

AMENDMENT TO THE COUNCIL'S CONSTITUTION TO ALLOW THE DEMOCRATIC SERVICES COMMITTEE TO ESTABLISH TASK GROUPS

Report Submitted by: Cllr Jeff Rees, Chair of the Democratic Services Committee
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1. Area Affected

1.1 Not Applicable.

2. Purpose of Report

2.1 To seek approval to amend the Council's Constitution to allow the Democratic Services Committee to establish task groups.

3. Key Messages

3.1 **The Democratic Services Committee has the responsibility to review the adequacy of provision by the authority to discharge the democratic services function, and drive the member support and development process.**

3.2 **Members of this committee wish to be able to support improvement in these areas and feel the establishment of small informal task groups would provide them with an "instrument of delivery" to undertake independent research on issues agreed by the full committee.**

3.3 **Currently, Part 11.2 of the Council's Constitution only permits task groups to be established by the Council, the Cabinet or an Overview and Scrutiny Committee.**

4. Background

4.1 The Democratic Services Committee is responsible for the following areas within its portfolio as set out in the Local Government (Wales) Measure 2011 and Part 11.5 of the Council's Constitution:

- *Exercise the function under Section 8(1)(a) of the Measure (Designation of Head of Democratic Services).*
- *Review the adequacy of provision by the Authority of staff, accommodation and other resources to discharge democratic services functions.*
- *Make reports and recommendations to the Authority in relation to such provision.*
- *Drive the Member Support and Development process for the Council, including ensuring the Council builds on its successes in line with the Wales Charter for Member Support and Development.*

- *Take overall responsibility for deciding what should be regarded as reasonable training and development opportunities for councillors, keeping the Member Development Strategy updated and ensuring its delivery.*
- *Act as a sounding board for issues affecting elected Members, including members' annual reports, personal development reviews for councillors, role descriptions for councillors and other appropriate matters.*
- *Develop policies on other matters relating to the role of the Elected Member.*
- *Identify potential Member support / development needs and solutions.*

4.2 Whilst the Committee has been proactive in reviewing reports presented to them and in some cases recommending changes to Council, they do not have the ability to establish task groups to explore in detail specific issues within their area of responsibility.

4.3 Part 11.2 of the Council's Constitution currently states:

Task groups can be established by the Council, the Cabinet or an Overview and Scrutiny Committee. A Task Group is a group of people joined temporarily to accomplish some task such as gathering information, identifying options and the like but a Task Group will not undertake any function for or on behalf of the Council or the Cabinet or provide advice to the Council or its committees or to the Executive on the discharge of their respective functions.

Any proposal to establish a Task Group must be based on the following principles:

- *Task Groups would be Member led but could be Member / Officer Groups and could involve representatives from other agencies;*
- *The Task Groups could operate on a 'task and finish' or 'standing' basis.*

Task Groups are informal in their operation and fall outside Access to Information requirements. Each will report back to their parent body as that parent body decides is appropriate.

5. Proposed change to the Council's Constitution

5.1 The work programme of the Council's Democratic Services Committee is very much determined and driven by its members. As such, it is important that the members of the committee have the opportunity to consider options that have been fully investigated and explored. Whilst sufficient officer support is provided to the committee to prepare and present reports, the resource isn't available to explore all areas under discussion in depth, particularly when member's individual views are needed and sought.

5.2 The Council's Constitution allows for this committee to establish sub committees to discharge some of its functions; however these meetings would need to run in line with the Council's committee arrangements with formal reports being received and considered.

5.3 Given the type of research required to explore and develop options and proposals for improvement, this is not considered to be appropriate and it is therefore suggested that Part 11.2 of the Constitution be amended to enable the Council's Democratic Services Committee to establish task groups.

6. Recommendation

6.1 It is recommended that:

- Part 11.2 of the Council's Constitution be amended to include the Council's Democratic Services Committee; and
- The Chief Legal Officer and Monitoring Officer be delegated the authority to amend the Council's Constitution accordingly subject to consultation with the Members' Constitution Working Party.

For a copy of the background papers or for further information about this report, please telephone:

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