

CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE
26TH APRIL 2018

Minutes of the meeting of the Constitution and Democratic Services Committee of Flintshire County Council held in the Council Chamber, County Hall, Mold on Thursday, 26th April 2018.

PRESENT: Councillor Rita Johnson (Chair)

Councillors: Glyn Banks, Marion Bateman, Clive Carver, Rob Davies, Ian Dunbar, Joe Johnson, Mike Peers, Michelle Perfect, Neville Phillips, Paul Shotton, Ian Smith, David Williams and David Wisinger.

SUBSTITUTES: Councillors Patrick Heesom for Arnold Woolley and Christine Jones for Chris Bithell.

APOLOGIES: Councillors: Dave Healey and Ted Palmer.

IN ATTENDANCE: Chief Executive, Chief Officer (Governance), Democratic Services Manager and Team Leader – Committee Services.

22. DECLARATIONS OF INTEREST

None were received.

23. MINUTES

The minutes of the meeting held on 31st January 2018 were submitted and confirmed as a correct record.

Matters Arising

Councillor Peers asked for an update on his proposal that new Members of the Planning Committee should attend their first few meetings as observers to help them to participate at further meetings. The Democratic Services Manager explained that the suggestion had been submitted to the Chief Officer (Planning, Environment and Economy) for consideration by the Planning Strategy Group.

RESOLVED:

That the minutes be approved as a correct record and signed by the Chair.

24. BUDGET CONSULTATION PROCESS

The Democratic Services Manager introduced the report which provided feedback from Members and officers in developing the new approach for the budget consultation process. Member consultation feedback was appended to the report, as was a proposed staged budget process flow chart. An amended form of words for insertion into section 16 of the Constitution was recommended in the report.

Following the consultation with Members, a set of requirements and responses/comments were outlined in the report which had been used to inform the proposed flow chart. The flow chart was also based on the 2018/19 approach but it was not prescriptive; the flow chart demonstrated a three stage process but dependent on circumstances, a two or four stage process could also be adopted.

The proposed wording for the Constitution was:

Based on good practice and the need for efficiency, the Council had developed a staged Budget Process, as illustrated in the flow chart. This is not prescriptive; between two and four stages would be equally reasonable, depending on the circumstances in different years. At each stage, there is four weeks available for consultation, both on an individual member basis and through one of the six Overview and Scrutiny Committees. Time is made available for individual Members and Overview and Scrutiny Committees to ask for additional information, up to and including a final deadline which will be set out at the start of the process.

At the end of the consultation, Cabinet will draw up firm proposals, having regard to the responses to the consultation. Any report to Council will reflect comments made by consultees and the Cabinet's response. Overview and Scrutiny Committees may also prepare a response direct to Council for a non-executive decision, such as the Budget. Throughout the process, up to the deadline which will be determined on an annual basis, the Council's statutory officers will be available to guide and assist Members who wish to explore alternative proposals.

The Chief Executive explained that a lot of work had been undertaken on possible options to inform the flow chart. He said the budget process for 2019/20 had already commenced with a report to Cabinet earlier that week on the projected budget gap. Following the budget process the previous year, an early meeting with head teachers and Chairs of Governors had been arranged to take place the following week to consider budget scenarios. Following an Income Generation Workshop where Members were challenging, work was now underway on options. He referred to items such as Tracking Budget Efficiency and the Income Strategy which had already been placed on the forward work programme for Corporate Resources Overview and Scrutiny Committee to track outcomes.

Councillor Dunbar commented on the efficiencies that had been achieved over recent years but emphasised the Council was now dependent on help from National Government and Welsh Government (WG). He supported the recommendations in the report and welcomed the flow chart. He said discussions with Group Leaders were essential so that they could report back to their respective groups. Councillor Shotton concurred with those views and said the process the previous year enabled all Councillors to be part of the transparent process.

Councillor Carver said the process the previous year had worked well. However, because the Council was dependent on the final settlement from WG close to the end of the budget process, he asked whether there would still be an opportunity to hold extra meetings if they were needed. The Chief Executive said the provisional settlement, which was received in October, was reliable except for information on

specific grants. WG would be approached formally by May with the Council's budget forecast. It was possible to hold additional meetings if and when they were required.

The Democratic Services Manager commented on the contribution Councillor Peers had made to the budget process proposals and the gap analysis example he had provided which had been passed on to colleagues in Finance. On the requirements, he asked members of the Committee to consider number 19 'We need to establish whether the use of call-in should be limited to non-Budget items, especially where a consultation item has already been to an Overview and Scrutiny Committee'.

Councillor Heesom said questions needed to be asked as to how the Council found itself in the position of setting a Council Tax rise as it did the previous year. The proposed flow chart provided Members with the opportunity to participate in an informed manner; however he felt that at stage one the previous year a "curtain had been brought down" which resulted in Members not being able to revisit stage one options. He also said that Members may have differing views and it was important to be able to compare levels of expenditure from one portfolio to another; he felt more focus was needed at stage 1 and base budgets.

The Chief Executive challenged the comment on Council Tax – tax setting had been a decision of whole Council. On the staged approach it was not the case that Members could not revisit stages or defer options to a later stage. Stage one would provide a set of options for individual service portfolios. Those particular proposals were then "locked down" only once agreed, so that implementation planning could begin at an early stage. Each Overview and Scrutiny Committee received Risk Assessments for their related portfolios and were invited to agree options for their portfolio. For 2019/20 options would be put forward at stage one and once those were agreed at County Council they would not be able to be revisited. However, that did not mean that other options could not be considered; if options needed further consideration they could move into stage two of the budget.

Councillor Peers agreed that the flow chart illustrated the process including key significant dates. He felt that requirements 3 and 24 conflicted with each other and on number 7, he concurred with Councillor Heesom that stage one did appear to close down when Members were trying to be helpful and find further efficiencies in an aim to close the budget gap. He also commented on, and welcomed, numbers 18, 19 and 22. On the proposed wording for the Constitution, he suggested that the words "or query proposals" be added after "additional information" in the first paragraph. Whilst he would have liked to see the gap analysis referred to in the report, he welcomed that it had been forwarded to the Finance team. On income and expenditure, he suggested a breakdown for each portfolio. He felt that stage one on the flow chart would benefit from some narrative and a Gantt chart with timescales and dependencies. The Chief Executive explained that numbers 3 and 24 were not the same; number 3 was information required by Members and advice on specifics before carrying out their own analysis. Number 24 was about before a decision was being reached but the wording could be amended to be clearer. These two inclusions needed to be clarified in the written form. He reiterated that each stage did not result in closing down further options. On breakdowns for each portfolio, he explained that this work was carried out as a strategic risk exercise.

Councillor Wisinger commented on the budget consultation events that had taken place over previous years which helped to convey the message to the public on the financial situation that the Council faced. The Chief Executive explained that press and social media work contributed to those events and referred again to the early consultation that had commenced the previous week with the meeting with head teachers and Chairs of Governors.

Councillor Shotton concurred with the earlier remark from Councillor Carver on the importance of funding being made available to Council's at the earliest opportunity. The Chief Executive said better forecasting at WG would help the Council to forecast and suggested that a future report could be submitted to Corporate Resources Overview and Scrutiny Committee on the number of late underspend allocations by WG that had occurred in 2017/18.

Councillor Carver suggested that the meeting of Corporate Resources Overview and Scrutiny Committee that was held in December, to which all Members were invited to, could be webcast which was supported. Councillors Johnson and Perfect spoke about the popularity of Facebook live which could be explored as an additional tool to show meetings live via social media.

Councillor Heesom suggested that a further report be brought back to the next meeting of Constitution and Democratic Services Committee on requirement 19 "we need to establish whether the use of call-in should be limited to non-Budget items, especially where a consultation item has already been to an Overview and Scrutiny Committee" which was supported. Councillor Peers suggested a pre call-in meeting could be added into the flow chart which would establish why the call-in had been requested and enable officers to consider whether all of the required information had been provided previously. If it had been then a call-in would not be required. He also suggested that the call-in deadline could be extended to enable the pre call-in meeting to be built into the timetable. The Chief Executive reiterated that if something was not concluded at stage one, it could be set back into stage two of the process for further work and review rather than hold a call-in meeting.

It was also agreed that following the comments made at the meeting a revised version of the report would be made available at the County Council meeting the following week.

Councillor Banks commented on the public consultation events which he felt were not cost effective; he suggested that a "question time" event could be arranged.

RESOLVED:

- (a) That subject to a further report on call-ins, the staged budget process as outlined in the flow chart be approved for budget consultation purposes;
- (b) That a report be submitted to the next meeting of Constitution and Democratic Services Committee on the call-in process;
- (c) That the December meeting of the Corporate Resources Overview and Scrutiny Committee, to which all Members are invited, be webcast;

- (d) That the words in requirement 24 be amended to read “Members must recognise the need to await professional officer advice/guidance before moving to a decision”;
- (e) That section 16 of the Constitution be amended to the suggested wording in the report, including the additional words “or query proposals” in the first paragraph after the words “additional information”; and
- (f) That the report be submitted to the County Council meeting on 1st May 2018 for budget consultation purposes.

25. INFORMATION SHARING WITHIN THE COUNCIL

The Chief Officer (Governance) introduced the report on information sharing within the Council. At the Committee meeting in November it had been agreed that a working group would be established to draw up fresh guidance on how to share information within the Council.

The working group, chaired by Councillor Marion Bateman, met twice in December 2017 and drew up draft guidelines which had been shared with officers and Members in consultation. The results of that work were a set of principles relating to how and when the Council would share information in its internal communications. If approved by County Council the guidelines would be inserted into the Constitution.

At the working group meetings a number of principles were approved. A number of scenarios were also considered which looked at sharing information from a number of different perspectives such as a Councillor speaking to an officer, a Councillor speaking to another Councillor or a Councillor speaking to a constituent.

The principles and examples were then subject to consultation with officers and an all Member workshop. The principles were broadly supported during the process through a few improvements were made and the final document was appended to the report.

The Chief Officer reinforced the importance of what information could be shared and provided details of consequences that could be faced from under or over sharing information. The report would be submitted to County Council on 1st May 2018.

The Chief Executive thanked everybody who had been involved in the process for their contributions and said that as well as the principles being included in the Constitution, they would also be disseminated amongst officers so that they were properly understood.

Councillor Heesom thanked the Chief Officer for the report which was welcomed. The Chief Officer added thanks to the Democratic Services Manager and the Information Governance Manager for their contributions. Councillor Bateman also expressed her thanks, as Chair of the working group, to the officers for their advice and the Members for their contributions.

Councillor Williams said the process should not end at this point and further discussions should take place with officers on the decision making process. The Chief Officer responded that proactivity was an important point.

RESOLVED:

- (a) That the guidelines be recommended to County Council for adoption into the Constitution; and
- (b) That the members of the working group be thanked for their work.

26. MEMBER DEVELOPMENT UPDATE

The Democratic Services Manager presented the Member Development Update report and explained that following the local elections the previous year an Induction Programme was designed to provide new and returning Members with essential knowledge to function effectively as a Councillor.

Regular update reports on progress on the Member Development events would be reported to the Constitution and Democratic Services Committee. In addition, if Members had any suggestions for future Member Development events they could contact the Democratic Services Manager.

Events that had taken place since the previous meeting were:

- Well-being of Future Generations Act Workshop – 8th February 2018
- Health and Safety for Councillors – 15th March 2018
- Planning Inspectorate Training – 9th April 2018
- Review of the Council's subsidies for Public Transport Workshop – 11th April 2018
- Information Sharing Principles Workshop – 16th April 2018
- Income Generation Workshop – 18th April 2018

Forthcoming workshops were:

- Council Plan – 29th May 2018
- General Data Protection Regulation (GDPR) briefing – June 2018
- Performance Monitoring Workshop – July 2018

Following the rollout of Domestic Violence Awareness training for staff, it was also proposed that this be offered to Members. Similarly with the "Look at Me" campaign which was an awareness training session on Autism Spectrum Disorder.

In response to a comment from Councillor Smith, the Chief Executive said that if he was unable to attend a training session that he was interested in, officers could provide a condensed one to one session for him. He confirmed that the Welsh Language sessions that staff were invited to attend were also open to Members.

Councillor Christine Jones suggested Corporate Parenting training which was welcomed by the Democratic Services Manager.

RESOLVED:

- (a) That the progress with Member Development events be noted; and
- (b) That suggestions for future Member Development events be discussed with the Democratic Services Manager.

27. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were no members of the press or public in attendance.

(The meeting started at 2pm and ended at 3.42pm)

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Chair