

CYNGOR SIR POWYS COUNTY COUNCIL.

Democratic Services Committee

19th October, 2020

REPORT AUTHOR: Solicitor to the Council

SUBJECT: Constitution and Other Matters

REPORT FOR: Decision

1. Speaking at Council Meetings.

- 1.1 The Committee is asked to consider the length of Full Council meetings. A review was undertaken of the length of Council meetings across Wales between October 2018 and March 2019 and Powys' meeting ranged between 2h 54m and 6hr 19m. The average length of meetings across Wales was 2h 39m.
- 1.2 Since May 2019 Council meetings have ranged between 2h 10m and 4h 34m with the exception of a 22m Council meeting in December 2019. Since the pandemic the 2 Council meetings held have been 4h13m and 3h 49m respectively.
- 1.3 In reviewing the Constitutions of other Councils in Wales, it has become apparent that in a number of Councils, when matters are being debated, political groups use nominated speakers to represent the views of that political group at the meeting rather than having numerous speakers from the floor. These nominated speakers would consolidate the views of each of the political groups and prevent repetition. Those members who were not members of political groups would be able to make individual submissions as usual.
- 1.4 It must be understood that if such a process is used groups will undoubtedly use different spokespersons for different topics. Members who have a completely different point to make from those already presented will at the discretion of the Chair be allowed to make those points to the meeting.
- 1.5 The Committee is asked to consider whether to trial such a process at 3 Full Council meetings for a period to be determined, to be followed by a review of that process by the Democratic Services Committee.
- 1.6 There would be alternatives which could reduce the length of Council meetings which DSC might wish to consider, but these are not recommended to DSC for the reasons stated below :
- Restricting the number of Members (irrespective of political groups) who could speak on agenda items, but the danger would be that a first come , first speak process would be undemocratic;
 - Restrict the time for each agenda item, but again this might be considered undemocratic

Recommendation to the County Council:	Reason for Recommendation:
That a trial of nominated speakers on	To review the process for debates at

behalf of political groups be undertaken at 3 Full Council meetings, followed by a review of the trial by the Democratic Services Committee.	Full Council meetings.
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2. Amendments to the Constitution

2.1 The following are the amendments to the Constitution for consideration by the Committee:

Part 4	Full Council (Appendix 1)	Rules: Questions: 4.30.1 and 4.30.2 Motions: 4.37.1; 4.43.1 Amendments: 4.49.1.5; 4.49.2	Clarification of the Rules regarding the receipt of Questions, Motions and Amendments by the Monitoring Officer
Part 7	Scrutiny Committees (Appendix 2)	Rule 7.36 – Call-In Procedure Rules Rule 7.37 – Call-In and Urgency	Arising from a report by SWAP on contract management to remove any potential conflict of interest in officer roles in the scrutiny call-in process.

Recommendation to the County Council:	Reason for Recommendation:
That the amendments to Parts 4, and 7 of the Constitution be approved.	To review and update the Constitution as necessary.

3. Review of Senior Salaries.

- 3.1 The Committee established a Working Group to undertake an annual review of Senior Salaries and make recommendations to Council at the Annual Meeting. Due to the pandemic the Working Group has not met in 2020 to undertake the annual review.
- 3.2 The Council due to the legislative requirement to publish the Members' Schedule of Remuneration by 31st July 2020, approved the Schedule at its meeting on 30th July 2020. However the Council is still able to review and amend the Schedule during the year.
- 3.3 A review of Senior Salaries for 2020 does need to be undertaken and the Committee in the first instance is asked to appoint a new Working Group. The current membership is as follows:

County Councillors:

David Evans, Diane Jones-Poston, Kathryn Silk and Roger Williams.

- 3.4 The Chair of the Democratic Services Committee is not in receipt of a Senior Salary and the Committee is requested to considering adding the Chair to this Working Group as a minimum to increase the number to 5 members.

Recommendation:	Reason for Recommendation:
That the Committee review the membership of the Senior Salaries Working Group and appoint 5 members to the Group.	To review the membership of the Working Group.

4. Welsh Language Forum

- 4.1 Attached is a report regarding the proposed establishment of a New Panel to promote the Welsh Language and to provide oversight for Welsh Language provision within the Council. **(Appendix 3 and 4)**
- 4.2 The Committee is asked to recommend to Full Council that the new Panel be established.

Recommendation to the County Council:	Reason for Recommendation:
(i) That a new cross cutting Panel to promote the Welsh Language and provide oversight for Welsh Language provision within the Council be approved.	To establish a new Panel to promote the Welsh Language and provide oversight for Welsh Language provision within the Council.
(ii) That the membership of the Panel as set out in the report be approved/	

5. Scrutiny Improvement.

- 5.1 As part of the ongoing improvement journey for scrutiny, there has been a discussion with Group Leaders as to how this could be progressed and a number of suggestions are recommended to the Committee for consideration, namely:
- Mentoring and coaching for Chairs and Vice-Chairs
 - Reviews of Chairs
 - Reviews of members of scrutiny committees
- 5.2 It is important to state, at the outset that this should not be seen as a negative exercise, or something to be feared. The aim of all of these proposals is to try to improve the engagement of scrutiny participants, seek constructive criticism (i.e. critical friend) and aid the positive development and learning of individual Members so that there is a higher engagement by Members in the scrutiny process, with committees operating effectively with all participants contributing to achieve that aim.

5.3 Officers have been in discussion with the WLGA about undertaking the Coaching / Mentoring of Chairs. It has been confirmed that during the current period WLGA can provide this at no cost to the Council. The proposal for consideration is as follows:

- (i) Coaching / Mentoring to be offered to the Chairs of the 3 Scrutiny Committees initially. This could be extended to Vice-Chairs once the process has been tested. This would involve an initial conversation between the Member and Coach / Mentor (2 hours maximum), followed by the observation of a meeting and then one to one feedback to those individual Members.
- (ii) Reviews of committee members – a simple process needs to be devised to incorporate questions around:
 - Does the Member engage in their scrutiny committee meetings, how often, is this dependent on the subject being considered.
 - What are the barriers preventing them from asking questions. Is this around background knowledge, are the ways that reports are written not helpful, are there any other reasons why they do not wish to contribute.
 - What would assist members engage.
- (iii) The results of the review in (ii) would be consolidated into an anonymised list of points and can have a two-fold impact:
 - (a) This could be used for a discussion between the Scrutiny Manager and the Chair of the Committee (possibly involving the Coach / Mentor as well) as there could be implications for the way that committees are run, or agendas set or the way that committees are chaired.
 - (b) The list of barriers and suggestions for improvements could drive new ways of working for scrutiny committees generally but also highlight specific training requirements for Scrutiny Members. These could be added to the Member Development Programme

5.4 This simplified process removes the need for peer to peer comments and therefore focuses on processes rather than individuals. The whole process also needs to be voluntary as forcing members to take part would not be helpful to the overall aim which is to improve scrutiny.

5.5 The Committee's views on these proposals are sought.

Recommendation to the County Council:	Reason for Recommendation:
<p>(i) That to continue the improvement of scrutiny in Powys that the following proposals be approved:</p> <ul style="list-style-type: none"> • Mentoring and coaching for Chairs of scrutiny initially and extended to Vice-Chairs at a later time • reviews of Chairs • Reviews of members of committees <p>(ii) That a mentoring / coaching and</p>	<p>To continue the improvement of scrutiny in Powys.</p>

review scheme be established and implemented as set out in the report.	
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Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	N/A
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Person(s) To Implement Decision:	Wyn Richards
Date By When Decision To Be Implemented:	

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Background Papers used to prepare Report: