARCH, 2021**

**REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT
OFFICER**

PRESENT: COUNCILLOR J.C. MORGAN (CHAIR)

Councillors B. Summers
M. Cook
G.A. Davies
M. Day
K. Hayden
S. Healy
H. McCarthy, B.A. (Hons)
K. Pritchard

ALSO: Scrutiny Chairs & Vice-Chairs

Councillors J. Hill
J. Holt
C. Meredith
S. Thomas
H. Trollope

**AND: Interim Chief Officer Commercial
(Statutory Head of Democratic Services)
Service Manager, Performance & Democratic
Organisational Development Manager –
Payroll, Health & Safety**

ITEM	SUBJECT	ACTION
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
No. 2	<u>APOLOGIES</u>	

	<p>Apologies for absence were received from Councillors G. Collier, J. Collins and L. Parsons</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
No. 4	<p><u>DEMOCRATIC SCRUTINY COMMITTEE</u></p> <p>Consideration was given to the minutes of the meeting held on 9th November, 2021.</p> <p>The Committee AGREED that the Minutes be received as a true record of proceedings.</p>	
No. 5	<p><u>ANNUAL REPORT OF HEAD OF DEMOCRATIC SERVICES</u></p> <p>Consideration was given to the report of the Interim Chief Officer Commercial / Head of Democratic Services which presented the 2020/21 Annual Report of the Head of Democratic Services.</p> <p>The Interim Chief Officer Commercial introduced the report and highlighted the main points contained therein.</p> <p>A Member referred to the recent substitutions made at Scrutiny Committee meetings and felt that this should have been an item on the Democratic Services Agenda for consideration before any substitutions took place and an explanation provided.</p> <p>The Interim Chief Officer Commercial said the use of substitutions for Scrutiny or other Committees was set out in the Council's Constitution and any changes would need to be made through the Constitutional Working Group.</p> <p>The Member responded that the Constitution was a wide ranging document, he felt that the substitution for Scrutiny Members did impact on this report as it included Member attendance in an abbreviated form and pointed out that it did not include Executive Member attendance. He felt the use of substitutions at Scrutiny Committees was a sudden</p>	

change and felt there should have been democratic conversations regarding this and enquired why the substitutions had taken place mid-term and not at the AGM.

In relation to the attendance figures, the Interim Chief Officer Commercial accepted the point that attendance figures for Executive Members was not included in the report and confirmed that the system now being used would show Member attendance against all committees and would be published in future reports.

On the use of substitutions, a Member commented that this was a new issue and potentially there could be different Members at each Scrutiny Committee and enquired where the decision was taken and by whom.

The Interim Chief Officer Commercial reiterated that the ability to use substitutions was set out in the Constitution agreed at Council. If there were any questions around or amendments to the Constitution, Members could take that opportunity through the Constitutional Working Group before approval at Council. The Member accepted the Officer's response and pointed out that not all Members were part of the Constitutional Working Group and again enquired who had taken the decision.

Another Member commented that he felt the issue with substitutions was that those Members substituting may not be up-to-date with the current issues of that Scrutiny Committee. There were external Regulators at the Education & Learning and Social Services Scrutiny Committees and he had concerns that substitute Members may not appreciate the complexity of some of the issues.

With regard to IT connectivity the Member felt strongly that Senior Officers should ensure they had good internet connectivity to be able to participate at meetings, he felt this was an on-going issue with some senior officers and needed to be addressed. The Interim Chief Officer Commercial said she was not aware of any specific issues of colleagues but would take this matter up with the Member outside of the meeting.

In relation to substitutions a Member commented that any concerns should be addressed to the Monitoring Officer for advice.

A Member responded that he had spoken with the Monitoring Officer who had advised the Constitution could be applied to allow the use of substitutions but he felt that this had never been done before. He made the point that he had wanted to attend some important Scrutiny Committee meetings and had not been able to, he had requested joint meetings but would not have been able to vote at those joint meetings. He felt it was important that there was consistency of Members at Scrutiny Committees in order to be able to fully participate and follow through with any issues.

A Member referred to IT issues which he had previously experienced but said that SRS had undertaken work to his laptop which was now working properly.

With regard to IT equipment and connectivity a Member commented that perhaps an officer from SRS could attend a future meeting to address some of the issues and enquired when laptops would be updated. The Interim Chief Officer Commercial responded that the laptops allocated to Members were the same as those allocated to Officers, the investment road map was going through the democratic process at the moment and was undertaken on the same specification that Officers had. Currently the focus was on Members accessing their laptops and any investment required for different hardware may be considered at a future point. There was SRS dedicated support for Members and this was used for the move to remote working. An Officer had contacted Members to ascertain what specific issues Members needed support with and was working with those Members who had requested additional support. She felt this was a valuable approach to help support Members and understand some of the specific issues that SRS could focus on.

The Chair commented that perhaps a solution would be to hold a briefing session with the SRS to explain some of the issues Members had.

With regard to the concerns raised regarding substitutions at Scrutiny Committees, a Member pointed out that this was within the Constitution.

Another Member said in his view that if substitutions were allowed in the Constitution then it was acceptable to use them. On another point he commended the Interim Chief Officer and her team on the way they had managed the change-over to remote working and all the associated problems.

The Interim Chief Officer Commercial thanked Members for their kind comments and said it was important to try and understand the particular IT issues that some Members had and work with the SRS to find a solution. She felt that this targeted approach would provide quicker results and would contact Members to pinpoint any specific issues and work with the SRS to resolve the situation.

In relation to substitutions, a Member clarified that it was not going against the rules to use substitutions but there was an etiquette in the Council whereby changes should be made at the AGM and not half way through the year. He pointed out that there had been many discussions over the last 3 years regarding Members who wanted to attend certain Committees and potentially that could happen now.

The Chair commented that there were two main issues, one regarding substitutions and the other was IT connectivity and suggested referring the use of substitutions to the Constitutional Working Group to clarify and look at the principles.

A Member said there was no need to go to the Constitutional Working Group, a letter of explanation to Members of the Committee would suffice as he felt this was a political decision.

Another Member felt this was not a political decision as the use of substitutes was already in the Constitution. The Member responded that this had never been used before and putting the political aspect aside, felt it appropriate to request a letter of explanation for the reasons for the use of substitutions mid-term rather than at the AGM.

	<p>Another Member commented that the Monitoring Officer had been consulted and no issues had been raised, he also felt that it was not a political decision.</p> <p>The Member reiterated that a letter of explanation should be forwarded to Members of the Committee either by the political Leadership or the Managing Director.</p> <p>The Member proposed that a letter of explanation be forwarded to Members of the Committee setting out the reason why the use of substitutions at Committee meetings was initiated mid-term and not at the AGM. This proposal was seconded.</p> <p>The Committee AGREED to recommend, subject to the foregoing, that the report be accepted and Option 1 be endorsed; namely that the Annual Report of the Head of Democratic Services be recommended for approval at Council.</p>	
<p>No. 6</p>	<p><u>ANNUAL REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES 2021/22</u></p> <p>Consideration was given to the report of the Head of Organisational Development which was presented to inform Members of the proposals contained within the annual report of the Independent Remuneration Panel for Wales for 2021/22.</p> <p>At the invitation of the Chair, the Organisational Development Manager – Payroll, Health & Safety spoke to the report and highlighted the main points contained therein.</p> <p>A Member enquired if representatives on Silent Valley were remunerated and if so was that considered to be an SRA. The Organisational Development Manager confirmed that representatives were remunerated and would provide further information regarding the SRA via the action sheet.</p> <p>In response to a Member’s question regarding a Member holding more than one senior post, the Interim Chief Officer Commercial clarified that an elected Member could not be remunerated for more than one senior post within their Authority.</p>	<p>Organisational Development Manager</p>

<p>A Member commented that the Minority Independent Group consisted of four Members and enquired if the Leader of this Group would be entitled to remuneration and sought clarity on how many Members constituted a remunerated political group. The Organisational Development Manager would seek clarification on this issue and feedback to Members via the action sheet.</p> <p>A Member enquired if Council Members on Tai Calon were remunerated and would any such payments be reported. The Organisational Development Manager said this related to the Schedule of Repayments, payments for Outside Bodies and that the criteria for reporting additional payments made to Members was very specific and he would check on this particular issue and report back via the action sheet.</p> <p>In relation to Tai Calon another Member informed the Committee that approximately 18 months ago it had been agreed that Council Members on Tai Calon would be remunerated. It was also reported that Council Members on Silent Valley were also remunerated.</p> <p>The Committee AGREED to recommend to Council that the report be accepted and Option 1 be endorsed, namely that the determinations set out in the Annual IRPW Report in Appendix 1 for 2021/2022 be agreed.</p>	<p>Organisational Development Manager</p> <p>Organisational Development Manager</p>
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