

SECTION 1 – INTRODUCTION

Purpose and Content of the Constitution

- 1.1 The Constitution describes the various bodies that make up the Council, their functions, Membership and procedural rules.
- 1.2 In Section 3 (Getting Information and Getting Involved) we have provided information for members of the public and councillors on how you can get information about the Council, and how you can get involved. We hope that this will help people who have an interest in the Council's work, or a particular matter it is dealing with, understand where they can get more information, and how they can contribute to Council activities.
- 1.3 You can get a better understanding of what each of the Council's bodies do in Sections 4 to 10 of this Constitution, including Full Council, Cabinet, People Scrutiny Committee; Environment, Infrastructure, and Crime and Disorder Scrutiny Committee; Audit Committee; Planning, Taxi Licensing and Rights of Way Committee; Employment and Appeals Committee; Licensing Act 2003 Committee; Pensions and Investments Committee; Democratic Services Committee; Standards Committee and Area (Shire) Committees. Section 11 provides information on the management and Officer structures of the Council. Some Officers have a specific duty to ensure that the Council operates within the law and uses resources wisely. Responsibility for functions at Section 13 says which Council bodies, and which Officers, have authority to make which decisions.
- 1.4 The procedural rules that apply to the different Council bodies are contained in the sections relating to those bodies, e.g. Full Council (Section 4), the Cabinet (Section 5) and Scrutiny Committees, (Section 7). You may find these useful if you want to attend a meeting, particularly if you want to be able to ask questions, have a matter discussed, or put your point of view to the meeting.
- 1.5 Sections 18 to 20 have the Codes of Conduct and Protocols which Officers and Members have agreed to comply with. They set the standards of behaviour.
- 1.6 The Contents pages at the beginning of this Constitution provide a guide on what is in the Constitution and where you can find it. In Section 2.2.2 there is a glossary of the terms used in the Constitution

How the Council Operates

- 2.1 The Council comprises 73 Councillors elected every four years or such other period as prescribed from time to time in legislation ("the Term"). Each Councillor is democratically accountable to the residents of their electoral division and as a Member of the Council to those who live in the county of Powys. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not or could not vote for them.
- 2.2 All Councillors have agreed to follow the Code of Conduct, to ensure high standards in the way they undertake their duties. The Standards Committee is responsible for training and advising on the Code of Conduct.
- 2.3 All Councillors meet together regularly as the Council. Meetings of the Council are normally open to the public except where confidential matters are being discussed. Here Councillors decide the Council's overall Policy Framework and set the budget each year. The Council appoints the Leader of the Council for a term of 4 years or such other period as prescribed from time to time in legislation for the Term or otherwise removed in accordance with Rule 4.40.2 of the Constitution. Subject to the prescribed limits as to the size of the Cabinet as set

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out in regulations¹ the Leader decides the size and Membership of the Cabinet i.e. the role of individual Members of the Cabinet and arrangements for the exercise and delegation of Executive Functions. The Cabinet is appointed to carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by Law or under this Constitution, together with making decisions within the Budget and Policy Framework set by the Council.

If you need any further help please do not hesitate to contact us.

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Whilst the Constitution is very long we hope that you will find it easy to use. We have spent a lot of time trying to make it as easy to follow as is possible with such a long and complex legal document.

¹ The Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001 (as amended)

SECTION 2 – PURPOSE, DEFINITION, INTERPRETATION AND AMENDMENT OF THE CONSTITUTION

Purpose of the Constitution

2.1 The purpose of the Constitution is to:

- 2.1.1 enable the Council to provide clear leadership to the Community in partnership with citizens, businesses and other organisations;
- 2.1.2 support the active involvement of citizens in the process of local authority decision making;
- 2.1.3 help Councillors represent their constituents more effectively;
- 2.1.4 enable decisions to be taken efficiently and effectively;
- 2.1.5 create a powerful and effective means of holding decision makers to public account;
- 2.1.6 ensure that no one will scrutinise a decision in which they are directly involved (including any involvement in a joint review process);
- 2.1.7 ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
- 2.1.8 provide a means of improving the delivery of services to the community.

Definitions in the Constitution

2.2.1 The Constitution of the Council is this document.

2.2.2 Within the Constitution the following words and phrases have the meaning set out below:

“Annual Meeting”	In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May. ¹
“Budget”	the overall revenue and capital budget approved by Full Council (Section 4);
“Chief Officer”	Unless stated otherwise Chief Officer means the following officers: Chief Executive Strategic Directors
“Clear Days”	The number of days that the notice and summons of a meeting have to be published in advance of a meeting. The clear days do not include (a) the day the document is published and / or received; and (b) the day of the meeting; and (c) weekends and bank holidays. ²
“Co-Opted Member”	A person chosen by the Council to serve on one of its Member Bodies consisting of the following: 5 Independent (Lay) Members of the Standards Committee; 3 Town and Community Council representatives of the Standards Community Sub-Committee;

Commented [WR1]: SIGNIFICANT CHANGE

¹ Local Government Act 1972, Schedule 12

² Schedule 12, Part 1, Regulation 4(2) – Local Government Act 1972.

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	<p>3 Parent Governor Representatives on the People Scrutiny Committee;</p> <p>1 Church in Wales representative on the People Scrutiny Committee;</p> <p>1 Roman Catholic Church representative on the People Scrutiny Committee;</p> <p>1 'Lay' Member of the Audit Committee;</p> <p>1 co-opted Member in respect of crime and disorder matters on the Environment, Infrastructure and Crime and Disorder Scrutiny Committee.</p>
"Councillor"	a person elected to the Council to represent an area (called an electoral division) within the county of Powys;
"Deputy Chief Officer"	<p>Unless otherwise stated Deputy Chief Officers means the following officers:</p> <p>Directors</p> <p>Heads of Service</p>
"Executive"	the Cabinet or a Member or Members of the Cabinet when exercising Executive Functions;
"Executive Decision"	any decision taken by the Cabinet to exercise or refrain from exercising an Executive Function. It also includes decisions made by persons or Member Bodies to whom the Leader or Cabinet has delegated Executive Functions to exercise or refrain exercising those functions;
"Executive Function"	<p>(a) Executive Functions are defined by the Local Government Act 2000, subsidiary legislation ³ and associated guidance. Any function that is not exercisable only by Full Council or delegated to another Member body is an Executive Function.</p> <p>It should be noted that regulatory functions such as planning, licensing, rights of way and building control, are not Executive Functions;</p> <p>(b) Contractual matters (within an approved budget), the acquisition and disposal of land and financial support to organisations and individuals are also Executive Functions.</p>
"Exempt Information"	Information which a Council is able to withhold from being disclosed to the public as it falls within one of 10 categories of information described in regulations. ⁴
"Forward Work"	the Forward Work Programme is a document which lists all of

³ The Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001 (as amended)

⁴ Paragraphs 12 to 18 of Part 4 of Schedule 12A to the Local Government Act 1972 as inserted by the Local Government (Access to Information)(Variation) Order 2007 and Regulation 4 of the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) and the Standards Committees (Wales) (Amendment) Regulations 2007.

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“Programme”	the decisions that the Cabinet intend to take and when those matters will be discussed. This does not prevent urgent or unforeseen matters being considered;
“Full Council”	the body where all Councillors act to exercise functions of the Council;
“Head of Service”	such officers appointed from time to time by Strategic Directors and / or Directors to run the individual services within their directorates.
“Head of Paid Service”	an Officer who must be appointed by law to carry out certain functions. See Section 11 for more details. The Officer will usually have other duties and a different job title. See Section 11 for which Officer is the Head of Paid Service;
“Independent (Lay) Member”	a member of the Standards Committee who is not: (a) a Councillor; (b) an officer; or (c) the spouse of a Member or an officer of the Council, or any other Relevant Authority, or a Community Council.
“Lay Member”	the Co-Opted Member of the Audit Committee appointed by the Full Council who cannot be a Councillor.
“Local Choice Functions”	there are some functions which the Council may treat as being the responsibility of the Cabinet (in whole or in part) or as being non-executive, at its discretion; ⁵
“Local Representative”	has the meaning set out in rules 19.28 to 19.32.
“Management Team”	the senior management body for officers (Section 11). It includes those officers designated from time to time by the Head of Paid Service as members of the Management Team;
“the Measure”	means the Local Government (Wales) Measure 2011.
“Member”	either a Councillor or a Co-Opted Member chosen by the Council to serve on one of its Member Bodies;
“Member Body”	any of the following: <ul style="list-style-type: none"> • Area (Shire) Committee – Montgomeryshire, Radnorshire and Brecknockshire; • Audit Committee; • Cabinet; • Democratic Services Committee; • Employment and Appeals Committee; • Environment, Infrastructure, and Crime and Disorder

⁵ The Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001 (as amended)

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	<p>Scrutiny Committee;</p> <ul style="list-style-type: none"> • Full Council; • Licensing Act 2003 Committee; • Pensions and Investments Committee; • People Scrutiny Committee; • Planning, Taxi Licensing and Rights of Way Committee; • Standards Committee (or its Community Sub-Committee) <p>Note - references to Committee also includes Sub-Committee;</p>
“Monitoring Officer”	an Officer who must be appointed by law to carry out certain functions. See Section 11 for a description of those functions. The Officer will usually have other duties and a different job title. See Section 11 for which Officer is the Monitoring Officer;
“Non-Executive Functions”	any function which may only be exercised by Full Council (whether by local choice or as a matter of law) or which is delegated to a Member Body other than the Cabinet; ⁶
“Planning Application”	any of the applications set out in the Planning Protocol set out in Section 19.
“Policy Framework”	The framework set out in Rule 4.2;
“Public Interest”	Means the test set out in Section 14.
“Relevant Authority”	<ul style="list-style-type: none"> (a) a county council; or (b) a county borough council; or (c) a national park authority established under section 63 of the Environment Act 1995 (as amended); or (d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004(2) or a scheme to which section 4 of that Act applies
“Returning Officer”	Means the officer appointed by Full Council pursuant to section 35 of the Representation of the People Act 1983 to be the officer responsible for the administration of elections of councillors of the county, and elections of councillors of communities within the County.
“Scrutiny Committees”	<ul style="list-style-type: none"> • Environment, Infrastructure, and Crime and Disorder Scrutiny Committee; • People Scrutiny Committee; • Audit Committee.
“Section 151 Officer”	an Officer who must be appointed by law to carry out certain functions in relation to financial administration. See Section 11 for a description of those functions. The Officer may have

⁶ The Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001 (as amended)

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	other duties and a different job title. See Section 11 for which Officer is the Section 151 Officer;
“Service”	any of the services provided by the Council;
“Single Integrated Plan (SIP)”	Means the single plan for Powys that reflects the needs of the local population and is known as the “One Powys Plan”. The SIP builds on and brings together in one document the joint work previously developed through the Community Plan, as well as the Community Safety, Children and Young Peoples, and the Health Social Care and Wellbeing Partnership Plan.

Interpretation of the Constitution

- 2.3.1 We have tried to make the Constitution as clear and as easy to understand as possible. Inevitably, people will have different views about what certain passages mean.
- 2.3.2 During meetings, the person chairing or presiding at the meeting may interpret the relevant procedure rules and for the purposes of the meeting the Chair’s ruling is final.
- 2.3.3 In all other situations, the Monitoring Officer will determine the interpretation and application of the Constitution.
- 2.3.4 Unless the context requires otherwise, the singular shall include the plural and vice versa, and words expressed in any gender shall include any other gender.

The headings are inserted for convenience only and shall not affect the interpretation of the Constitution.

Duty to Monitor and Review the Constitution

- 2.4.1 The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.
- 2.4.2 The Monitoring Officer will make arrangements for any proposed changes to the Constitution to be considered by the Democratic Services Committee which will in turn make recommendations to the Full Council as to any amendments that may be necessary.
- 2.4.3 The Section 151 Officer shall be responsible for keeping under review the Financial Regulations set out in Section 16 of the Constitution and shall make any necessary amendments and revisions as are required from time to time. S/he shall make arrangements for any proposed changes to be considered by the Audit Committee and Democratic Services Committee which will in turn make recommendations to the Full Council as to any amendments that may be necessary.

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Protocol for Monitoring and Review of Constitution by Monitoring Officer

2.5 A key role for the Monitoring Officer is to make recommendations for ways in which the Constitution could be amended in order to better achieve the purposes set out in this Section. In undertaking this task, the Monitoring Officer may:

- 2.5.1 observe meetings of different parts of the Member and Officer structure;
- 2.5.2 undertake an audit trail of a sample of decisions;
- 2.5.3 record and analyse issues raised with him/her by Members, Officers, the public and other relevant stakeholders; and,
- 2.5.4 compare practices in this Council with those in comparable authorities, or national examples of best practice.

Changes to the Constitution

Approval

2.6 Subject to Rules 2.7 and 2.8 below, changes to the Constitution will only be approved by the Full Council in accordance with the procedures set out in Rule 2.4.2 above.

Minor Changes

2.7 If, in the reasonable opinion of the Monitoring Officer, a change is:

- 2.7.1 a minor variation; or
 - 2.7.2 required to be made to remove any inconsistency, ambiguity or typographical correction;
- the Monitoring Officer may make such a change. Any such change made by the Monitoring Officer shall come into force with immediate effect. Such changes shall be reported to the Democratic Services Committee and the next Full Council meeting for information.

Legislative Change

2.8 Any part of the Constitution may be amended by the Monitoring Officer where such amendment is required to be made so as to comply with any legislative provision. Such amendments shall take effect when the Monitoring Officer so decides or the legislation (where relevant) so provides. Such changes shall be reported to the Democratic Services Committee and the next Full Council meeting for information.

Suspension of the Constitution

Limit to Suspension

2.9 Any of the procedure rules contained in the Constitution may be suspended to the extent permitted within these rules and the law except for the following rules:

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- 2.9.1 Motions affecting persons employed by the Council (Rule 4.39.7)
- 2.9.2 Point of Order (Rule 4.55)
- 2.9.3 Right to Require Individual Vote to be Recorded (Rule 4.67)
- 2.9.4 No Requirement to sign minutes of previous meeting at extraordinary meeting (Rule 4.76)

Procedure to Suspend

- 2.10 A motion to suspend any rule will not be moved without notice unless at least one half of the whole number of councillors is present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in this Section. Any suspension will apply solely to the matter or matters being discussed at that meeting.

Publication

- 2.11.1 The Monitoring Officer will ensure that copies of this Constitution are available on the Council's website, and copies can be made available on request in audio format, in Welsh, and in Braille. Copies of Sections of the Constitution can be printed at the Council's Customer Service Points on request.
- 2.11.2 The Monitoring Officer will provide a link to a copy of this Constitution or by disk to each Member of the Council upon delivery to him/her of that individual's declaration of acceptance of office on the Member first being elected to the Council and thereafter ensure that an up to date version is available for inspection and published on the Council's website.
- 2.11.3 The Monitoring Officer will ensure that the Constitution is updated as necessary in accordance with Rule 2.6.

SECTION 5 – THE CABINET

Introduction

5.1 The Cabinet is appointed to carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by Law or under this Constitution.

Form and Composition of the Cabinet

5.2 The Cabinet will consist of:

5.2.1 the Leader of the Council (the "Leader"); and

5.2.2 at least two but not more than nine other Councillors appointed to the Cabinet by the Leader.

Election

5.3 The Leader will be a Councillor elected to the position of Leader by the Council.

Term of Office

5.4 The Leader is appointed for a period of 4 years or for such other period as is prescribed from time to time in legislation or until s/he leaves office pursuant to Rules 6.4 to 6.7.

Role of the Leader

5.5 The Leader will Chair meetings of the Cabinet and determine the portfolios of Members of the Cabinet.

Other Cabinet Members

5.6 Other Cabinet Members will be Councillors appointed to the position of Cabinet Member by the Leader. Each Cabinet Member shall hold office until:

5.6.1 s/he resigns from that office; or

5.6.2 s/he is removed either individually or collectively from office by the Leader who must give written notice of any removal to the Monitoring Officer. The removal will take effect two Clear Days after receipt of the notice by the Monitoring Officer; or

5.6.3 s/he ceases to be a Councillor; or

5.6.4 s/he is suspended from being a Councillor under Part III of the Local Government Act 2000 (although s/he may resume office at the end of the period of suspension).

5.7 The Leader may at any time appoint a Cabinet Member to fill any vacancies.

5.8 The Cabinet shall not include the Chair, the Vice-Chair, the Assistant Vice-Chair of the Council, a member of a Scrutiny Committee, the Chair of any other Committee or Sub-Committee of the authority (save for the Pensions and Investments Committee and Chair of Area (Shire) Committees).

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Delegation of Functions

5.9 The Leader may exercise Executive Functions himself/herself or may otherwise make arrangements to delegate responsibility for their discharge. The Leader may delegate Executive Functions to:

- 5.9.1 the Cabinet as a whole;
- 5.9.2 a committee of the Cabinet (comprising Cabinet Members only);
- 5.9.3 an individual Cabinet Member;
- 5.9.4 a joint committee;
- 5.9.5 another local authority or the executive of another local authority;
- 5.9.6 a delegated Officer.
- 5.9.7 an Area (Shire) Committee.

Responsibility for Functions When There is No Cabinet

5.10 During any period when there is no Cabinet, any functions which are the responsibility of the Cabinet shall be allocated to and discharged by the Head of Paid Service or in his/her absence the Strategic Directors acting singularly or collectively **PROVIDED THAT** in discharging such functions the Head of the Paid Service or the Strategic Directors shall have regard to and comply with any protocol applying to the exercise of delegated powers in so far as that is reasonably practicable, and in consultation with all the Leaders of political groups in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

Rules of Procedure and Debate

5.11 The proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules in Rules 5.12 to 5.29 below.

Cabinet Procedure Rules

Delegation by the Leader

5.12 The Monitoring Officer, at the direction of the Leader, will draw up a written record of executive delegations made by the Leader for inclusion in the Council's scheme of delegation at Section 13 to this Constitution. This will contain the following information about Executive Functions:

- 5.12.1 the extent of any authority delegated to Cabinet Members individually, including details of the limitation on their authority;
- 5.12.2 the terms of reference and constitution of such Cabinet committees as the Leader appoints and the names of Cabinet Members appointed to them;
- 5.12.3 the nature and extent of any delegation of Executive Functions to any other authority or any joint arrangements;
- 5.12.4 the nature and extent of any delegation to Officers with details of any limitation on that delegation, and the title of the Officer to whom the delegation is made

Sub-Delegation of Executive Functions

5.13.1 Where the Cabinet is responsible for an Executive Function, they may

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delegate further to joint arrangements, or an Area (Shire) Committee or an Officer.

5.13.2 Where a committee of the Cabinet or an individual Member of the Cabinet is responsible for an Executive Function, they may delegate further to an Area (Shire) Committee or an Officer.

5.13.3 Unless otherwise stated in the delegation, where Executive Functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who made the delegation.

The Council's Scheme of Delegation and Executive Functions

5.14.1 The Leader may amend the scheme of delegation relating to Executive Functions at any time. In doing so the Leader will give written notice to the Monitoring Officer and wherever practicable to the person, body or committee concerned. The notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body or committee. The Monitoring Officer will present a report for information purposes to the next ordinary meeting of the Council setting out the changes made by the Leader. Where the Leader withdraws any delegation from any person, body or committee the delegated powers revert back to the Leader with immediate effect from the time of receipt of the notice by the Monitoring Officer.

5.14.2 Where the Leader seeks to withdraw delegation from a committee of the Cabinet, notice will be deemed to be served on that committee when it is served on its chair.

Conflicts of Interest

5.15.1 Where the Leader has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Section 18 of this Constitution.

5.15.2 If any Member of the Cabinet has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Section 18 of this Constitution.

5.15.3 If the exercise of an Executive Function has been delegated to a committee of the Cabinet, an individual Member or an Officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the person or body by whom the delegation was made and otherwise as set out in the Council's Code of Conduct for Members in Section 18 of this Constitution.

Cabinet Meetings

5.16.1 The frequency and timing of meetings of the Cabinet will be determined by the Leader. The Cabinet will meet at the Council's main offices or another location to be agreed by the Leader.

5.16.2 Those listed below may ask the Monitoring Officer to call Cabinet meetings in addition to those agreed by the Leader:

5.16.2.1 the Head of Paid Service;

5.16.2.2 the Section 151 Officer

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- 5.16.2.3 the Monitoring Officer
- 5.16.2.4 any three members of the Cabinet.

5.16.3 Any request presented in accordance with Rule 5.16.2 above must be in writing and must specify the business to be transacted at the meeting.

Public or Private Meetings of the Cabinet?

5.17 The Cabinet will hold its meetings in public, except in the circumstances set out in the Access to Information Procedure Rules in Section 14, for example where confidential or exempt information is being discussed.

Quorum

5.18 The quorum for a meeting of the Cabinet, or a committee of the Cabinet, shall be 3 members of the Cabinet. During any meeting if the person presiding counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the person presiding. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting of the Cabinet.

How are Decisions to be Taken by the Cabinet

5.19.1 All decisions taken by the following need to follow the Access to Information Procedure Rules set out in Section 14:

- 5.19.1.1 Cabinet;
- 5.19.1.2 Cabinet Committee;
- 5.19.1.3 Individual Members of the Cabinet

5.19.2 All decisions taken by the Executive, a Committee of the Executive, or an Individual Member of the Executive shall comply with the Budget and Framework Procedure Rules (so far as appropriate) as set out in Section 15.

5.19.3 All decisions taken by the Executive and / or a Committee of the Executive will be taken by a majority vote of those present at the meeting with the person Chairing the meeting having a second or casting vote.

How are Cabinet Meetings Conducted?

Who Chairs?

5.20 The Leader will chair at any meeting of the Cabinet or its committees at which s/he is present. In his absence, a Deputy Leader will chair. In his/her absence, then a person appointed by the meeting to do so by those present shall chair the meeting.

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Who May Attend?

5.21 These details are set out in the Access to Information Procedure Rules in Section 14 of this Constitution. See also Rule 3.28 in relation to Member participation in meetings.

What Business?

5.22 At each meeting of the Cabinet the following business will be conducted:

- 5.22.1 elect a person to chair if the Leader or a Deputy Leader is not present;
- 5.22.2 receive apologies for absence
- 5.22.3 approval of the minutes of the last meeting;
- 5.22.4 declarations of interest, if any;
- 5.22.5 matters referred to the Cabinet by a Scrutiny Committee for reconsideration by the Cabinet in accordance with the provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Sections 7 and 15 of this Constitution;
- 5.22.6 consideration of reports from a Scrutiny Committee or other committees;
- 5.22.7 consideration of reports from Cabinet Committees;
- 5.22.8 reports from Cabinet Members
- 5.22.9 reports from Officers of the Authority.
- 5.22.10 make recommendations to the Council or a scrutiny or other committee
- 5.22.11 consider such other business specified in the summons to the meeting;
- 5.22.12 consider other business, not specified in the summons as the Leader considers urgent, subject to the nature of the urgency being specified in the minutes
- 5.22.13 exclude the public for the consideration of any item in accordance with the Access to Information Procedure Rules

Consultation

5.23 All reports to the Cabinet from any Member of the Cabinet or an Officer on proposals relating to the Budget and Policy Framework must contain details of the nature and extent of consultation undertaken and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

Who can put Items on the Cabinet Agenda?

- 5.24.1 The Leader will decide upon the schedule for meetings of the Cabinet. S/he may put any matter on the agenda of any Cabinet meeting whether or not authority has been delegated to the Cabinet, a committee of it or any Member or Officer in respect of that matter.
- 5.24.2 Any Member of the Cabinet may require the Monitoring Officer to make sure that an item is placed on the agenda of the next available meeting of the Cabinet for consideration.
- 5.24.3 The Head of Paid Service, the Monitoring Officer and/or the Chief Financial Officer may include an item for consideration on the agenda of a Cabinet meeting and may require that such a meeting be convened.

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- 5.24.4 The Leader will make sure that an item is placed on the agenda of the next available meeting of the Cabinet and / or Cabinet Committee where a Scrutiny Committee or the Full Council have resolved that an item be considered by the Cabinet and / or Cabinet Committee.
- 5.24.5 Any member of the Council may ask the Leader to put an item on the agenda of a Cabinet and / or Cabinet Committee meeting for consideration, and if the Leader agrees the item will be considered at the next available meeting of the Cabinet and / or Cabinet Committee. The notice of the meeting will give the name of the Councillor who asked for the item to be considered. This individual will be invited to attend the meeting, whether or not it is a public meeting, and, at the discretion of the Leader or person presiding, be permitted to speak.

Speaking at Meetings

- 5.25.1 Subject to Rule 5.25.2 below only Cabinet Members, employees or persons asked to or with a duty to advise Cabinet or other persons asked by the Cabinet to do so may speak at an Cabinet meeting
- 5.25.2 Subject to rule 5.25.3 below a Member may attend any meeting of the Cabinet or a Cabinet Committee (whether or not they are a member of the Cabinet or of the Cabinet Committee) and with the permission of the person chairing may speak. Members wishing to speak should wherever possible notify the Chair in advance of the meeting.
- 5.25.3 The right to speak pursuant to rule 5.25.2 will not apply in the following cases:
- 5.25.3.1 where the Member is required to declare an interest and withdraw from the meeting under the Code of Conduct;
 - 5.25.3.2 where the Cabinet or a Committee of the Cabinet (as the case may be) is exercising functions of a quasi-judicial nature and have asked the members of the public and the parties to withdraw whilst they deliberate before reaching a decision;
 - 5.25.3.3 where the Monitoring Officer or his/her representative advises that as a matter of law non-members of the Cabinet or Cabinet committee (as the case may be) should withdraw.

PROVIDED THAT nothing in this rule shall prevent the Chair of the meeting exercising his/her powers to ensure the orderly conduct of the proceedings.

Rights of Leaders of Political Groups, Chairs of Scrutiny Committees to Speak at Meetings.

- 5.26 A Councillor being the leader of a political group in accordance with the Local Government (Committees and Political Groups) Regulations 1990, shall have the right (such right to be exercised reasonably and not so as to interfere with the proper conduct of business) to speak once on any item at any meeting of the Cabinet or a Committee of the Cabinet even though s/he is not a member of the Cabinet or Cabinet Committee as the case may be. In the absence of the leader of such political group the Councillor designated as the leader's deputy may exercise this right. These rights also apply to the

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Chairs (or in their absence Vice-Chairs) of the Scrutiny Committees.

This right may not be exercised in the following cases:

- 5.26.1 where the Councillor is required to declare an interest and withdraw from the meeting under the Members' Code of Conduct;
- 5.26.2 where the Cabinet or any Committee of the Cabinet exercising a quasi judicial function have asked the members of the public and the parties to withdraw whilst they deliberate before reaching a decision;
- 5.26.3 where the Monitoring Officer or his/her representative advises that as a matter of law or to protect the Council's interest non-members of the Cabinet or the Committee of the Cabinet (as the case may be) should withdraw;
- 5.26.4 in relation to Scrutiny Committees any matter outside the remit of that committee.

PROVIDED THAT nothing in this rule shall prevent the Chair of the meeting exercising his/her powers to ensure the orderly conduct of the proceedings

Disturbance by the Public, Filming, Audio Recording and Use of Social Media

- 5.27.1 The provisions in Council Procedure Rules in Rules 4.89 to 4.90 in relation to disturbance by the public apply to meetings of the Cabinet.
- 5.27.2 The provisions in Council Procedure Rules in Rule 4.91 relating to filming, audio recording and use of social media apply to meetings of the Cabinet.

Format of Reports for Cabinet Decisions

- 5.28 Reports prepared by Cabinet Members and / or officers on which it is intended that Cabinet decisions are taken whether by the Leader, the Cabinet, a Cabinet Committee, Individual Cabinet Members or an officer shall comply with a report template protocol provided by the Monitoring Officer.

Call-In of Decisions

- 5.29 A decision of the Cabinet, a Committee of the Cabinet, or an Individual Member of the Cabinet is subject to the Call-In provisions set out in the scrutiny procedure rules in Section 7 of this Constitution.

SECTION 6 – THE LEADER

Election

- 6.1 The Leader will be elected by Full Council and will have authority to delegate the functions of the Leader to one or more deputies selected from the Cabinet.
- 6.2 The Leader will usually be elected. However, where the post of Leader becomes vacant between Council elections the Leader will be elected at the next meeting of the Full Council.

Term of Office

- 6.3 The Leader is appointed for a term of 4 years or for such other period as is prescribed from time to time in legislation or until s/he leaves office pursuant to Rules 6.4 to 6.7.

Resignation, Dismissal, Disqualification and Suspension

- 6.4 The Leader may resign the position of Leader by writing to the Chair of Council.
- 6.5 The Leader can be dismissed where the Council passes a resolution removing him/her from office in accordance with the Rule 4.40.
- 6.6 The Leader shall cease to be Leader if s/he is suspended or disqualified as a Councillor, or, for other such reasons, cannot fulfil the role of Leader.
- 6.7 The Leader will cease to be Leader upon death or upon being incapacitated which will, or is likely to, prevent him / her from undertaking the role of Leader for a period of three months or more (“Incapacitation”).

Commented [w1]: N
EW.

Functions and Delegated Authority

Membership of the Cabinet

- 6.8 The Leader appoints and dismisses the Members of the Cabinet subject only to there being a minimum of two, and a maximum of nine.

Role of the Leader

- 6.9 The Leader will chair meetings of the Cabinet and determine the portfolios of Members of the Cabinet.

The Executive Scheme of Delegations

- 6.10 The Leader will delegate Executive Functions in accordance with Rule 5.9. (NB: No Member of the Cabinet may have a Deputy, other than the Leader).

Meetings of the Cabinet

- 6.11 Subject to the requirement to publish notice of each meeting three clear days before it takes place, the Leader can call meetings of the Cabinet at such times and places as s/he chooses (NB: the Head of Paid Service, the Section 151 Officer, the Monitoring Officer and three members of the Cabinet acting collectively can also call meetings of the Cabinet).

SECTION 6 – THE LEADER

Chairing Cabinet Meetings

6.12 The Leader shall chair Cabinet meetings. In the Leader's absence a Deputy Leader will chair the Cabinet, and in the absence of the Leader and Deputy Leader(s) the Cabinet will appoint a Member of the Cabinet to Chair the meeting.

Appointments of Representatives on Outside Bodies

6.13 The Leader has authority to appoint representatives of the Council on outside bodies where those outside bodies relate to Executive Functions of the Council.

Deputy Leader(s)

6.14 The Leader may appoint one or more Cabinet Members to act as Deputy Leader. The Deputy Leader(s) may exercise the functions of the Leader in the event of the resignation, death or Incapacitation¹ of the Leader. In the event of resignation, death or Incapacitation of the Leader, the Deputy Leader(s) may exercise the functions of the Leader until a Council meeting is held to elect a new Leader,(such Council meeting to be held as soon as reasonably practicable).

6.15 In the event that the Leader appoints more than one Deputy Leader those Deputy Leaders must decide which of them is to exercise the functions of the Leader in the event of the resignation, death or Incapacitation of the Leader, and the decision must be notified to the Monitoring Officer in writing within 24 hours of the date of the resignation, death or Incapacitation of the Leader. Such written notification to the Monitoring Officer must be signed by a majority of the Deputy Leaders or by both Deputy Leaders in the event that only 2 Deputy Leaders are appointed.

6.16 In the event that a Deputy Leader resigns his / her post as Deputy Leader. Such resignation does not mean that the Member resigns as a Cabinet Member.

Commented [WR2]: N
EW.

¹ "Incapacitation" is defined in Rule 6.7

SECTION 8 – THE STANDARDS COMMITTEE

The Council will establish a Standards Committee to exercise the functions set out in Rule 8.8. The Standards Committee will appoint a Standards Community Sub-Committee to exercise the functions set out in Rule 8.8 insofar as they affect Town and Community Councils. The Standards Committee and the Sub-Committee are exempt from the requirements to achieve as far as reasonably practicable a political balance on committees which apply to other Council committees.

Composition

Membership of the Standards Committee.

8.1 The Standards Committee is composed of 9 Members. Its Membership includes:

8.1.1 5 'Independent' (Lay) Members.

The following persons are not eligible to serve as Independent (Lay) Members of the Standards Committee:

- (a) A person who is a Councillor or Officer of Powys County Council or the spouse or civil partner of a Councillor or an Officer;
- (b) A person who has been, but is no longer a Councillor or Officer of Powys County Council;
- (c) A person who is a member or an officer, or the spouse or civil partner of a member or an officer of:

Any other County Council;
Any County Borough Council;
Any National Park Authority;
Any Fire Authority;
Any Community Council.

- (d) For the period of 12 months commencing with the date on which that person ceased to be a member or officer of any of the bodies listed below, a person who has been, but is no longer a member or officer of;

Any other County Council;
Any other County Borough Council;
A National Park Authority;
A Fire Authority.

8.1.2 4 Councillors (other than the Cabinet Leader including not more than 1 member of the Cabinet) appointed by the County Council at the Annual Meeting following the ordinary local government elections for the County Council, or at an ordinary meeting in the event of a vacancy occurring.

SECTION 8 – THE STANDARDS COMMITTEE

Membership of the Standards Community Sub-Committee.

8.2.1 The sub-committee will comprise of:

- The five Independent (Lay) Members of the Standards Committee;
- One County Councillor; and
- Three community committee members appointed in accordance with Rule 8.2.2. below.

8.2.2 Nominations will be sought from all Town and Community Councils in Powys for three community committee members, one from each Shire. Following the close of nominations a ballot will be held and those receiving the majority of the votes cast in each Shire will be appointed by the Standards Committee to the Standards Community Sub-Committee. (The County Council delegated the responsibility for making these appointments to the Standards Committee in July 2008)

Term of Office

8.3.1 Independent (Lay) Members are appointed for a period of not less than four and not more than six years and may be reappointed for a consecutive term not exceeding four years.

8.3.2 Councillors who are also Members of the Standards Committee will have a term of office of no more than four years or until the next ordinary local government election following their appointment, whichever is the shorter. They may be reappointed for one further consecutive term. A Councillor ceases to be a Member of the Standards Committee upon ceasing to be a Councillor.

Quorum of Standards Committee

8.4 A meeting of the Standards Committee shall only be quorate when:

8.4.1 at least 3 Members, including the Chair, are present; and

8.4.2 at least half the Members present (including the Chair) are Independent (Lay) Members.

Quorum of Standards the Community Sub-Committee

8.5 A meeting of the Standards Community Sub-Committee shall only be quorate when:

8.5.1 at least three members, including the chair, are present, and

8.5.2 at least half the members present (including the chair) are Independent (Lay) Members

8.5.3 For the purposes of this Rule “community committee member” means a member of the Standards Community Sub-Committee who is also a member of a community council within Powys

8.5.4 Where the Standards Community Sub-Committee considers any

SECTION 8 – THE STANDARDS COMMITTEE

matter relating to a Town or Community Council in Powys or a Councillor of such a Town or Community Council, any member of the Standards Community Sub-Committee (whether County Councillor or Community Committee Member) who is also a member of that Town or Community Council shall not take part in the proceedings of the Sub-Committee in relation to that matter.

Voting

8.6.1 All Members including Independent (Lay) Members will be entitled to vote at meetings.

8.6.2 A question to be decided by the Standards Committee / Standards Community Sub-Committee shall be decided by a majority of the votes cast by those members present at the meeting and eligible to vote.

8.6.3 In the case of an equality of votes, the person presiding at a meeting of the Standards Committee / Standards Community Sub-Committee shall have a second, casting vote.

Chairing the Committee and the Standards Community Sub-Committee.

8.7.1 Only an Independent (Lay) Member of the Standards Committee and the Standards Community Sub-Committee may be the Chair or Vice-Chair.

8.7.2 If the Chair is absent from a meeting of the Standards Committee / Standards Community Sub-Committee, then the Vice-Chair of the Committee / Standards Community Sub-Committee, if present, shall preside.

8.7.3 If both the Chair and the Vice-Chair of the Standards Committee / Standards Community Sub-Committee are absent from a meeting, an independent member as chosen by the Standards Committee / Standards Community Sub-Committee shall preside.

8.7.4 Subject to 8.7.1 and 8.7.5 below the Chair and Vice Chair will be elected by the Members of the Standards Committee or the Standards Community Sub-Committee for whichever is the shortest period of:

- (i) not less than four years or no more than six years; or
- (ii) until the term of office of the Independent Member comes to an end.

8.7.5 A Chair or Vice-Chair can be re-elected following their re-appointment as a Member of the Committee or Sub-Committee as the case may be.

Role and Function

8.8 The Standards Committee will have the following roles and functions:

8.8.1 promoting and maintaining high standards of conduct by Members (including church and parent governor representatives);

8.8.2 assisting Members (including church and parent governor

SECTION 8 – THE STANDARDS COMMITTEE

- representatives) to observe the Members' Code of Conduct;
- 8.8.3 advising the Council on the adoption or revision of the Members' Code of Conduct;
- 8.8.4 monitoring the operation of the Members' Code of Conduct;
- 8.8.5 advising on training or arranging to train Councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
- 8.8.6 granting dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;
- 8.8.7 dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales.
- 8.8.8 overseeing the Council's whistle-blowing regime;
- 8.8.9 providing advice to individual Councillors on such issues as the treatment of personal interest and on conduct matters generally;
- 8.8.10 determining appropriate action on matters referred to it by the Public Services Ombudsman for Wales.
- 8.8.11 overseeing the Register of Interest of Members, Co-opted members and Church and Parent Governor Representatives and Officers.
- 8.8.12 overseeing the Council's rules and protocols on accountability of members.
- 8.8.13 overseeing the attendance of Members and Co-opted Members at relevant meetings;
- 8.8.14 monitor the training of Members serving on Member Bodies.
- 8.9 the Standards Community Sub-Committee will have the roles and functions listed in 8.8.1 to 8.8.7 above in relation to the Town and Community Councils in Powys and members of those Councils.

Rules of Procedure and Debate

- 8.10.1 The Council Procedure Rules at Section 4 will apply to the meetings of the Standards Committee Members.
- 8.10.2 When considering the conduct of individual Councillors, the procedures outlined in Appendix 3 to Section 18 will apply.

SECTION 9 – REGULATORY AND OTHER COMMITTEES

- 9.1 The Council will appoint the Committees to discharge the functions set out in Section 13 of this Constitution.

The Democratic Services Committee

- 9.2.1 The Council will appoint a Democratic Services Committee to discharge the functions described in Section 13 of this Constitution.¹
- 9.2.2 The Committee shall consist of 15 Members to achieve so far as reasonably practicable a political balance.
- 9.2.3 No more than one Member of the Cabinet may be a member of the Committee and that Cabinet Member cannot be the Leader.
- 9.2.4 The Chair of the Democratic Services Committee is appointed by Full Council. The Chair must not be a member of an Executive Group (meaning a political group some or all of whose members comprise, or are included in, the Cabinet of the Authority, unless there are no opposition groups [meaning a political group none of whose members are included in the Cabinet of the Authority] in which case the Chair may be a member of an Executive Group but must not be a member of the Cabinet).
- 9.2.5 The Committee may appoint one or more sub-committees and may arrange for the discharge of any of its functions by such a sub-committee.
- 9.2.6 The Committee is to appoint the Chair of any Sub-Committee.
- 9.2.7 The Vice-Chair of the Committee is appointed by the Committee and the Vice-Chair of any Sub-Committee is appointed by the Sub-Committee

Regulatory Committees and Sub-Committees

- 9.3.1 The Council will appoint such Regulatory Committees as it considers appropriate to the exercise of its functions. These will include a Planning, Taxi Licensing and Rights of Way Committee, the Licensing Act 2003 Committee, the Employment and Appeals Committee, and the Pensions and Investments Committee.
- 9.3.2 Any Regulatory Committee appointed by the Council may at any time appoint additional Sub-Committees and panels throughout the year. The terms of reference and delegation of powers to them shall be explicit and within the Regulatory Committee's terms of reference.

Rules of Procedure and Debate

- 9.4 The Council Procedure Rules in Section 4 will apply.

¹ See Rule 11, of the Local Government (Wales) Measure 2011.

SECTION 10 – JOINT COMMITTEES

- 10.1 There are a number of circumstances where the Council or the Cabinet is entitled to carry out certain functions jointly with another local authority.
- 10.2 The Council and Cabinet in order to promote the economic, social, or environmental wellbeing of its area may:
- 10.2.1 enter into arrangements or agreements with any person or body;
 - 10.2.2 co-operate with, or facilitate or co-ordinate the activities of any person or body; and
 - 10.2.3 exercise on behalf of that person or body any functions of that person or body.

Joint Arrangements

- 10.3.1 The Council may establish joint arrangements with one or more local authorities and/or their executives to (a) exercise functions which are not Executive Functions in any of the participating authorities, or (b) advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- 10.3.2 The Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are Executive Functions. Such arrangements may involve the appointment of joint committees with these other local authorities. Except as set out below, or as permitted or required by Law, the Cabinet may only appoint Cabinet Members to such joint committees and those Members need not reflect the political composition of the Council as a whole.
- 10.3.3 The Cabinet may appoint Members to a Joint Committee from outside the Cabinet where the Joint Committee has functions for only part of the area of the Council and that area is smaller than two fifths of that local authority, by area or population. In such cases, the Cabinet may appoint to the Joint Committee any Councillor who is Member for an electoral division contained within the area. Political balance requirements do not apply to such appointments.
- 10.3.4 Details of any joint arrangements including any delegations to joint committees will be found in the Council's scheme of delegations in Section 13 of this Constitution.

Access to Information

- 10.4.1 The Access to Information Rules applying to a Joint Committee will depend upon the terms of reference agreed for the operation of that committee.
- 10.4.2 Where it is agreed that Powys County Council Access to Information Procedure Rules in Section 14 will apply to a Joint Committee, those rules will take effect subject to rules 10.4.3. and 10.4.4. below.
- 10.4.3 If all the Members of a Joint Committee are Members of the Cabinet in each of the participating authorities, then its access to information regime is the same as that applied to the Cabinet.

SECTION 10 – JOINT COMMITTEES

10.4.4 If the Joint Committee contains Members who are not on the Cabinet of any participating authority, then the Access to Information Rules in part VA of the Local Government Act 1972 (as amended) will apply. ¹

Delegation to and from Other Local Authorities

- 10.5.1 The Council can delegate Non-Executive Functions to another local authority or, where those functions are the responsibility of the executive of another local authority, to the executive of another local authority.
- 10.5.2 The Cabinet can delegate Executive Functions to another local authority or the executive of another local authority.
- 10.5.3 The decision whether or not to accept such a delegation from another local authority is reserved to the Full Council.

Contracting Out

- 10.6 The Council (in respect of Non-Executive Functions) and the Cabinet (in respect of Executive Functions) may contract out to another body or organisation functions:
- 10.6.1 which may be exercised by an Officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994²; or
- 10.6.2 under contracting arrangements where the Contractor acts as the Council's Agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

¹ See Section 14.

² Any function of the Council or of an Executive

SECTION 18 – CODE OF CONDUCT FOR MEMBERS

Set out below is the Model Code of Conduct from the Local Authorities (Model Code of Conduct) (Wales) Order 2008.

18.1

THE MEMBERS' CODE OF CONDUCT

Adopted by Powys County Council (unamended) at a meeting held on 24th April, 2008.

Adopted by Powys County Council (amended) at a meeting held on 22nd October, 2014.

PART 1 INTERPRETATION	
1.	(1) For the purposes of Section 18.1 only the following phrases will have the meaning set out below.
	“co-opted member”, in relation to a relevant authority, means a person who is not a member of the authority but who: (a) is a member of any committee or sub-committee of the authority, or (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority, and who is entitled to vote on a particular question pertaining to their co-option which falls to be decided at any meeting of that committee or sub-committee;
	“meeting” means any meeting: (a) of the relevant authority, (b) of any executive or board of the relevant authority, (c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or (d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990(1), and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;
	“member” includes, unless the context requires otherwise, a co-opted member;

SECTION 18 – CODE OF CONDUCT FOR MEMBERS

“relevant authority” means:

- (a) a county council,
- (b) a county borough council,
- (c) a community council,
- (d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004(2) or a scheme to which section 4 of that Act applies,
- (e) a National Park authority established under section 63 of the Environment Act 1995(3);

“you” means you as a member or co-opted member of a relevant authority; and

“your authority” means the relevant authority of which you are a member or co-opted member.

- (2) In relation to a community council, references to an authority’s monitoring officer and an authority’s standards committee are to be read, respectively, as references to the monitoring officer and the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(2) of the Local Government Act 2000.

SECTION 18 – CODE OF CONDUCT FOR MEMBERS

PART 2 GENERAL PROVISIONS

- 2.** (1) Save where paragraph 3(a) applies, you must observe this code of conduct:
- (a) whenever you conduct the business, or are present at a meeting, of your authority;
 - (b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;
 - (c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or
 - (d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.
- (2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.
- 3.** Where you are elected, appointed or nominated by your authority to serve:
- (a) on another relevant authority, or any other body, which includes a police and crime panel or Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or
 - (b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.
- 4.** You must:
- (a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
 - (b) show respect and consideration for others;
 - (c) not use bullying behaviour or harass any person; and
 - (d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

SECTION 18 – CODE OF CONDUCT FOR MEMBERS

5. You must not:

- (a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;
- (b) prevent any person from gaining access to information to which that person is entitled by law.

6. (1) You must:

- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;
 - (b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);
 - (c) report to the Public Services Ombudsman for Wales and to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;
 - (d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.
- (2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. You must not:

- (a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;
- (b) use, or authorise others to use, the resources of your authority
 - (i) imprudently;
 - (ii) in breach of your authority's requirements;
 - (iii) unlawfully;
 - (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;
 - (v) improperly for political purposes; or
 - (vi) improperly for private purposes.

SECTION 18 – CODE OF CONDUCT FOR MEMBERS

8. You must:

- (a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by
 - (i) the authority's head of paid service;
 - (ii) the authority's chief finance officer;
 - (iii) the authority's monitoring officer;
 - (iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);
- (b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

9. You must:

- (a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;
- (b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

SECTION 18 – CODE OF CONDUCT FOR MEMBERS

PART 3 INTERESTS

Personal Interests.

- 10.** (1) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.
- (2) You must regard yourself as having a personal interest in any business of your authority if:
- (a) it relates to, or is likely to affect
 - (i) any employment or business carried on by you;
 - (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
 - (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
 - (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
 - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
 - (vi) any land in which you have a beneficial interest and which is in the area of your authority;
 - (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
 - (viii) any body to which you have been elected, appointed or nominated by your authority;
 - (ix) any
 - (aa) public authority or body exercising functions of a public nature;
 - (bb) company, industrial and provident society, charity, or body directed to charitable purposes;

SECTION 18 – CODE OF CONDUCT FOR MEMBERS

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area,

in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

(b) a member of the public might reasonably perceive a conflict between your role in taking a decision, upon that business, on behalf of your authority as a whole and your role in representing the interests of constituents in your ward or electoral division; or

(c) a decision upon it might reasonably be regarded as affecting:

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(c)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management,

to a greater extent than the majority of

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

SECTION 18 – CODE OF CONDUCT FOR MEMBERS

Disclosure of Personal Interests

11.(1) Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority and you make

(a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or

(b) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer from time to time but, as a minimum containing

(a) details of the personal interest;

(b) details of the business to which the personal interest relates; and

(c) your signature.

(5) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.

SECTION 18 – CODE OF CONDUCT FOR MEMBERS

- (7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

Prejudicial Interests

- 12** (1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

- (2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business

(a) relates to:

- (i) another relevant authority of which you are also a member;
- (ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;
- (iii) a body to which you have been elected, appointed or nominated by your authority;
- (iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;
- (v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;

(b) relates to:

- (i) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;
- (ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
- (iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;
- (iv) the functions of your authority in respect of an allowance or payment made under sections 22(5), 24(4) and 173 to 176 of the Local Government Act 1972, an allowance or pension under section 18 of the Local Government and Housing Act 1989 or an allowance or payment under section 100 of

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the Local Government Act 2000;

(c) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

Overview and Scrutiny Committees

13. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where:

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

Participation in Relation to Disclosed Interests.

14. (1) Subject to sub-paragraphs (2), (3) and (4), where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standards committee

(a) withdraw from the room, chamber or place where a meeting considering the business is being held

(i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

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(2) Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if

- (a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or
- (b) you have the benefit of a dispensation provided that you:
 - (i) state at the meeting that you are relying on the dispensation; and
 - (ii) before or immediately after the close of the meeting give written notification to your authority containing
 - (aa) details of the prejudicial interest;
 - (bb) details of the business to which the prejudicial interest relates;
 - (cc) details of, and the date on which, the dispensation was granted; and
 - (dd) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

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PART 4 THE REGISTER OF MEMBERS' INTERESTS

Registration of Financial and Other Interests and Memberships and Management Positions

15. (1) Subject to sub-paragraph (3), you must, within 28 days of:
- (a) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or
 - (b) your election or appointment to office (if that is later),
- register your financial interests and other interests, where they fall within a category mentioned in paragraph 10(2)(a) in your authority's register maintained under section 81(1) of the Local Government Act 2000 by providing written notification to your authority's monitoring officer.
- (2) You must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under sub-paragraph (1), register that new personal interest or change by providing written notification to your authority's monitoring officer.
- (3) Sub-paragraphs (1) and (2) do not apply to sensitive information determined in accordance with paragraph 16(1).
- (4) Sub-paragraph (1) will not apply if you are a member of a relevant authority which is a community council when you act in your capacity as a member of such an authority.

Sensitive Information.

16. (1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.
- (2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.
- (3) In this code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Registration of Gifts and Hospitality.

17. You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your authority, provide written notification to your authority's monitoring officer of the existence and nature of that gift, hospitality, material benefit or advantage.

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Conduct of Members – The Principles¹

SELFLESSNESS

18.2.1 Members must act solely in the public interest. They must never use their position as Members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

HONESTY

18.2.2 Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

INTEGRITY AND PROPRIETY

18.2.3 Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

DUTY TO UPHOLD THE LAW

18.2.4 Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

STEWARDSHIP

18.2.5 In discharging their duties and responsibilities Members must ensure that their authority's resources are used both lawfully and prudently.

OBJECTIVITY IN DECISION-MAKING

18.2.6 In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, Members must make decisions on merit. Whilst Members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.

EQUALITY AND RESPECT

18.2.7 Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion, and show respect and consideration for others.

OPENNESS

18.2.8 Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

¹ The Conduct of Members (Principles) (Wales) Order 2001 – S.I. 2276

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ACCOUNTABILITY

18.2.9 Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a Member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

LEADERSHIP

18.2.10 Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.

Protocol - Standard of Conduct Expected by Members

18.3 This protocol sets out the standards of conduct expected from Members within Powys County Council in dealing with each other. It should be read in conjunction with the Members Code of Conduct ²and the Member-Officer Protocol³. It adds to these documents and does not detract from them.

Members are expected:

PUBLIC BEHAVIOUR

- 18.3.1.1 to show respect to each other;
- 18.3.1.2 not to make personal abusive comments about each other;
- 18.3.1.3 not to publish anything insulting about each other;
- 18.3.1.4 not to make malicious allegations against each other;
- 18.3.1.5 not to publish or spread any false information about each other;
- 18.3.1.6 to show respect to diversity and equality;

BEHAVIOUR IN MEETINGS

- 18.3.2.1 to behave with dignity;
- 18.3.2.2 to show respect to the Chair and obey his/her decisions;
- 18.3.2.3 not to use indecent language nor make racial remarks or remarks which prejudice any section of society;

CONFIDENTIALITY

- 18.3.3.1 to keep the confidentiality of exempt papers and any other documents which are not public;
- 18.3.3.2 not to release confidential information to the press or the public;
- 18.3.3.3 not to use confidential information for purposes other than intended;

LOCAL MEMBERS

- 18.3.4.1 to work with Members of adjoining electoral divisions for the benefit of the locality;
- 18.3.4.2 if dealing with any matter relating to another electoral division:
 - to explain to anyone seeking assistance that he/she is not the local Member;

² See Section 18.1 above.

³ See Section 21.

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- to inform the local Member, unless it would lead to a breach of confidentiality.

Procedure for Dealing with Allegations made against Councillors and referred to the Standards Committee

INTRODUCTION

18.4.1 This document sets out the procedure that the Council's Standards Committee will follow where it is required to make decisions about the conduct of Councillors following investigations by the Public Services Ombudsman for Wales or the Council's Monitoring Officer under Part III of the Local Government Act 2000 and related regulations. If there is any conflict between this document and any statutory requirements then those statutory requirements will prevail.

INTERPRETATION

18.4.2 In this procedure:

- 18.4.2.1 the "Act" means the Local Government Act 2000;
- 18.4.2.2 the "Council" means Powys County Council;
- 18.4.2.3 the "Code of Conduct" means the code of conduct for members ⁴adopted by the Council or the community councils within the Council's area in 2008 in accordance with section 51 of the Act, including any revisions;
- 18.4.2.4 the "Complainant" means any person who made any allegation which gave rise to the investigation;
- 18.4.2.5 the "Investigating Officer" means the person who conducted an investigation into any alleged breach of the Code of Conduct and produced the investigation report, being either the Ombudsman (or a person acting on his or her behalf) or the Monitoring Officer;
- 18.4.2.6 an "investigation report" means a report on the outcome of an investigation into any alleged breach of the Code of Conduct produced either by the Ombudsman under s71(2) of the Act or by the Monitoring Officer under the Regulations;
- 18.4.2.7 the "Member" means any person who is the subject of an investigation into any alleged breach of the Code of Conduct;
- 18.4.2.8 the "Monitoring Officer" means the officer for the time being appointed by the Council under section 5 of the Local Government and Housing Act 1989;
- 18.4.2.9 the "Ombudsman" means the Public Services Ombudsman for Wales;
- 18.4.2.10 the "Regulations" means the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 as amended;
- 18.4.2.11 the "Standards Officer" means the officer for the time being appointed by the Council to support the work of the Standards Committee.

SUMMARY OF THE PROCEDURE

18.4.3.1 Under section 69 of the Act, the Ombudsman may investigate any alleged breach of the Code of Conduct by Members or Co-Opted Members (or

⁴ See Section 18.1

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- former Members or co-opted Members) of the Council or a community council in the Council's area.
- 18.4.3.2 Under section 70(4) of the Act, where the Ombudsman ceases such an investigation before it is completed, he/she may refer the matters which are the subject of the investigation to the Monitoring Officer. The Monitoring Officer will then investigate matters in accordance with the Regulations before reporting and, if appropriate, making recommendations to the Standards Committee.
- 18.4.3.3 Alternatively, under section 71(2) of the Act, where the Ombudsman decides after investigating that it is appropriate, he/she will produce a report on the outcome of the investigation and send it to the Monitoring Officer. The Monitoring Officer will then consider the report of the Ombudsman in accordance with the Regulations, before, if appropriate, present the report and make recommendations to the Standards Committee.
- 18.4.3.4 The Standards Committee will then make an initial determination either:
- (a) that there is no evidence of any failure to comply with the Code of Conduct; or
 - (b) that the Member should be given the opportunity to make representations, either orally or in writing.
- 18.4.3.5 Where the Member is given an opportunity to make representations, the Standards Committee will convene a hearing to consider any response made by the Member and it must determine under regulation 9(1) of the Regulations either that:
- (a) there is no evidence of any failure to comply with the Code of Conduct and that therefore no action needs to be taken;
 - (b) the Member has failed to comply with the Code of Conduct but that no action needs to be taken in respect of that failure;
 - (c) the Member has failed to comply with the Code of Conduct and should be censured; or
 - (d) the Member has failed to comply with the Code of Conduct and should be suspended or partially suspended from being a member or co-opted Member of his/her authority for a period not exceeding six months

and take any such action accordingly.

INVESTIGATIONS BY THE MONITORING OFFICER (REFERRALS UNDER SECTION 70(4) OF THE ACT)

- 18.4.4.1 Where the Ombudsman ceases his/her investigation before it is completed and refers the matters which are the subject of the investigation to the Monitoring Officer under section 70(4) of the Act, the Monitoring Officer must:
- (a) conduct an investigation; and
 - (b) report, and if appropriate, make recommendations to the Council's Standards Committee.

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- 18.4.4.2 The Monitoring Officer will investigate in accordance with the Regulations and may follow such procedures as he or she considers appropriate in the circumstances of the case.
- 18.4.4.3 After concluding an investigation, the Monitoring Officer must:
- (a) produce a report on the findings of his or her investigation and, if appropriate, may make recommendations to the Standards Committee;
 - (b) send a copy of the report to the Member; and
 - (c) take reasonable steps to send a copy of the report to the Complainant.
- 18.4.4.4 The Standards Committee will consider the Monitoring Officer's report and any recommendations in accordance with the procedure set out below.

INVESTIGATIONS BY THE OMBUDSMAN (REFERRALS UNDER SECTION 71(2) OF THE ACT)

- 18.4.5.1 Where the Ombudsman completes his or her investigation and sends a report to the Monitoring Officer and the Council's Standards Committee under section 71(2) of the Act, the Monitoring Officer must consider the Ombudsman's report and, if appropriate, make recommendations to the Council's Standards Committee.
- 18.4.5.2 The Standards Committee will consider the Ombudsman's report together with any recommendations made by the Monitoring Officer in accordance with the procedure set out below.

THE FIRST MEETING OF THE STANDARDS COMMITTEE - INITIAL DETERMINATION

- 18.4.6.1 After the Monitoring Officer has:
- (a) produced an investigation report in accordance with rule 18.4.4.3(a); or
 - (b) considered the Ombudsman's investigation report in accordance with rule 18.4.5.1

he/she will arrange for a meeting of the Standards Committee to be convened as soon as possible and for a copy of the investigation report, together with the Monitoring Officer's recommendations (if any), to be sent to each of the members of the Standards Committee.

- 18.4.6.2 Notice of the time and place of the meeting will be given in accordance with Part VA of the Local Government Act 1972 as amended by the Standards Committees (Wales) Regulations 2001.
- 18.4.6.3 If the investigation report is produced by the Ombudsman, the Monitoring Officer will advise the Standards Committee. If the investigation report is produced by the Monitoring Officer, the Standards Officer or some other suitably qualified person will advise the Standards Committee.
- 18.4.6.4 The business of the Standards Committee meeting will be limited to considering the investigation report and the Monitoring Officer's

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recommendations (if any) and to making an initial determination either:

- (a) that there is no evidence of any failure to comply with the Code of Conduct; or
- (b) that the Member should be given the opportunity to make representations,

either orally or in writing in respect of the findings of the investigation and any allegation that he or she has failed, or may have failed, to comply with the Code of Conduct.

AFTER THE FIRST MEETING OF THE STANDARDS COMMITTEE

18.4.7.1 Where the Standards Committee decides that there is no evidence of any failure to comply with the Code of Conduct, the Standards Officer will accordingly notify the Member, the Complainant and the Ombudsman.

18.4.7.2 Where the Standards Committee decides that the Member should be given the opportunity to make representations, the Standards Officer will notify the Member of the Committee's decision and the procedure which the Committee proposes to adopt to receive and consider any representations that he or she may wish to make.

PREPARING FOR THE HEARING TO CONSIDER THE MEMBER'S REPRESENTATIONS

18.4.8.1 The Standards Officer, in consultation with the Chair of the Standards Committee, will write to the Member to propose a date for a hearing to consider any representations that the Member may wish to make and to ask the Member to respond in writing within 14 days to confirm whether he/she:

- (a) is able to attend the hearing;
- (b) wants to make representations, whether orally or in writing and if so, to include any written representations in his or her response;
- (c) disagrees with any of the findings of fact in the investigation report, and if so, which matters he or she disagrees with and the reasons for any disagreements;
- (d) wants to appear before the Committee in person or be represented at the hearing by a solicitor, barrister or any other person, in accordance with his/her right under the Regulations;
- (e) wants to give evidence to the Standards Committee, either orally or in writing;
- (f) wants to call relevant witnesses to give evidence to the Standards Committee;
- (g) wants any part of the meeting to be held in private;
- (h) wants any part of the investigation report or other relevant documents to be withheld from the public

18.4.8.2 The Standards Officer will notify the Investigating Officer of the proposed hearing date and ask whether he or she will be attending the hearing.

18.4.8.3 The Standards Officer will send a copy of the Member's response under rule 18.4.8.1 to the Investigating Officer and will ask him/her to confirm in

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writing within seven days whether he/she:

- (a) has any comments on the Member's response;
- (b) wants to be represented at the hearing;
- (c) wants to call relevant witnesses to give evidence to the Standards Committee;
- (d) wants any part of the meeting to be held in private; and
- (e) wants any part of the investigation report or other relevant documents to be withheld from the public.

18.4.8.4 The Standards Officer will write to the members of the Committee, the Member and the Investigating Officer at least two weeks before the hearing to:

- (a) confirm the date, time and place for the hearing;
- (b) summarise the allegation;
- (c) outline the main facts of the case that are agreed;
- (d) outline the main facts which are not agreed;
- (e) note whether the Member or the Investigating Officer will attend or be represented at the hearing;
- (f) list those witnesses, if any, who will be asked to give evidence;
- (g) enclose the investigation report, any relevant documents, the Member's response and any further response from the Investigating Officer; and
- (h) outline the proposed procedure for the meeting.

POWERS OF THE STANDARDS COMMITTEE

18.4.9.1 The Standards Committee may, in accordance with the requirements of natural justice, conduct the meeting in the manner it considers most suitable to the clarification of the issues before it and generally to the just handling of the proceedings. The Committee must to whatever extent it considers to be appropriate, seek to avoid formality and inflexibility in its proceedings. The Standards Committee will decide factual evidence on the balance of probabilities.

18.4.9.2 The Member or the Investigating Officer, whether or not they are legally qualified, may be represented or accompanied by another person but if in any particular case the Standards Committee is satisfied that there is a good reason, it may refuse to permit a particular person to assist or represent a party at the hearing.

18.4.9.3 The Standards Committee may take legal advice from a Council officer appointed for this purpose at any time during the meeting or while they are considering the outcome. The substance of any legal advice given to the Committee will be shared with the Member and the Investigating Officer if they are present.

18.4.9.4 Where appropriate, and in accordance with the Regulations, the Standards Committee has power to censure the Member, or suspend or partially suspend the Member for a period not exceeding six months.

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PROCEDURE AT THE HEARING

- 18.4.10.1 The hearing will be held in public unless the Standards Committee is persuaded that there is a good reason to exclude the public.
- 18.4.10.2 The procedure at the meeting shall be as set out below, subject to the Chair making such changes as he or she thinks fit in order to ensure a fair and efficient hearing.

Introduction

- 18.4.10.3 The Chair of the Standards Committee will introduce those persons present and will explain the manner and order of proceedings

First Stage - Preliminary Procedural Issues

- 18.4.10.4 The Standards Committee will then resolve any issues or disagreements about how the hearing should continue, which have not been resolved during the prehearing process.

Second Stage - Making Findings of Fact

- 18.4.10.5 The Standards Committee will then consider whether or not there are any significant disagreements about the facts contained in the investigation report.

- 1 If there is a disagreement as to the facts:
 - (a) the Investigating Officer, if present, will be invited to make any necessary representations to support the relevant findings of fact in the investigation report;
 - (b) the Investigating Officer may call any necessary supporting witnesses to give evidence, with the Standards Committee's permission and the Committee shall give the Member an opportunity to challenge any evidence put forward by any witness called by the Investigating Officer;
 - (c) the Member will then be invited to make representations to support his or her version of the facts;
 - (d) the Member may call any necessary witnesses to give evidence, with the Standards Committee's permission and the Committee shall give the Investigating Officer an opportunity to challenge any evidence put forward by any witness called by the Member.
- 2 At any time, the Standards Committee may question any of the people involved or any of the witnesses.
- 3 If the Member disagrees with any relevant fact in the investigation report, without having given prior notice of the disagreement, he or she must give good reasons for not mentioning it before the hearing. If the Investigating Officer is not present, the Standards Committee will consider whether or not it would be in the public interest to continue in his or her absence. After considering the Member's explanation for not raising the issue at an earlier stage, the Committee may then:

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- (a) continue with the hearing, relying on the information in the investigation report;
 - (b) allow the Member to make representations about the issue, and invite the Investigating Officer to respond and call any witnesses, as necessary; or
 - (c) postpone the hearing to arrange for appropriate witnesses to be present, or for the Investigating Officer to be present if he or she is not already.
- 4 At the conclusion of the representations as to matters of fact, the Standards Committee will retire to deliberate in private on the representations, after which the Chair of the Standards Committee will announce their findings of fact.

Third Stage - Deciding whether the Member has failed to comply with the Code

18.4.10.6

- 1 The Standards Committee will then consider whether, based on the facts it has found, the Member has failed to comply with the Code.
- 2 The Standards Committee will invite the Investigating Officer to make representations as to whether or not, based on the facts the Committee has found, the Member has failed to comply with the Code of Conduct.
- 3 The Standards Committee will invite the Member to respond to the representations of the Investigating Officer and to make representations as to whether or not, based on the facts the Committee has found, he or she has failed to comply with the Code of Conduct.
- 4 The Standards Committee may, at any time, question anyone involved on any point they raise in their representations.
- 5 The Member will be invited to make any final relevant points.
- 6 The Standards Committee will retire to deliberate in private on the representations and decide whether or not the Member has failed to comply with the Code of Conduct, after which the Chair of the Standards Committee will announce their findings.

Fourth Stage - Action to be Taken

18.4.10.7

- 1 If the Standards Committee decides that the Member has not failed to comply with the Code of Conduct, it will formally record that there is no evidence of any failure by the Member to comply with the Code of Conduct and that therefore no action needs to be taken.
- 2 If the Standards Committee decides that the Member has failed to comply with the Code of Conduct it will invite the Member and the Investigating Officer to make representations as to:
 - (a) whether or not the Committee should apply a sanction; and
 - (b) what form any sanction should take.

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- 3 The Standards Committee will retire to deliberate in private on the representations and decide either that:
 - (a) no action needs to be taken in respect of the failure to comply with the Code of Conduct;
 - (b) the Member should be censured; or
 - (c) the Member should be suspended or partially suspended from being a member or Co-Opted Member of his or her authority for a period not exceeding six months,

after which the Chair of the Standards Committee will announce their decision.

- 4 After making a decision the Standards Committee will instruct the Standards Officer to confirm the decision and the reasons for the decision in writing and to send a copy of the written decision (including details of the Member's right of appeal) to the Member, the Complainant and the Ombudsman as soon as reasonably practicable.

FAILURE TO MAKE REPRESENTATIONS / ATTEND THE HEARING

- 18.4.11.1 If the Member fails to make representations, the Standards Committee may:
 - (a) unless it is satisfied that there is sufficient reason for such failure, consider the investigation report and make a determination in the Member's absence; or
 - (b) give the Member a further opportunity to make representations.

- 18.4.11.2 If a party fails to be present or represented at a hearing, the Standards Committee may, if it is satisfied that the party was duly notified of the hearing and that there is no good reason for such absence:
 - (a) hear and decide the matter in the party's absence; or
 - (b) adjourn the hearing.

ILLNESS OR INCAPACITY

- 18.4.12 If the Standards Committee is satisfied that any party is unable, through physical or mental sickness or impairment, to attend the hearing and that the party's inability is likely to continue for a long time, the Standards Committee may make such arrangements as may appear best suited, in all the circumstances of the case, for disposing fairly of the matter.

SUSPENSION

- 18.4.13 A period of suspension or partial suspension will commence on the day after:
 - 18.4.13.1 the expiry of the time allowed to lodge a notice of appeal to an appeals tribunal under the Regulations (i.e. within 21 days of receiving notification of the Standards Committee's determination);

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- 18.4.13.2 receipt of notification of the conclusion of any appeal in accordance with the Regulations;
- 18.4.13.3 a further determination by the Standards Committee made after receiving a recommendation from an appeals tribunal under the Regulations,
- whichever occurs last.

REFERRAL BY AN APPEALS TRIBUNAL

- 18.4.14.1 Where the Standards Committee determines that the Member has failed to comply with the Code of Conduct, the Member may appeal against the determination to an appeals tribunal drawn from the Adjudication Panel for Wales.
- 18.4.14.2 An appeals tribunal may endorse the decision of the Standards Committee, refer a matter back to it recommending it impose a different penalty, or overturn the decision.
- 18.4.14.3 If:
- (a) the Standards Committee determines that the Member failed to comply with the Code of Conduct;
 - (b) the Member appeals to an appeals tribunal drawn from the Adjudication Panel for Wales; and
 - (c) the said tribunal refers the matter back to the Standards Committee with a recommendation that a different penalty be imposed,

the Standards Committee shall meet as soon as reasonably practicable to consider the recommendation of the appeals tribunal and will determine whether or not it should uphold its original determination or accept the recommendation.

- (d) After making its determination the Standards Committee will instruct the Standards Officer to confirm the decision and the reasons for the decision in writing and to send a copy of the written decision to the Member, the Complainant, the Ombudsman and the president of the Adjudication Panel for Wales as soon as reasonably practicable.

PUBLICATION OF THE STANDARDS COMMITTEE'S REPORT

- 18.4.15.1 The Standards Committee will produce a report on the outcome of the investigation and send a copy to the Ombudsman, the Monitoring Officer, the Member and take reasonable steps to send a copy to the Complainant within 14 days after either:
- (a) the expiry of the time allowed to lodge a notice of appeal under the Regulations, or
 - (b) receipt of notification of the conclusion of any appeal in accordance with the Regulations, or
 - (c) a further determination by the Standards Committee made after receiving a recommendation from an appeals tribunal under the

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Regulations,

whichever occurs last.

- 18.4.15.2 Upon receipt of the report of the Standards Committee, the Monitoring Officer shall:
- (a) publish the report on the Council's website for a minimum period of 21 days and make copies available for inspection by the public without charge during office hours at one or more of the Council's offices, where any person shall be entitled to take copies of, or extracts from, the report when made so available;
 - (b) supply a copy of the report to any person on request if he or she pays such charge as the Council may reasonably require, and
 - (c) not later than seven days after the report is received from the Standards Committee, give public notice, by advertisement in newspapers circulating in the area and such other ways as appear to him or her to be appropriate, that copies of the report will be available as provided by paragraphs (a) and (b) above, and shall specify the date (being a date not more than seven days after public notice is first given) from which the period of 21 days will begin.

COSTS

- 18.4.16 The Standards Committee has no power to make an award of any costs or expenses arising from any of its proceedings.

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section	Member	Role Description / Person Specification Pages	Competencies Pages
A	Elected Member (to include the role as corporate parent)	<ul style="list-style-type: none"> • Elected Member – 5 - 6 	<ul style="list-style-type: none"> • New Member – 7 - 10 • All Members - Community Leader – 11 -13 • All Members – Ward [Electoral Division] Representative –14 -15 • All Members - General Responsibilities – 16 - 22 • Party or Group Representative – 23
B	Shire Member	<ul style="list-style-type: none"> • Elected Member - 5 - 6 	<ul style="list-style-type: none"> • New Member – 7 -10 • All Members - Community Leader – 11 - 13 • All Members – Ward [Electoral Division] Representative – 14 - 15 • All Members - General Responsibilities – 16 - 22
C	Scrutiny Committee Member	<ul style="list-style-type: none"> • Member Scrutiny Committee – 25 - 27 	<ul style="list-style-type: none"> • Scrutiny Member – 28 - 30
D	Regulatory Committee Member	<ul style="list-style-type: none"> • Member of Regulatory Committee – 31 - 32 	<ul style="list-style-type: none"> • Member of a Regulatory Committee – 33 - 37
E	Audit Committee Member	<ul style="list-style-type: none"> • Member of Audit Committee – 39 - 40 	<ul style="list-style-type: none"> • Member of Audit Committee – 41
F	Standards Committee Member	<ul style="list-style-type: none"> • Member of Standards Committee – 43 - 44 	<ul style="list-style-type: none"> • Member of Standards Committee - 45
G	Standards Community Sub-Committee Member	<ul style="list-style-type: none"> • Member of Standards Community Sub-Committee – 47 – 48 	<ul style="list-style-type: none"> • Member of Standards Committee - 45
H	Democratic Services Committee Member	<ul style="list-style-type: none"> • Member of Democratic Services Committee – 49 - 50 	<ul style="list-style-type: none"> • None developed by the Welsh Local Government Association [WLGA]
I	Cabinet Member	<ul style="list-style-type: none"> • Cabinet Member – 51 - 53 	<ul style="list-style-type: none"> • Cabinet Member – 54 - 59

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section	Member	Role Description / Person Specification Pages	Competencies Pages
J	Chair / Vice-Chair / Assistant Vice-Chair of the Council	<ul style="list-style-type: none"> Chair, Vice-Chair and Assistant Vice-Chair of Council – 61 - 62 	<ul style="list-style-type: none"> Chair, Vice-Chair or Assistant Vice-Chair of Council – 63 - 68
K	Cabinet Leader and Deputy Cabinet Leader	<ul style="list-style-type: none"> Cabinet Leader and Deputy Cabinet Leader – 69 - 72 	<ul style="list-style-type: none"> Cabinet Leader and Deputy Leader – 73 – 74 Cabinet Leader in addition to Cabinet Member – 75 - 79
L	Leader and Deputy Leader of the Opposition	<ul style="list-style-type: none"> Leader and Deputy Leader of the Opposition – 81 - 82 	<ul style="list-style-type: none"> None developed by the Welsh Local Government Association [WLGA]
M	Chair / Vice-Chair of a Scrutiny Committee	<ul style="list-style-type: none"> Chair and Vice-Chair of Scrutiny Committee – 83 - 85 	<ul style="list-style-type: none"> Committee Chair or Vice-Chair – 86 - 87
N	Chair / Vice-Chair of a Regulatory Committee	<ul style="list-style-type: none"> Chair and Vice-Chair of Regulatory Committee – 89 - 90 	<ul style="list-style-type: none"> Committee Chair or Vice- Chair – 86 - 87
O	Chair/Vice Chair of Audit Committee	<ul style="list-style-type: none"> Chair and Vice-Chair of Audit Committee – 91 - 92 	<ul style="list-style-type: none"> Committee Chair or Vice- Chair – 86 - 87
P	Chair/Vice-Chair of Standards Committee	<ul style="list-style-type: none"> Chair and Vice-Chair of Standards Committee – 93 - 94 	<ul style="list-style-type: none"> Committee Chair or Vice- Chair – 86 - 87
Q	Chair/Vice Chair of Standards Community Sub-Committee	<ul style="list-style-type: none"> Chair and Vice-Chair of Standards Community Sub-Committee – 95 - 96 	<ul style="list-style-type: none"> Committee Chair or Vice- Chair – 86 - 87
R	Chair/Vice Chair of Democratic Services Committee	<ul style="list-style-type: none"> Chair and Vice Chair of Democratic Services Committee – 97 	<ul style="list-style-type: none"> Committee Chair or Vice- Chair – 86 - 87
S	Chair / Vice-Chair of a Shire	<ul style="list-style-type: none"> Chair and Vice-Chair of Shire Committee - 99 - 100 	<ul style="list-style-type: none"> Chair or Vice-Chair of Shire – 101 - 105

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section	Other Roles	Role Description / Person Specification	Competencies
T	Member Champion	<ul style="list-style-type: none"> • Member Champion – 107 -109 	<ul style="list-style-type: none"> • None developed by WLGA.
U	Independent Member of the Standards Committee	<ul style="list-style-type: none"> • Member of Regulatory Committee – 31 - 32 	<ul style="list-style-type: none"> • Member of a Regulatory Committee – 33 - 37
V	Co-opted Member of the Council	<ul style="list-style-type: none"> • Member Scrutiny Committee – 25 - 27 	<ul style="list-style-type: none"> • Scrutiny Member – 28 - 30

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Roles	Competencies
<ul style="list-style-type: none"> • Elected Member • Shire Member • Member Scrutiny Committee • Member Regulatory Committee • Member Audit Committee • Member Standards Committee • Member Standards Community Sub-Committee • Member Democratic Services Committee • Cabinet Member • Chair/Vice-Chair/Assistant Vice-Chair of Council • Cabinet Leader and Deputy Leader • Leader and Deputy Leader of the Opposition • Chair and Vice-Chair of Scrutiny Committee • Chair and Vice-Chair of Regulatory Committee • Chair and Vice-Chair Audit Committee • Chair and Vice-Chair Standards Committee • Chair and Vice-Chair Standards Community Sub-Committee • Chair and Vice-Chair Democratic Services Committee • Chair and Vice-Chair of Shire • Member Champion • Independent Member of the Standards Committee • Co-opted Member of the Council 	<ul style="list-style-type: none"> • New Members • All Members - Community Leader • All Members - Electoral Division Representative • All Members - General Responsibilities • Party or Group Representative • Scrutiny Member • Member of a Regulatory Committee • Member of Audit Committee • Member of Standards Committee • Cabinet Member • Chair, Vice-Chair or Assistant Vice-Chair of Council • Committee Chair or Vice-Chair • Cabinet Leader and Deputy Cabinet Leader • Chair or Vice-Chair of Shire

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section A Elected Member Role Description

1 Accountabilities

- To the electorate of their ward
- To the political group
- To Full Council

2 Role Purpose and Activity

- **Representing and supporting communities**
 - To represent ward interests
 - To be a channel of communication to the community on Council strategies, policies, services and procedures in the ward and communities they serve
 - To represent individual constituents and local organisations, undertaking casework on their behalf and serving all fairly and equally
 - To liaise with Cabinet members, other Council members, Council officers and partner organisations to ensure that the needs of the local communities are identified, understood and supported
 - To promote tolerance and cohesion in local communities
- **Making decisions and overseeing Council performance**
 - To participate in Full Council meetings, reaching and making informed and balanced decisions, and overseeing performance
 - To participate in informed and balanced decision making on committees and panels to which they might be appointed
 - To adhere to the principles of democracy and collective responsibility in decision making
 - To promote and ensure efficiency, effectiveness and equity in the provision of council and other public services
- **Representing the Council (subject to appointment)**
 - To represent the Council on local outside bodies as an appointee of the Council
 - To represent the Council on local partnership bodies, promoting common interest and co-operation for mutual gain
 - To represent and be an advocate for the Council on national bodies and at national events
- **Internal governance, ethical standards and relationships**
 - To promote and support good governance of the Council and its affairs
 - To provide community leadership and promote active citizenship
 - To promote and support open and transparent government
 - To support, and adhere to respectful, appropriate and effective relationships with employees of the Council
 - To adhere to the Member's Code of Conduct, the Member/Officer Protocol and the highest standards of behaviour in public office
- **Personal and role development**
 - To participate in opportunities for development provided for members by the authority

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

- To participate in initial and ongoing statutory and mandatory training

3 Values

- To be committed to the values of the Council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability

Elected Member Person Specification

To fulfil his or her role as laid out in the role description, an effective member requires the following:

Representing and supporting communities

- Good advocacy skills
- Interpersonal skills
- Integrity and the ability to set aside own views and act impartially
- The ability to present relevant and well reasoned arguments
- Good communication skills

Making decisions and overseeing council performance

- Knowledge and understanding of meetings law, rules and conventions
- An understanding of strategic, policy and service contexts for decisions
- The ability to challenge ideas and contribute positively to policy development

Representing the Council (subject to appointment)

- Good public speaking skills
- Good presentation skills
- The ability to persuade others and act with integrity

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Members' Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

Personal and role development

- An ability to assess personal and role development needs
- Desire and skills to participate in development

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Development Framework for Councillors 2014

As a New Member	Knowledge required	Role skills	The effective member is able to	Learning method	Time scale
Getting Started	<ul style="list-style-type: none"> • understanding of the key activities undertaken by councillors • understanding of the work of the Council • knowledge of the priority areas for service delivery • knowing where to find information • knowledge of individual role • knowledge of the constitution • understanding of ethical standards • understanding of personal liabilities and responsibilities • understanding of the equalities agenda • understanding of core processes such as business and financial planning 	<ul style="list-style-type: none"> • information gathering • networking • communication • ICT 	<ul style="list-style-type: none"> • describe his/her role • describe the role of the Council • describe the strategic and policy priorities for the authority • approach the appropriate contacts for information • access information and communicate using ICT 	<ul style="list-style-type: none"> • officer briefing • Welsh Local Government Association [WLGA] induction modules • Local Authority Councillors Guide • WLGA member learning resource • presentations by the Chief Executive, Cabinet and Service Directors • tour of the area and council buildings • role play/games • introduction to information sources Members' library etc. • allocation of councillor mentor • reading constitution, improvement plan, code of conduct, community strategy, 	First week of induction

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

				budget book	
Participating at a meeting	<ul style="list-style-type: none"> • knowledge of meeting timetable and locations • protocol • constitution • members' code of conduct/standards • meeting conventions 	<ul style="list-style-type: none"> • team working • meeting skills • preparation and research 	<ul style="list-style-type: none"> • participate fully • act assertively but not aggressively • speak effectively in public • express themselves effectively • actively listen • participate in meetings only after thorough preparation • utilise translation facilities if applicable 	<ul style="list-style-type: none"> • meeting simulation • officer briefing on protocols/Constitution/Members' Code of conduct and individual meeting roles • personal skills feedback from mentor • meeting skills seminar • personal skills development workshop 	<p>Timetable in induction pack</p> <p>“Rules” explained before first meetings</p> <p>Conventions first 6 months</p> <p>Meetings skills seminar in induction</p> <p>Feedback throughout period of office</p>
Establishing community links	<ul style="list-style-type: none"> • knowledge of electoral division, local communities and authority • understanding the national agenda with regard to citizen and community engagement • knowledge of community groups and organisations and of constituted groups such as Communities First and others 	<ul style="list-style-type: none"> • research • effective communication, including listening skills • networking • negotiation 	<ul style="list-style-type: none"> • demonstrate an understanding of the geographical area and the issues affecting it • demonstrate a commitment to equality through seeking to represent all groups equally and impartially 	<ul style="list-style-type: none"> • tour of authority • social inclusion and equalities training to permeate all training and development activities undertaken • equalities awareness raising • workshop 	<p>First 6 months</p>

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

	<p>representing geographical communities and communities of interest</p> <ul style="list-style-type: none"> • understanding of community issues and how they are affected by conditions and trends in the wider world • understanding of community sector and the resourcefulness of citizens and communities themselves • knowledge of ethical standards • sensitivity to the diverse needs for local services within communities 		<ul style="list-style-type: none"> • give a positive representation of the Council, its people and its services • elicit views of others • support and advise local community groups, partnerships and individual citizens in contributing their own resources to the well-being of local communities 	<ul style="list-style-type: none"> • visits to local groups • information on the national agenda with regard to citizen and community engagement • opportunities to engage constructively with Communities First and other constituted groups representing geographical communities and 'communities of interest' 	<p>First 12 months</p>
<p>Relating to officers</p>	<ul style="list-style-type: none"> • knowledge of officer responsibilities and contact points • knowledge of protocols for working with officers • understanding of the need to treat all officers with respect 	<ul style="list-style-type: none"> • communication • assertiveness • influencing skills • diplomacy • interpersonal skills 	<ul style="list-style-type: none"> • build relationships • develop trust • adopt an appropriate personal style • show respect for all officers equally • understand what it is reasonable to ask officers to do 	<ul style="list-style-type: none"> • briefing notes • guidance on protocols • council contact directory in councillors guide • work shadowing • facilitated member-officer forum 	<p>First week of induction</p>

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Working to ethical standards	<ul style="list-style-type: none"> • understanding of Members' Code of Conduct, and the standards of conduct within the ethical framework 	<ul style="list-style-type: none"> • handling information • questioning • applying knowledge learned to appropriate situations 	<ul style="list-style-type: none"> • act as a role model and display a commitment to the stated values of the Council and 10 general principals underpinning all codes of conduct namely: <ul style="list-style-type: none"> ○ selflessness ○ honesty ○ integrity ○ upholding the law ○ stewardship ○ objectivity ○ equality and respect for others ○ openness ○ accountability ○ leadership ○ (perception) new model code 	<ul style="list-style-type: none"> • officer briefings • member handbook • members' Code of Conduct and guidance • ethics and standards induction module 	Basics with signing the Code followed by induction module in the first few weeks
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SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Development Framework for Councillors 2014

All Members - Community Leader	Knowledge required	Role skills	The effective member is able to	Learning Method	Time scale
Community Leadership and Partnerships	<ul style="list-style-type: none"> • understanding of the national agenda with regard to citizen and community engagement • knowledge of role and content of the Community Strategy and community planning system including its contribution to: <ul style="list-style-type: none"> ○ sustainable development and its implications for future generations ○ the health and wellbeing of individuals and communities • knowledge of role and composition of local partnerships such as: <ul style="list-style-type: none"> • Local Service Board [LSB]; Community Strategy; Health Social Care and Wellbeing, Children and Young People • understanding the role of community development in engaging communities 	<ul style="list-style-type: none"> • communication • meeting management • ability to engage with all groups including the traditionally excluded such as young people and minority ethnic groups • influencing persuading 	<ul style="list-style-type: none"> • actively manage contacts • lead by example • support all sectors of the community to help and develop themselves • ensure that the interests of future generations are properly recognised, addressed, and not unduly jeopardised by the actions of present day communities 	<ul style="list-style-type: none"> • briefing/ note on community strategy • information on the national agenda with regard to citizen and community engagement • Welsh Government [WG] library of advice and good practice relating to community strategies • attendance at WG regional/cross sectoral workshops • briefings/seminars on roles and responsibilities of partnerships • briefings/seminars on the connection of local government to improving health and wellbeing • information on community planning and local strategic partnerships 	<p>Overview within Induction as available</p> <p>Additional workshops as needed to introduce new national or local community programmes and community engagement schemes</p>

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				<ul style="list-style-type: none"> opportunities to engage constructively with Communities First and other constituted groups representing geographical communities and 'communities of interest' 	
Liaison with voluntary groups	<ul style="list-style-type: none"> understanding of the culture and workings of the voluntary sector knowledge of voluntary groups relevant to ward issues/council priorities/ special interest 	<ul style="list-style-type: none"> communication meetings networking 	<ul style="list-style-type: none"> demonstrate interest actively manage contacts with support and understanding 	<ul style="list-style-type: none"> voluntary group and 'expert' briefings information from relevant national institutes and other organisations attendance at meetings 	Within first 6 months/year
Liaison with community and town councils	<ul style="list-style-type: none"> understanding of roles and responsibilities of community and town councils 	<ul style="list-style-type: none"> communication meetings networking 	<ul style="list-style-type: none"> as above 	<ul style="list-style-type: none"> briefings from members of community and town councils attendance at meetings community and town councillor induction 	Within first 6 months/year
As a member of an Area Forum/ Committee	<ul style="list-style-type: none"> understand the role and responsibility of Area Fora/ committees including any delegated responsibilities 	<ul style="list-style-type: none"> communication meetings networking 	<ul style="list-style-type: none"> actively listen to the community effectively explain the policies of the Council 	<ul style="list-style-type: none"> briefing from officers on the role of the forum terms of reference and standing orders 	On appointment to Area committee
Lobbying on local issues	<ul style="list-style-type: none"> knowledge relevant to issue including implications for future 	<ul style="list-style-type: none"> consultation 	<ul style="list-style-type: none"> present relevant and well reasoned 	<ul style="list-style-type: none"> media skills training 	Ongoing and as

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	<p>generations as well as current communities</p> <ul style="list-style-type: none"> • knowledge of where and how to lobby/campaign • how to involve local people and groups in lobbying and campaigning 	<ul style="list-style-type: none"> • meeting • organisation • negotiation • media skills • analysis of data trends • campaigning techniques 	<p>arguments</p> <ul style="list-style-type: none"> • approach negotiations to achieve win-win • involve all who will be affected by issue including the representation and protection of the interests of future generations • show strategic awareness - seeing the big picture • hold an explicit and consistent position helping others to understand the position 	<ul style="list-style-type: none"> • guidance from existing members • guidance from officers involved in marketing 	<p>appropriate</p>
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Development Framework for Councillors 2014

All Members - Ward (Electoral Division) Representative	Knowledge required	Role skills	The effective member is able to	Learning Method	Time scale
Holding surgeries	<ul style="list-style-type: none"> • knowledge of contacts for referral • contacts for publicity • general awareness of council policy on common issues – planning etc. • understanding of how standards/Members' Code of Conduct applies in this setting • understanding of authority complaints procedure • awareness of the guidance information needed on hand in this setting • understanding of accessibility issues 	<ul style="list-style-type: none"> • knowledge management • information gathering • communication • assertiveness • conflict management 	<ul style="list-style-type: none"> • identify and use appropriate sources of information • adapt personal style to develop relationships • inform service users and advise of council policy and procedure • make themselves consistently available to all sections of the community 	<ul style="list-style-type: none"> • briefing notes/councillor handbook with contact details and Council policies • workshops as relevant to develop skill elements • observing surgeries (e.g. street surgeries) in action 	<p>Briefing notes/ handbook at induction</p> <p>When identified by Councillors</p>
Casework	<ul style="list-style-type: none"> • understanding circumstances of particular case • understanding of case management techniques 	<ul style="list-style-type: none"> • information gathering/handling/giving • interpersonal skills 	<ul style="list-style-type: none"> • put aside personal viewpoint and take objective stance • make effective 	<ul style="list-style-type: none"> • shadowing experienced member/officer • facilitated case study activities 	<p>Basics on induction</p> <p>On going within first</p>

**SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION
AND DEVELOPMENT FRAMEWORK**

	<ul style="list-style-type: none"> • understanding of extent of personal involvement 	<ul style="list-style-type: none"> • advocacy 	<p>judgements about when to get personally involved, when to advise and when to refer and who to refer to</p>		year
Winning resources for the ward	<ul style="list-style-type: none"> • knowledge of funding sources • understanding of local government finance • knowledge of Welsh Government priorities • understanding of the resourcefulness of local citizens and communities 	<ul style="list-style-type: none"> • networking • negotiation 	<ul style="list-style-type: none"> • display determination and tenacity • be imaginative in identifying sources of funding • submit evidence based bids • work to develop the resourcefulness of local citizens and communities 	<ul style="list-style-type: none"> • Welsh Government [WG] guidance • officer briefings • negotiation skills workshop 	Within first year

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Development Framework for Councillors 2014

All Members - General Responsibilities	Knowledge required	Role skills	The effective member is able to	Learning Method	Time scale
Juggling your life	<ul style="list-style-type: none"> understanding of key personal activities and responsibilities 	<ul style="list-style-type: none"> time management prioritisation delegation stress awareness/manage ment assertiveness flexibility 	<ul style="list-style-type: none"> balance work and home roles, being aware of support packages for childcare etc. recognise and manage his/her own stress take problems seriously but not personally 	<ul style="list-style-type: none"> talk to existing members receive coaching/mentoring from other members/officers if appropriate take part in courses e.g. stress awareness, time management have access to a counselling service 	As required and on-going
Managing information	<ul style="list-style-type: none"> knowledge of sources of information and methods of organising it 	<ul style="list-style-type: none"> researching storing and retrieving information project management ICT 	<ul style="list-style-type: none"> use a range of sources to find the information they need and organise it so that they can find it again 	<ul style="list-style-type: none"> officers to provide information and advice advice and information from the library service mentoring from other members 	As required
Handling data	<ul style="list-style-type: none"> understanding the processes behind data presented such as budget cycle, performance indicators etc. 	<ul style="list-style-type: none"> general literacy general numeracy 	<ul style="list-style-type: none"> retain and recall facts interpret complex data 	<ul style="list-style-type: none"> officer briefings courses on speed reading, data handling/note taking 	Processes on induction Briefings on

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

	<ul style="list-style-type: none"> understanding how data is presented for example financial or performance related statistics 	<ul style="list-style-type: none"> speed reading data interpretation ICT 		<ul style="list-style-type: none"> and mind mapping officer briefings on methods of presenting information Basic Skills Agency courses 	<ul style="list-style-type: none"> induction Courses as required
Using ICT	<ul style="list-style-type: none"> awareness of systems and what a computer can do 	<ul style="list-style-type: none"> word processing email use of the Internet and internal intranet 	<ul style="list-style-type: none"> enthusiastically embrace new technology use ICT to communicate with Council and community (including receiving committee papers) use ICT to find and interpret information e.g. Internet and Intranet 	<ul style="list-style-type: none"> courses from the ICT department on basic computer literacy European Computer Driving Licence 	<ul style="list-style-type: none"> As required Aim for full IT literacy within first 6 months
Expressing yourself	<ul style="list-style-type: none"> knowledge of corporate style of letter/report writing understanding of corporate guidance for interacting with the media understanding of different needs of different audiences 	<ul style="list-style-type: none"> effective self expression basic media skills presentation skills 	<ul style="list-style-type: none"> display self confidence without appearing arrogant express him/herself articulately accept and give feedback 	<ul style="list-style-type: none"> coaching and mentoring from other members courses e.g. presentation skills media skills training externally facilitated 	<ul style="list-style-type: none"> Knowledge of corporate style at induction Personal style - on going as required

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	<ul style="list-style-type: none"> knowing what to say and what not to say in different contexts 		<ul style="list-style-type: none"> actively listen 	<p>observation and feedback</p>	
Working with others	<ul style="list-style-type: none"> knowledge of who to work with understanding of equalities and diversity issues including responsibilities under legislation such as the equalities standard understanding of the roles of officers, members and different agencies understanding of the need for the Council to work collaboratively with citizens and communities if it is to successfully fulfil its functions and achieve its aims 	<ul style="list-style-type: none"> listening team working interpersonal skills 	<ul style="list-style-type: none"> have respect for, show respect for and display a desire to work with different groups and individuals challenge inappropriate (e.g. racist, sexist, homophobic) behaviour in others earn the respect, trust and confidence of citizens, communities and other stakeholders, encouraging them to work with the Council towards the achievement of common goals 	<ul style="list-style-type: none"> officer briefings on partners and equalities awareness equality training workshops member handbook mentor feedback 	<p>Briefings in first induction week</p> <p>Workshops within first year</p> <p>Challenge by colleagues of inappropriate behaviour</p>
Making decisions	<ul style="list-style-type: none"> understanding of corporate responsibilities e.g. corporate parenting planning, licensing etc. understanding of strategic and 	<ul style="list-style-type: none"> information gathering and handling decision making 	<ul style="list-style-type: none"> act with integrity refer decisions to others or take advice when appropriate involve the 'right' 	<ul style="list-style-type: none"> corporate parenting workshop planning workshop licensing workshop 	<p>Overview at induction</p> <p>More detailed briefing/ workshop on corporate responsibilities</p>

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	<p>service contexts including the long-term implications of current day decisions</p> <ul style="list-style-type: none"> • knowledge of pre set procedures for decision making 		<p>people in the process and encourage ownership</p> <ul style="list-style-type: none"> • understand the implications for the whole system, across all of its social, economic and environmental aspects and over the long, as well as shorter, term • ensure that decisions are taken on the basis of the best available evidence and information, including the findings of sound science 	<ul style="list-style-type: none"> • officer briefing and other reading/research • workshop/resource pack on problem solving and decision making 	<p>within first year</p> <p>Information handling and gathering within first year</p>
Participating in council meetings	<ul style="list-style-type: none"> • Members' Code of Conduct • Constitution • ethical standards • rules of debate and process 	<ul style="list-style-type: none"> • information handling • public speaking • listening • grasping opportunities • informed and balanced decision 	<ul style="list-style-type: none"> • prepare fully for debate • hear and understand messages from colleagues • contribute appropriately, clearly and concisely according to meeting protocol, Members' 	<ul style="list-style-type: none"> • briefing by officers and Leader • simulated meetings • observation and feedback from external experienced facilitators • councillor mentor/buddy 	<p>Knowledge and simulated meetings at induction</p> <p>Feedback during first year</p>

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		<ul style="list-style-type: none"> making performance monitoring 	<ul style="list-style-type: none"> Code of Conduct and ethical standards take decisions based on appropriate information 		
Working with outside bodies as a representative of the council	<ul style="list-style-type: none"> understanding of key objectives of both the Council and organisations understand the Council's community leadership role understanding of personal remit, powers and responsibilities understanding of how decisions made impact on the Council and the sustainable well-being of all sections of local communities 	<ul style="list-style-type: none"> meeting skills public speaking meeting management diplomacy advocacy 	<ul style="list-style-type: none"> take account of different organisational priorities and cultural styles and values report back to the Council their actions and decisions influence the decisions and activities of outside bodies to align them with the Council's own intentions and activities and ensure that they contribute to the sustainable well-being of local communities 	<ul style="list-style-type: none"> briefings and briefing notes provided by the local organisation speak to the Monitoring officer about duties, responsibilities and liabilities and the Section 151 officer about budgets reading and research - local media, local archives regular attendance at meetings skills development can be via relevant workshops undertaking peer support work 	On appointment to outside body
Acting as an employer	<ul style="list-style-type: none"> understanding of the role of the member as an employer and personal responsibilities in relation to employees 	<ul style="list-style-type: none"> ability to take part in disciplinary process ability to interact with staff according 	<ul style="list-style-type: none"> treat all colleagues with respect help ensure that the Council, as a large 	<ul style="list-style-type: none"> officer briefing member handbook 	At induction

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	<ul style="list-style-type: none"> understanding of the impacts that the Council, has on the local economy, society and environment 	<p>to equalities legislation and employment law</p>	<p>and prominent organisation, as much as in its service delivery, acts as an exemplar and demonstrates good 'global citizenship' by always acting in ways that support & contribute to sustainable development</p>		
Selection panel for appointments	<ul style="list-style-type: none"> legislation and guidance on selection 	<ul style="list-style-type: none"> interviewing skills 	<ul style="list-style-type: none"> undertake thorough preparation engage with the process show a positive and equal attitude towards candidates show integrity and fairness in decision making present an evidence based case to fellow panel members 	<ul style="list-style-type: none"> course/workshop on recruitment and selection/interviewing skills officer briefing on legislation, policies and procedures regarding selection 	On appointment to selection panel
Working within health and safety	<ul style="list-style-type: none"> understanding of responsibilities for health and safety as an employer and an 	<ul style="list-style-type: none"> ability to assess health and safety risk 	<ul style="list-style-type: none"> take relevant health and safety legislation into account when 	<ul style="list-style-type: none"> officer briefing member handbook 	At induction

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regulations	individual	<ul style="list-style-type: none"> • manual handling 	undertaking all aspects of work		
Undertaking continuing member development activities	<ul style="list-style-type: none"> • understanding of the need for councillors to continually develop their skills and knowledge • knowledge of available development opportunities 	<ul style="list-style-type: none"> • ability to assess personal strengths and areas for development • ability to seek guidance and feedback on performance 	<ul style="list-style-type: none"> • actively take part in the development needs analysis and/or personal development review opportunities provided by authority • participate in appropriate development activities as they appear 	<ul style="list-style-type: none"> • officer briefings on available development activities • personal development review process • mentoring scheme • training needs analysis 	Throughout period of office

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Development Framework for Councillors 2014

As a party/group representative (if applicable)	Knowledge required	Role skills	The effective member is able to	Learning Method	Time scale
Presenting party/group policy	<ul style="list-style-type: none"> awareness of national and local party manifesto or policies of local group 	<ul style="list-style-type: none"> operating in a political environment public speaking/ presentation skills influencing skills 	<ul style="list-style-type: none"> operate within party political parameters understand and respect party/group discipline and process 	<ul style="list-style-type: none"> attendance at group and other relevant party meetings presentation skills/public speaking training 	At first group meeting and ongoing
Working as a party/group member	<ul style="list-style-type: none"> knowledge of party rules and constituency party structure knowledge of local party contacts 	<ul style="list-style-type: none"> team working networking 	<ul style="list-style-type: none"> act according to party/group rules share learning and information with other group members contribute to party policy development providing feedback on the potential impacts of policy proposals on a local level, and promoting and representing the interests of future generations as well as current constituents 	<ul style="list-style-type: none"> briefing by group leader attendance at group and other relevant party meetings workshops to develop team-working skills 	At first group meeting and ongoing When identified

**SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION
AND DEVELOPMENT FRAMEWORK**

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section C Member of Scrutiny Committee Role Description

1 Accountabilities

- To the Chair of the appropriate Scrutiny Committee
- To Full Council
- To the public

2 Role purpose & activity

- To participate fully in the activities of the Scrutiny Committee, the development and delivery of its work programme and any associated task and finish groups
- **Reviewing and developing policy**
 - To assist in the creation, development, improvement and refinement of Council policy
 - To challenge policies on a sound basis of evidence for example against legislation or local political priority
 - To assess impact of existing policy
- **Holding the Cabinet to account, monitoring performance and service delivery**
 - To monitor the performance of internal and external providers against standards and targets including questioning of Cabinet and senior officers over time
 - To contribute to the identification and mitigation of risk
 - To investigate and address the causes of poor performance
 - To evaluate the validity of Cabinet decisions and challenging decisions through call-in where appropriate
- **Promoting the work of Scrutiny**
 - To promote the role of scrutiny within and outside the Council, developing effective internal and external relationships
 - To demonstrate an objective and evidence based approach to scrutiny
 - To add value to the decision making and service provision of the authority through effective scrutiny
- **Community leadership**
 - To use scrutiny as a means to address community issues and engage the public
 - To encourage stakeholders to participate in the work of the authority
 - To develop locally viable and acceptable policy solutions
 - To build a dialogue around priorities, objectives and performance, among communities and stakeholders
- **Meeting participation**
 - To make adequate and appropriate preparation for meetings through research and briefings

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- To participate in a proactive, informed and effective manner taking account of the Members' Code of Conduct, Constitution and other constitutional requirements

3. Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

Scrutiny Member Person Specification

To fulfil his or her role as laid out in the role description, an effective scrutiny member requires:

Participating fully in the activities of the scrutiny function

- Full understanding of the scrutiny remit and role, and terms of reference for their own committee and others
- Understanding of member support functions
- Willingness to work within the guidance of the Chair
- Willingness to undertake training as necessary

Reviewing and developing policy

- Knowledge of and ability to evaluate existing policy
- Understanding of best practice
- Understanding of national and local legislative and policy context

Monitoring performance and service delivery and holding the Cabinet to account

- Understanding of the Wales Programme for Improvement (WPI) and associated risk assessment arrangements
- Understanding of the principles and practice of performance management
- Understanding of Council's performance management arrangements
- Ability to analyse data and challenge performance
- Understanding of arrangements for call-in

Promoting the work of scrutiny

- Ability to negotiate and build consensus
- Ability to act objectively and on the basis of evidence

Community leadership

- An understanding of the community leadership role
- Knowledge of local issues and expectations

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- Ability to work effectively with all members of the community and build understanding and ownership of scrutiny
- Knowledge of the individuals and organisations in the community especially those traditionally excluded

Meeting participation

- Ability to interpret information and data from a range of sources
- Understanding and application of meeting protocols, Members' Code of Conduct, Constitution and other constitutional requirements
- Ability to participate in meetings including effective listening, questioning and speaking

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Development Framework for Councillors 2014

Scrutiny Member	Knowledge required	Role skills	The effective scrutiny member is able to	Learning Method	Time scale
Holding the Cabinet to account	<ul style="list-style-type: none"> • full understanding of scrutiny remit and roles • understanding of Cabinet function and work plan • understanding of protocols to call-in decisions 	<ul style="list-style-type: none"> • information management • performance review • assertiveness • meetings management/ participation 	<ul style="list-style-type: none"> • challenge decisions made when appropriate • ensure objectivity and fairness and avoid party political bias • function as team member 	<ul style="list-style-type: none"> • briefings by officers closely involved in the scrutiny function • scrutiny team development workshops with external facilitator 	<p>Role briefing on appointment to scrutiny</p> <p>Team development within first 6 months</p>
Reviewing and developing policy	<ul style="list-style-type: none"> • knowledge of existing policy • understanding of best practice • understanding of wider and national policy contexts, including trends and potential developments in social, economic and environmental contexts that may have longer-term implications for the sustainable well-being of local communities • understanding of budgets 	<ul style="list-style-type: none"> • questioning of “witnesses” • interpersonal skills • non verbal communication • interpreting facts and data • ability to handle complex facts and figures • project management 	<ul style="list-style-type: none"> • challenge policies and working practices • develop locally viable policy solutions that are properly ‘future proofed ‘ and do not produce undesirable side-effects in the wider contexts on which local well-being depends • help external stakeholders to develop their role 	<ul style="list-style-type: none"> • officer and ‘expert’ briefings • information from relevant organisations 	As required at outset of review
Scrutiny in a particular	<ul style="list-style-type: none"> • understanding of area of responsibility and how it 		<ul style="list-style-type: none"> • challenge policies and practices on a sound 	<ul style="list-style-type: none"> • officer and ‘expert’ briefings 	As required

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<p>area/theme</p>	<p>affects and is affected by other policy themes and areas</p> <ul style="list-style-type: none"> • understanding of the issues under review whether internal or external 	<ul style="list-style-type: none"> • questioning • monitoring and challenging 	<p>basis of evidence</p> <ul style="list-style-type: none"> • be open to the views of witnesses • ensure that the service/policy/plan where appropriate contributes to SD and/or maximises the positive impact on health and wellbeing 	<ul style="list-style-type: none"> • information from relevant organisations • seminars on health impact assessments 	
<p>Performance management and improvement</p>	<ul style="list-style-type: none"> • understanding of the Wales Programme for Improvement • understanding of performance management including strategic partnership performance management • understanding of risk management, principles and processes, and the relationship between risk management at the organisation level and the Council's core responsibility to ensure and enhance sustainable wellbeing • understanding the health impact assessment process 		<ul style="list-style-type: none"> • see the big picture • use a range of information to evaluate performance • focus on outcomes and impacts, over the long, as well as shorter, term • promote change and new ways of working, challenging 'business as usual' where it is not effective and sustainable • communicate performance priorities and results to 	<ul style="list-style-type: none"> • officer briefings • seminar/ workshop on performance management/ risk management, including strategic partnership performance management 	<p>As required by review timetable</p> <p>Ongoing programme of briefings and discussions to culminate in development of performance and improvement plans</p>

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	<ul style="list-style-type: none"> understanding of the councils own priorities and imperatives 		<p>communities and stakeholders</p>		
Scrutiny of External Bodies	<ul style="list-style-type: none"> knowledge of services delivered by external bodies understanding of the role of scrutiny in relation to this 		<ul style="list-style-type: none"> operate effectively and sensitively in a range of different contexts and settings influence the plans, strategies and activities of outside bodies to ensure that they do not jeopardise the sustainable well-being of communities, and where appropriate, that they align with, contribute to, and draw on, the Council's own plans, strategies and activities to enhance that well-being 	<ul style="list-style-type: none"> Centre for Public [CFPS] website Welsh Local Government Association [WLGA] guides 	On appointment to external bodies

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Section D Member of a Regulatory Committee Role Description

1 Accountabilities

- To Full Council
- To the Chair of the Regulatory Committee
- To the public

2 Role purpose and activity

- **Understanding the nature of the regulatory committee and quasi-judicial decision making**
 - To be aware of the quasi-judicial nature of Regulatory Committee decision making
 - To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee
 - To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and individual cases/applications before the committee
- **Participating in meetings and making decisions**
 - To participate effectively in meetings of the Regulatory Committee, ensuring that both local considerations and policy recommendations are balanced to contribute to effective decision making
 - To make informed and balanced decisions, within the terms of reference of the Committee, which accord with legal, constitutional and policy requirements
- **Internal governance, ethical standards and relationships**
 - To ensure the integrity of the Committee's decision making and of his/ her own role by adhering to the Members' Code of Conduct and other constitutional and legal requirements
 - To promote and support good governance by the Council
 - To understand the respective roles of members, officers and external parties operating within the Regulatory Committee's area of responsibility
 - To participate in statutory/mandatory training in order to be able to participate in the Regulatory Committee meetings

3 Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Regulatory Committee Member Person Specification

To fulfil his or her role as laid out in the role/job description, an effective member of a Regulatory Committee requires the following:

Understanding the nature of the Regulatory Committee and quasi-judicial decision making

- Integrity and the ability to set aside own views and act impartially
- Knowledge of law, policy and procedures for that regulatory/quasi-judicial area
- Maintenance of knowledge
- Objectivity and judgement

Participating in meetings and making decisions

- Ability to listen, and to consider and respect the views of other contributors
- Good public speaking skills
- Good advocacy skills

Internal governance, ethical standards and relationships

- Knowledge and understanding of the Members' Code of Conduct and protocols
- Knowledge of and a commitment to the values of the Council

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Development Framework for Councillors 2014

As a member of a regulatory committee	Knowledge required	Role skills	The effective member is able to	Learning Method	Time scale
Member of a Planning Committee	<ul style="list-style-type: none"> • knowledge of the framework of the planning system in Wales and guidance and policy • understanding of the role of the Welsh Government [WG] and National Assembly for Wales • understanding of the role of the Local Authority • understanding of planning law • detailed understanding of the role of the member on the planning committee in detail as set out in the authority's role description • in depth understanding of the local code of conduct application of the code within planning or planning code where it exists • understanding of the development planning process 	<ul style="list-style-type: none"> • ability to work within national guidance • ability to work within the Members' Code of Conduct and any planning codes • ability to make decisions objectively based on the full range of information available • persuasion • articulating local views only when undertaking "local member" role 	<ul style="list-style-type: none"> • use a range of legal and other information to make decisions • maintain awareness of guidance and policy available and take advice from officers on interpretation of national guidance • work transparently and consistently within the Members' Code of Conduct 	<ul style="list-style-type: none"> • comprehensive programme of training/induction for planning members before acting on the committee • regular officer briefings and guidance • circulation and briefings on guidance Technical Advice Notes [TANs] etc. as they are issued • guided reading • supportive challenge from peers, officers and mentors following inappropriate behaviour • feedback on performance as part of the review and development process 	<p>Induction/overview required on taking up a position on the planning committee</p> <p>Ongoing briefings through-out term of office</p>

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	<p>and Local Development Plan [LDP]</p> <ul style="list-style-type: none"> • understanding of development management including the law relating to planning permission • sustainable development • affordable housing • environmental considerations • Health Impact Assessment • securing accessible, quality design • understanding of local issues to be determined within each local planning authority • engaging the public 				
<p>Member of a Licensing Committee</p>	<ul style="list-style-type: none"> • licensing regulations • knowledge of local and national licensing policy • basic understanding of case law • knowledge and understanding of community plans and crime 	<ul style="list-style-type: none"> • decision making • questioning of “witnesses” • interpersonal skills • non verbal communications 	<ul style="list-style-type: none"> • use a range of information to make decisions • understand the cumulative impact of new applications for licensed premises 	<ul style="list-style-type: none"> • comprehensive programme of training/induction for licensing members before acting on the committee • regular officer briefings and guidance • advanced workshop 	<p>Induction/overview required on taking up a position on the licensing committee</p> <p>Ongoing briefings</p>

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	and disorder strategies				through-out term of office
Member of a Rights of Way Committee	<ul style="list-style-type: none"> • understanding rights of way law • understanding of the role of the Welsh Government and National Assembly for Wales • understanding of the role of the Local Authority • engaging the public 	<ul style="list-style-type: none"> • ability to work within national guidance • ability to make decisions objectively based on the full range of information available • questioning of “witnesses” • interpersonal skills • non verbal communications 	<ul style="list-style-type: none"> • use a range of legal and other information to make decisions • maintain awareness of guidance and policy available and take advice from officers on interpretation of national guidance 	<ul style="list-style-type: none"> • comprehensive programme of training/induction for rights of way members before acting on the committee • regular officer briefings and guidance 	<p>Induction/overview required on taking up a position on the rights of way committee</p> <p>Ongoing briefings through-out term of office</p>
Member of an Employment Committee	<ul style="list-style-type: none"> • understanding employment law • basic understanding of case law • understanding of Human Resources [HR] policies and procedures 	<ul style="list-style-type: none"> • ability to work within national guidance • ability to make decisions objectively based on the full range of information available • adjudication • working with 	<ul style="list-style-type: none"> • use a range of legal and other information to make decisions • maintain awareness of guidance and policy available and take advice from officers on interpretation of national guidance 	<ul style="list-style-type: none"> • comprehensive programme of training/induction for employment members before acting on the committee • regular officer briefings and guidance 	<p>Induction/overview required on taking up a position on the employment committee</p> <p>Ongoing briefings through-out term of office</p>

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		<p>officers</p> <ul style="list-style-type: none"> questioning of “witnesses” interpersonal skills non verbal communications ability to handle complex facts and figures 			
<p>Member of a Pensions and Investment Committee</p>	<ul style="list-style-type: none"> understanding of the role of the committee and the quasi-trustee role of its Members basic understanding of the Local Government Pension Scheme basic understanding of the role of the Section 151 Officer; Investment Adviser; Actuary; Investment Managers; The Custodian; The Investment Measurement Service basic understanding the relationship between the Pension Fund’s assets and liabilities 	<ul style="list-style-type: none"> ability to work within national guidance ability to make decisions objectively based on the full range of information available questioning of “witnesses” interpersonal skills 	<ul style="list-style-type: none"> use a range of legal and other information to make decisions maintain awareness of guidance and policy available and take advice from officers on interpretation of national guidance 	<ul style="list-style-type: none"> comprehensive programme of training/induction for pensions and investment members before acting on the committee regular officer briefings and guidance 	<p>Induction/overview required on taking up a position on the pensions and investment committee</p> <p>Ongoing briefings through-out term of office</p>

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

	<ul style="list-style-type: none">• basic understanding of the investments of the Pension Fund and the use of benchmarks to measure performance				
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**SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION
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Section E Member of an Audit Committee Role Description

1 Accountabilities

- To the Chair of the Audit Committee
- To Full Council
- To the public

2 Role purpose and activity

- **Understanding the role of the Audit Committee and undertaking its functions:**

Risk and Control

- Ensure the risk management strategy guides the programme of internal and external work, to address the controls and risk related issues identified
- Oversee the production of the annual governance statement, recommend its adoption by the County Council and ensure appropriate action is taken to address the issues raised

Internal Audit

- To consider and approve the annual audit opinion on internal control and the level of assurance given to the corporate governance arrangements
- Approve the annual audit plan, ensuring there is sufficient and appropriate coverage, with a strong emphasis on risk management and resources are available to implement the plan
- Receive and review internal audit reports and ensure officers respond promptly to the findings. Where necessary, recommendations to other committees and portfolio holders will be made to ensure action plans are implemented

External Audit

- Consider and approve the annual letter, regulatory plan and specific reports as agreed
- Where necessary, ensure action is taken by officers to address those issues raised, and if necessary recommendations to other committees and portfolio holders will be made to address findings and deliver clear conclusions
- Comment on the scope and depth of the external audit work, to ensure it gives value for money

Other

- Assess and approve the annual statement of accounts, external audit opinion and management representation in relation to annual audit findings
- Promote effective relationships between external and internal audit, Inspection agencies and other relevant bodies to ensure the value of audit and inspection is enhanced and actively promoted
- Regularly monitor treasury management performance

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- **Participating in meetings and making decisions**
 - To participate effectively in meetings of the Audit Committee; questioning and seeking clarification on matters falling within the committee's remit
 - To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements
 - To participate in working groups

- **Internal governance, ethical standards and relationships**
 - Understanding the financial risks associated with corporate governance; being satisfied that the authority's assurance statements including the annual governance statement reflects the risk environment and any activities required to improve it
 - To ensure the integrity of the committee's decision making and of his/ her own role by adhering to the Code of Conduct and other constitutional and legal requirements
 - To promote and support good governance by the Council
 - To understand the respective roles of members, officers and external parties operating within the Audit Committee's area of responsibility

3 Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

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Development Framework for Councillors 2014

As a member of a regulatory committee	Knowledge required	Role skills	The effective member is able to	Learning Method	Time scale
Member of an Audit Committee	<ul style="list-style-type: none"> • knowledge of the Council's Constitution • understanding of audit process • finance 	<ul style="list-style-type: none"> • challenging • monitoring 	<ul style="list-style-type: none"> • effectively co-ordinate internal and external audit activity and monitors the implementation of recommendations 	<ul style="list-style-type: none"> • comprehensive programme of training/induction for audit members before acting on the committee • regular officer briefings and guidance • advanced workshop 	<p>Induction/overview required on taking up a position on the Audit Committee</p> <p>Ongoing briefings throughout term of office</p>

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Member of a Standards Committee Role Description

1 Accountabilities

- To the Chair of the Standards Committee
- To Full Council
- To the public

2 Role purpose and activity

- **Understanding the nature of the Standards Committee and effectively fulfilling its functions by:**
 - promoting and maintaining high standards of conduct by councillors and co-opted members
 - assisting the councillors and co-opted members to observe the Members' Code of Conduct
 - advising the Council on the adoption or revision of the Members' Code of Conduct
 - monitoring the operation of the Members' Code of Conduct
 - advising on training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct
 - granting dispensations to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct
 - dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales
 - overseeing the operation of the Council's whistle-blowing policy
 - providing advice to individual councillors on such issues as the treatment of personal interest and on conduct matters generally
 - determining appropriate action on matters referred to it by the Public Services Ombudsman for Wales
 - overseeing the Register of Members' Interests, Co-opted Members and Officers
 - overseeing the Council's rules and protocols on accountability of members
 - overseeing the attendance of Members and Co-opted Members at relevant committees
 - overseeing the training of Members serving on all committees of the Council
- To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the committee
- To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the committee
- **Participating in meetings and making decisions**
 - To participate effectively in meetings of the Standards Committee

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- To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements
- **Internal governance, ethical standards and relationships**
 - To ensure the integrity of the committee's decision making and of his/her own role by adhering to the Members' Code of Conduct and other constitutional and legal requirements
 - To promote and support good governance by the Council
 - To understand the respective roles of members, officers and external parties operating within the Standards Committee's area of responsibility

3 Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Impartiality

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As a member of a regulatory committee	Knowledge required	Role skills	The effective member is able to	Learning Method	Time scale
Member of a Standards Committee	<ul style="list-style-type: none"> thorough knowledge and understanding of the Members' Code of Conduct in relation to the Council and community and town councils 	<ul style="list-style-type: none"> adjudication working with officers advising others monitoring and review questioning of "witnesses" interpersonal skills communications 	<ul style="list-style-type: none"> use a range of information to make decisions monitor and challenge fellow members in considering breaches in the Members' Code of Conduct work effectively with the monitoring officer 	<ul style="list-style-type: none"> comprehensive programme of training/induction for standards members before acting on the committee regular officer briefings and guidance advanced workshop 	<p>Induction/overview required on taking up a position on the Standards Committee</p> <p>Ongoing briefings through-out term of office</p>

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Member of a Standards Community Sub-Committee Role Description

1 Accountabilities

- To the Chair of the Standards Community Sub-Committee
- To Full Council
- To the public

2 Role purpose and activity

- **Understanding the nature of the Standards Community Sub-Committee and effectively fulfilling its functions by:**

In relation to town and community councils in Powys and members of those councils:

- promoting and maintaining high standards of conduct by councillors and community youth representatives
 - assisting the councillors and community youth representatives to observe the Members' Code of Conduct
 - advising the Council on the adoption or revision of the Members' Code of Conduct
 - monitoring the operation of the Members' Code of Conduct
 - advising, training or arranging to train councillors and community youth representatives on matters relating to the Members' Code of Conduct
 - granting dispensations to councillors and community youth representatives from requirements relating to interests set out in the Members' Code of Conduct
 - dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales
 - To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the Sub-Committee
 - To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the Sub-Committee
- **Participating in meetings and making decisions**
 - To participate effectively in meetings of the Sub-Committee
 - To make informed and balanced decisions, within the terms of reference of the Sub-Committee, which accord with legal, constitutional and policy requirements
 - **Internal governance, ethical standards and relationships**
 - To ensure the integrity of the Sub-Committee's decision making and of his/her own role by adhering to the Members' Code of Conduct and other constitutional and legal requirements
 - To promote and support good governance by the Council

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- To understand the respective roles of members, officers and external parties operating within the Sub-Committee's area of responsibility

3 Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Impartiality

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section H

Member of a Democratic Services Committee Role Description

1 Accountabilities

- To the Chair of the Democratic Services Committee
- To Full Council
- To the public

2 Role purpose and activity

- **Understanding the nature of the Democratic Services Committee:**
 - To be aware of and effectively undertake the role of the committee in:
 - Designating the Head of Democratic Services following advice from the Chief Executive
 - Keeping under review the provision of staff, accommodation and other resources to discharge the democratic functions, ensuring that these are adequate
 - Making annual reports to the Full Council in relation to the above
 - Appointing working groups and chairs of working groups to undertake functions delegated by the committee
 - Considering reports prepared by the Head of Democratic Services
 - Developing the Authority's member support and development strategy
 - Ensuring that members have access to a reasonable level of training and development as described in the member development strategy and the Wales Charter for Member Support and Development
 - Ensuring that the budget for member development is sufficient
 - Ensuring that members have access to personal development planning and annual personal development reviews
 - Reviewing committee structures
 - Revisions of the Constitution
 - To have sufficient technical, legal and procedural knowledge to contribute fairly and correctly to the function of the Committee
 - To be thorough and objective in receiving and responding to professional advice in the conduct of meetings and issues before the Committee
- **Participating in meetings and making decisions**
 - To participate effectively in meetings of the Democratic Services Committee
 - To make informed and balanced decisions, within the terms of reference of the committee, which accord with legal, constitutional and policy requirements and Ministerial guidance

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

- **Internal governance, ethical standards and relationships**
 - To ensure the integrity of the committee's decision making and of his/her own role by adhering to the Members' Code of Conduct and other constitutional and legal requirements
 - To promote and support good governance by the Council
 - To understand the respective roles of members, officers and external parties operating within the Democratic Services Committee's area of responsibility

3 Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section I Cabinet Member Role Description

1 Accountabilities

- To the Leader
- To the Cabinet (through collective responsibility)
- To Full Council
- To Political Group
- To the public through collective responsibility

2 Role Purpose and Activities

- **Providing portfolio leadership**
 - To give strategic and political direction to officers working within the portfolio
 - To gain the respect of officers within the portfolio; provide support to officers in the implementation of portfolio programmes
 - To provide leadership in the portfolio
 - To liaise with the appropriate scrutiny chair and receive scrutiny reports as required
 - To be accountable for choices and performance in the portfolio
 - To have an overview of the performance management, efficiency and effectiveness of the portfolio
 - To make Cabinet decisions within the portfolio*, which are recorded in accordance with the Constitution

* This only applies under constitutional arrangements where individual Cabinet members or combinations of Cabinet members are given individual responsibility for making decisions on behalf of the Cabinet.

- **Contributing to the setting of the strategic agenda and work programme for the portfolio**
 - To direct the strategic agenda and work programme with reference to the Council's overall Corporate Improvement Plan
 - To work with officers to formulate policy documents both strategic and statutory. Ensure that the political will of the majority is carried to and through the Cabinet
 - To provide assistance in working up and carrying through a strategic work programme both political and statutory. Carry out consultations with stakeholders as required. Make sure that the portfolio's forward work programme is kept up to date and accurate
- **Providing representation for the portfolio**
 - To provide a strong, competent and persuasive figure to represent the portfolio. Be a figurehead in meetings with stakeholders
- **Reporting and accounting**
 - To report to the Leader, Full Council, Cabinet, chair of scrutiny, regulatory bodies and the media

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

- To be the principal political spokesperson for the portfolio
- To appear before scrutiny committees in respect of matters within the portfolio

- **Taking an active part in Cabinet meetings and decision making**
 - To contribute to decisions based on others' portfolios and take part in collective decision making
 - To show an interest in and support for the portfolios of others
 - To recognise and contribute to issues which cut across portfolios or are issues of collective responsibility

- **Leading partnerships and community leadership**
 - To give leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities
 - To negotiate and broker in cases of differing priorities and disagreement
 - To act as a leader of the local community by showing vision and foresight
 - To take decisions under delegated authority at partnership meetings

- **Internal governance, ethical standards and relationships**
 - To promote and support good governance of the Council and its affairs
 - To provide community leadership and promote active citizenship
 - To promote and support open and transparent government
 - To support, and adhere to respectful, appropriate and effective relationships with employees of the Council
 - To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office

3 Values

- To be committed to the values of the Council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability
 - Inclusive leadership

Cabinet Member Person Specification

To fulfil his or her role as laid out in the role description, an effective Cabinet Member requires:

Portfolio leadership

- An understanding of the Council's strategy, policies and operations
- Leadership skills

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Contributing to the setting of the strategic agenda and work programme for the portfolio

- The ability to quickly develop an understanding of the allocated portfolio and to develop a broad understanding of other portfolios
- The ability to present to others
- The ability to exercise strategic awareness and judgement
- Knowledge of relevant issues and who to involve in decision making
- The ability to persuade others
- Knowledge of Council and national objectives

Providing representation for the Portfolio

- Public speaking skills
- Good presentation skills

Reporting

- High level communication skills

Taking an active part in Cabinet meetings and decisions

- The ability to constructively challenge decisions and suggest alternatives
- The knowledge, confidence and ability to contribute to discussion and resolution of cross cutting and collective issues

Leading partnerships and community leadership

- Adaptive leadership skills
- Negotiation and brokerage skills
- Creative and lateral thinking skills; the ability to see ahead and be predictive

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Members' Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Development Framework for Councillors 2014

Cabinet Member	Knowledge required	Role skills	The effective Cabinet member is able to	Learning method	Time scale
Role of the Cabinet Member	<ul style="list-style-type: none"> • understanding of the role as an individual as set out in the authority's role description and the wider role of the Cabinet team • understanding of non-Cabinet team roles • understanding of Council strategy/policies and operations • understanding of how role fits with that of the corporate team 	<ul style="list-style-type: none"> • leadership skills • generic management • communication • ability to function within officer and member top teams • ability to function strategically 	<ul style="list-style-type: none"> • lead by example • motivate others towards an agreed goal • accept responsibility willingly • act decisively in appropriate situations • accept and embrace change • avoid getting bogged down in minor or operational issues • think creatively and 'outside the box' • exercise strategic awareness and judgement • recognise and respect the contribution made by non-Cabinet teams 	<ul style="list-style-type: none"> • within Cabinet meetings • support from Cabinet Leader • Leadership Academy • coaching and mentoring • Cabinet development externally facilitated by means of workshops jointly with officers 	<p>Introduction on appointment to Cabinet</p> <p>Personal support ongoing</p> <p>Team development first year</p>

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<p>Decision making</p>	<ul style="list-style-type: none"> • knowledge relevant to issue 	<ul style="list-style-type: none"> • decision making skills • advanced information handling skills 	<ul style="list-style-type: none"> • identify and access a range of information and evidence on which to base decisions <ul style="list-style-type: none"> - including connections with conditions and current and predicted trends in the wider world - and their implications for future generations as well as current communities • distinguish between major and minor issues • think creatively • act with integrity • refer decisions to others or take advice when appropriate • involve the 'right' people in the process and encourage ownership • understand and address the 	<ul style="list-style-type: none"> • mentoring and support from Cabinet Leader and senior officers 	<p>On appointment to Cabinet and as required</p>
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			<p>implications for the whole system across all of its social, economic and environmental aspects and over the long, as well as shorter, term</p> <ul style="list-style-type: none"> • manage expectations 		
<p>Developing a strategic vision for the local area and its communities</p>	<ul style="list-style-type: none"> • knowledge of the key strategic issues and themes for the local area and the needs for improvement • understanding of the diversity within the community, and the full range of strengths, perspectives, aspirations, resources and needs associated with it • knowledge of the broader local strategic partnership agenda and the need for close collaborative working • understanding of the connections between the well-being of local communities and conditions and trends in the wider social, economic and environmental contexts 	<ul style="list-style-type: none"> • strategic vision • alliance building • communication and engagement skills 	<ul style="list-style-type: none"> • combine a clear and succinct vision with pragmatism • understand the perspectives of other strategic partners • gain the support of others to achieve the vision • recognise and address both the opportunities that are available to achieve the vision and the things that threaten it • recognise and celebrate success • demonstrate a 	<ul style="list-style-type: none"> • written information and seminar from planning officers and local strategic plan coordinators • joint information /seminars/training with key strategic partners • information/module on sustainable wellbeing and the wider social, economic and environmental context • use of Exploring Sustainable Wellbeing Toolkit • development of networks 	

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	<ul style="list-style-type: none"> • understanding the need for sustainability • understanding of Community Planning and the need for a wide vision not confined only to Local Authority services • perspectives, ambitions and 'must do' targets of strategic partners, including the Third sector • the advantages of joint and cross-agenda working – resource efficient, 'joined up' service to the service user etc. • sustainable joint service provision opportunities 		<p>commitment to equality, diversity and the well-being of future generations</p>		
Communicating decisions	<ul style="list-style-type: none"> • knowledge relevant to issue • understanding of the perspectives of communities and other internal and external stakeholder groups • communicate effectively and frequently with officers within portfolio especially service managers • communicate effectively and 	<ul style="list-style-type: none"> • communication in a variety of formats • media skills 	<ul style="list-style-type: none"> • maintain two-way contact with all stakeholders • communicate reasons for decisions • build acceptance of the legitimacy of decisions, even amongst those who might disagree with them 	<ul style="list-style-type: none"> • officer briefings and reading on issues 	As required

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	frequently with appropriate officers, other committees and portfolio members and service users as appropriate		<ul style="list-style-type: none"> • earn the support of communities and other stakeholders in implementing the decisions • recognise and address both the opportunities that are available to achieve the vision and the things that threaten it 		
Portfolio responsibilities	<ul style="list-style-type: none"> • understanding of the national policy framework for the portfolio area and links to national and local strategic policy • knowledge of the law • understanding of resource issues • knowledge of local priorities across all portfolios • understanding the connections between all of the above and current and predicted trends in the wider world, together with their implications for future generations as well as current 	<ul style="list-style-type: none"> • collaboration • research 	<ul style="list-style-type: none"> • communicate effectively and frequently with appropriate officers, other committees and portfolio members and service users as appropriate • ‘future proof’ decisions and delivery programmes within the portfolio, and work with colleagues to ensure that all the portfolios work together in consistent and coherent ways 	<ul style="list-style-type: none"> • officer briefings • reading/resource packs • meetings with stakeholders • policy area briefings from Welsh Local Government Association [WLGA] 	Intense induction to portfolio on appointment

**SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION
AND DEVELOPMENT FRAMEWORK**

	communities				
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SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section J

Chair, Vice-Chair and Assistant Vice-Chair of the Council Role Description

Chair

1. Accountabilities

- Full Council
- To the public

2. Role Purpose and Activity

- **Acting as a symbol of the Council's democratic authority**
 - As the ceremonial head of the Council, to be non-political and uphold the democratic values of the Council
 - To represent the Council at civic and ceremonial functions
- **Chairing Council meetings**
 - To preside over meetings of the Council, so that its business can be carried out efficiently
 - To ensure the Council conducts its meetings in line with the Council's Constitution
- **Upholding and promoting the Council's Constitution**
 - To ensure the Constitution is adhered to and, if necessary, to rule on the interpretation of the Constitution
- **Internal governance, ethical standards and relationships**
 - To promote and support good governance of the Council and its affairs
 - To provide community leadership and promote active citizenship
 - To promote and support open and transparent government
 - To support, and adhere to respectful, appropriate and effective relationships with employees of the Council
 - To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office
 - To promote and support the well being of Members
 - To promote effective communication between and provision of information to Members
- **Work programming**
 - To prepare and manage an annual work programme for the Council to meet its legal obligations (e.g. setting the budget and the Council Tax and making appointments)

3. Values

- To be committed to the values of the Council and the following values in public office:
 - Openness and transparency

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- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

Vice-Chair

- **To fulfil the duties of the Chair in his or her absence**
- **To assist the Chair in specific duties as required**

Assistant-Vice Chair

- **To fulfil the duties of the Chair or Vice-Chair in his or her absence**
- **To assist the Chair or Vice-Chair in specific duties as required**

Chair, Vice-Chair and Assistant Vice-Chair of the Council Person Specification

To fulfil his or her role as laid out in the role description, an effective member requires the following:

Acting as a symbol of the Council's democratic authority

- Good public speaking skills
- An in-depth understanding of role of Chair

Chairing Council meetings

- Skills to chair meetings, to ensure business is carried out effectively and all those attending participate
- An understanding of the Council's Constitution

Upholding and promoting the Council's Constitution

- An understanding of the Council's Constitution
- An understanding of when to seek the advice of the Monitoring Officer on issues relating to the Constitution

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Members' Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

Work programming

- The ability and discipline to plan and manage work programmes

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Development Framework for Councillors 2014

As a Chair/ Vice Chair/ Assistant Vice Chair of Council	Knowledge required	Role skills	The effective chair is able to	Learning Method	Time scale
Provide leadership and direction	<ul style="list-style-type: none"> • an in depth understanding of the role of the Council • in depth understanding of own role as chair • understand the role of member support officers 	<ul style="list-style-type: none"> • leadership • people management • team building 	<ul style="list-style-type: none"> • provide confident management of the member team 	<ul style="list-style-type: none"> • Leadership Academy • coaching and mentoring • support group with other chairs • chairing skills seminar 	On appointment
Oversee work programme	<ul style="list-style-type: none"> • understand Council priorities • understand work planning procedure • understand role and priorities of other committees 	<ul style="list-style-type: none"> • project management • planning 	<ul style="list-style-type: none"> • encourage proactivity and independent thought tempered with collaboration with officers and other committees • manage projects to support prioritisation and review 	<ul style="list-style-type: none"> • liaison with officers to define work programme • project management workshop 	Within planning cycle When need identified
Provide effective meeting management	<ul style="list-style-type: none"> • understand meeting protocols • in depth knowledge of the Members' Code of Conduct 	<ul style="list-style-type: none"> • meeting skills • facilitation • public speaking • mediation 	<ul style="list-style-type: none"> • ensure that meetings progress effectively • ensure that the necessary preparation is done beforehand 	<ul style="list-style-type: none"> • meeting skills seminar • observation, feedback/coaching by external facilitator 	On appointment and as required

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		<ul style="list-style-type: none"> personal skills non verbal communication questioning listening 	<ul style="list-style-type: none"> ensure that all participants are able to make an appropriate contribution ensure that meetings are focussed and time is not wasted 		
Ensure that adequate resources are provided	<ul style="list-style-type: none"> understand the resource requirements of the Council 	<ul style="list-style-type: none"> prioritisation negotiation lobbying 	<ul style="list-style-type: none"> liaise with officers to ensure time, staff, development and funding is available for the committee 	<ul style="list-style-type: none"> budget updates from officers 	Linked to budget round
Ensure development & contribution of all members	<ul style="list-style-type: none"> understands the potential role of each team member understands the preferred team role style of each member 	<ul style="list-style-type: none"> facilitation 	<ul style="list-style-type: none"> encourage high performance from all team members and witnesses where appropriate by encouraging appropriate participation and offering feedback as required 	<ul style="list-style-type: none"> team roles identification activity 	As required
Emotional Intelligence	<ul style="list-style-type: none"> self-awareness social awareness 	<ul style="list-style-type: none"> self management advanced interpersonal skills 	<ul style="list-style-type: none"> recognise own strengths and limitations and recognise how own feelings and values affect performance 	<ul style="list-style-type: none"> the Leadership Academy personal skills development sessions receiving high level coaching/mentoring 	As required

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			<ul style="list-style-type: none"> display self control, transparency adaptability display organisational awareness 		
Leadership	<ul style="list-style-type: none"> in depth knowledge of the business of local government breadth of vision and long-term horizons understanding of the roles and responsibility of a leader as set out in the role description adopted by the authority 	<ul style="list-style-type: none"> leadership skills, including collaboration coaching skills relationship management 	<ul style="list-style-type: none"> lead, inspire, influence, develop and motivate others display a commitment to an ethos of public service and stewardship for the future lead by example project a positive image build coalitions internally and externally be brave enough to take risks manage conflict promote and subscribe to organisational values 	<ul style="list-style-type: none"> Leadership Academy development of networks support/mentoring from other council Leaders 	As required

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<p>Develop relationships and engage with the public and community</p>	<ul style="list-style-type: none"> • knowledge of key issues relevant to the local community • knowledge of working practices of Welsh Government [WG] and relevant public bodies 	<ul style="list-style-type: none"> • advanced community leadership skills • advanced communication • advanced presentation 	<ul style="list-style-type: none"> • identify and nurture external contacts • identify and make use of events for developing external networks • make contact with traditionally hard to reach groups or those who feel excluded from established communication links 	<ul style="list-style-type: none"> • attendance at events • visits to “Excellent” Councils such as those receiving awards under the “Excellence Wales” initiative • collaborative training with Communities First Partnerships or other representative community groups 	<p>As required</p>
<p>Communicate the Vision for the Council and the Community</p>	<ul style="list-style-type: none"> • knowledge of the strategic and community issues which have shaped the vision • understanding of when and how the vision should be communicated 	<ul style="list-style-type: none"> • strategic vision • alliance building • communication and engagement skills 	<ul style="list-style-type: none"> • communicate a clear and succinct vision that has been demonstrably co-produced with local communities • demonstrate a commitment to equality, diversity and the well-being of future generations 	<ul style="list-style-type: none"> • Leadership Academy • development of networks • support/mentoring from other Council Leaders/appropriate peers • joint planning training and information seminars 	<p>As required</p>
<p>Understanding of Political Environment</p>	<ul style="list-style-type: none"> • understanding of the relationship between national and local politics • understanding of political 	<ul style="list-style-type: none"> • political vision • strategic awareness 	<ul style="list-style-type: none"> • demonstrate political judgement 	<ul style="list-style-type: none"> • attendance at relevant events at a national level • undertake peer support 	<p>As required</p>

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

	leadership in the community				
Relationship with Chief Executive	<ul style="list-style-type: none"> understanding of the roles and responsibilities of the Chief Executive as a manager and in his/her role of Head of Paid Service 	<ul style="list-style-type: none"> networking joint working on strategic objectives 	<ul style="list-style-type: none"> establish and maintain a positive relationship communicate effectively and frequently give appropriate feedback operate with integrity display openness and trust call the Chief Executive to account within statutory parameters 	<ul style="list-style-type: none"> participation in regular meetings and discussions with Chief Executive and other senior officers 	Ongoing and as appropriate
Relationship with key Officers e.g. Monitoring Officer Finance Officer [Section 151 Officer]	<ul style="list-style-type: none"> understanding of the legally defined role that certain officers have and the protection afforded them 		<ul style="list-style-type: none"> refer to the monitoring and finance officers for appropriate guidance 		As required
Manage reputation of council	<ul style="list-style-type: none"> knowledge of current reputation and issues for this council and local government 	<ul style="list-style-type: none"> high level media, networking and interpersonal skills 	<ul style="list-style-type: none"> work to ethical standards 	<ul style="list-style-type: none"> briefings and discussion with senior officers 	Ongoing and as appropriate

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	<p>generally</p> <ul style="list-style-type: none"> • equality and diversity • cultural awareness • Members' Code of Conduct • standards and ethics • a sense of 'legacy', insight into, and respect for, the way future generations will look back on the Leader's period of stewardship 		<ul style="list-style-type: none"> • ensure that accurate, open and honest two-way communication takes place with public and the media • be willing to be held to account under the legal framework • project a positive image of the council to a range of audiences including the media that will stand the test of time and endure with future generations 	<ul style="list-style-type: none"> • excellence Wales open days • advanced media skills courses 	
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SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section K Cabinet Leader and Deputy Cabinet Leader Role Description

Cabinet Leader

1 Accountabilities

- To the members of the Cabinet
- To Full Council
- To Political Group
- To the public

2 Role Purpose and Activity

- **Providing political leadership to the Council**
 - To be a political figurehead for the Council; to be the principal political spokesperson for the Council
 - To provide leadership in building a political consensus around Council policies
 - To form a vision for the Council and community
 - To provide strong, clear leadership in the co-ordination of policies, strategies and service delivery
 - To provide political direction to the Chief Executive and the senior managers of the Council
- **Appointing the Cabinet**
 - To designate the appropriate portfolios
 - To appoint appropriate elected members to each portfolio
 - To allocate Cabinet members to roles with regard to their abilities
 - To designate the Deputy Cabinet Leader

Under constitutional arrangements for a Cabinet model, either the Full Council or the Leader may appoint the Cabinet. In Wales it is common practice for the Leader to appoint the Cabinet under this model. This Role Description has been written accordingly, as this is the arrangement in Powys.

- **Representing and acting as ambassador for the Authority**
 - To represent the Authority to a high standard. Provide a strong, competent and eloquent figure to represent the Authority both within the County and at external bodies
 - To represent the Authority on the Welsh Local Government Association [WLGA] Co-ordinating Committee and the WLGA Regional Partnership Board
 - To provide leadership and support local partnerships and organisations
 - To represent the Authority in regional and national bodies as appropriate
- **Providing leadership within the portfolio**
 - To fulfil the role of a portfolio holder, having regard to the role purpose and activities, and role specification of an Cabinet member

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

- **Managing and leading the work of the Cabinet and chairing meetings**
 - To ensure the effective running of the Cabinet by managing the forward work programme and ensuring its continuing development
 - To ensure the work of the Cabinet meets national policy objectives
 - To advise and mentor other Cabinet members in their work
 - To chair meetings of the Cabinet in line with the Constitution
- **Participating in the collective decision making of the Cabinet**
 - To work closely with other Cabinet members to ensure the development of effective council policies and the budgetary framework for the Council, and the delivery of high quality services to local people
 - To accept collective responsibility and support decisions made by the Cabinet once they have been made
- **Working with officers to lead the organisation**
 - To liaise with the Chief Executive, and other appropriate officers, on a regular basis
 - To work with employees of the Council in relation to the strategic vision and direction of the Council, the management roles of officers and the development of policy issues
- **Leading partnerships and community leadership**
 - To give leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities
 - To negotiate and broker in cases of differing priorities and disagreement
 - To act as a leader of the local community by showing vision and foresight
- **Internal governance, ethical standards and relationships**
 - To promote and support good governance of the Council and its affairs
 - To provide community leadership and promote active citizenship
 - To promote and support open and transparent government
 - To support, and adhere to respectful, appropriate and effective relationships with employees of the Council
 - To adhere to the Member's Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office

3 Values

- To be committed to and demonstrate the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability
 - Inclusive leadership
 - Consensus building

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Deputy Cabinet Leader

- **To fulfil the duties of the Leader in his or her absence**
- **To assist the Leader in specific duties as required**

Cabinet Leader Person Specification

To fulfil his or her role as laid out in the role description, an effective leader requires:

Providing political leadership to the Council

- Knowledge of community strengths, areas of improvement and key issues
- An understanding of the relationship between national and local politics
- Have a good strategic awareness of issues facing the Council
- An understanding of the Council's strategy, policies and operations

Appointing the Cabinet

- An understanding of the rules for the appointment of Cabinet Members
- An ability to recognise talent amongst members
- An ability to negotiate the most advantageous appointments within and across political groups
- To appraise, guide and mentor senior members

Representing and acting as ambassador for the Authority

- High level communication skills to communicate to the media, local community and wider audience
- Good public speaking skills

Providing leadership within the portfolio

- The skills necessary for a Cabinet member to fulfil their role

Managing and leading the work of the Cabinet and chairing meetings of the Cabinet

- An understanding of the Cabinet procedure rules
- Skills to Chair meetings, including encouraging participation from all members
- A knowledge and understanding of national policy objectives
- An overview of the work being carried out by Cabinet members

Participating in the collective decision making of the Cabinet

- The ability to constructively challenge decisions and suggest alternatives

Working with officers to lead the organisation

- An understanding of the roles and responsibilities of the Chief Executive and other officers

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Leading partnerships and community leadership

- Adaptive leadership skills
- Negotiation and brokerage skills
- Creative and lateral thinking skills; the ability to see ahead and be predictive

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Members' Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

Deputy Cabinet Leader

- **As for Leader**

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Development Framework for Councillors 2014

As a Leader or Deputy Leader	Knowledge required	Role skills	The effective Leader is able to	Learning Method	Time scale
Provide leadership and direction	<ul style="list-style-type: none"> an in depth understanding of the role of the Cabinet in depth understanding of own role as Leader understand the role of member support officers 	<ul style="list-style-type: none"> leadership people management team building 	<ul style="list-style-type: none"> provide confident management of the Cabinet 	<ul style="list-style-type: none"> Leadership Academy coaching and mentoring support group with other chairs chairing skills seminar 	On appointment
Oversee work programme	<ul style="list-style-type: none"> understand Council priorities understand work planning procedure understand role and priorities of other committees 	<ul style="list-style-type: none"> project management planning 	<ul style="list-style-type: none"> encourage proactivity and independent thought tempered with collaboration with officers and other committees manage projects to support prioritisation and review 	<ul style="list-style-type: none"> liaison with officers to define work programme project management workshop 	<p>Within planning cycle</p> <p>When need identified</p>
Provide effective meeting management	<ul style="list-style-type: none"> understand meeting protocols in depth knowledge of the Members' Code of Conduct 	<ul style="list-style-type: none"> meeting skills facilitation public speaking mediation personal skills 	<ul style="list-style-type: none"> ensure that meetings progress effectively, ensure that the necessary preparation is done beforehand ensure that all participants are able to make an 	<ul style="list-style-type: none"> meeting skills seminar observation, feedback/coaching by external facilitator 	On appointment and as required

**SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION
AND DEVELOPMENT FRAMEWORK**

		<ul style="list-style-type: none"> • non verbal communication • questioning • listening 	<p>appropriate contribution</p> <ul style="list-style-type: none"> • ensure that meetings are focussed and time is not wasted 		
Ensure that adequate resources are provided	<ul style="list-style-type: none"> • understand the resource requirements of the Cabinet 	<ul style="list-style-type: none"> • prioritisation • negotiation • lobbying 	<ul style="list-style-type: none"> • liaise with officers to ensure time, staff, development and funding is available for the Cabinet 	<ul style="list-style-type: none"> • budget updates from officers 	Linked to budget round
Ensure development & contribution of all members	<ul style="list-style-type: none"> • understands the potential role of each Cabinet member • understands the preferred team role style of each member 	<ul style="list-style-type: none"> • facilitation 	<ul style="list-style-type: none"> • encourage high performance from all Cabinet members and “witnesses” where appropriate by encouraging appropriate participation and offering feedback as required 	<ul style="list-style-type: none"> • Cabinet roles identification activity 	As required

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Emotional Intelligence	<ul style="list-style-type: none"> • self-awareness • social awareness 	<ul style="list-style-type: none"> • self management • advanced interpersonal skills 	<ul style="list-style-type: none"> • recognise own strengths and limitations and recognise how own feelings and values affect performance • display self-control, transparency and adaptability • display organisational awareness 	<ul style="list-style-type: none"> • the Leadership Academy • personal skills development sessions • receiving high level coaching/mentoring 	As required
Leadership	<ul style="list-style-type: none"> • in depth knowledge of the business of local government • breadth of vision and long-term horizons • understanding of the roles and responsibility of a leader as set out in the role description adopted by the authority 	<ul style="list-style-type: none"> • leadership skills, including collaboration • coaching skills • relationship management 	<ul style="list-style-type: none"> • lead, inspire, influence, develop and motivate others • display a commitment to an ethos of public service and stewardship for the future • lead by example • project a positive image • build coalitions internally and externally 	<ul style="list-style-type: none"> • Leadership Academy • development of networks • support/mentoring from other council Leaders 	As required

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

			<ul style="list-style-type: none"> • be brave enough to take risks • manage conflict • promote and subscribe to organisational values 		
Develop relationships and engage with the public and community	<ul style="list-style-type: none"> • knowledge of key issues relevant to the local community • knowledge of working practices of Welsh Government [WG] and relevant public bodies 	<ul style="list-style-type: none"> • advanced community leadership skills • advanced communication • advanced presentation 	<ul style="list-style-type: none"> • identify and nurture external contacts • identify and make use of events for developing external networks • make contact with traditionally hard to reach groups or those who feel excluded from established communication links 	<ul style="list-style-type: none"> • attendance at events • visits to “Excellent” Councils such as those receiving awards under the “Excellence Wales” initiative • collaborative training with Communities First Partnerships or other representative community groups 	As required
Communicate the Vision for the Council and the Community	<ul style="list-style-type: none"> • knowledge of the strategic and community issues which have shaped the vision • understanding of when and how the vision should be communicated 	<ul style="list-style-type: none"> • strategic vision • alliance building • communication and engagement skills 	<ul style="list-style-type: none"> • communicate a clear and succinct vision that has been demonstrably co-produced with local communities • demonstrate a commitment to equality, diversity and 	<ul style="list-style-type: none"> • Leadership Academy • development of networks • support/mentoring from other Council Leaders/appropriate peers 	As required

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

			the well-being of future generations	<ul style="list-style-type: none"> joint planning training and information seminars 	
Political leadership	<ul style="list-style-type: none"> understanding of the relationship between national and local politics understanding of political leadership in the community 	<ul style="list-style-type: none"> political vision strategic awareness 	<ul style="list-style-type: none"> demonstrate political judgement 	<ul style="list-style-type: none"> attendance at relevant events at a national level undertake peer support 	As required
Relationship with the Chief Executive	<ul style="list-style-type: none"> understanding of the roles and responsibilities of the Chief Executive as a manager and in her/his role of Head of Paid Service 	<ul style="list-style-type: none"> networking joint working on strategic objectives 	<ul style="list-style-type: none"> establish and maintain a positive relationship communicate effectively and frequently give appropriate feedback operate with integrity display openness and trust call the Chief Executive to account within statutory parameters 	<ul style="list-style-type: none"> participation in regular meetings and discussions with the Chief Executive and other senior officers 	Ongoing and as appropriate
Relationship with key Officers e.g.	<ul style="list-style-type: none"> understanding of the legally defined role that certain officers have and the 		<ul style="list-style-type: none"> refer to the Monitoring Officer and Section 151 Finance Officer 		As required

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Monitoring Officer Finance Officer [Section 151 Officer]	protection afforded them		for appropriate guidance		
Challenge status quo	<ul style="list-style-type: none"> • awareness and understanding of current situation and wider policy context • understanding of the process for challenge 	<ul style="list-style-type: none"> • analysis of current situation • creative thinking 	<ul style="list-style-type: none"> • take risks/innovate • challenge constructively and persuasively, challenging 'business as usual' where it is not effective and sustainable, and ensuring the 'social efficiency' of everything the Council does 	<ul style="list-style-type: none"> • reading of case studies and best practice • attendance at "Beacon" open days and Learning Exchanges within the Excellence Wales programme 	Ongoing and as appropriate
Manage reputation of council	<ul style="list-style-type: none"> • knowledge of current reputation and issues for this council and local government generally • equality and diversity • cultural awareness • Members' Code of Conduct • standards and ethics • a sense of 'legacy', insight into, and respect for, the way 	<ul style="list-style-type: none"> • high level media, networking and interpersonal skills 	<ul style="list-style-type: none"> • work to ethical standards • ensure that accurate, open and honest two-way communication takes place with public and the media • be willing to be held to account under the legal framework • project a positive image of the council to 	<ul style="list-style-type: none"> • briefings and discussion with senior officers • Excellence Wales open days • advanced media skills courses 	Ongoing and as appropriate

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	future generations will look back on the previous Leader's period of stewardship		a range of audiences including the media that will stand the test of time and endure with future generations		
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**SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION
AND DEVELOPMENT FRAMEWORK**

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

SECTION L

Leader and Deputy Leader of the Opposition Role Description

Leader of the Opposition

1. Accountabilities

- To the nominating group within the Constitution

2. Role Purpose and Activity

Providing political leadership for an opposition group

- To be a political figurehead for the opposition group; to be the principal political spokesperson for the Council's opposition
- To provide leadership in the constructive challenge of the Council's policies
- To constructively challenge the vision for the Council and community where appropriate
- To provide strong, clear leadership in the co-ordination of alternative policies, strategies and service delivery
- **Representing the Authority's opposition**
 - To represent the opposition group to a high standard; providing a strong, competent and eloquent figure to represent the opposition within the Authority
 - To represent the Council on external bodies
- **Internal governance, ethical standards and relationships**
 - To promote and support good governance of the Council and its affairs
 - To provide community leadership and promote active citizenship
 - To promote and support open and transparent government
 - To promote, support, and adhere to respectful, appropriate and effective relationships with employees of the Council
 - To promote, support and adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office

3. Values

To be committed to and demonstrate the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability
- Inclusive leadership
- Consensus building

Role of the Deputy Leader of the Opposition

- To fulfil the duties of the Leader of the Opposition in his or her absence
- To assist the Leader of the Opposition in specific duties as required

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Leader and Deputy Leader of the Opposition Person Specification

To fulfil his or her role as laid out in the role description, an effective leader of the opposition requires:

In providing political leadership for the opposition group

- Knowledge of community strengths, areas of improvement and key issues
- An understanding of the relationship between national and local politics
- Have a good strategic awareness of issues facing the Council
- An understanding of the Council's strategy, policies and operations
- An ability to challenge different strategies, policies and operations

In representing the Authority's opposition

- High level communication skills to communicate with the media, local community and wider audience
- Good public speaking skills
- Creative and lateral thinking skills; the ability to see ahead and be foresighted
- Leadership skills

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and willingness to work with, different groups and individuals
- A thorough knowledge and understanding of the Members' Code of Conduct and Member/Officer Protocol
- A knowledge of and commitment to the values of the Council

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section M Chair and Vice-Chair of a Scrutiny Committee Role Description

Chair

1. Accountabilities

- Full Council
- To the members of the scrutiny committee
- To the public

2. Role purpose & activity

- **Providing leadership and direction**
 - To provide confident and effective management of the member team
 - To promote the role of scrutiny within and outside the Council, liaising effectively both internally within the council and externally with the Council's partners
 - To demonstrate an objective and evidence based approach to scrutiny
 - To evaluate the impact and added value of scrutiny activity and identify areas for improvement
 - To participate in the Joint Chairs meetings and the evaluation/ improvement of scrutiny
 - Attending briefing meetings
- **Managing the work programme**
 - To develop a balanced work programme of the committee which includes pre decision scrutiny, policy development and review, investigative scrutiny, and holding the executive to account, including performance monitoring
 - To ensure the programme takes account of relevant factors such as, the work programmes of the executive and other committees, strategic priorities and risks, and relevant community issues
 - To ensure that the work programme is delivered
 - To report on progress against the work programme to Council, and others as appropriate
 - To liaise with officers, other members and community representatives to resource and deliver the work programme
- **Effective meeting management**
 - To set agendas containing clear objectives and outcomes for the meeting
 - To manage the progress of business at meetings, ensuring that meeting objectives are met, and the Members' Code of Conduct and other constitutional requirements are adhered to
 - To ensure that the necessary preparation is done beforehand
 - To ensure that all participants have an opportunity to make an appropriate contribution
- **Community leadership**
 - To act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

- To build understanding and ownership of the overview and scrutiny function within the community
- To identify relevant community based issues for scrutiny
- To promote the full involvement of external stakeholders, for example, service users, expert witnesses and partners in scrutiny activity
- **Involvement and development of committee members**
 - To encourage effective contributions from all committee members in both committee and task and finish groups
 - To assess individual and collective performance within the committee and facilitate appropriate development
 - To champion the importance of learning and development

3. Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

Vice-Chair

- To fulfil the duties of the Chair in his or her absence
- To assist the Chair in specific duties as required
- To attend briefing meetings
- To participate in the Joint Chairs meetings and the evaluation/improvement of scrutiny

Scrutiny Chair and Vice-Chair Person Specification

To fulfil his or her role laid out in the role description an effective Scrutiny Chair and Vice-Chair requires:

Providing leadership and direction

- Understanding of Council role and functions
- Understanding of role of scrutiny, terms of reference for the committee, role of Chair, and other aspects of the democratic arrangements
- Understanding of member support functions
- Understanding of Council priorities and risks
- Ability to develop work programmes
- Understanding of community issues
- Objectivity
- Negotiation and consensus building
- Ability to build constructive and 'critical friend' relationships with the Cabinet

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Managing the work programme

- Ability to manage projects and resources
- Ability to manage people
- Ability to prioritise
- Ability to report progress to different groups in different styles

Effective meeting management

- Understanding and application of meeting protocols, Members' Code of Conduct, Constitution and other constitutional requirements
- Ability to chair meetings effectively, managing the agenda and progressing business
- Ability to facilitate effective discussions
- Ability to listen and question effectively

Community leadership

- Understanding of the community leadership role
- Knowledge of local issues and expectations
- Ability to work effectively with all members of the community and build understanding and ownership of scrutiny
- Knowledge of the individuals and organisations in the community especially those traditionally excluded

Involving and developing of committee members

- Understanding of the role and skills of the scrutiny committee and its individuals
- Ability to support members and the committee in assessing their performance
- Ability to identify any training and development needs and champion and participate in appropriate learning and development

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Development Framework for Councillors 2014

As a Committee Chair or Vice-Chair	Knowledge required	Role skills	The effective Chair is able to	Learning Method	Time scale
Provide leadership and direction	<ul style="list-style-type: none"> • an in depth understanding of the role of the committee • in depth understanding of own role as Chair • understand the role of member support officers 	<ul style="list-style-type: none"> • leadership • people management • team building 	<ul style="list-style-type: none"> • provide confident management of the member team 	<ul style="list-style-type: none"> • Leadership Academy • coaching and mentoring • support group with other chairs • chairing skills seminar 	On appointment
Oversee work programme	<ul style="list-style-type: none"> • understand Council priorities • understand work planning procedure • understand role and priorities of other committees 	<ul style="list-style-type: none"> • project management • planning 	<ul style="list-style-type: none"> • encourage proactivity and independent thought tempered with collaboration with officers and other committees • manage projects to support prioritisation and review 	<ul style="list-style-type: none"> • liaison with officers to define work programme • project management workshop 	Within planning cycle When need identified
Provide effective meeting management	<ul style="list-style-type: none"> • understand meeting protocols • in depth knowledge of the Members' Code of Conduct 	<ul style="list-style-type: none"> • meeting skills • facilitation • public speaking • mediation 	<ul style="list-style-type: none"> • ensure that meetings progress effectively, • ensure that the necessary preparation is done beforehand • ensure that all 	<ul style="list-style-type: none"> • meeting skills seminar • observation, feedback/coaching by external facilitator 	On appointment and as required

**SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION
AND DEVELOPMENT FRAMEWORK**

		<ul style="list-style-type: none"> personal skills non verbal communication questioning listening 	<ul style="list-style-type: none"> participants are able to make an appropriate contribution ensure that meetings are focussed and time is not wasted 		
Ensure that adequate resources are provided	<ul style="list-style-type: none"> understand the resource requirements of the committee 	<ul style="list-style-type: none"> prioritisation negotiation lobbying 	<ul style="list-style-type: none"> liaise with officers to ensure time, staff, development and funding is available for the committee 	<ul style="list-style-type: none"> budget updates from officers 	Linked to budget round
Ensure development & contribution of all members	<ul style="list-style-type: none"> understands the potential role of each team member understands the preferred team role style of each member 	<ul style="list-style-type: none"> facilitation 	<ul style="list-style-type: none"> encourage high performance from all team members and “witnesses” where appropriate by encouraging appropriate participation and offering feedback as required 	<ul style="list-style-type: none"> Team roles identification activity 	As required

**SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION
AND DEVELOPMENT FRAMEWORK**

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section N Chair and Vice-Chair of a Regulatory Committee Role Description

Chair

1 Accountabilities

- To Full Council
- To the members of the regulatory committee
- To the public

2 Role Purpose and Activity

- **Providing leadership and direction**
 - To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
 - To ensure that applicants and other interested parties are satisfied as to the transparency of the regulatory process
 - To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements
 - To delegate actions to sub committees as appropriate
 - To attend briefing meetings
- **Promoting the role of the regulatory committee and quasi-judicial decision making**
 - To act as an ambassador for the regulatory committee, facilitating understanding of the role
 - To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
 - To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in individual cases/applications before formal committee meetings
- **Internal governance, ethical standards and relationships**
 - To develop the standing and integrity of the committee and its decision making
 - To understand the respective roles of members, officers and external parties operating within the regulatory committee's area of responsibility
 - To promote and support good governance by the Council.

3 Values

- To be committed to the values of the council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural differences
 - Sustainability

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Vice-Chair

- **To fulfil the duties of the Chair in his or her absence**
- **To assist the Chair in specific duties as required**
- **To attend briefing meetings**

Chair and Vice-Chair of Regulatory Committee Person Specification

To fulfil his or her role as set out in the role description, an effective regulatory committee chair requires:

- **Providing leadership and direction**
 - Ability to conduct meetings to ensure that applicants feel that they have been dealt with fairly and fully even if their application is refused
 - Understanding of the Council's role and ability to ensuring that stake holders are aware of that role
 - Communication skills
 - Knowledge of local issues
 - Ability to manage the work of the committee
 - Ability to support and develop necessary skills in fellow members of the committee
- **Promoting the role of the regulatory committee and quasi-judicial decision making**
 - Understanding and appreciation of the regulatory framework
 - Ability to inspire and enthuse committee members for the work of the committee
 - Integrity and the ability to set aside own views and act impartially
 - Knowledge and understanding of the relevant Members' Code of Conduct and protocols and the ability to champion them
- **Internal governance, ethical standards and relationships**
 - Knowledge and understanding of the Members' Code of Conduct and protocols
 - Knowledge of and commitment to the values of the Council

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section O Chair and Vice Chair of Audit Committee Role Description

Chair

1 Accountabilities

- To Full Council
- The members of the Audit Committee
- To the Public

2 Role purpose and activity

▪ Providing leadership and direction

- To demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements
- To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
- To agree the agendas for Audit Committee meetings
- To lead the Committee in its role in:

Risk and Control

- Ensure the risk management strategy guides the programme of internal and external work, to address the controls and risk related issues identified
- Oversee the production of the annual governance statement, recommend its adoption to Full Council and ensure appropriate action is taken to address the issues raised

Internal Audit

- To consider and approve the annual audit opinion on internal control and the level of assurance given to the corporate governance arrangements
- Approve the annual audit plan, ensuring there is sufficient and appropriate coverage, with a strong emphasis on risk management and resources are available to implement the plan
- Receive and review internal audit reports and ensure officers respond promptly to the findings. Where necessary recommendations to other committees and portfolio holders will be made, to ensure action plans are implemented

External Audit

- Consider and approve the annual letter, regulatory plan and specific reports as agreed
- Where necessary ensure action is taken by officers to address those issues raised, and if necessary, recommendations to other committees and portfolio holders will be made to address findings and deliver clear conclusions
- Comment on the scope and depth of the external audit work, to ensure it gives value for money

Other

- Assess and approve the annual statement of accounts, external audit opinion and management representation in relation to annual audit findings

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

- Promote effective relationships between external and internal audit, Inspection agencies and other relevant bodies to ensure the value of audit and inspection is enhanced and actively promoted
- Regularly monitor treasury management performance
 - To attend briefing meetings
 - To participate in the Joint Chairs meetings and the evaluation/ improvement of scrutiny
- **Promoting the role of the Audit Committee**
 - To act as an ambassador for the Audit Committee, facilitating understanding of the role
 - To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
 - To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice in the conduct of meetings and in the audit process
- **Internal governance, ethical standards and relationships**
 - Understanding the financial risks associated with corporate governance; being satisfied that the authority's assurance statements, including the annual governance statement, reflect the risk environment and any activities required to improve it
 - To develop the standing and integrity of the Committee and its decision making
 - To understand the respective roles of members, officers and external parties operating within the Committee's area of responsibility
 - To ensure the integrity of the Committee's decision making and of his/ her own role by adhering to the Members' Code of Conduct and other constitutional and legal requirements
 - To promote and support good governance by the Council

3 Values

To be committed to the values of the Council and the following values in public office:

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural differences
- Sustainability

Vice-Chair

- To fulfil the duties of the Chair in his or her absence
- To assist the Chair in specific duties as required
- To attend briefing meetings
- To participate in the Joint Chairs meetings and the evaluation/improvement of scrutiny

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section P Chair and Vice Chair of Standards Committee Role Description

Chair

1 Accountabilities

- To Full Council
- To members of the Standards Committee
- To the public

2 Role Purpose and Activity

- **Providing leadership and direction**
 - To act within technical, legal and procedural requirements to oversee the functions of the committee fairly and correctly
 - To ensure thoroughness and objectivity in the committee, receiving and responding to professional advice on the Members' Code of Conduct
 - To demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements
 - To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
 - To attend briefing meetings
 - To lead the committee in its role in:
 - promoting and maintaining high standards of conduct by councillors and co-opted members, church and parent governor representatives
 - assisting the councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct
 - advising the Council on the adoption or revision of the Members' Code of Conduct
 - monitoring the operation of the Members' Code of Conduct
 - advising, training or arranging to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct
 - granting dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct
 - dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales
 - overseeing the operation of the Council's whistle-blowing policy
 - providing advice to individual councillors on such issues as the treatment of personal interests and on conduct matters generally
 - determining appropriate action on matters referred to it by the Public Services Ombudsman for Wales
 - overseeing the Register of Members' Interest, Co-opted members and Church and Parent Governor Representatives and Officers
 - overseeing the Council's rules and protocols on accountability of members
 - overseeing the attendance of Members and Co-opted Members at committees
 - overseeing the training of Members serving on all committees of the Council
 - exercising appellate role (Independent Lay Members only) under the Habitual or Vexatious Complainants policy

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

3 Values

- To be committed to the values of the council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural differences
 - Sustainability

Vice-Chair

- To fulfil the duties of the Chair in his or her absence
- To assist the Chair in specific duties as required
- To attend briefing meetings

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section Q Chair and Vice Chair of Standards Community Sub-Committee Role Description

Chair

1 Accountabilities

- To Full Council
- To Members of the Standards Community Sub-Committee
- To the Chair of the Standards Committee
- To the public

2 Role Purpose and Activity

- **Providing leadership and direction**
 - To act within technical, legal and procedural requirements to oversee the functions of the Sub-Committee fairly and correctly
 - To ensure thoroughness and objectivity in the Sub-Committee, receiving and responding to professional advice on the Members' Code of Conduct
 - To demonstrate independence, integrity and impartiality in decision making which accord with legal, constitutional and policy requirements
 - To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
 - To attend briefing meetings
 - To lead the Sub-Committee in its role in relation to town and community councils in Powys and members of those councils:
 - promoting and maintaining high standards of conduct by councillors and community youth representatives
 - assisting the councillors and community youth representatives to observe the Members' Code of Conduct
 - advising the Council on the adoption or revision of the Members' Code of Conduct
 - monitoring the operation of the Members' Code of Conduct
 - advising, training or arranging to train councillors and community youth representatives on matters relating to the Members' Code of Conduct
 - granting dispensations to councillors and community youth representatives from requirements relating to interests set out in the Members' Code of Conduct
 - dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any matter referred to that officer by the Public Services Ombudsman for Wales
- **Internal governance, ethical standards and relationships**
 - To ensure the integrity of the Committee's decision making and of his/ her own role by adhering to the Members' Code of Conduct and other constitutional and legal requirements
 - To promote and support good governance by the Council
 - To understand the respective roles of members, officers and external parties operating within the Sub-Committee's area of responsibility

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

3 Values

- To be committed to the values of the council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural differences
 - Sustainability

Vice-Chair

- To fulfil the duties of the Chair in his or her absence
- To assist the Chair in specific duties as required
- To attend briefing meetings

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section R Chair and Vice Chair of Democratic Services Committee Role Description

Chair

1 Accountabilities

- To Full Council
- To members of the Democratic Services Committee
- To the public

2 Role Purpose and Activity

- **Providing leadership and direction**
 - To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
 - To lead the committee in its role in:
 - Designating the Head of Democratic Services following advice from the Chief Executive
 - Keeping under review the provision of staff, accommodation and other resources to discharge the democratic functions and ensuring that these are adequate
 - Making annual reports to the Full Council in relation to the above
 - Appointing working groups and chairs of working groups to undertake functions delegated by the Committee
 - Considering reports prepared by the Head of Democratic Services
 - Developing the Authority's member support and development strategy
 - Ensuring that members have access to a reasonable level of training and development as described in the Authority's Member Development Strategy and the Wales Charter for Member Support and Development
 - Ensuring that the budget for member development is sufficient
 - Ensuring that members have access to personal development planning and annual personal development reviews
 - Working with the member support and development champion where relevant to promote the role of members and necessary support and development
 - Reviewing committee structures
 - Revisions of the Constitution
 - To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements and Ministerial guidance
 - To attend briefing meetings
 - To participate in the Joint Chairs meetings and the evaluation/ improvement of scrutiny
- **Promoting the role of the Democratic Services Committee**
 - To act as an ambassador for the Democratic Services Committee, facilitating understanding of the role
 - To act within technical, legal and procedural requirements to oversee the functions of the Committee fairly and correctly

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

- To ensure thoroughness and objectivity in the Committee, receiving and responding to professional advice in the conduct of meetings
- **Internal governance, ethical standards and relationships**
 - To develop the standing and integrity of the Committee and its decision making
 - To ensure the integrity of the Committee's decision making and of his/ her own role by adhering to the Members' Code of Conduct and other constitutional and legal requirements
 - To understand the respective roles of members, officers and external parties operating within the Democratic Services Committee's area of responsibility
 - To promote and support good governance by the Council

3 Values

- To be committed to the values of the council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural differences
 - Sustainability

Vice-Chair

- To fulfil the duties of the Chair in his or her absence
- To assist the Chair in specific duties as required
- To attend briefing meetings
- To participate in the Joint Chairs meetings and the evaluation/improvement of scrutiny

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Section S Chair and Vice-Chair of the Shire Role Description

Chair

1. Accountabilities

- To Full Council
- To the Members of the Shire
- To the public

2. Role Purpose and Activity

- **Acting as a symbol of the Council's democratic authority**
 - As the ceremonial head of the Shire, to be non-political and uphold the democratic values of the Council
 - To represent the Shire at civic and ceremonial functions
 - To represent the Chair of the Council at civic and ceremonial functions as requested
- **Chairing Shire meetings**
 - To preside over meetings of the Shire, so that its business can be carried out efficiently
 - To ensure the Shire conducts its meetings in line with the Council's Constitution
- **Upholding and promoting the Council's Constitution**
 - To ensure the Constitution is adhered to and, if necessary, to rule on the interpretation of the Constitution
- **Internal governance, ethical standards and relationships**
 - To promote and support good governance of the Council and its affairs
 - To provide community leadership and promote active citizenship
 - To promote and support open and transparent government
 - To support, and adhere to respectful, appropriate and effective relationships with employees of the Council
 - To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office
 - To promote and support the well being of Members
 - To promote effective communication between and provision of information to Members
- **Work programming**
 - To prepare and manage an annual work programme for the Shire

3. Values

- To be committed to the values of the Council and the following values in public office:

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

- Openness and transparency
- Honesty and integrity
- Tolerance and respect
- Equality and fairness
- Appreciation of cultural difference
- Sustainability

Vice-Chair

- **To fulfil the duties of the Chair in his or her absence**
- **To assist the Chair in specific duties as required**

Chair and Vice-Chair of the Shire Person Specification

To fulfil his or her role as laid out in the role description, an effective member requires the following:

Acting as a symbol of the Council's democratic authority

- Good public speaking skills
- An in-depth understanding of role of Chair

Chairing Shire meetings

- Skills to chair meetings, to ensure business is carried out effectively and all those attending participate
- An understanding of the Council's Constitution

Upholding and promoting the Council's Constitution

- An understanding of the Council's Constitution
- An understanding of when to seek the advice of the Monitoring Officer on issues relating to the Constitution

Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Members' Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Council

Work programming

- The ability and discipline to plan and manage work programmes

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Development Framework for Councillors 2014

As a Chair/ Vice Chair of Shire Committee	Knowledge required	Role skills	The effective chair is able to	Learning Method	Time scale
Provide leadership and direction	<ul style="list-style-type: none"> • an in depth understanding of the role of the committee • in depth understanding of own role as chair • understand the role of member support officers 	<ul style="list-style-type: none"> • leadership • people management • team building 	<ul style="list-style-type: none"> • provide confident management of the member team 	<ul style="list-style-type: none"> • Leadership Academy • coaching and mentoring • support group with other chairs • charring skills seminar 	On appointment
Oversee work programme	<ul style="list-style-type: none"> • understand Council priorities • understand work planning procedure • understand role and priorities of other committees 	<ul style="list-style-type: none"> • project management • planning 	<ul style="list-style-type: none"> • encourage proactivity and independent thought tempered with collaboration with officers and other committees • manage projects to support prioritisation and review 	<ul style="list-style-type: none"> • liaison with officers to define work programme • project management workshop 	Within planning cycle When need identified
Provide effective meeting management	<ul style="list-style-type: none"> • understand meeting protocols • in depth knowledge of the Members' Code of Conduct 	<ul style="list-style-type: none"> • meeting skills • facilitation • public speaking • mediation 	<ul style="list-style-type: none"> • ensure that meetings progress effectively, • ensure that the necessary preparation is done beforehand • ensure that all 	<ul style="list-style-type: none"> • meeting skills seminar • observation, feedback/coaching by external facilitator 	On appointment and as required

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		<ul style="list-style-type: none"> personal skills non verbal communication questioning listening 	<ul style="list-style-type: none"> participants are able to make an appropriate contribution ensure that meetings are focused and time is not wasted 		
Ensure that adequate resources are provided	<ul style="list-style-type: none"> understand the resource requirements of the committee 	<ul style="list-style-type: none"> prioritisation negotiation lobbying 	<ul style="list-style-type: none"> liaise with officers to ensure time, staff, development and funding is available for the committee 	<ul style="list-style-type: none"> budget updates from officers 	Linked to budget round
Ensure development & contribution of all members	<ul style="list-style-type: none"> understands the potential role of each team member understands the preferred team role style of each member 	<ul style="list-style-type: none"> facilitation 	<ul style="list-style-type: none"> encourage high performance from all team members and “witnesses” where appropriate by encouraging appropriate participation and offering feedback as required 	<ul style="list-style-type: none"> team roles identification activity 	As required
Emotional Intelligence	<ul style="list-style-type: none"> self-awareness social awareness 	<ul style="list-style-type: none"> self management advanced interpersonal skills 	<ul style="list-style-type: none"> recognise own strengths and limitations and recognise how own feelings and values affect performance 	<ul style="list-style-type: none"> the Leadership Academy personal skills development sessions receiving high level coaching/mentoring 	As required

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			<ul style="list-style-type: none"> display self control, transparency adaptability display organisational awareness 		
Develop relationships and engage with the public and community	<ul style="list-style-type: none"> knowledge of key issues relevant to the local community knowledge of working practices of Welsh Government [WG] and relevant public bodies 	<ul style="list-style-type: none"> advanced community leadership skills advanced communication advanced presentation 	<ul style="list-style-type: none"> identify and nurture external contacts identify and make use of events for developing external networks make contact with traditionally hard to reach groups or those who feel excluded from established communication links 	<ul style="list-style-type: none"> attendance at events visits to "Excellent" Councils such as those receiving awards under the "Excellence Wales" initiative collaborative training with Communities First Partnerships or other representative community groups 	As required
Communicate the Vision for the Council and the Community	<ul style="list-style-type: none"> knowledge of the strategic and community issues which have shaped the vision understanding of when and how the vision should be communicated 	<ul style="list-style-type: none"> strategic vision alliance building communication and engagement skills 	<ul style="list-style-type: none"> communicate a clear and succinct vision that has been demonstrably co-produced with local communities demonstrate a commitment to equality, diversity and the well-being of future generations 	<ul style="list-style-type: none"> Leadership Academy development of networks support/mentoring from other Council Leaders/appropriate peers joint planning training and information seminars 	As required
Relationship	<ul style="list-style-type: none"> understanding of the roles and 	<ul style="list-style-type: none"> networking 	<ul style="list-style-type: none"> establish and maintain 	<ul style="list-style-type: none"> participation in regular 	Ongoing and

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

<p>with the Management Team</p>	<p>responsibilities of the Chief Executive as a manager and in his/her role of Head of Paid Service</p>	<ul style="list-style-type: none"> joint working on strategic objectives 	<p>a positive relationship</p> <ul style="list-style-type: none"> communicate effectively and frequently give appropriate feedback operate with integrity display openness and trust call the Chief Executive to account within statutory parameters 	<p>meetings and discussions with the Chief Executive and other senior officers</p>	<p>as appropriate</p>
<p>Manage reputation of council</p>	<ul style="list-style-type: none"> knowledge of current reputation and issues for this council and local government generally equality and diversity cultural awareness Members' Code of Conduct standards and ethics a sense of 'legacy', insight into, and respect for, the way future generations will look 	<ul style="list-style-type: none"> high level media, networking and interpersonal skills 	<ul style="list-style-type: none"> work to ethical standards ensure that accurate, open and honest two-way communication takes place with public and the media be willing to be held to account under the legal framework project a positive image of the council to a range of audiences 	<ul style="list-style-type: none"> briefings and discussion with senior officers "Excellence Wales" open days advanced media skills courses 	<p>Ongoing and as appropriate</p>

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	back on the previous Leader's period of stewardship		including the media that will stand the test of time and endure with future generations		
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**SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION
AND DEVELOPMENT FRAMEWORK**

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Section T Member Champion Purpose and Role

What are Member Champions?

Member Champions exist to provide a voice for traditionally under-represented groups, or issues which need to be kept at the forefront of Council business although they may not be the responsibility of any individual or committee.

Member Champions (sometimes called lead members) are elected members who in addition to their other Council responsibilities make sure that the issue or group that they are championing are taken into account when Council policy is being developed and decisions are made. Members act as champions in areas such as children, homelessness, equalities, older people, young people, scrutiny, member support and development, health improvement and anti-poverty. There is a statutory role for a lead member of children's and young people's services with a responsibility for over-seeing the arrangements made under Sections 25 and 26 of the 2004 Children Act.

Guidance on undertaking the role with regard to the subject knowledge that members need is sometimes available from the outside bodies associated with the issue being championed for example the toolkit for older peoples' champions from the Welsh Local Government Association [WLGA]. Otherwise they will be reliant on their authority for guidance in the subject they lead on and also their role as lead member in this area.

What do they do?

Typically, the lead member will:

- Make sure that their area of interest is taken into account when developing policy or making decisions
- Ask questions about performance and resourcing for the area
- Raise the profile of the area and make the authority aware of good practice
- Engage with external bodies who work in the area
- Engage with other officers and members in relation to the role
- Engage with community groups with an interest/stake in the area
- Report action to the Council

How does their role fit within the corporate structure?

This will vary according to the area/issue that is being championed and how the authority functions. There is potential for confusion and overlap between the role of the member champion and those of the relevant Cabinet member or overview and scrutiny members. The champion role itself could be undertaken by either the relevant Cabinet member or a non-Cabinet member.

It is therefore important that members and officers work together to agree roles and action for the area being championed and that there are mechanisms for lead members to report on their activities. It is helpful for the authority to draft a protocol which sets out what powers champions have and do not have, such as whether or not they are able to make decisions on behalf of the authority. Similarly, the appointment of champions varies between authorities, and includes appointments being made by Full Council meetings or by the Leader.

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

The Role Description

It is difficult to create a role description that fits with the different roles expected of champions and how they operate in the different authorities' structures. The following is a generic model which will require local adaptation, particularly to reflect the difference that may exist between a statutory role, one undertaken by a Cabinet member and a non-Cabinet lead.

Member Champion Role Description

1. Accountabilities

- To Full Council
- To the public

2. Role Purpose and Activities

Within the Council

- To promote the interest being championed within the Council's corporate and service priorities
- To promote the needs of the client group represented in the interest to the decision makers within the Council
- To work with, and support Cabinet Portfolio Holders and officers to establish strategies/policies/work plans connected with the interest
- To maintain an awareness of all matters connected with the interest
- To contribute to good practice and the continuous improvement of services and functions related to the interest
- To engage with members in matters related to the interest (including holding to account Cabinet Portfolio Holders) such as attending Scrutiny/Cabinet/Full Council meetings etc.
- Raising awareness of and taking a lead role in the development of all members and officers in relation to the interest

In the Community

- To raise the profile of the interest in the community
- To engage with citizens and community groups in matters related to the interest
- To lead and support local initiatives related to the interest

3. Values

- To be committed to the values of the Council and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability
 - Inclusive leadership

SECTION 23 – MEMBER ROLE DESCRIPTIONS, PERSON SPECIFICATION AND DEVELOPMENT FRAMEWORK

Member Champion Person Specification

Within the Council

- Understanding of the area of interest being championed in terms of Council strategies and policy, good practice, improvement and national agendas and the needs of the client group
- Ability to engage with a range of members and officers around the area of interest and listening to requirements
- Ability to advocate on behalf of the area of interest within the Council

In the Community

- Understanding of the needs of the community in relation to the interest
- Ability to engage with citizens and community groups in matters related to the interest.
- Ability to lead and support local initiatives related to the interest.
- Ability to represent the position of the Council to the community in relation to the interest.

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

SPEAKING AT PLANNING, TAXI LICENSING AND RIGHTS OF WAY COMMITTEE MEETINGS

- 24.1 The Planning, Taxi Licensing and Rights of Way Committee (“the Committee”) exercises a number of functions concerning rights of way and related matters set out in Section 13.
- 24.2 This protocol sets out the procedures whereby members of the public and others may speak at meetings of the Committee in relation to an application or proposal to make:
- 24.2.1 Public Path Orders under the Highways Act 1980 sections 25, 26, 116, 117 and 118 (as amended), section 119 (as amended);
 - 24.2.2 Orders under the Town and Country Planning Act 1990 section 257.
- 24.3 However, some of those applications and proposals detailed in paragraph 24.2 above may be determined under delegated authority by officers rather than by the Committee.

MATTERS NOT INCLUDED

- 24.4 For the avoidance of doubt this protocol shall not apply to, (and there shall be no right for any person to speak in relation to) the following:
- 24.4.1 Enforcement cases;
 - 24.4.2 Definitive Map Modification Orders under the Wildlife and Countryside Act 1980 section 53;
 - 24.4.3 Matters relating to lawful and unlawful interference with highways and streets under the Highways Act 1980, sections 130, 139, 140, 142, 147, 147ZA, 149, 169, 171, 171A, 172, 178, 179 and 180;
 - 24.4.4 Town and Village Green Applications.

WHO MAY SPEAK

- 24.5 The public speaking provisions in this protocol will only apply to proposals to make those orders referred to in rule 24.2 above, and where objections have been lodged by a:
- 24.5.1 member of the public; or
 - 24.5.2 body (other than a prescribed organisation as defined in Welsh Office Circular 5/93 – Copy attached); or
 - 24.5.3 Town or Community Council in Powys (but not a Town, Community or Parish Council outside Powys); or
 - 24.5.4 County Councillor(s) in whose electoral division(s) the application falls, or whose electoral division is / are affected by the application;

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

and who has obtained the right to speak in accordance with rule 24.6 below.

OBTAINING THE RIGHT TO SPEAK

24.6 A right to speak at a meeting of the Committee will only be obtained in the following situations:-

24.6.1 A **member of the public** shall be allowed to make representations as an **objector** to the proposed order in question at the Committee where:

24.6.1.1 S/he has duly made, within prescribed time limits, a written objection to the proposed order in question; and

24.6.1.2 Has submitted the request to be heard by the Committee with the Countryside Access Officer at least 10 working days before the date of the relevant meeting of the Committee.

PROVIDED ALWAYS that :

24.6.1.3 Where more than one person has lodged an objection to the proposed order in question and the Chair of the Committee concludes that the substance of the objections by those persons are identical or similar then only one such person so objecting shall be permitted to exercise the right to make representations against the proposed order in question in accordance with the Public Speaking Procedures set out in rule 24.11, and that person shall be the individual agreed by all the objectors who have raised the same or similar objection or, in the absence of such agreement, the individual who first submitted an objection in writing to the Countryside Access Officer.

24.6.1.4 Where in relation to the above situation the Chair of the Committee concludes that different persons have made objections which are different in substance, each person making a different substantive objection shall be allowed to exercise the right to make representations in opposition to the proposed order in question in accordance with the Public Speaking Procedures set out in rule 24.11.

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

24.6.1.5 Where more than one person has submitted an objection the Countryside Access Officer shall, at least 3 working days before the meeting of the Committee in question, notify (by the most appropriate means) the persons of the conclusions of the Chair as to whether the objections are different in substance and accordingly as to those individuals who are entitled to exercise the right to make representations under the Public Speaking Procedures set out in rule 24.11.

24.6.2 A **body** (other than a prescribed organisation as defined in Welsh Office Circular 5/93) shall be allowed to make representations as an **objector** to the proposed order in question at the Committee where:

24.6.2.1 It has duly made, within prescribed time limits, a written objection to the proposed order in question; and

24.6.2.2 It has submitted the request to be heard by the Committee with the Countryside Access Officer at least 10 working days before the date of the relevant meeting of the Committee.

PROVIDED ALWAYS that :

24.6.2.3 Where more than one body has lodged an objection to the proposed order in question and the Chair of the Committee concludes that the substance of the objections by those bodies are identical or similar then only one such body so objecting shall be permitted to exercise the right to make representations against the proposed order in question in accordance with the Public Speaking Procedures set out in rule 24.11, and that body shall be agreed by all the bodies objecting which have raised the same or similar objection, or in the absence of such agreement, the body which first submitted an objection in writing to the Countryside Access Officer.

24.6.2.4 Where in relation to the above situation the Chair of the Committee concludes that different bodies have made objections which are different in substance, each body making a different

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

substantive objection shall be allowed to exercise the right to make representations in opposition to the proposed order in question in accordance with the Public Speaking Procedures set out in rule 24.11.

24.6.2.5 Where more than one body has submitted an objection the Countryside Access Officer shall, at least 3 working days before the meeting of the Committee in question, notify (by the most appropriate means) the bodies of the conclusions of the Chair as to whether the objections are different in substance and accordingly as to those bodies who are entitled to exercise the right to make representations under the Public Speaking Procedures set out in rule 24.11.

24.6.3 A **Town or Community Council** in Powys (by its clerk or one of its nominated members **who is not a County Councillor**) will be allowed to make representations as a statutory consultee in relation to the proposed order in question to the Committee where that Council has submitted a request to be heard by the Committee with the Countryside Access Officer at least 10 working days before the date of the relevant meeting of the Committee.

24.6.4 **Councillor(s)** within whose electoral division(s) the proposed order in question falls, or whose electoral division(s) is / are affected by the proposed order in question, will be allowed to make representations to the Committee where that / those Councillor(s) has / have submitted a request to be heard by the Committee with the Countryside Access Officer at least 10 working days before the date of the relevant meeting of the Committee.

RIGHT TO RESPOND.

24.7 In relation to applications by or proposals made by the County Council itself, the **landowner and, if different, the occupier or his / her / their agent(s)** will be allowed the right to respond (if he/she wishes) where a member of the public, body, Town or Community Council or County Councillor(s) has / have made representations.

24.8 In relation to all other applications (i.e. non County Council applications) the **applicant or agent** in relation to the proposed order in question will be allowed the right to respond (if he/she wishes) where a member of the public, body, Town or Community Council or County Councillor(s) has / have made representations.

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

NOTIFICATION PRIOR TO MEETING.

- 24.9 The Countryside Access Officer will inform all relevant individuals / bodies / organisations of the date on which the proposed order in question is to be determined by the Committee prior to the agenda for that meeting being dispatched.
- 24.10 The Countryside Access Officer will in addition inform the applicant at least 3 working days before the meeting if objectors are to make representations at the meeting where the proposed order in question is considered.

PUBLIC SPEAKING PROCEDURES

- 24.11 Where a member of the public, body, representative of a Town or Community Council, Councillor(s), has duly complied with the above provisions enabling that individual, body or Council to make representations at a meeting of a Committee in relation to the proposed order in question then the procedures to be followed at a meeting of the Committee will be as follows.
- 24.11.1 The Chair will briefly outline these procedures that allow Councillor(s), members of the public, representatives of bodies, and representatives of Town and Community Councils the right to address the Committee, and the landowner / occupier / agent or the applicant / agent's right to respond.
- 24.11.2 Prior to making their representations to the Committee these individuals (including members of the public and County Councillors, landowners / occupiers / agent, applicant / agent) or representatives of bodies (including Town and Community Councils) shall sit in the public gallery or wait outside the meeting room.
- 24.11.3 For the purposes of making their representations to the Committee an individual (including members of the public and County Councillors, landowners / occupiers / agent, applicant / agent) or representatives of bodies (including Town and Community Councils) entitled to address the Committee under these provisions will be invited by the Chair to take a seat allocated for this purpose. A maximum time limit of 5 minutes will be available for each presentation.
- 24.11.4 Those individuals making representations cannot ask questions of one another, Members of the Committee or

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

officers, but Members of the Committee may ask questions of a person making a representation to the Committee.

24.11.5 Those individuals making representations must avoid making personal or derogatory remarks, confine their representation to relevant rights of way issues and may only refer to plans, documents etc included in the formal application material to be considered by the Committee)

24.11.6 At the end of the each representation, the individual making the representation will either take a seat in the public gallery or leave the meeting room **PROVIDED ALWAYS** that a County Councillor with a Prejudicial Interest, having completed his / her representation to the Committee and answered any questions, shall (unless he / she has received a dispensation from the Standards Committee to remain throughout the proceedings) immediately leave the room or chamber where the meeting is taking place.

24.11.7 The order in which individuals shall exercise their right in making representations to the Committee shall be as follows:

24.11.7.1 County Councillor(s);

24.11.7.2 Representative(s) of Town or Community Council(s);

24.11.7.3 Member(s) of the Public;

24.11.7.4 Representative(s) of a body / bodies;

24.11.7.5 Right of reply by landowner / occupier / agent, or applicant / agent

24.11.7.6 Countryside Access Officer

PROVIDED ALWAYS that the landowner / occupier / agent or applicant or his / her agent is not obliged to exercise a right to respond to representations made to the committee if s/he does not wish to do so.

24.11.8 For the avoidance of doubt:

24.11.8.1 In respect of proposals where there are lodged duplicate proposed orders or several linked proposed orders relating to the same site, these shall be deemed to relate to one overall proposed order and the rights to address the Committee will be interpreted accordingly.

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

24.11.8.2 If representations are made by County Councillor(s) / a member of the public / a representative of a Town or Community / representative(s) of a body / bodies / an applicant or his / her agent / landowner / occupier / agent, to the Committee meeting and the matter is deferred to a subsequent meeting, **there will be no right for any of these to make a second oral representation to the reconvened meeting and any further representations shall be made in writing only.**

24.11.8.3 County Councillor(s) who is / are members of the Committee within whose electoral division(s) the matter falls, or whose electoral division(s) is / are affected by the proposed order in question, and who decide(s) not to be a “Decision Maker” can undertake a “Local Representative” role and make representations on behalf of his/ her constituents in relation to the proposed order in question.

[N.B. - a “Decision Maker” is a member of the Rights of Way Committee who takes part (or intends to take part) at a meeting of the Rights of Way Committee in relation to the decision concerning the proposed order in question].

24.11.9 Following oral representations by individuals under the above provisions, the Chair of the Committee shall invite the Countryside Access Officer (if s/he wishes) to respond as necessary to those representations before proceeding with his / her presentation of the matter in the normal way **including where appropriate an update to the Committee concerning any correspondence or additional information received since publication of the Committee Agenda papers.**

24.11.10 Following the presentation by the Countryside Access Officer, Members of the Committee shall debate the proposed order in question and reach a decision, unless it is decided to defer the matter.

24.11.11 The Countryside Access Officer shall keep a record of all notices received under these provisions with the application / proposal papers.

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

- 24.11.12 The relevant plans shall be displayed at the meeting as appropriate and a description of the proposed order in question given before any oral representations are heard.
- 24.11.13 The minutes of the Committee shall record the receipt of representations made under these arrangements but shall not record the substance of the representations.

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

ANNEX E

PRESCRIBED ORGANISATIONS

The Secretaries of State have prescribed certain organisations to which authorities must send copies of the statutory notices of orders made under the following Regulations:

- The Town and Country Planning (Public Path Orders) Regulations 1993;
- The Public Path Orders Regulations 1993;
- The Wildlife and Countryside (Definitive Maps and Statements) Regulations 1993; and
- The Rail Crossing Extinguishment and Diversion Orders Regulations 1993.

The names and addresses of these organisations are listed in the table below (columns 1 and 5), together with details of the type of order for which notification must be given (column 4). In addition, these organisations have also requested that they be consulted on certain orders or proposals before they are made. Details of these and the address to which pre-order papers should be sent are listed at columns 2 and 3 respectively.

1.* <i>Prescribed Organisation</i>	2.** <i>Proposals/Orders for which consultation is requested</i>	3. <i>Person/Address to which pre-order consultation papers should be sent</i>	4. <i>Orders for which statutory notice must be given</i>	5. <i>Person/Address to which statutory notices on the making and confirmation of orders must be sent*</i>
Auto Cycle Union	All cases, <i>except</i> those affecting footpaths or bridleways over which no public vehicular rights are claimed, or suspected to exist	The appropriate local representative as notified to the authority	All orders made in England and Wales	Auto Cycle Union, Wood Street, Rugby, Warwickshire CV21 2XY (Except where otherwise notified to the authority)
British Driving Society	All cases, <i>except</i> those affecting footpaths and bridleways over which no vehicular rights are claimed, or suspected to exist	27 Dugard Place, Barford, Warwick CV35 8DX	All definitive map orders made in England and Wales	British Driving Society, 27 Dugard Place, Barford, Warwick CV35 8DX
British Horse Society	All cases	BHS local representative as notified to the authority	All orders made in England and Wales	BHS, British Equestrian Centre, Stoneleigh, Kenilworth, Warwickshire CV8 2LR

SECTION 24 – RIGHTS OF WAY MATTERS – PUBLIC SPEAKING PROVISIONS

1.* <i>Prescribed Organisation</i>	2.** <i>Proposals/Orders for which consultation is requested</i>	3. <i>Person/Address to which pre-order consultation papers should be sent</i>	4. <i>Orders for which statutory notice must be given</i>	5. <i>Person/Address to which statutory notices on the making and confirmation of orders must be sent*</i>
Byways and Bridleways Trust	All cases	BBT local nominee if notified to the authority	All orders made in England and Wales	BBT, The Granary, Charlcott, Calne, Wiltshire SN11 9HL
Chiltern Society	All cases in the area for which the Society is prescribed to receive notices	The appropriate Rights of Way Group Area Secretary as notified to the local authority	All orders in the area for which the Society is prescribed to receive notices	The Chiltern Society, Rights of Way Group, P.O. Box 1029, Marlow, Buckinghamshire SL7 2HZ
Cyclists' Touring Club	All cases, <i>except</i> those affecting footpaths over which no other rights are claimed, or suspected	Cyclists' Touring Club, Cotterell House, 69 Meadrow, Godalming, Surrey GU7 3HS	All orders made in England and Wales	Cyclists' Touring Club, Cotterell House, 69 Meadrow, Godalming, Surrey GU7 3HS
Open Spaces Society	All cases, but only in those areas where the Society has notified the authorities concerned of their interest	The appropriate local representative as notified to the authority	All orders made in England and Wales	Open Spaces Society, 25A Bell Street, Henley-on-Thames, Oxon RG9 2BA
The Ramblers' Association	All cases	RA local representative as notified to the authority	All orders made in England and Wales	Ramblers' Association, 1-5 Wandsworth Road, London SW8 2XX
Peak and Northern Footpaths Society	All cases in the area for which the Society is prescribed to receive notices	Peak and Northern Footpaths Society, 1 Nelson Street, Hazel Grove, Stockport SK7 4LR	All orders in the area for which the Society is prescribed to receive notices	Peak and Northern Footpaths Society, 1 Nelson Street, Hazel Grove, Stockport SK7 4LR
Welsh Trail Riders Association	All cases in Wales, <i>except</i> those affecting footpaths and bridleways over which no public vehicular rights are claimed, or suspected to exist	WTRA, 20 High Cross Drive, Newport, Gwent NP1 9AB (Except where otherwise notified to the authority)	All orders made in Wales	WTRA, 20 High Cross Drive, Newport, Gwent NP1 9AB (Except where otherwise notified to the authority)

SECTION 26 – INDEMNITIES FOR MEMBERS AND OFFICERS

26.1 **The following is the indemnity approved** and adopted by the then Board on 17th October, 2006 (in relation to Board Functions), and by the County Council on 26th October, 2006 (in relation to Council Functions). It has been amended to reflect the change to a Leader and Cabinet Executive model as from the Annual Meeting in May 2011.

26.2

FORM OF INDEMNITY TO MEMBERS AND OFFICERS

1. This indemnity is made under S.101 of the Local Government Act 2000 and the Local Authorities (Indemnities for Members and Officers) (Wales) Order 2006, and is supplementary to the provisions of S.265 of the Public Health Act 1875 as extended by S.39 and S.44(1) of the Local Government (Miscellaneous Provisions) Act 1976.
2. Subject to the limit of indemnity set out in rule 3G below, the Council indemnifies each Member and officer of the authority against any claim liability loss and/or damage in relation to any action or failure to act by any Member or officer which:
 - (a) is authorised by the authority; or
 - (b) forms part of or arises from any powers conferred, or duties placed upon that Member or officer as a consequence of any function being exercised by that Member or officer (whether or not in exercising that function the Member or officer does so in the capacity of Member or officer of the authority)
 - (i) at the request of or with the express approval of the authority; or
 - (ii) for the purposes of the authority

Without prejudice to the generality of this indemnity (above) the indemnity extends to action:-

- (a) taken under delegated powers;
- (b) taken personally under any specific statutory provision such as Head of Paid Service, Chief Finance Officer, Monitoring Officer, Local Government (Contracts) Act 1997.
- (c) taken at Partnerships, informal joint working arrangements, charitable organisations companies (however constituted) when the Member or officer is serving as the Council's representative on these bodies.

SECTION 26 – INDEMNITIES FOR MEMBERS AND OFFICERS

(For the purpose of this indemnity “Member” includes independent and co-opted persons who sit on the Council’s Committees).

3. Conditions and Limitations applying to the Indemnity

A. Good faith

A Member or officer relying on the indemnity:-

- (i) must believe that the action, or failure to act, in question was within the powers of the authority

or

- (ii) where that action or failure to act comprises the issuing or authorising of any document containing any statement as to the powers of the relevant authority, or any statement that certain steps had been taken or requirements fulfilled, believed that the contents of that statement were true;

and

in either case that it was reasonable for that Member or officer to hold that belief at the time when that Member or officer acted or failed to act, in which case the council will provide the indemnity in relation to an act or failure to act which is subsequently found to be beyond the power of that Member or officer in question, but only to the extent that the Member or officer reasonably believed that the act or failure to act in question was within that Member or officer’s powers at the time at which that Member or officer acted or failed to act.

B. Repayment of cost

Where any indemnity is given to a Member or officer in relation to the defence of criminal proceedings or proceedings alleging a breach of the code of conduct, then:-

- (i) in relation to criminal proceedings if the Member or officer is convicted of a criminal offence then the sums expended by the authority or its insurers in relation to those proceedings must be reimbursed to the authority or to the insurers;
- (ii) where the proceedings relate to an allegation against a Member of a breach of the code of conduct:-

SECTION 26 – INDEMNITIES FOR MEMBERS AND OFFICERS

- (a) if a finding is made that finds that the Member has failed to comply with the code of conduct (or the Member has admitted that failure) and as a consequence the Member is suspended, partially suspended or disqualified, then the sums expended by the authority or its insurer must be reimbursed to the authority or its insurers
- (b) in the case of an allegation of a breach of the code of conduct and there is a finding that the Member has failed to comply with the code of conduct (or the Member has admitted that failure) and as a result the Member is censured or has some penalty imposed other than suspension, partial suspension or disqualification then if the Council's Standards Committee deems it appropriate the sums expended by the authority or its insurers must be reimbursed to the authority or its insurers.

C. Level of representation

In the case of professional representation of a Member or officer under the terms of this indemnity the Member or officer must obtain the prior approval of the authority through its Standards Committee of the nature and extent of that representation, provided always that the decision on the level or extent of representation will not unreasonably restrict the right of the individual Member or officer to properly defend those proceedings.

D. Defamation

This indemnity does not extend to the **making** of any claim by a Member or officer in relation to an alleged defamation of that Member or officer.

E. Returning Officer

The work and functions of the Returning Officer are not covered by this indemnity.

F. General Principles

- (i) The authority will provide the Member or officer with reasonable and proportionate access to authority employees and authority resources and facilities to enable the individual officer to properly respond to

SECTION 26 – INDEMNITIES FOR MEMBERS AND OFFICERS

allegations of personal liability being advanced;

- (ii) The authority will allow legal representation for a Member or officer separately from the authority's own legal advisers (and/or the authority's insurers' legal advisers) where the interests of the authority and the individual officer may conflict or in such other circumstances where it is agreed between the authority and the individual Member or officer that separate legal representation is appropriate.
- (iii) the authority will not seek to recover from an individual Member or officer any losses incurred by the authority as a result of an action or failure to act by the Member or officer concerned except:-
 - (a) where the Member or officer involved did not reasonably believe that the act or omission in question was within his powers at the time when that act or omission took place, or
 - (b) where the action or failure to act constituted a criminal offence.

G. Limit on Indemnity.

The limit on the indemnity provided for under this Section is £50,000.¹

¹ County Council – 30th April, 2014.