



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

COMMITTEE SUMMONS

C Hanagan
Service Director of Democratic Services & Communication
Rhondda Cynon Taf County Borough Council
The Pavilions
Cambrian Park
Clydach Vale CF40 2XX

Meeting Contact: Emma Wilkins (CouncilBusiness@rctcbc.gov.uk)

YOU ARE SUMMONED to a Hybrid meeting of the **CONSTITUTION COMMITTEE** to be held on **MONDAY, 5TH JUNE, 2023** at **2.00 PM.**

Non Committee Members and Members of the public may request the facility to address the Committee at their meetings on the business listed although facilitation of this request is at the discretion of the Chair. It is kindly asked that such notification is made to Democratic Services by Thursday, 1 June 2023 on the contact details listed above, including stipulating whether the address will be in Welsh or English.

AGENDA

**Page
No's**

1. DECLARATION OF INTEREST

To receive disclosures of personal interests from Committee Members in accordance with the Code of Conduct.

Note:

1. Members are requested to identify the item number and subject that their interest relates to and signify the nature of the personal interest: and
2. Where Members withdraw from a meeting as a consequence of the disclosure of prejudicial interest they must notify the Chairman when they leave.

2. MINUTES

To approve as an accurate record, the minutes of the meeting held on 13th May 2021.

3. GUIDE TO THE CONSTITUTION OF RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

To receive the report of the Director, Legal & Democratic Services containing the draft Constitution Guide for Rhondda Cynon Taf Council, as required by the Local Government and Elections Act (Wales) 2021.

9 - 58

4. NOTICE OF MOTION REPORTING MECHANISM

To consider the report of the Service Director, Democratic Services & Communication providing details of the Notice of Motion reporting mechanism following a referral from Council at the meeting on the [29th March 2023](#).

59 - 64

5. PETITIONS SCHEME

To consider the report of the Service Director, Democratic Services & Communication with proposed revisions to the Council's Petitions scheme, as in accordance with the requirements of the Local Government and Elections (Wales) Act 2021.

65 - 80

6. MULTI LOCATION MEETING POLICY

To receive the report of the Service Director, Democratic Services & Communication providing Members with the draft policy, following its consideration and comment by the Democratic Services Committee and Scrutiny Chairs and Vice Chairs.

81 - 96

7. URGENT BUSINESS

To consider any items, which the Chairman, by reason of special circumstances, is of the opinion should be considered at the meeting as a matter of urgency.

Service Director of Democratic Services & Communication

Circulation:-

The Chair and Vice-Chair of the Constitution Committee
(County Borough Councillor G Hughes and County Borough Councillor S Evans respectively)

County Borough Councillors:

Councillor M Webber, Councillor J Cook, Councillor G Hopkins, Councillor W Jones, Councillor B Stephens and Councillor K Morgan



RHONDDA CYNON TAF

RHONDDA CYNON TAF COUNCIL CONSTITUTION COMMITTEE

Minutes of the virtual meeting of the Constitution Committee held on Thursday, 13 May 2021 at 2.00 pm

County Borough Councillors - Constitution Committee Members present : -

Councillor S Powderhill (Chair)
Councillor G Hughes Councillor M Webber
Councillor D Grehan Councillor G Stacey

County Borough Councillors in attendance : -

Councillor P Jarman

Officers in attendance : -

Mr C Hanagan, Service Director of Democratic Services & Communication
Mr A Wilkins, Director of Legal Services and Democratic Services

1 DECLARATION OF INTEREST

In accordance with the Council's Code of Conduct, there were no declarations made pertaining to the agenda.

2 WELCOME

The Presiding Officer welcomed all Members to the meeting with an extended welcome to County Borough Councillor P Jarman, following an invite to the meeting to all Group Leaders.

3 APOLOGIES

Apologies for absence were received from Committee Members County Borough Councillors M Griffiths and G Davies. Apologies were also noted from County Borough Councillor A Morgan and M Powell as Group Leaders.

4 MINUTES

It was **RESOLVED** to approve the minutes of the 2nd May 2019 as an accurate reflection of the meeting.

5 A REVIEW OF MEMBER'S QUESTION AT COUNCIL

The Service Director, Democratic Services & Communications presented the report to Members, which provided members with the opportunity to review the arrangements introduced in May 2019 in respect of 'Members Question on Notice' at full Council meetings and to ensure these arrangements are still fit for purpose.

Discussions ensued and a Member noted her agreement with the recommendations contained within the report and in particular to the 20 minute rule.

Another Member noted that there was previously a maximum of 5 questions from Members and that it's possible that the 5 questions won't be tabled in some cases. The Member felt that at least 5 questions should be asked and that if this goes over the allocated time limit then so be it. The Member also noted that in terms of supplementary questions the Member noted that we should carry on as we are at present and that if a Member has started a question they should be allowed to finish, even if over the allotted time frame. In respect of leaders tabling questions, the Member felt unsure about this aspect and noted that it would be possible to end up in a situation where a Leader tables a question to himself.

The Service Director, Democratic Services & Communications advised Members that a group leader could table a question to themselves but emphasised that this is to allow them to have responsibility for their group and to simplify the process of tabling questions. In respect of supplementary questions, the Presiding Officer noted that it will go to Council, however, he noted his view that he is happy to stick to the allotted time frame for supplementary questions.

Discussions ensued and another Member noted his agreement with the recommendations, particularly in terms of tabling questions. In terms of Leaders tabling questions, a Member sought confirmation that they have the ability to do so but that it isn't enforced so that questions don't need to be tabled through the Leader. The Service Director, Democratic Services & Communications confirmed that the right of Members to table questions would still exist.

Discussions continued and Councillor Jarman noted her view that it would be preferable for Members to submit their own questions without going through the group Leader. In respect of the number of questions that were tabled, Councillor Jarman also noted that only just over 5 questions were actually asked on average per meeting.

In respect of supplementary questions, Councillor Jarman noted her disagreement to the recommendation and queried why the Presiding Officer couldn't allow some flexibility to allow the individual Member to ask the supplementary question. Councillor Jarman further emphasised that every Member of the Council should have the right to send in their individual questions without being 'vetted' by their group Leaders first. The Presiding Officer responded by emphasising that every Member still has the ability to send in a question. The Service Director confirmed this to be correct.

Another Member also emphasised that every individual Member can also email the respective Cabinet Member with any additional question that they may have.

Discussions ensued and a Member noted his view that the average questions per meeting is just over 6 rather than just over 5.

Another Member noted that in terms of supplementary questions, that the group leading the Council is being very dismissive in terms of other Members outside of the leading Group being given an opportunity to question and challenge the Leadership.

Councillor Jarman noted her view that in terms of supplementary questions, it would be useful if the answers were more concise, and that training would be useful for Members in terms of answering questions to allow for more concise answers and to maximise the allotted time allowed for Members.

Councillor Jarman that it is only those asking a supplementary question that will be disadvantaged by the 20 minute rule.

The Presiding Officer emphasised that every individual Member has the right to email individual officers or the respective Cabinet Member with a question and that they do not have to wait for the full Council meeting.

Following discussion, Members **RESOLVED**

- To approve the question arrangements adopted at the Annual General Meeting of the Council in 2019 as outlined within the report;
- To approve the questions posed in 5.9 of the report; and,
- To recommend the current arrangements of Questions on Notice to the twenty sixth Annual Council Meeting on the 26th May 2021.

6 VIRTUAL BUSINESS MANAGEMENT

The Service Director, Democratic Services & Communications presented his report to the Committee and noted the proposals which seek to support the implementation of the Local Government & Election Wales Act (2021) and to support the implementation of hybrid meetings and live broadcasting in the new municipal year.

Discussions ensued and a Member noted that it should be indicative, not prescriptive and that it should be at the discretion of the Presiding Officer. The Service Director also emphasised that these proposals will also be reviewed again in the near future. Another Member noted their agreement to the recommendations. Councillor Jarman noted her agreement to the proposals provided it doesn't disenfranchise all Members of the Council. Councillor Jarman also emphasised the need for good governance by encouraging public participation and that there needs to be a facility whereby members of the public can contribute to the agenda.

Discussions ensued and a Member noted that regard must be given to the difficulties of virtual working, particularly the difficulties of working from home. The Member emphasised that the wider involvement of Elected Members would not be restricted.

Following discussion, Members **RESOLVED**: -

- To recommend the introduction of an indicative time allocation for Council agenda items; and,
- To recommend the Proper Officer propose a suitable amendment to the Council Procedural rules for consideration by Council at the twenty sixth Annual Council Meeting on the 26th May 2021.

7 THE COUNCIL'S CONSTITUTION - PROPOSED AMENDMENTS AND ANCILLARY MATTERS

The Service Director, Democratic Services & Communications presented the report to Members and set out the proposed amendments to the Council's Constitution and ancillary matters as outlined in the report and in accordance with the requirements of the Local Government & Elections (Wales) Act 2021. It was noted that if in agreement, Members were asked to commend the adoption of the proposed amendments to full Council for consideration at the Annual General Meeting of the Council being held on 26th May 2021.

Discussions ensued and a Member sought clarity as to the flexibility of the paperless approach. The Service Director confirmed that the Council will meet the individual needs of Members and that a degree of flexibility will be used. Another Member noted his agreement to the proposals and the opportunity to encourage more people to participate in the democratic process. The Member also sought clarification that in future translation Services will be heard in the recording of meetings and queried who would be responsible for making the decision as to whether a meeting would be webcast. The Service Director confirmed that the decision in respect of webcasting lies with the Head of Democratic Services in consultation with the appropriate Chair and that once a precedent is set that Committee meeting will continue to be recorded and published accordingly. It was also emphasised that anything that is a public facing meeting would be required to be publicised. It was also emphasised that there is a limitation on the number of recording hours and that therefore some meetings may not be recorded. All committees of public interest will be required to be broadcast live. Another Member also emphasised that some meetings could not be publicised due to the confidentiality of some reports. In respect of translation services, the Presiding Officer confirmed that it is possible to speak in Welsh and have the translation service. The Service Director accepted that the translation service provided through the Zoom Application isn't perfect, however, this will be possible through the new Webcasting arrangements.

Discussions continued and Councillor Jarman queried whether social media updates would continue in light of the webcasting arrangements. Councillor Jarman also sought clarification as to whether Members will be treated equally whether they choose to attend the chamber or to attend a meeting remotely under the new hybrid approach to meetings. The Service Director emphasised that each Member will have equal presence to participate in the discussion of the meetings. Members were also advised that in respect of webcasting arrangements, there will be two feeds available so that both English and Welsh will be available on the recording. The Director of Legal also emphasised that in respect of the equality and diversity aspect of the report, the report can be amended prior to going to the Annual General Meeting to reflect that all Members will be allowed access to paper copies where the individual circumstances permit.

Following discussion, Members **RESOLVED** to recommend the amendments and ancillary matters relating to the Council's Constitution to full Council.

This meeting closed at 3.10 pm

**Cllr S Powderhill
Chairman.**



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CONSTITUTION COMMITTEE

5 JUNE 2023

CONSTITUTION GUIDE

REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

1. **PURPOSE OF THE REPORT**

Having regard to the provision in Section 45 of the Local Government and Elections (Wales) Act 2021 a Constitution Guide is presented to Members for comment and agreement.

2. **RECOMMENDATIONS**

It is recommended that Members:

- 2.1 Consider and comment on the content of the Constitution Guide, attached as Appendix 1 of this report; and
- 2.2 Subject to 2.1 above, endorse the draft Constitution Guide and recommend adoption to Council

3 **REASONS FOR RECOMMENDATIONS**

- 3.1 The need to provide Members with the Council's draft Constitution Guide, for consideration and comment as required by statute.

4. **BACKGROUND**

- 4.1 Section 45 of the Local Government and Elections (Wales) Act 2021 (the Act) requires principal councils to publish a Constitution Guide which explains in ordinary language the content of the Council's Constitution. Principal Councils must also publish their Constitution and Constitution Guide electronically and provide on request, either free of charge, or at a charge (representing no more than the cost of providing the copy).

- 4.2 The All-Wales Monitoring Officers' Group, via funding from the Welsh Local Government Association (WLGA) commissioned Browne Jacobson Solicitors to draft a model Constitution Guide having regard to Section 45 of the Act.
- 4.3 Attached at Appendix 1 to this report is a draft Constitution Guide based on the Browne Jacobson Model Guide which is presented to the Constitution Committee for comment and endorsement with the recommendation it be adopted by Full Council.

5 OVERVIEW OF THE DRAFT CONSTITUTION GUIDE.

- 5.1 The draft Constitution Guide is designed to help Members of the public understand how the Council makes decisions; delivers services and explains how the public can get involved in the democratic process. Its aim is to provide an overview of the Council's Constitution and explain key sections of the constitution in clear and simple language.
- 5.2 Section 1 explains why the Constitution is important and how it is reviewed and updated.
- 5.3 Section 2 explains how the Council is structured. It describes the Council's democratic bodies as well as how decisions are made and by whom.
- 5.4 Section 4 explains the roles and responsibilities of elected members and paid officers of the Council. It describes the jobs they do, and how they work together to deliver the Council's functions and priorities.
- 5.5 Section 5 provides a summary of the key policies and procedures that govern how the Council carries out certain functions.
- 5.6 The final section of the guide explains how the public can engage and get involved in local democracy. It explains how councillors are elected, details in respect of contacting Councillors and how questions can be raised through Council meetings.

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 There are no Equality and Diversity implications arising from this report and no Equality Impact Assessment is deemed necessary for the purposes of this report. The requirement to take forward a Constitution Guide to help members of the public to understand how the Council makes decisions and works to deliver services across the County Borough including details of how local people can get involved in democracy would further improve equality and diversity.

7. FINANCIAL IMPLICATIONS

7.1 There are no financial implications arising from this report.

8. LEGAL IMPLICATIONS

- 8.1 Section 45 of the Local Government and Elections (Wales) Act 2021 ('the 2021 Act') places a duty on the Council to:
1. Prepare and keep up to date a Constitution Guide, which explains, in ordinary language, the content of its Constitution;
 2. Publish the Constitution Guide electronically and in such other manner as it considers appropriate;
 3. Ensure that copies of the Constitution Guide are available at its principal office for inspection by members of the public at all reasonable hours; and
 4. Supply a copy of the Constitution Guide to any person who requests a copy and who pays such reasonable fee as the Council may determine.

9. CONSULTATION / INVOLVEMENT

- 9.1 In accordance with the terms of the reference of the Constitution committee the draft guidance is presented before Members prior to presentation to Council.

10. CONCLUSION

- 10.1 This report advises Members of the need to adopt a Constitution guide to assist the public in understanding the democratic process and the need for Members to consider the draft proposal as outlined within Appendix 1 of the report.

LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

CONSTITUTION COMMITTEE

5 JUNE 2023

CONSTITUTION GUIDE

REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

[Section 45 of the Local Government and Elections \(Wales\) Act 2021 \(the Act\)](#)



Guide to the Constitution of Rhondda Cynon Taf County Borough Council

Produced pursuant to section 30 of the Local Government Act 2000 (as amended by section 45 of the Local Government and Elections (Wales) Act 2021

Introduction

The constitution

The Council is made up of different individuals and bodies, who work together to deliver the Council's functions. The Council's constitution describes the different people and bodies that make up the Council, their functions, and the procedure rules that govern how those bodies work together to deliver services.

It is intended to: -

- enable the Council to make decisions efficiently and effectively;
- support you to participate in decisions that affect you;
- help Councillors to represent their constituents more effectively; and
- enable you to hold the Council to account.

One of the main aims of the constitution is to set out clearly what you can expect from the Council, and what you can do if your expectations are not met.

This guide

This guide is designed to help you to understand how the Council makes decisions and works to deliver services in your area and how you can get involved. It provides an overview of the Council's constitution and explains key sections of the constitution in clear and simple language.

It may also be of use to those organisations that work with the Council to deliver services in the Council's area.

The first section of this guide explains why the constitution is important and how it is reviewed and updated.

It aims to answer questions such as: -

- *Why does the Council have a constitution?* p.6
- *How can I get a copy of the constitution?* p.6
- *Who is responsible for keeping the constitution up to date?* p.6

The second section of this guide explains how the Council is structured. It describes the Council's democratic bodies as well as how decisions are made and by whom.

It explains the functions of the Council, its Cabinet and its committees, and which body of the Council is responsible for particular policies and decisions.

It aims to answer questions such as: -

- *What does my local Councillor do?* p.10
- *What does the Council do?* p.11
- *What happens at Council meetings?* p.13
- *How does the Council make decisions?* p.13
- *How can I find out what the Council decided about an issue that affects me?* p.14
- *What does the Cabinet do?* p.16
- *How does the Cabinet make decisions?* p.167
- *What do the Council's committees do?* p.18
- *What does the planning committee do?* p.18
- *Who is responsible for governance, audit and risk management?* p.19
- *What does the licensing committee do?* p.19
- *How are decisions scrutinised?* p.21
- *Who is responsible for upholding standards and holding Councillors to account for their conduct?* p.220

The third section of this guide explains the roles and responsibilities of elected members and paid officers of the Council. It describes the jobs they do, and how they work together to deliver the Council's functions and priorities. It also explains the codes of conduct that govern councillors' and officers' conduct and the standards of behaviour that you can expect from them.

It aims to answer questions such as: -

- *What role do Councillors perform* p.24
- *What does the Presiding Member, as Chair of the Council, do?* p.26
- *What does the Leader do?* p.27
- *What happens if the Leader is unable to perform their duties?* p.27
- *My Councillor is a member of the Cabinet, what does this mean?* p.27
- *How are members of the Cabinet supported?* p.28
- *What does the Chief Executive do?* p.28
- *What responsibilities does the Monitoring Officer have?* p.28
- *Who is responsible for ensuring that the Council's democratic policies and procedures are complied with?* p.28
- *How should Councillors behave?* p.30
- *How should Officers behave?* p.32
- *Are there any special requirements when Councillors of Officers decide planning applications?* p.32
- *How can I complain about the behaviour of a Councillor?* p.33
- *How do I report concerns about the conduct of a paid Officer of the Council?* p.34

The fourth section of this guide provides a summary of the key policies and procedures that govern how the Council carries out certain functions.

It aims to answer questions such as: -

- *Where can I find the Council's key plans and strategies?* p.35
- *How is the Council's policy framework decided?* p.35
- *How does the Council set its budget?* p.36
- *Can decisions be taken that do not comply with the budget or policy framework?* p.36
- *Can money be moved from one budget head to another once the budget has been adopted?* p.37

- *What other policies and procedures govern how the Council manages its budget?* p.37
- *Are there any restrictions on how the Council buys in goods and services?* p.37
- *How does the Council enter into contracts and agreements?* p.37

The final section of this guide explains how you can engage with, and get involved in, your Council and local democracy. It explains how your councillors are elected, how you can contact your councillor, raise questions and speak at meetings, and how you can use petitions to raise issues that are important to you with the Council.

It aims to answer questions such as: -

- *What is the Council doing to engage with local people?* p.38
- *Can I send a petition to the Council?* p.**Error! Bookmark not defined.**
- *How can I find out when meetings of the Council and its committees and bodies are taking place?* p.389
- *How can I find out what will be discussed at a particular meeting?* p.39
- *How can I find out when an issue I am concerned about will be decided?* p.39
- *Can I ask a committee or body of the Council to look into a particular issue?* p.39
- *Can I attend meetings of the Full Council?* p.39
- *Can I attend other meetings?* p.40
- *Can I speak at a meeting?* p.40
- *Can I ask a question at a meeting?* p.40
- *How can I find out what the Council decided?* p.41
- *Can I view the Council's accounts to understand how my council tax is spent?* p.42

Signposts to the most relevant sections of the constitution and to additional resources available on the Council's website are provided throughout this guide to enable you to read more on a particular topic if you wish.

If there is anything in this guide which is unclear, or anything is missing, please let us know so we can improve it.

You can contact us by emailing the Council's Monitoring Officer at director.legal@rctcbc.gov.uk or by writing to them at Rhondda Cynon Taf County Borough Council, the Pavilions, Clydach Vale, Tonypany, CF40 2XX.

Section 1 The Constitution

The constitution governs the way in which the Council, Councillors and officers working at the Council work together to deliver the Council's functions. It ensures that everyone at the Council acts lawfully, fairly and appropriately and that the Council's functions are performed properly and effectively.

The constitution is divided into seven parts:

Part 1 - Summary and Explanation

Part 2 - Articles of the Constitution

Part 3 (i) - Responsibility for Functions

Part 3 (ii) - Functional Areas Chart

Part 4 - Rules of Procedure

Part 5 - Codes and Protocols

Part 6 - Schedule of Member Remuneration

Part 7 - Management Structure



Article 1.3 of Part 2 of the constitution explains the purpose of the constitution.

You can obtain a copy of the constitution from the Council's offices and view it on the Council's website. A copy of the constitution must also be provided to each Councillor when they are elected to the Council.



You can access the Council's constitution on the Council's website and by clicking [here](#).



Article 16.03 of Part 2 of the constitution explains where, when and how the constitution must be published.

The Monitoring Officer is responsible for maintaining and reviewing the constitution. The Monitoring Officer is also responsible for deciding how the constitution should be understood and applied. You can read more about the Monitoring Officer's role in Section 4 of this guide.

The Full Council is responsible for agreeing the constitution. Once the constitution has been agreed, it can only be changed by the Full Council. Usually, changes to the constitution are recommended to the Full Council by the Council's Constitution Committee.

In some circumstances, the Monitoring Officer may make changes to the constitution. For example, where there is a change in the law that affects the constitution, or where a minor change is needed to clarify a provision in the constitution that is unclear.



Article 15 of Part 2 of the constitution explain how the constitution is agreed and how it can be changed.

The constitution also governs how meetings of the Council and its committees should be conducted. The person chairing a meeting will be responsible for ensuring that the constitution is followed during that meeting.

Section 2 The Council’s democratic structures

The Council is made up of Councillors who are elected every five years to represent people living in different parts of the Council’s area (referred to in the constitution as ‘electoral wards’).

Councillors are responsible for everyone living in the Council’s area, but they have a special duty to people living in their ward.



Article 2 of the constitution provides an overview of how individual Councillors work together as the Council.

All Councillors meet together regularly as the Full Council. The Full Council is responsible for setting the Council’s budget, policy priorities and overall policy framework.

At the start of every year, the Full Council will elect one Councillor as its Presiding Member. The Presiding Member is responsible for chairing meetings of the Full Council and ensuring that decisions are taken properly and in accordance with the rules. Full Council also elects a Mayor who is responsible for carrying out certain ceremonial functions.

You can read more about these roles in Section 3 of this guide.

The Council appoints or elects a Leader (who may be the leader of the largest political group or coalition of political groups). Individual councillors will also be appointed to the Cabinet by the Leader. The Leader will generally appoint councillors from their own political group to the Cabinet, although they may appoint councillors from any political group to the Cabinet. Members of the Cabinet are responsible for specific policy areas, commonly referred to as portfolios. At each

annual general meeting of the Council the Leader produces a document, known as the Leader's Scheme of Delegation, which details the portfolios of the Cabinet Members. This is updated when portfolios or Cabinet Members change. The Leader's Scheme of Delegation can be found by clicking [here](#).

The Cabinet meets regularly to take collective decisions on those aspects of the Council's work which the Cabinet is responsible for.

Some of the Council's functions are carried out by committees. Committees are small groups of Councillors that meet together to carry out certain of the Council's regulatory and scrutiny functions. Committees have a number of members from each political group, in the same proportion as the number of councillors from each political group on the Council overall (referred to as 'political balance' or 'political proportionality'), unless everyone agrees otherwise.

Councils are able to meet using video conferencing software. Meetings may either be "remote" (where all councillors are in different places) or "hybrid" (where some people are present in one place, and others are in different places).

The Council may engage such paid staff (referred to as officers) as it considers necessary. The Cabinet, Full Council and committees may delegate functions to officers. Further information on delegations can be found in the officers' scheme of delegations contained in Part 3 (Section 5) of the constitution - responsibility for functions of the constitution.

You can read more about these structures in the following sections of this section of the guide.

STRUCTURE CHART

THE PUBLIC, elect



COUNCILLORS (x75), who are members of the



FULL COUNCIL
(which is chaired by the PRESIDING MEMBER)



EXECUTIVE

LEADER
(elected by the FULL COUNCIL)



DEPUTY LEADER
(appointed by the LEADER)



CABINET/EXECUTIVE
(comprising COUNCILLORS appointed by the Leader)



ASSISTANTS TO THE EXECUTIVE (if appt)
(designated by the LEADER)



REGULATORY and OTHER COMMITTEES

GOVERNANCE AND AUDIT COMMITTEE

DEMOCRATIC SERVICES COMMITTEE

LICENSING COMMITTEE

PLANNING & DEVELOPMENT COMMITTEE

STANDARDS COMMITTEE

APPEALS/CHIEF OFFICER APPEALS COMMITTEE

PENSIONS COMMITTEE

CONSTITUTION COMMITTEE

APPOINTMENTS COMMITTEE

VOLUNTARY EARLY RETIREMENT/VR COMMITTEE

Local Education Authority Governors (Appointments) Committee



SCRUTINY COMMITTEES

OVERVIEW AND SCRUTINY COMMITTEE

EDUCATION & INCLUSION SERVICES SCRUTINY COMMITTEE

CLIMATE CHANGE, FRONTLINE SERVICES & PROSPERITY SCRUTINY COMMITTEE

COMMUNITY SERVICES SCRUTINY COMMITTEE



JOINT BODIES

SOUTH EAST WALES CORPORATE JOINT COMMITTEE

CWM TAFF MORGANNWG JOINT OVERVIEW AND SCRUTINY COMMITTEE

CARDIFF CAPITAL REGION CITY DEAL JOINT SCRUTINY COMMITTEE

CENTRAL SOUTH CONSORTIUM (SCHOOL IMPROVEMENT)



PAID OFFICERS
(employees of the Council, appointed by MEMBERS or other senior PAID OFFICERS)

CHIEF EXECUTIVE

MONITORING OFFICER

CHIEF FINANCE OFFICER

HEAD OF DEMOCRATIC SERVICES

OTHER CHIEF OFFICERS

Councillors

Councillors are elected by the people living in a particular ward to represent them on the Council. However, Councillors are also accountable to the wider community and must act in the best interests of everyone living in the Council's area.

If you want to raise an issue with the Council and are not sure who to contact, you may wish to contact your Councillor to ask for help.



You can find out who your local Councillor is and their contact details on the Council's website [here](#).

All Councillors are members of the Full Council, and they may also be members of one or more of the Council's members bodies (such as the Cabinet or a committee). Where Councillors act as a member of a particular Council body, they are referred to in the constitution as 'Members'.

Councillors have certain rights that are set out in the constitution, which enable them to raise issues and make representations on your behalf.

For example, Councillors may: -

- see any information which they need in order to fulfil their role as a member of the Council;
- attend any meeting of the Council, its committees or the Cabinet;
- speak at any meeting of any Council body which they are a member of;
- with the permission of the chair, speak at any meeting of any Council body (even if they are not a member of that body);
- talk to the Leader, or members of the Cabinet or Council officers about any aspect of Council business; and
- raise complaints.



Councillors' rights and duties are set out in Article 2 of Part 2 of the constitution.



Councillors' rights to information are set out in Rule 18 of the Access to Information Procedure Rules (contained in Part 4 of the constitution).

Councillors may also raise questions at meetings of the Full Council and the Council's committees and sub-committees, submit motions to the Full Council and call-in decisions.



The rules surrounding how these rights are exercised are set out in the procedure rules for each type of meeting (found in Part 4 of the constitution): Council Meeting Procedure Rules; Open Government Council Meeting Procedure Rules; Executive Procedure Rules and Overview and Scrutiny Procedure Rules.

Full Council



Article 4 of Part 2 of the constitution governs the Full Council.

What does the Full Council do?

The law requires that certain important decisions are taken by all Councillors meeting together as the Full Council. These are referred to in the constitution as functions of the Full Council. The Council may decide that other non-executive functions should be carried out by the Full Council too. These are referred to in the constitution as local choice functions because the Council has a choice about which person or body should carry them out.



Part 3 of the constitution explains the different types of functions that are carried out by the Council and which part of the Council is responsible for carrying them out.

The Full Council is responsible for, amongst other things: -

- agreeing the constitution, and any changes to the constitution;
- setting the Council's budget;
- developing the Council's Corporate Plan (which explains how the Council will deliver its legal duties in areas such as health and social care, children and young people and community safety);
- agreeing key plans and strategies (referred to in the constitution as the 'policy framework');
- reviewing and reporting on the Council's performance;
- electing the Leader, Mayor and the Presiding Member; and
- appointing the Chief Executive and other Chief Officers.



All of the functions of the Full Council are listed in Article 4.1 of Part 2 of the constitution.

Meetings of the Full Council are chaired by the Presiding Member. They are responsible for ensuring that meetings are conducted in accordance with the constitution and that decisions are made properly, fairly and lawfully.

You can read more about the role of the Presiding Member in Section 3 of this guide.

What happens at meetings of the Full Council?



The different types of full Council meetings, how they are called, the issues they decide and the rules for how meetings are run are set out in the Council Meeting Procedure Rules found in Part 4 of the constitution.

The Full Council will meet early in each financial year to elect Councillors to particular positions on the Council, to appoint Councillors to outside bodies and to establish committees and working groups to carry out the Council's business during the year. This is known as the annual meeting.



The timing of the annual meeting and the issues to be decided at that meeting are described in Rule 1 of the Council Procedure Rules found in Part 4 of the constitution.

At the annual meeting, the Council will also decide how often all Councillors should meet together as the Full Council. These regular meetings of the Full Meetings are known as ordinary meetings.



Ordinary meetings are carried out in accordance with Rule 2 of the Council Procedure Rules found in Part 4 of the constitution.

In some circumstances, it may be necessary for the Full Council to meet before its next scheduled meeting to discuss an issue that is particularly urgent or important. This is known as an extraordinary meeting of the Council.



The process by which an extraordinary meeting may be called and the issues that may be discussed there are set out in Rule 3 of the Council Procedure Rules found in Part 4 of the constitution.

The full Council decides the dates for its programme of meetings for each year at the annual council meeting. The Head of Democratic Services notifies Councillors of this by issuing them with a summons to attend each Council meeting.

The Head of Democratic Services is also responsible for ensuring that the public are told about meetings of the Full Council, by publishing a notice in advance of each meeting. The notice must include certain information such as the date and time of the meeting, where it will be held and how you can access the meeting remotely using video conferencing.

You can read more about participating in meetings of the Council in section 4 of this guide.



Rule 4 and 5 of the Council Procedure Rules in Part 4 of the constitution govern meeting arrangements and notice requirements.

How does the Full Council make decisions?

Meetings of the Full Council are carried out in accordance with an agreed set of rules that are designed to ensure that debates are conducted fairly and efficiently, and that every Councillor has the ability to raise questions and to make comments on the public's behalf.



The rules and procedures for the conduct of meetings and debate are set out in the Council Procedure Rules.

Decisions are made by Councillors casting votes for or against a particular decision (referred to in the constitution as a motion). Councillors may also propose amendments (changes) to a particular motion, which must then be voted on.

Historically, votes were conducted by a show of hands, with Councillors asked to raise their hand to indicate whether they were voting for or against a particular motion, or whether they wished to abstain (i.e. to vote neither for nor against the motion). Councils now use a range of methods including electronic voting pads for meetings where Councillors are physically present and in-built electronic voting functions on video conferencing platforms where meetings are conducted remotely or in a hybrid format.

Decisions will usually require a simple majority of those present voting for a particular motion. In other words, more Councillors must vote for a motion than against it. Where a vote is tied once all Councillors have voted, the Chair will have a second or casting vote.

If a matter is uncontroversial and no Councillor raises any objection/dissent, the Chair may declare the motion or recommendation to be carried (agreed). However, if there are any objections, the Chair will initiate a vote. Councillors may also request that their individual vote on a particular motion is recorded in the minutes.



The Council's voting arrangements are set out in Rule 20 of the Council Procedure Rules found in Part 4 of the constitution.

Does every Councillor need to be present before a decision can be taken?

Not every Councillor needs to vote on every decision. In fact, in some circumstances it may not be appropriate for a Councillor to vote on a particular issue (for example, where they have a personal interest in a decision). You can read more about this in section three of this guide.

However, in order for the Council to make a lawful decision a minimum number of Councillors must be present at a meeting. The minimum number of Councillors that must be present at a meeting is referred to in the constitution as the quorum for that meeting.



Rule 7 of the Council Procedure Rules found in Part 4 of the constitution sets out the minimum number of Councillors that must be present so the Full Council can make a decision.

Are meetings recorded?

Meetings of the Full Council are webcast live on the Council's website. The live webcast can be viewed on the Council's website at the time of the meeting and remains available for a period after the meeting.

A record of each meeting will be kept in the form of minutes. The minutes will contain a record of the motions that were put to the meeting, and the decisions that were taken. They will also record who was present at the meeting.




The minutes of a meeting of the Full Council will be agreed by the next meeting of the Council and published on the Council's website in accordance with the Council's Access to Information Procedure Rules.

The Council also publishes a record of the decisions taken at every meeting of the Cabinet and Cabinet sub-committee meetings.

If you want to find out what the Council decided about an issue that affects you, you can read the minutes or the record of decisions for the meeting where that issue was discussed.




Information on the Council's broadcasting arrangements can be found in Rule 26 of the Council Procedure Rules found in Part 4 of the constitution and on the Council's website [here](#).


-  Information on the note of decisions taken and minutes of Council meetings can be found in Rule 7 of the Access to Information Procedure Rules Information found in Part 4 of the constitution.
-  The Access to Information Procedure Rules can be found in Part 4 of the constitution.
-  Minutes of meetings and records of decisions are available on the Council's website [here](#).

The Cabinet

The Cabinet is made up of the Leader and individual Councillors appointed to the Cabinet by the Leader.

 Article 7 of Part 2 of the constitution explains the composition of the Cabinet and how Councillors are appointed to the Cabinet.

The role of Leader and any role on the Cabinet may be carried out by two or more Councillors on a job-share basis.


 Article 7.09 of Part 2 of the constitution explains the job-sharing arrangements for members of the Cabinet.


What does the Cabinet do?

The law classifies the functions of the Council as ‘executive functions’ or ‘non-executive functions’. The Cabinet is responsible for carrying out the Council’s executive functions. However, in practice the Cabinet cannot carry out every one of these functions, so the Council reserves responsibility for certain functions to the Cabinet and delegates responsibility for certain functions to the Cabinet, to members of the Cabinet, to officers of the Council or to another bodies like joint committees.

The Council decides which functions to delegate to whom. This is known as the Council’s Scheme of Delegations.

Each year the Leader also decides which executive functions to delegate to whom. This is known as the Leader’s scheme of delegation.

 Article 7.06 of Part 2 of the constitution explain how functions are delegated by the Leader.


 The Council’s schemes of delegation can be found in Part 3 of the constitution - responsibility for functions.


Meetings of the Cabinet

The Leader will decide when the Cabinet will meet, and for how long. They will also chair meetings of the Cabinet.

The constitution prescribes certain matters that must be considered at every meeting of the Cabinet. Additionally, the Leader, members of the Cabinet and certain Chief Officers may require that an item of business is added to the meeting agenda.

Meetings of the Cabinet are carried out in accordance with the rules of procedure and debate set down in the constitution.


 The rules of procedure of the Cabinet are set out in the Executive Procedure Rules found in Part 4 of the constitution.

 Rule 2 of those procedure rules govern how meetings of the Cabinet are conducted.


How does the Cabinet make decisions?


The Cabinet is obliged to consult with individual Councillors and with certain committees before it makes certain decision on matters that are not urgent.

The Cabinet is also required by law to consult with the public in advance of taking certain decisions. The type and level of consultation will depend on the matter being decided. The outcomes of the consultation will be carefully considered to inform the Cabinet decision

 These consultation requirements are explained in Rule 2.3 of the Executive Procedure Rules found in Part 4 of the consultation.

The Cabinet must keep a record of every decision it makes, including every decision made by an individual member of the Cabinet and the Cabinet's committees.

 Rules 14 and 15 of the Access to Information Procedure Rules found in Part 4 of the constitution sets down the requirements for the Cabinet record of decisions.

 You can read the minutes of meetings of the Cabinet on the Council's website [here](#).

Why does the Council have committees and what do they do?

The law requires the Council to establish committees for the purpose of carrying out certain legal functions of the Council. The Council establishes its Committees and appoints Committee members and Chairs for the year at the annual general meeting of the Council. These Committees assist the Council to conduct its business efficiently and effectively with good governance.

A list of the regulatory and other committees established by the Council is set out in Article 8 of Part 2 of the Constitution.



The functions of each committee are set out in the committees' approved terms of reference in Section 4 of Part 3 of the constitution.

The Council may also decide to establish other committees and working groups for the purpose of assisting the Council to conduct its business efficiently and effectively.

What do the Council's regulatory committees do?

Planning and Development Committee

The Council is responsible for operating the planning system in its area. This involves preparing local development plans and local planning policies (which govern development in the Council's area) and managing development (by granting or refusing permission for new development).

The Council will appoint individual Councillors to the Planning and Development Committee and agree terms of reference for, and the delegation of powers to, the Planning and Development Committee to enable it to discharge those functions.



The functions of the Planning Committee are set out in the committee's approved terms of reference found in Section 4 of Part 3 of the constitution.



The Planning and Development Code of Good Practice provides information and guidance for Councillors, officers and members of the public about the Council's planning processes - this is found in Part 5 of the constitution.





Meeting agendas, reports and minutes of the Planning and Development Committee are published on the Council's website [here](#).

Licensing Committee

The Council is responsible for deciding whether to grant licences for a wide range of different businesses, services and activities in its area. The Council's licensing functions are delegated to the Council's Licensing Committee.

The Council will appoint individual Councillors to the Licensing Committee and agree terms of reference for, and the delegation of powers to, the Licensing Committee to enable it to discharge those functions.



-  The functions of the Licensing Committee are set out in the committee's approved terms of reference found in Section 4 of Part 3 of the constitution.
-  Meeting agendas, reports and minutes of the Licensing Committee are published on the Council's website [here](#) .

Governance and Audit Committee

The Governance and Audit Committee advises the Full Council, the Cabinet and their respective committees and members on matters relating to good governance, financial oversight, risk management and complaints.

The Governance and Audit Committee monitors the effectiveness of the Council's rules and procedures for ensuring that the Council acts lawfully, responsibly and that it is accountable to the public (referred to in the constitution as the Council's governance systems and internal controls). The committee is also responsible for ensuring that the Council's decisions and finances are audited in accordance with agreed procedures. Lastly, the Governance and Audit Committee must review and comment upon the Council's own corporate self-assessment reports.



The Governance and Audit Committee comprises a mixture of Councillors and lay members (who are not members of the Council). Councillors are appointed to the Committee in accordance with the political balance rules (which ensure that the political make-up of the committee reflects the political make-up of the Council).

-  The functions of the Governance and Audit Committee are set out in the committee's approved terms of reference found in Section 4 of Part 3 of the constitution.
-  Meeting agendas, reports and minutes of the Governance and Audit Committee are published on the Council's website [here](#).

Democratic Services Committee

The Democratic Services Committee is responsible for designating an officer of the Council as the Head of Democratic Services, keeping under review the provision of resources to the Head of Democratic Services for discharging the democratic services functions of the Council and reporting annually on these matters.


The Democratic Services Committee is made up of Councillors appointed to the Committee in accordance with the political balance rules (which ensure that the political make-up of the committee reflects the political make-up of the Council), and includes no more than one Cabinet member or Assistant to the Cabinet, who cannot be the Leader of the Council.

-  The functions of the Democratic Services Committee are set out in the committee's approved terms of reference found in Section 4 of Part 3 of the constitution.
-  Meeting agendas, reports and minutes of the Democratic Services Committee are published on the Council's website [here](#).


Standards Committee

The Standards Committee is responsible for promoting high standards of conduct by Councillors and Community Councillors in Rhondda Cynon Taf, including by advising and training Councillors on the Member's Code of Conduct and advising the Council on changes to that code.

The Monitoring Officer is the senior officer responsible for advising and supporting the Standards Committee.

-  The constitution, role and functions of the Standards Committee are set out in Article 9 of Part 2 of the Constitution including its approved terms of reference.

The Standards Committee is also responsible for investigating alleged breaches of the councillor code of conduct and censuring members who are found to have failed to comply with that code.

-  The Council has adopted procedures for dealing with allegations made against Councillors.

The Standards Committee comprises a mixture of Councillors and independent members (who cannot be members or paid officers of the Council or related to members or paid officers of the Council).

The Committee includes one Councillor from each of the 2 largest political groups represented on the Council and a Community Council representative member and seeks to operate in a politically neutral manner, guided by shared ethical principles.

What do the Council's scrutiny committees do?

The Council has 4 different Scrutiny Committees responsible for holding the Cabinet and other bodies of the Council to account in relation to different aspects of the Council's work:

- (i) Overview and Scrutiny Committee
- (ii) Climate Change, Frontline Services & Prosperity Scrutiny Committee
- (iii) Community Services Scrutiny Committee
- (iv) Education and Inclusion Committee

Each Scrutiny Committee is comprised of 14 Councillors. Membership of Scrutiny Committees is restricted to those Councillors who are not members of the Cabinet or Assistants to the Cabinet.

The Scrutiny Committees can:

- review and scrutinise decisions made by the Cabinet and other parts of the Council;
- make reports and recommendations to the Council or to the Cabinet; and
- make proposals regarding changes to the Council's policies and procedures.



The terms of reference and general role of the Scrutiny Committees is set out in Article 6 of Part 2 of the Constitution.

Members of Scrutiny Committees have special rights to see Council documents.

Scrutiny Committees may also require any member of the Cabinet or any senior paid officer of the Council to attend a meeting of the committee to explain a decision that they have taken or their performance.

The rules around membership of Scrutiny Committees, the conduct of committee meetings and the carrying out of the functions of the committee are set out in the Overview and Scrutiny Procedure Rules, found in Part 4 of the Constitution.

What are Joint Committees?

The Council may carry out some of its functions jointly with one or more other local authorities in Wales, and with other public bodies. The Council may decide to do this where, for example, the Council considers that it could better promote the economic, social or environmental wellbeing of people living in its area by coordinating its activities with other local authorities, bodies or people.

The Council can establish a joint committee with other local authorities, bodies or people and delegate decisions and functions to that joint committee. By allowing decisions to be taken by a joint committee, the Council can ensure that decisions can be coordinated between all authorities and bodies represented on the committee.

The Cabinet may also establish joint arrangements with one or more local authorities in Wales for the purpose of jointly exercising executive functions together with those authorities.

The Council and the Cabinet may also delegate or contract out particular functions to another local authority or to another body or organisation.



Article 11 of Part 2 of the constitution explain the Council's delegations and contracting out arrangements.

Corporate Joint Committees



Corporate Joint Committees are made up of the Leaders of the constituent Councils, who may decide to co-opt other executive members or partner representatives as appropriate.

The South East Wales Corporate Joint Committee is responsible for the following functions: -

- transport;
- strategic planning; and
- economic development

The Council must work together with other members of the South East Wales Corporate Joint Committee when it performs these functions.

The South East Wales Corporate Joint Committee was established under regulations made by the Welsh Ministers. Consequently, many of the rules and standards that apply to the South East Wales Corporate Joint Committee are set down in regulations, rather than in the constitution.

-  You can read more about Corporate Joint Committee arrangements in Article 10 of Part 2 of the constitution.
-  You can read more about statutory joint committees generally in guidance published by the Welsh Government [here](#) .

Section 3 Roles and responsibilities

What roles do Councillors perform?

The key roles of all Councillors are to:

- (i) collectively set the Policy Framework and carry out a number of strategic functions;
- (ii) represent their communities and bring their views into the Authority's decision-making process, i.e. become the advocate of and for their communities;
- (iii) deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- (iv) seek to balance different interests identified within the ward and represent the ward as a whole;
- (v) promote and ensure efficiency and effectiveness in the provision of Council services;
- (vi) be involved in decision-making;
- (vii) be available to represent the Authority on other bodies; and
- (viii) maintain the highest standards of conduct and ethics.

Councillors may also be elected or appointed to other specific roles, such as:

- Leader and Deputy Leader;
- Presiding Member and Deputy Presiding Member;
- Mayor and Deputy Mayor;
- Cabinet Member or Assistant to the Cabinet;
- Chair or Member of a Regulatory or Other Committee;
- Chair or Member of a Scrutiny Committee;
- Leader of the Opposition and Deputy Leader of the Opposition.

What roles do Officers perform?

The Council may engage such employees as necessary to carry out its functions. Officers are politically neutral and serve the whole Council and its Councillors by providing advice, implementing the Council's policies, and delivering services to the local community.

The Council has designated senior staff with specific statutory roles, including:

- the Chief Executive;
- the Monitoring Officer;
- the Chief Finance Officer (referred to as the 'Section 151 Officer'); and
- the Head of Democratic Services.

Article 12 of the constitution sets out information about the roles played by these senior paid officials of the Council.

This part of the guide provides more information about these important roles.

Presiding Member and Deputy Presiding Member

The Presiding Member and Deputy Presiding Member are elected by the Full Council every year.

The Presiding Member is responsible for: -

- promoting and upholding the constitution;
- presiding over meetings of the Full Council;
- ensuring that meetings of the Full Council are quorate and conducted in accordance with the Council's procedure rules; and
- ensuring that decisions are taken in accordance with the constitution.

The Deputy Presiding Member performs the Presiding Member's functions in their absence.



You can read more about the role and functions of the Presiding Member and the Deputy Presiding Member in Article 5 of the constitution

The Presiding Member is responsible for: -

- promoting and upholding the constitution;
- presiding over meetings of the Full Council;
- ensuring that meetings of the Full Council are quorate and conducted in accordance with the Council's procedure rules; and
- ensuring that decisions are taken in accordance with the constitution.

The Deputy Presiding Member performs the Presiding Member's functions in their absence.

Mayor and Deputy Mayor

The Mayor is the civil leader of the Council. They are responsible for promoting the interests and reputation of the Council and for encouraging public involvement in the Council's activities.

The Mayor undertakes civic, community and ceremonial activities on behalf of the Council and is responsible for fostering community identity and pride.

The Deputy Mayor performs the Mayor's functions in their absence.



You can read more about the role and functions of the Mayor and the Deputy Mayor in Article 5 of Part 2 of the constitution.

Leader and Deputy Leader

The Leader is elected by the Full Council.

The Deputy Leader is appointed by the Leader to exercise the Leader's functions in their absence.

The Leader is responsible for appointing members of the Cabinet and allocating specific policy areas and responsibilities (portfolios) to members of the Cabinet.

The Leader is also responsible for preparing a scheme describing which functions are to be carried out by which members of the Cabinet (this is referred to in the constitution as the Leader's Scheme of Delegation).



See section 3A of Part 3 of the constitution for more information.

The Leader chairs meetings of the Cabinet. The Leader will act as the Council member of the South East Wales Corporate Joint Committee and the Council's representative on the Cwm Taf Public Services Board.

The Leader may appoint other members of the Council to sit on other outside bodies.



See Article 7 of Part 2 of the constitution for more information.

Member of the Cabinet

Members of the Cabinet are responsible for: -

- taking decisions regarding issues that fall within their area of responsibility;
- playing an active role in Cabinet meetings and decision making;
- contributing to the development of the Council's forward work programme and to policies and procedures in their area of responsibility;
- providing political leadership to the Council's paid officers on matters they are responsible for;
- reporting to the Full Council, the Leader, the Cabinet and others on the performance of services which they are responsible for; and

- ▶ participating in the Council’s scrutiny processes and procedures, including by explaining decisions they have made and the performance of functions within their area to the Overview and Scrutiny Committee.



You can read more about members of the Cabinet in Article 7 of Part 2 of the constitution.

Assistant to the Cabinet

Assistants to the Cabinet support members of the Cabinet by taking on certain tasks and responsibilities on their behalf. They may attend meetings, prepare reports, review papers and draft comments for the member they support.

Assistants to the Executive are not members of the Cabinet and cannot vote at Cabinet Meetings or Cabinet Committee Meetings. However, they are entitled to attend and to speak at meetings of the Cabinet and its committees.



You can read more about Assistants to the Executive in Article 7.7 of Part 2 of the constitution.

What roles do paid officers of the Council perform?


The elected members of the Council are supported by paid officers of the Council, who are accountable to the Council and responsible for delivering services to the public in accordance with the policies and procedures agreed by the Full Council, the Cabinet and their committees and bodies.

The **Chief Executive** has overall corporate and operational responsibility for the work of the Council and for all paid officers of the Council.

The **Monitoring Officer** is responsible for ensuring lawfulness and fairness in the Council’s decision making, maintaining and upholding the constitution, receiving reports of alleged breaches of the Council’s duties and obligations and conducting investigations into such allegations.

The **Head of Democratic Services** is responsible for advising the Council, its committees and individual Councillors, on the proper discharge of the Council’s democratic functions and responsibilities.

The Section 151 Officer (**Chief Finance Officer**) is responsible for ensuring that the Council makes lawful and financially prudent decisions. They are also responsible for the administration of the Council’s financial affairs and providing advice to Councillors on the Council’s budgetary and other financial procedures.


 The Chief Executive, Monitoring Officer, Head of Democratic Services and Chief Finance Officer's role and responsibilities are described in Article 12 of Part 2 of the constitution.


The Council also employs a number of other Chief Officers, including: -

- Group Director, Community and Children's Services
- Director of Frontline Services
- Director of Prosperity and Development
- Director of Education and Inclusion
- Director of Human Resources
- Director of Corporate Estates
- Director of Public Health, Protection and Community Services

Chief Officers are each accountable to the Council for the financial management and administration of those services and activities allocated to them in accordance with the Council's policies.

The contact details for the Council's Senior Leadership Team can be found [here](#)

 The processes by which officers are recruited, appointed, disciplined and dismissed are set out in the Officer Employment Procedure Rules contained in Part 4 of the constitution.

 The senior management structure of the Council is set out in Part 7 of the constitution.

How should Councillors and Officers behave?

Councillors should comply with the Members' Code of Conduct

Councillors are expected to uphold the highest standards of personal and professional conduct. Those standards are described in the Code of Conduct for Members.

The Code of Conduct for Members is intended to help and guide Councillors in maintaining appropriate standards of conduct when serving their community. In turn, it provides reassurance to the public and helps build their trust in, and respect for, their local representatives.

The Code of Conduct for Members is based upon the 7 Principles of Public Life, which were first set out in the 1995 Nolan Report on Standards in Public Life. Three additional principles were added in the local government principles in Wales.

The Code of Conduct for Members is consistent with, and provides for the practical application of, these principles.

➤ **Selflessness**

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

➤ **Honesty**

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**

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**

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**

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

➤ **Objectivity in decision-making**

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**

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, sex, sexual orientation, marital status, age or religion, and show respect and consideration for others.

➤ **Openness**

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.

➤ **Accountability**

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**

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.



You can read the Code of Conduct for Members in full in Part 5 of the constitution.

Councillors are expected to ensure that they understand their obligations under the Code and act in a way which shows that they are committed to meeting the high

standards of conduct that are expected of them. However, Councillors are provided with training when they are first appointed, and on a regular basis, to support them to comply with the Code of Conduct for Members.

Special requirements for Councillors who are members of the Council's Planning and Development Committee

Planning affects people's private and financial interests in land and property and the environment in which communities live, work and play.

The Council's Planning and Development committee is responsible for balancing the needs and interests of individuals and the community to make decisions that are open, fair and transparent and decided using sound judgment and for justifiable reasons.

For these reasons, members of the Council's Planning and Development Committee are expected to abide by an additional Code of Good Practice with planning matters.

The Code of Good Practice explains, amongst other things: -

- the factors that should be taken into account when deciding an application for planning permission and the factors that should not be taken into account;
- the legal duties which members of the committee must have regard to, such as the duty to have regard to the need to ensure that development contributes to the economic, social, environmental and cultural well-being of Wales and the duty to have regard to the impact of development on the extent to which the Welsh language is used in the Council's area
- the action members should take if they have a personal interest in a matter being determined by the committee (e.g. where an application relates to a property which they own); and
- how applications for development proposed by, or to be carried out by, the Council should be decided.



You can read the Code of Conduct for Members and Officers Dealing with Planning Matters in full in Part 5 of the constitution.

Officers should comply with the Officers' Code of Conduct

Paid officers of the Council are responsible for serving the council by providing advice to Councillors, implementing the Council's policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.

The public is entitled to expect the highest standards of conduct from all those who work for the Council. The Code of Conduct for Officers outlines the rules and conditions of service which apply to the Council's employees. It is designed to provide clear guidance to assist them in their day to day work and to allow the public to understand what they can expect when they interact with a Council employee.



You can read the Code of Conduct for Officers in full in Part 5 of the constitution.

How should Councillors and Officers work together?

Councillors and Officers have different roles, responsibilities and accountabilities, but it is imperative that they work effectively together to perform the Council's functions and to deliver services to residents living in the Council's area.

The Protocol on Member and Officer Relations is designed to clarify the respective roles and responsibilities of Councillors and Officers and to guide them in their dealings with one another. It explains what Councillors and Officers can reasonably expect from one another and how they should work together to achieve their common purpose.

Councillors are entitled to express political views and to support the policies of the party or group to which they belong. Conversely, officers are expected to carry out the Council's business in a politically impartial way and many are restricted from engaging in political activity. The protocol therefore explains how officers can support the policy deliberations by political groupings, while remaining politically neutral.



You can read the Protocol on Member and Officer Relations in full in Part 5 of the constitution.

How can I complain about Council Services or a Councillor?

Article 3.01 of Part 2 of the constitution explains that you have the right to complain to:

- (i) the authority itself under its Complaints Policy (for any complaints about the Council, its services or officers);
- (ii) the Ombudsman about any injustice you have suffered as a result of maladministration, but you are encouraged to use the Council's own Complaints Policy first; and
- (iii) the Ombudsman if you believe a Councillor or co-opted member of the Council has breached the Member's Code of Conduct. If you wish to

complain about a Councillor, then you should contact either the Council's Monitoring Officer (director.legal@rctcbc.gov.uk) or the Public Services Ombudsman for Wales.



If you have a complaint about the Council, its employees or the services it provides you make a complaint via the Council's complaints process which can be found on the Council's website [here](#).




You can find out more about how to complain to the Public Services Ombudsman for Wales on their website <<https://www.ombudsman.wales/how-to-complain/>>


Section 4 Policies and procedures

The Council's key plans and strategies (the policy framework)


Where can I find the Council's key plans and strategies?

The Full Council is responsible for setting the Council's key plans and strategies, which together form the Council's policy framework.

 The plans and strategies which form the Council's policy framework are listed in Article 4 of Part 2 of the constitution.

 Individual plans and strategies are published on the Council's website.

Additionally, the Council's Corporate Plan brings together the Council's plans and strategies for: communities; children and young people; health social care and wellbeing; and community safety.

 The Council's Corporate Plan is published on the Council's website [here](#).


How is the Council's policy framework decided?

The Cabinet is responsible for consulting with relevant stakeholders, considering any reports or recommendations made by the Council's Scrutiny Committees and working with the Council's senior officers to develop a draft policy framework.

Once the Cabinet has developed a draft policy framework, it will be considered by a meeting of the Full Council. The Full Council may decide to adopt the policy framework, make changes to it, refer it back to the Cabinet so that further work can be done on it, or substitute its own policy framework for the draft prepared by the Cabinet.

If the Full Council decides to adopt the policy framework then it shall take effect immediately. If the Full Council amends the policy framework then the Leader has an opportunity to object to the amendments and to reconvene the Full Council to reconsider the policy framework.

Once adopted, the Cabinet, their committees, individual Councillors and the Council's paid officers are bound to act in accordance with the policy framework.

 The process by which the Full Council adopts a policy framework is described in the Budget and Policy Framework Rules of Part 4 of the constitution.

Budget setting and financial management

How does the Council set its budget?

The Full Council is responsible for agreeing the Council's budget, and for agreeing changes to the Council's budget once it has been formally adopted.

The Council's budget is in two parts: -

- the revenue budget provides for day to day operating costs and expenditure like staff salaries, rent, and the ongoing costs of providing services.
- the capital budget provides for one-off costs like a major road improvement scheme, or the purchase or construction of a new car park.

The Cabinet, in consultation with the Senior Leadership Team, is responsible for developing initial proposals for the Council's budget and consulting over these.

Once this consultation has been completed, the Cabinet is responsible for preparing a final budget proposal for consideration by the Full Council.

The Full Council may adopt the budget without making any changes, amend the budget, or ask the Cabinet to reconsider it before adopting it.



The process by which the Full Council adopts its budget is described in the Budget and Policy Framework Rules found in Part 4 of the constitution.


Decisions outside the budget or policy framework


Can decisions be taken that do not comply with the budget or policy framework?

The Full Council may decide to make changes to the policy framework.

Other bodies and individuals may only take decisions that do not comply with the policy framework in a limited number of exceptional circumstances, which are set out in the constitution. For example, where an urgent decision must be taken to safeguard the Council's interests and it is not possible to arrange a meeting of the Full Council in time.


However, the Council's Overview and Scrutiny Committee may decide to refer such decisions to the Full Council for further consideration (this is referred to in the constitution as calling-in the decision).

 The Council's arrangements for urgent decisions which do not comply with the policy framework are set out in Rule 4 of the Budget and Policy Framework Rules of Part 4 of the constitution.

 The overview and scrutiny committee's powers are described in the Overview & Scrutiny Committee Procedure Rules found in Part 4 of the constitution.


Can money be moved from one budget head to another once the budget has been adopted?

During the year the Cabinet and Chief Officers may need to transfer budgets from one service area to another to reflect changed service needs or priorities in order to deliver the Council's policy framework within the financial limits set by the Council.

 The mechanism by which the Cabinet and Chief Officers may move money between budget heads is set out in Rule 3 of the Budget and Policy Framework Rules of Part 4 of the constitution.

What other policies and procedures govern how the Council manages its budget?

The Council is bound by a number of different financial rules and procedures that govern how the Council's spending is planned, committed, reviewed and audited.

 The Council's detailed Financial Procedure Rules are set out in Part 4 of the constitution.

Are there any restrictions on how the Council buys in goods and services?

The Council can enter into contracts to purchase goods and services in much the same way as any other person or organisation. However, the Council must comply with the contract procedure rules in the constitution when it does so.

The purpose of the contract procedure rules is to ensure that the Council complies with relevant legal requirements and secures the most economically advantageous (best value) goods and services for taxpayers.

If you regularly sell goods or services to the Council then you may wish to familiarise with these rules and procedures.


How does the Council enter into contracts and agreements?


The rules and procedures that govern how agreements, contracts and deeds are authorised and executed on behalf of the Council are set out in Article 14 of Part 2 of the constitution.

Section 5 How can I get involved?

How can I find out when meetings of the Council and its committees and bodies are taking place?

The Council publishes a calendar of meetings, and notice of each meeting is published at least 3 clear working days before the meeting.


 The Council publishes the calendar of meetings and notices of meetings on its website [here](#).

 Meetings which have been, or due to be, webcast can be accessed [here](#).

How can I find out what will be discussed at a particular meeting?


The Council will publish agendas for meetings, together with any reports and background papers at least 3 clear working days in advance of the meeting taking place.

Hard copies of agendas and reports will also be available at the meeting, if a physical meeting is held, for those members of the public who wish to attend in person.

 The Council publishes meetings agendas and supporting documents and reports on its website [here](#).

How can I find out when an issue I am interested in will be decided?

The Council publishes a forward work programme, which sets out what decisions will be taken by the Full Council, the Cabinet and what issues the Overview and Scrutiny Committee will be considering, and when these matters will be discussed.

 The Council publishes its forward work programme on its website [here](#).

Can I ask a committee or body of the Council to look into a particular issue?

Yes. You can ask the chair or a member of a particular body to add an item to the agenda for a future meeting, or to raise the issue when the committee is considering items of future business.

You can also submit petitions to the Council, using the Council's petition scheme.

The Council is obliged by law to operate a petition scheme, which sets out: -

- how a petition can be submitted to the Council;
- how and when the Council will acknowledge receipt of a petition;
- the steps the Council will take in response to a petition; and
- how and when the Council will make available its response to a petition to the person who submitted the petition and to the public.



The Council publishes details of its petition scheme on its website .

Can I attend meetings of the Full Council?



Yes, members of the public can come to observe meetings of the Full Council so long as they are being held in public.

Meetings of the Full Council are also broadcast live on the Council's website so you can watch them in real time remotely if you wish to do so.

The public must be excluded from meetings when confidential information would otherwise be disclosed. Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.


The Council may also exclude the public from a meeting, or part of a meeting, where exempt information would be disclosed. Exempt information includes information that relates to a particular individual or their financial or business affairs, information that is legally privileged or information relating to the prevention, investigation or prosecution of a crime, or other information specified in the constitution.

If you interrupt a meeting of the Council, then you are likely to be warned by the Presiding Member about causing a disturbance. If you continue to disturb the meeting, then you may be removed.

-  The rules around excluding the public from meetings are set out in the Access to Information Procedure Rules found in Part 4 of the constitution.
-  The rules around disturbance by members of the public are set out in Rule 18 of the Council Procedure Rules found in Part 4 of the constitution.


Can I attend other meetings?

Yes, members of the public can come to observe any meeting which the Council has resolved should be held in public.

-  Your right to attend meetings of the Council's Cabinet, the council's committees and other bodies are described in Rule 3 of the Access to Information Procedure Rules found in Part 4 of the constitution.

Can I speak at a meeting?

Members of the public can speak at any meeting which the Council has resolved should include participation by members of the public.

-  The Council has adopted a protocol for public speaking at Scrutiny Committee meetings which can be found in Part 5 of the Constitution. The agendas for Scrutiny Committee meetings are published on the Council's website at least 3 clear days before the date of the meeting. Members of the public wishing to speak must notify Democratic Services by no later than 5.00 p.m. on the penultimate working day preceding the relevant Scrutiny Committee meeting. Requests must include details of the agenda item of the relevant Scrutiny Committee at which you wish to speak. Applications will be dealt with in the order that they have been received. All those registered to speak will be advised prior to the meeting, either by email or through the contact telephone number that has been provided, if your request to speak has been accepted.

Can I ask a question or make a presentation at a Full Council meeting?

Public Questions

Any resident of, or Council taxpayer or non domestic ratepayer, in the County Borough may ask questions of Members of the Cabinet or the Chairpersons of Committees, or any Member of the Council at a Full Council meeting. A period of up to 5 minutes each shall be allowed for 6 questions to be put and answered at the meeting and for supplementary questions and answers thereto under these rules.

The 6 Questions to be asked will be selected by a draw to be undertaken by the proper officer, who is the Council's Head of Democratic Services.

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the proper officer not later than 5.00pm at least eight clear working days (not including the date of the meeting) before the date of the meeting. Each question must give the name and address of the questioner and must specify the Member to whom it is to be put.

At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.

A questioner who has put a question in person may also put one supplementary question without notice to the Councillor who has replied to his or her original question.

Public Presentations

Any resident of or Council taxpayer or non domestic ratepayer in the County Borough may make a presentation to Council at a Full Council meeting on a matter for which the Council has responsibility.

Presentations will be selected by a draw to be undertaken by the Proper Officer which shall take place as soon as possible after the period for submission of presentations has expired.

A maximum of two, 5 minute presentations will be permitted per meeting provided that a written submission summarising the presentation(s) is received by the Proper Officer not later than 5.00pm at least eight clear working days (not including the date of the meeting) before the date of the meeting.

The relevant Cabinet Member will, if appropriate, subsequently provide a brief response.




You can read more about asking a question or making a presentation in the Open Government Council Meeting Procedure Rules found in Part 4 of the constitution or by contacting the Council's Democratic Services team.

How can I find out what the Council decided?


The Council publishes the agenda, reports and the minutes of meetings. These papers are available for inspection by the public for a minimum of six years from the date of the meeting.

The Council also has arrangements in place for publishing written records of decisions taken by the Cabinet (which can be accessed [here](#)) and Officers taking key delegated decisions (which can be accessed [here](#))

 You can read meeting minutes, reports and agendas on the Council's website [here](#).

Can I view the Council's accounts to understand how my council tax is spent?

Yes. The Council is required to publish its accounts and to make them available for inspection by the public. You may raise questions of concerns about the Council's accounts with the Council or with the Council's external auditor.


 You can find out more about the Council's performance, budget and spending including the statement of accounts [here](#).

How is the Council engaging with local people to encourage them to participate in local democracy?

The Council will publish a public participation strategy which explains how it will encourage local people to participate in the Council's decision-making processes. The Council's public participation strategy describes how the Council will:

- promote awareness of the Council's functions;
- promote awareness of how people can become a Councillor and what the role entails;
- facilitate access to information about decisions made, or to be made, by the Council;
- promoting arrangements by which people may make representations to the Council about decisions it has made or will make in the future;
- ensure that the public's views are brought to the attention of its Overview and Scrutiny Committees; and
- promote awareness amongst Councillors of the benefits of using social media to communicate with local people.


The Council also engages with local people through citizen panels and surveys and consultations around specific policies and services. These may be initiated by the Council, service departments within the Council or through the work of the Council's committees or sub-committees.


 The Council's public participation strategy will be published on the Council's website [here](#)

Can I send a petition to the Council?

Yes, you can submit petitions to the Council using the Council's petition scheme. The Council is obliged by law to operate a petition scheme, which sets out: -

- how a petition can be submitted to the Council;
- how and when the Council will acknowledge receipt of a petition;
- the steps the Council will take in response to a petition; and
- how and when the Council will make available its response to a petition to the person who submitted the petition and to the public.

 You can read more about submitting a petition to the Council in section XX* of the constitution.

 The Council publishes details of its petition scheme on its website <insert hyperlink>. *

details to be inserted once approved by Full Council

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CONSTITUTION COMMITTEE

5 JUNE 2023

NOTICES OF MOTION

REPORT OF THE SERVICE DIRECTOR OF DEMOCRATIC SERVICES AND COMMUNICATIONS

1. PURPOSE OF THE REPORT

The purpose of this report is to provide Members with the opportunity to consider proposals for formally recording and reporting the outcome and effect of the Council's representation made by Members following the adoption and/or referral of a Notice of Motion (NOM).

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Consider the content of the report;
- 2.2 Consider recommending improvements to the existing dedicated Notice of Motion page on the Council webpages to formally record and publish the **outcome and effect** following the adoption and/or referral of a Notice of Motion; and
- 2.3 Introduce the follow-up reporting mechanism to Full Council through 'information reports' on the Council agenda to track and record the progress of action/referrals of NOM's.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To strengthen the existing notice of motion reporting arrangements, to feedback to Council responses received to motions adopted by full Council.
- 3.3 To provide transparency by informing Members of the progress made following the adoption of a notice of motion through publication of 'information reports' on the Council agenda.

4. **BACKGROUND**

- 4.1 At Full Council on the [29th March 2023](#) the Plaid Cymru Group submitted a notice of motion, proposed by Councillor D Grehan and seconded by Councillor A Rogers, calling for a specific reporting mechanism which would keep Members informed of progress following the adoption of notices of motions to Full Council.
- 4.2 The notice of motion made particular reference to the need for feedback in order to assess how effective the notices of motions are in achieving their desired outcomes. Some examples were provided where there had been little evidence of outcome and effect following the adoption and/or referral of a notice of motion.
- 4.3 The notice of motion was unanimously adopted, and Council resolved to:
- “Request that the Proper Officer presents a report for consideration by the Constitution Committee in advance of the Council Annual General Meeting, which considers options and mechanism for formally reporting the outcome and effect of the Council's representation made by members following the adoption”.***
- 4.4 It is now for members of the Constitution Committee to consider the proposals to establish a more formal mechanism of recording the outcome and progress of the adopted notices of motions and improving the current provision of recording the notices of motions to the Council website.

5. **CURRENT ARRANGEMENTS**

- 5.1 The Council already has arrangements for reporting the outcome of matters adopted by Council, following consideration of a motion, which are referred to a Council committee for consideration. In addition all notices of motions are logged on the Council website immediately following a council meeting demonstrating whether they have been adopted or not. It records details such as the proposer and seconder, the date of the council meeting and is linked to the relevant Council meeting on the website.
- 5.2 Where a notice of motion has been referred to a scrutiny/other committee for consideration, this is also indicated on the [website](#) for Members to view.
- 5.3 In a report to the Overview & Scrutiny Committee in [May 2019](#) it was proposed that in order to clarify the essence of the NOM, the proposer and seconder would be invited to attend the relevant meeting on the subject to provide clarity on its intentions and proposed outcomes.
- 5.4 This has since been adopted as good practice and has worked well ensuring the initial mover and seconder to the Council's notice of motion attend as key stakeholders/observers to assist the discussions and are able to bear witness to the outcomes of their NOM. Progress or resolution of the matter is reported

to Council to publicly record completion of the matter from a democratic and governance perspective.

- 5.5 Previously, recommendations to arise as a result of consideration by Scrutiny have been reported back to Council so that the outcomes are demonstrated. Examples include consideration of the NOM by the former [Children & Young People Scrutiny Committee](#) in relation to period poverty. As a result of this work, the Council adopted an approach in respect of the provision of sanitary products at schools. Also, the NOM in respect of voluntary [Snow Wardens](#) was taken forward by a scrutiny working group resulting in the 'Know Your Neighbour Campaign'.
- 5.6 Notwithstanding these examples, a more consistent approach has been requested by Council to ensure that all outcomes to arise as a result of a NOM from Full Council making formal representations be reported and recorded.

PROPOSALS

Council Website

- 5.7 Members may wish to consider improving the way that notices of motions are recorded by including an additional column within the current table on the council website which will act as a '**formal mechanism in place to report the progress or outcomes of such actions for the public record**'.
- 5.8 This may be in the form of a link to any responses received following a letter from the Leader of the Council to the Welsh or UK Government or the outcome of a Scrutiny review/working group recommendation to Cabinet/Full Council. Publication of the outcomes to the notices of motion through an additional column on the website would seek to strengthen the transparency and provide a clear record for all Members and residents.

Information Reports

- 5.9 In addition to the above it is proposed that all responses or outcomes following a formal representation, by for example the Leader of the Council to an outside organisation or government either at a Wales or UK level, be reported to Full Council in the form of information reports. These will appear on the agenda of Full Council when necessary and will allow all Members the opportunity to read and digest the information, track the progress of the NOM and importantly this will be formally recorded in the Council minutes.
- 5.10 The importance of evidencing the outcomes and actions of the notices of motions will respond to that recently adopted at Council on the 29th March 2023 and develop a formal process when taking forward notices of motions. This process will also take in the current practices when referrals are made from Council.

- 5.11 During the course of this municipal year Members may wish to consider further reviews to respond to the proposals set out in 2.1-2.3 of the report.

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 There are no Equality and Diversity implications arising from this report and no Equality Impact Assessment is deemed necessary for the purposes of this report. The proposal to introduce specific actions to record all outcomes following the adoption of a NOM would assist a more focussed approach and an opportunity for greater transparency.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications arising from this report.

8. CONCLUSION

- 8.1 This report advises Members of the proposal to strengthen the existing Notice of Motion [webpages](#) to formally record and publish the outcome and effect following the adoption and/or referral of a Notice of Motion and to adopt a more consistent approach when reporting outcomes from Scrutiny/other committees back to Full Council through the information report mechanism.

LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

CONSTITUTION COMMITTEE

5 JUNE 2023

NOTICES OF MOTION

**REPORT OF THE SERVICE DIRECTOR OF DEMOCRATIC SERVICES AND
COMMUNICATIONS**

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CONSTITUTION COMMITTEE

5th JUNE 2023

PETITIONS SCHEME

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION.

1. PURPOSE OF REPORT

- 1.1 To review the Council's current arrangements for the receipt of petitions as in accordance with the Local Government and Elections (Wales) Act 2021;
- 1.2 To consider and agree to the proposed amendments to the current arrangements to allow for greater engagement in the democratic process

2. RECOMMENDATIONS

It is recommended that the Constitution Committee:

- 2.1 Review the Council's current Petitions scheme as in accordance with the Local Government and Elections (Wales) Act 2021;
- 2.2 Consider the proposed amendments to the current petition scheme as set out within section 5 the report and subject to Members comments, agree to the proposed revisions.
- 2.3 Subject to 2.2 to endorse the revisions to the Petitions scheme to Council and for Council to instruct the Monitoring Officer to amend the constitution to reflect these changes.
- 2.4 Approve the development of a petition scheme 'guidance booklet' to assist members of the public in taking forward a petition and for this booklet to be developed by the Overview & Scrutiny Committee.

3. BACKGROUND

- 3.1 The Local Government & Elections (Wales) Act 2021 (the Act) places a duty on a Principal Council to make and publish a Petitions Scheme setting out how the Council intends to handle and respond to Petitions (including Electronic Petitions - ePetitions).

- 3.2 The Act outlines that a petition scheme must, in particular, set out—
- i. how a petition may be submitted to the council;
 - ii. how and by when the council will acknowledge receipt of a petition;
 - iii. the steps the council may take in response to a petition received by it;
 - iv. the circumstances (if any) in which the council may take no further action in response to a petition;
 - v. how and by when the council will make available its response to a petition to the person who submitted the petition and to the public.
- 3.3 A Principal Council must review its petition scheme from time to time and, if the council considers it appropriate, revise the scheme. If a Principal Council revises or replaces a petition scheme, it must publish the revised or new scheme.
- 3.4 Due to the requirements of the Act, a review of the current processes has been undertaken to ensure that the arrangements are still fit for purpose.
- 3.5 The Welsh Government Statutory Guidance in respect of Petition schemes advises that a scheme should be developed not just to ensure a fair and robust process but also to provide a helpful and positive experience for those people who take the time to submit and promote petitions.
- 3.6 The guidance highlights how petitions fit in with other opportunities for the public to be involved – and signposting to other opportunities, either as complementary to a petition or instead of it, including connecting the potential petitioner with their ward councillor.
- 3.7 The Council already provides arrangements for public participation in Council committee meetings, including public presentations at full Council and scrutiny.
- 3.8 The statutory guidance in respect of reviews of petitions schemes can be found at Appendix 1.
- 3.9 A comparison of other Authorities Petitions schemes has been undertaken and is illustrated in Appendix 2.

4 PETITIONS.

CURRENT PRACTICE

- 4.1 At the Council's constitution Committee in [May 2019](#), the Committee agreed to adopt an agreed set of procedures for the receipt and processing of petitions, which was endorsed at the Council AGM. The requirements for submission of a petition were subsequently developed by the Democratic Services Committee at its meeting in [July 2019](#).
- 4.2 To ensure local Members and the public receive appropriate information in respect of their concerns / requests as highlighted within a petition the following procedure is now undertaken:
- a) Upon receipt, a copy of the petition is provided to both the appropriate Cabinet Member and the relevant Senior Officer for information and action.
 - b) A list of Petitions which have met a set criteria (i.e. Number of signatories to the petition, affects more than ward) will be listed on the Council Website for the public to view.
 - c) The relevant Cabinet Member will respond to the petition, either to the lead petitioner or local member (depending on how the petition has been received) and a copy will be made available on the Council website.
 - d) The action taken forward (if appropriate) in respect of the petition will also be published on the Council website.
- 4.3 The current process formalises the procedures in respect of Petitions and provides an opportunity for the Council to publicly demonstrate the actions taken forward once petitions are received. The webpage for the petitions received to date that hit the relevant criteria can be found [here](#).
- 4.4 In comparison to other Council petitions pages RCT proves favourably with the level of information provided in the public domain.
- 4.5 The Council welcomes petitions submitted on paper or electronically using an online petition system which meets the requirements of a valid petition, or a combination of the two.
- 4.6 It has been the practice that Members present petitions received at a full meeting of the Council, however, a petition does not require such presentation to be recorded and responded to in line with this approach.

5 PROPOSED REVISIONS - PETITION SCHEME GOING FORWARD.

5.1 The following suggested improvements to the current process are listed below, which looks to link and strengthen the wider public participation strategy that the Council are building upon. It is suggested that the level of information displayed on the Council website in respect of petitions will continue to ensure transparency and accountability and the receipt of petitions through paper format will also not be changed.

EPETITIONS / ONLINE PETITIONS

5.2 To further promote engagement in the process and with the rise in online working it is important that the Council develop processes to make sure provisions are in place for the potential creation and submission of online petitions through the Council website as well as submission via email to the Council Business Unit.

5.3 This development will potentially further increase engagement opportunities with the petitions scheme and would hopefully streamline the process for those creating the petition.

5.4 A recommended template and criteria for a petition will be included within the proposed guidance booklet.

RESPONSES TO PETITIONS

5.5 The Council welcome the opportunity for feedback and value the voice of local communities through the petitions scheme. Although the current process allows for transparency of responses the review has allowed for a reflection to further strengthen this area, taking advantage of digital mechanism to support public engagement through petitions.

5.6 It is proposed that the Council's response to a petition would be taken forward on a tiered approach depending on the number of people who have signed the Petition. The table sets out the potential thresholds:

Tier	Number of Signatures	Response
1	1-500	Response from the relevant Director / Head of Service
2	500 +	Response from the relevant Cabinet Member and publication of response on the dedicated Council webpage
3	1000+ E=petition/Online petition	As above, with a petition being referenced for information only on a Council agenda. When noting petitions,

		Council may determine the referral of the matter to the Overview & Scrutiny Committee.
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- 5.7 Due to these proposed changes it would be important that all petitions clearly illustrate the names and addresses of the signatory to allow the Council to determine that there are no duplication of signatures and to ensure that the signatory lives within the County Borough. It is also important that a lead signatory is identified within the Petition.
- 5.8 If taken forward a guidance document in respect of the requirements for a valid petition would be created and made available on the Council website to assist the public going forward. It is proposed that such a document is taken forward by the Overview & Scrutiny Committee.
- 5.9 If a petition exceeds 1000 signatures but does not capture all of the petitions requirements (i.e address information is not provided to confirm that the signatory is a resident of RCTCBC) then such a petition would automatically receive a tier two response.
- 5.10 In respect of a petition that reaches a tier 3 level response then the following procedures would be taken forward. Responsibility for validation of a petition would rest with the Proper Officer.

TIER 3 RESPONSE

- 5.11 As an enhancement to the current petition arrangements, and in response to the statutory guidance of the Welsh Government, if an E- Petition contains 1000+ signatures, the matter will be referenced for information only on the Council's agenda.
- 5.12 When noting this detail, Council may determine to refer a subject matter to the Overview & Scrutiny Committee for consideration.
- 5.13 When a Member proposes a motion to refer the matter they will have a maximum of 5 minutes to present their motion. The motion must be seconded, but the seconder will not be permitted to speak. A member of the Executive and / or the Chair of the Overview & Scrutiny Committee has the discretion to respond to such request before a decision by Council, with the permission of the Presiding Member.

Consideration by the Overview & Scrutiny Committee

- 5.14 Following referral the Overview & Scrutiny committee will endeavour to consider the Petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

- 5.15 Where appropriate a request will be presented with an officer report, providing the appropriate advice.
- 5.16 The relevant Cabinet Portfolio Holder will be provided with the opportunity to respond to the content of the petition to inform the committees deliberations.
- 5.17 The Overview & Scrutiny Committee may decide to make recommendations or further scrutinise the content of the Petition request, or to commission consideration into the matter, by referral to one of the thematic Scrutiny Committees or Democratic Services Committee. Such recommendations would not be binding on the Cabinet or an Executive Member.
- 5.18 The Lead Petitioner would be invited to attend the meeting, in line with the parameters of the Council's 'public speaking at scrutiny Committee arrangements' (guidance document can be found [here](#)). The Lead Petitioner will also receive written confirmation of the decision as soon as practicable following the decision having been made. Confirmation of the outcome will also be published on the Council's website.
- 5.19 When a petition has been heard at a scrutiny meeting no further petition on a similar topic and seeking a similar outcome shall be considered and no further address shall be heard on that item, within six months of the meeting at which the petition was considered.
- 5.20 In the event that more than one Petition is received on a similar theme / topic, which meets the relevant criteria and seeking a similar outcome, only one Lead Petitioner will be permitted to present the Petition. The Council Business Unit will notify each Lead Petitioner and ask them to liaise with each other to consider amalgamating the Petitions and agree which Lead Petitioner will present the Petition to Council. In the absence of such agreement, the Proper Officer may determine in consultation with the Chair, at their discretion how many petitioners should be afforded speaking rights.
- 5.21 Under the amended petition arrangements, petitions presented by Elected Members will be considered in accordance with the above arrangements as outlined in 5.6 of the report.
- 5.22 Petitions relating to live planning applications will continue to be dealt with under the current planning petitions process, as the Council has one of the most generous public speaking arrangements of a planning committee for the public.

6 CONSTITUTION REVISIONS

- 6.1 If Members are in agreement with the revisions suggested within the report, then appropriate amendments will need to be taken forward within the Council's constitution by the Monitoring Officer.

- 6.2 A guidance document will need to be developed to assist members of the public in producing a petition that meets the required criteria. This document will be taken forward by the Overview & Scrutiny Committee.

7 EQUALITY AND DIVERSITY IMPLICATIONS / WELSH LANGUAGE IMPLICATIONS

- 7.1 The proposed revisions to the petitions process will allow for further transparency and engagement with the public and will demonstrate how the 'voice of the people' is being heard.
- 7.2 The public are able to submit petitions in both English or Welsh, which will not lead to a delay in response.

8 CONSULTATION

- 8.1 The Committee is being consulted prior to consideration of any proposals presented to Council.
- 8.2 The development of a guidance booklet will be taken forward by the Overview & Scrutiny Committee if agreed by Committee.

9 FINANCIAL IMPLICATIONS

- 9.1 None

10 LEGAL IMPLICATIONS

- 10.1 If taken forward the Council Constitution will need to be amended to reflect the new way of working.
- 10.2 The revisions contained within the report have been undertaken in accordance with the requirements of the Local Government & Elections (Wales) Act 2021

11 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 11.1 These proposals will support the ability for the public to become involved in key matters. If agreed, the proposed approach will strengthen the voice of the public on matters which may impact upon them
- 11.2 Ensuring appropriate governance arrangements are in place is also essential to the smooth operating and sustainability of the Council when undertaking Council Business and the proposals in relation to petitions will allow for further transparency to the public.

11.3 The proposals are also linked to the Future Generations well being goals of a more equal Wales and a Wales of cohesive communities.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CONSTITUTION COMMITTEE

5TH JUNE 2023

**REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES &
COMMUNICATION.**

Background Papers

Democratic Services Committee – [17th July 2019](#)

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Statutory Guidance on Petitions

Status of this Guidance

2.1 This is statutory guidance made under section 44 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act).

Purpose of this Guidance

2.2 This guidance is to support councils in the preparation and maintenance of petition schemes aimed at enabling communities to explore support for specific issues to inform council deliberations.

What the Act requires

2.3 Section 42 of the 2021 Act requires principal councils to make and publish a petition scheme setting out how the council intends to handle and respond to petitions including electronic petitions.

2.4 The petition scheme must as a minimum set out:

- a) how a petition may be submitted to the council;
- b) how and by when the council will acknowledge receipt of a petition;
- c) the steps the council may take in response to a petition received by it;
- d) the circumstances (if any) in which the council may take no further action in response to a petition;
- e) how and by when the council will make available its response to a petition to the person who submitted the petition and to the public.

2.5 A principal council must review its petition scheme from time to time and, if the council considers it appropriate, revise the scheme.

2.6 If a principal council revises or replaces a petition scheme, it must publish the revised or new scheme.

Designing a petition scheme

2.7 A petition scheme should not be considered as the sole method of receiving public views on matters. Its design and parameters should be set in the context of the council's public participation strategy and informed by the other participation pathways available to members of the public. Therefore, as part of a suite of pathways used as part of the council's wider public participation strategy, it can be a powerful tool in gauging support for specific courses of action.

2.8 Well designed and resourced petition systems, working in conjunction and harmony with other participation pathways can have a range of benefits for the public and councils. For example, petitions enable communities to quickly highlight the issues which are of the most concern to them to the council, they can add weight to representations made by ward councillors on their behalf and provide a focus for community discussion. In turn, councils gain valuable insight into the concerns of their communities and can then support communities in addressing these issues.

2.9 Petitions should not be considered as a nuisance or threat and should be considered as a good opportunity to hear the views of the public, whether in support or not of something the council may be considering or intending to do.

2.10 Councils should, when designing petition schemes, think about the process from the point of view of petitioners, including understanding what petitioners might think "success" will look like at different stages in the process, and how the process can be made as transparent and streamlined as possible.

2.11 Councils should have regard to their statutory duties in respect of equalities, Welsh language and the Well-being of Future Generations (Wales) Act 2015 when preparing their petition scheme.

2.12 Petition schemes should be developed not just to ensure a fair and robust process but also to provide a helpful and positive experience for those people who take the time to submit and promote petitions. This is likely to involve consideration of the

following issues:

- A clear explanation of the matters about which the council will accept petitions, including the criteria for making a decision to accept or reject a petition;
- How and where advice will be given to petitioners to enable them to engage productively with the process, including measures in place for disabled people and individuals with long term health conditions and neurodiversity;
- A clear understanding of the different stages in the petitions scheme, with an explanation of what thresholds will be used to determine the transition from one stage to another;
- How petitions fit in with other opportunities for the public to be involved – and signposting to other opportunities, either as complementary to a petition or instead of it, including connecting the potential petitioner with their ward councillor;
- The correct body to consider a given petition. It is right for petitions to be heard by a variety of different bodies, although the default is likely to be full Council unless it is seen as especially useful for the petition to be heard by a committee that focuses specifically on the subject matter of the petition itself;
- Petition schemes will need to consider where petitions are considered in scrutiny committees. These committees have no power to act on petitions but could (for example) adopt petitioners' arguments as formal recommendations;
- The rights of petitioners to speak in meetings, and how this engages with wider public speaking rights, and rights to make deputations;
- How and within what timeframe the council will provide feedback to the petitioner on the success or otherwise of their petition.

2.13 Councils are encouraged to explore what would constitute good practice around the framework for petition schemes set out in this guidance. For example, what might be an appropriate signature threshold for the consideration of a petition and how and when this threshold would be kept under review. This would support a balance between local discretion based on the size of the council, the nature of the scheme and its relationship to other participation pathways in the council and consistency for the members of the public who may be engaged with multiple councils or move

from one council area to another

Council	Minimum number of signatures and other thresholds
Blaenau Gwent	<ul style="list-style-type: none"> • at least 10 people but the Council will use its discretion where there are fewer than 10 signatories in cases where there is clear local support for action (e.g. where the residents of a small community have petitioned for traffic calming measures). • at least 1,500 signatures, the relevant senior officer will give evidence at a public meeting of the relevant overview and scrutiny committee • signed by more than 5,000 people it will be debated by the full council (unless it is a petition asking for a senior council officer to give evidence at a public meeting).
Bridgend	<ul style="list-style-type: none"> • 50 - 200 signatures - Response from the relevant Director / lead Member (treated as normal correspondence) • At least 200 signatures - Referred to the Leader / Executive for a response • At least 500 signatures - Referred for a debate at a meeting of the Full Council • At least 500 signatures - Senior Officers called to provide evidence at a meeting of the Overview and Scrutiny Committee where such action is requested in the petition.
Cardiff	<p>Petitions shall be divided into three classes and shall be addressed as follows:</p> <p>(i) A petition bearing less than 20 signatures shall be dealt with by normal correspondence.</p> <p>(ii) A petition bearing 21-50 signatures shall be noted at the meeting and passed to a relevant officer of the Council for a written response.</p> <p>(iii) A petition bearing 51 or more signatures shall be noted and passed to the relevant Cabinet Member for consideration and a written response</p>
Swansea	<p>Number of Signatures Response</p> <p>1-49 Response from the relevant Director / Head of Service</p> <p>50-499 Response from the relevant Cabinet Member</p> <p>500+ Referred for debate at a meeting of the Full Council</p>
Pembrokeshire	<ul style="list-style-type: none"> ➤ Any petition above the threshold will trigger a debate at Council: 1000+ ➤ Any petition within the threshold will trigger a debate at an Overview and Scrutiny Committee: 500+ ➤ Response from relevant Cabinet Member: 100+ ➤ Response from relevant Director/Head of Service Up to: 100

	<p>➤ Single ward issues will be referred to the relevant Cabinet Member: 0</p>
Rhondda Cynon Taf	<p>Petitions of 60 or more signatories, where the issue could reasonably be expected to:</p> <ol style="list-style-type: none"> i. affect the Communities living or working in an area comprising two or more wards or electoral divisions; or ii. result in the Council incurring expenditure which is, or the making of savings which are, significant.
Hereford	<p>If a petition is signed by 5% (approximately 7,000 residents) of the people on the electoral roll and has not been rejected, the lead petitioner can request that it is debated at the next ordinary meeting of full Council.</p>
Telford	<p>Any petition must contain 100 or more valid signatures A petition with signatures of more than 5% of the population of the Borough will automatically be debated at a meeting of the Full Council.</p>
Hull	<ul style="list-style-type: none"> • at least 50 for a petition to be accepted as valid into the petitions procedure • 50 but less than 1500 signatures - for a referral of a petition to council without debate • At least 1500 signatures - for a petition to be debated at a meeting of the council.
Guilford	<ul style="list-style-type: none"> • Fewer than 50 signatures - response from relevant director/ service leader [treated as standard correspondence] • 50 - 299 signatures - Response from the relevant councillor • At least 300 signatures - referred to Leader/ Executive for response • At least 500 signatures - Referred for a debate at a meeting of the Full Council • At least 500 signatures - Senior Officers called to provide evidence at a meeting of the Overview and Scrutiny Committee where such action is requested in the petition.
Manchester	<ul style="list-style-type: none"> • 100 signature - any other, non excluded, petition, requesting action or response within six weeks • 1000 signatures - any petition above the threshold will trigger a debate at a scrutiny committee • 4000 - any petition above threshold will trigger a debate at a full council meeting.
Warwickshire	<ul style="list-style-type: none"> • Less than 1000 signatures - the Monitoring Officer will decide whether the petition should be referred to a Cabinet member, Local Forum or Officer for response. • 1000 or more signatures - formal presentation of a petition to a meeting of the Council



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CONSTITUTION COMMITTEE

5th JUNE 2023

MULTI-LOCATION MEETING POLICY

REPORT OF THE SERVICE DIRECTOR, DEMOCRATIC SERVICES & COMMUNICATION.

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek Members comments on the draft Rhondda Cynon Taf Multi-Location Meeting policy (attached at Appendix 1) following its consideration by the Democratic Services Committee and Scrutiny Chairs and Vice Chairs.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Comment and endorse to Council the draft Multi Location Meeting policy (attached as Appendix 1), following which the Council Constitution be amended to include a copy of the agreed policy.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The need for the Council to take forward a Multi-Location Meetings policy and for the policy to be adhered to by Members, Officers and the general public as a form of good practice when attending multi location meetings.

4. BACKGROUND

- 4.1 At the start of the coronavirus pandemic in 2020 the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 provided a framework for Councils to convene remote meetings for all attendees while face to face meetings were unable to take place.

- 4.2 The Local Government and Elections (Wales) Act 2021 has enabled Councils to continue to meet remotely with the introduction of multi-location meetings, thereby enabling greater public participation and Councillor involvement in decision making.
- 4.3 During Covid lockdowns and throughout 2020/21 Rhondda Cynon Taf Council convened its meetings by remote means resulting in a number of benefits such as allowing decisions to be made in a transparent way; Making it easy for the public to view and participate in the democratic process and making it easier for participants to take part if they have family and/or caring commitments.
- 4.4 When considering arrangements for remote attendance or ‘multi-location meetings’, Authorities must have regard to the statutory guidance issued by the Welsh Ministers: Interim statutory guidance on multi-location meetings <https://gov.wales/local-authority-multi-location-meetings-interim-guidance>
- 4.5 The statutory guidance sets out a number of general principles to guide Authorities when developing their meeting arrangements, namely, transparency, accessibility, good conduct, Welsh language, local needs and future generations.
- 4.6 The statutory guidance also stipulates that Authorities should develop a policy setting out how multi-location meetings will operate and reflect the meeting arrangements in its constitution (Appendix 1 refers).

5. AREAS FOR CONSIDERATION

- 5.1 A ‘Multi-Location Meeting’ is a meeting whose participants are not all in the same physical place. Some of the participants may be physically located in the meeting venue whilst others join from their home or other remote location.
- 5.2 The Council Chamber has multi-location meeting capability, through its webcasting facility, which enables participants to attend both remotely and in person. The Chamber also has a designated public gallery, which allows the public to attend in person. This is in addition to the live public webcasting of some meetings; both providing additional transparency and public oversight in the decision-making process.
- 5.3 The Council has determined that all meetings must be able to operate as multi-location meetings to ensure that participants are able to attend remotely or physically should they wish to do so, subject to those meetings that were determined by Council, to be conducted as virtual only ([June 2021 Council](#)), or by the request of the Chair.
- 5.4 At the meeting of the [Democratic Services Committee](#) on the 13th February, 2023 Members considered the draft policy before them and took forward a

number of amendments, which, for ease of reference are highlighted in red within the appendix, to reflect the changes proposed.

- 5.5 The draft policy was also considered by the Scrutiny Chairs and Vice Chairs at their meeting on the 21st March 2023, who supported the amended policy.
- 5.6 The draft policy, with the incorporation of the Democratic Services Committee amendments is presented at Appendix 1 for Members comment and agreement.
- 5.7 Subject to Members agreement, the policy will be inserted within the Council Constitution. A Multi Location Meeting handbook will also look to be drafted to assist Members and other attendees for future meetings.
- 5.8 Members are reminded that support staff from within the Council Business Unit / Democratic Services are available to support Members and provide assistance with any arrangements necessary for the undertaking of a Multi Location Meeting.

6. EQUALITY AND DIVERSITY IMPLICATIONS / WELSH LANGUAGE IMPLICATIONS.

- 6.1 Equality considerations feature throughout the Council's draft multi-location meetings policy.
- 6.2 The Council Chamber conferencing system, which includes simultaneous interpretation and webcasting, currently promotes the use of the Welsh Language at every opportunity.

7. CONSULTATION

- 7.1 Consultation was undertaken with the [Democratic Services Committee](#) and the Council's Scrutiny Chairs and Vice Chairs.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications aligned to this report.

9. LEGAL IMPLICATIONS AND LEGISLATION CONSIDERED

- 9.1 The report has been prepared in accordance with The Local Government and Elections (Wales) Act 2021

10. LINKS TO THE COUNCIL'S CORPORATE PLAN / OTHER CORPORATE PRIORITIES

- 10.1 Equality considerations feature throughout Corporate and National priorities and specifically the content of this report contributes to a More Equal Wales

and a Wales of Cohesive Communities. Many of the improvements brought about by multi-location meetings, such as innovation around the transaction of meetings, reductions in the use of paper, enhanced public accessibility will serve the objective of making local democratic systems more sustainable.

- 10.2 Multi-location meetings contribute to the Councils Climate Change agenda as the meetings reduce the carbon footprint of physical meetings (although digital activity is not carbon-neutral).

11. CONCLUSION

- 11.1 It is recognised that Multi-Location meetings are a vital component of good democracy in local government and help improve the Council's decision making, service provision and cost effectiveness.
- 11.2 The undertaking of Multi-Location meetings will strengthen accountability and transparency in the democratic process.
- 11.3 The Multi Location meetings policy will be reviewed as and when appropriate to ensure it remains relevant and 'fit for purpose'.

LOCAL GOVERNMENT ACT, 1972

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

CONSTITUTION COMMITTEE

5th JUNE 2023

MULTI – LOCATION MEETING POLICY

**REPORT OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES &
COMMUNICATIONS**

Background Papers

None.

APPENDIX 1

Multi – Location Meeting Policy

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MULTI-LOCATION MEETINGS POLICY

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

1. BACKGROUND

- 1.1 The Local Government and Elections (Wales) Act 2021 came into force on the 30th April 2021 and enabled Councils to operate multi-location meetings whereby Members, Officers, the public and Press are able to attend meetings physically or remotely.
- 1.2 In August 2021, Welsh Government published Interim Statutory Guidance on Multi-Location Meetings which can be found [here](#):
- 1.3 Multi-location meetings provide an opportunity for local authorities to become more efficient, raise their profile in the local community and make it easier for the public to view and participate in decision making and the democratic process.
- 1.4 Conducting meetings in this manner allows for greater flexibility and equality of access, acknowledging that some participants may have a preference for physical meetings potentially due to protected characteristics or circumstances which limits their ability to participate online. Other participants may wish to join council meetings remotely and from another location as a matter of default because, for example, they have working or caring responsibilities..
- 1.5 The provision of multi-location meetings also helps the Authority meet the requirements of the Wellbeing of Future Generations (Wales) Act 2015 in terms of making the Authority more sustainable and resilient. Multi-location meetings reduce the carbon footprint of wholly physical meetings and reduce both the reliance on paper and need for travel;
- 1.6 This policy aims to produce a clear guide as to how the Authority will take forward multi-location meetings, ensuring transparency with decision making and accessibility for all, whilst also reflecting the meeting arrangements within the Council Constitution.

2 LEGAL REQUIREMENTS

- 2.1 Under the Local Government and Elections (Wales) Act 2021 ('the 2021 Act'), Part 3, Chapter 4, local authorities are required to:
 - i. Electronically broadcast full Council meetings (with effect from May 2022).

- ii. Make and publish arrangements to ensure that all Council, Cabinet, Committee and Joint Committee meetings may be attended remotely also referred to as 'multi-location meetings'.
 - Meetings must be capable of being held virtually, but each authority must decide whether their meetings will be held fully virtually, partially virtually (where some participants are in the same physical location, whilst others join the meeting virtually, also referred to as 'hybrid meetings') or as physical meetings (authorities may **not** mandate physical attendance at meetings).
 - Participants in the meetings must be able to speak to and hear each other; and for meetings which are required to be broadcast (full Council meetings), participants must also be able to see and be seen by each other.
 - iii. Publish all meeting documents on the Council's website, including notices, summonses, agendas, reports and background papers (with effect from May 2021).
 - A note of the meeting, including Members in attendance and decisions made, must be published within 7 working days of the meeting.
 - Notice of meetings is no longer required to be posted at the Council's offices. However, copies of agendas and reports must be made available for the public if meetings are held physically.
 - The Council is also required to make public access provision for members of the public who cannot access electronic documents, for example, by providing access to computers, copies of documents, or making documents available for inspection.
- 2.2 Authorities should take into consideration the statutory guidance available when taking forward multi-location meetings. The statutory guidance provides a number of general principles to guide authorities when developing their meeting arrangements, namely, transparency, accessibility, good conduct, Welsh language, local needs and future generations.

3. WHAT IS A MULTI-LOCATION MEETING?

- 3.1 A Multi-location meeting is a meeting whose participants are not all in the same physical place. Some of the participants may be physically located in the meeting venue whilst others join from their home or other remote location.
- 3.2 In respect of such meetings, the Authority has determined these meetings to be called 'hybrid' meetings and will refer to them as such on Committee Summonses / Agendas / Meeting invites.
- 3.3 When a meeting is to be convened fully remotely the Council will regard these meetings as 'virtual' meetings and will refer to them as such on Committee Summonses / Agendas / Meeting invites.
- 3.4 The Council Chamber, situated in the Council Headquarters in Clydach Vale

has multi-location meeting capability to enable participants of meetings to attend and fully participate through a hybrid setting. The Council Chamber is therefore the designated venue for physical attendees at a Council Committee meeting. The Chamber also has a designated public gallery to allow the public and press to attend in person.

- 3.5 The Council uses a secure virtual platform to conduct the remote aspect of a meeting. Details of how to access meetings through the virtual platform are provided to Members and relevant attendees in advance of the meeting.
- 3.6 The Council has determined that all meetings must be able to operate as multi-location meetings to ensure that participants are able to attend remotely or physically should they wish to do so, subject to those meetings that were determined by Council, to be conducted as virtual only ([June 2021 Council](#)).

4. ATTENDANCE AT MEETINGS

- 4.1 Meetings invitations will be provided electronically and will provide details of the meeting, its location and timings. Meeting invites will include links to enable the participants to join remotely should they wish to do so. In respect of hybrid meetings, participants will need to indicate their intention to attend the meeting physically or remotely in advance to enable any necessary administrative and support arrangements to be put in place by Democratic Services. It is proposed that any apologies submitted are to be provided at the earliest opportunity whenever possible to assist with Committee set up arrangements.
- 4.2 Owing to the necessary administrative support that is required to hold hybrid meetings, a minimum number of physical attendees will be put in place for those meetings as indicated below. If the minimum number is not met, the meeting will be held as virtual only and the participants informed accordingly by Democratic Services. The Council website will also be updated to advise of the changes and notify any members of the public who may have wished to attend the meeting physically in a viewing / observer capacity.
- 4.3 The minimum physical attendance by Members and subsequent arrangements will be in place as follows:

MEETING	DETAILS
<ul style="list-style-type: none"> • Council • Cabinet • Planning Committee • Licensing Committee • Appeals Committee • Standards Committee 	<p>All meetings will be offered as hybrid (i.e. participants can attend either physically or remotely).</p>
<ul style="list-style-type: none"> • All Scrutiny Committees • Governance and Audit Committee • Democratic Services 	<p>All meetings will be offered as hybrid subject to the following attendance numbers:</p>

Committee	– $\frac{1}{4}$ of the Committee as Minimum number of physical attendees
<ul style="list-style-type: none"> • Local Education Authority Governors • Voluntary Early Retirement Redundancy Panel • Pension Fund Committee • Executive Committees / Steering Groups • Joint Committees • Working Groups 	All meetings will be offered as virtual (i.e. participants can attend remotely only)

5 QUORUM

- 5.1 The quorum of a meeting is one quarter of the voting Members unless specified otherwise within the Council’s Constitution. The quorum shall include those attending remotely, or physically; providing they are able to speak and be heard by each other and to see and be seen by others when participating in proceedings.
- 5.2 If the numbers present fall below the quorum required, the meeting ends immediately.

6 USE OF CAMERAS

- 6.1 Remote participants of meetings must be able to “speak to and be heard by each other” and “to see and be seen by each other”.
- 6.2 For all meetings, Members are requested to leave their cameras on throughout the duration of the meeting. Any Press in attendance will be asked to keep their cameras off for the duration of the meeting. If circumstance arises where it may not be appropriate to capture your video image, permission must be sought from the Chair and the reason recorded. It is accepted that there will be occasions when a remote participant may need to disable their camera due to poor connection/internet issues or personal circumstances of their home environment.
- 6.3 Committee reports under consideration will not be displayed on screen. Only when Officers are providing a presentation, will the information be shown on screen.
- 6.4 Members and Officers should be mindful of any confidential information they may have on display when attending a hybrid meeting that could be picked up on camera.

7 WITHDRAWAL FROM A MEETING DUE TO A PREJUDICIAL INTEREST

- 7.1 Should an Elected Member declare a Prejudicial Interest at a hybrid or virtual meeting, the Member must withdraw from the meeting unless they are relying on a relevant exemption set out in the Council's Member Code of Conduct and which is properly disclosed or obtained a dispensation from the Council's Standards Committee. However, where Members of the public are able to speak at a meeting, the Elected Member can also remain to make their representations but must leave after their representations are made. (For further information on declarations of interests at meetings see the [Council's Constitution](#).)
- 7.2 The Elected Member will be invited back into the meeting once the item relating to the prejudicial item has concluded. Should that person not respond to the call to re-join, the meeting will continue without them, providing it is quorate.

8 CONSIDERATION OF EXEMPT OR CONFIDENTIAL INFORMATION AT MEETINGS

- 8.1 Each meeting agenda will indicate whether the information to be considered is exempt or confidential and these items are generally kept until the end of the agenda to limit any disruption to the meeting and any participants who may be required to leave the meeting at that point.
- 8.2 Agenda items which contain public information, and which are not exempt or confidential can be considered in a public forum. When an exempt or confidential item is itemised on the agenda the following steps may be used to ensure that the information is not shared with anyone other than those entitled to receive it:
- a) Request that those not entitled to consider the exempt information leave the public remote meeting or be moved to the "virtual" waiting room whilst the exempt information is considered.
 - b) Request that Members who are attending a meeting remotely ensure that the consideration (including any vote) on any confidential/exempt item cannot be overheard or seen other than by themselves
 - c) The meeting recording and webcast will be paused for the duration of the exempt item. In the physical part of the meeting any observers will be requested to leave the room whilst the exempt item is considered.
 - d) When consideration of the exempt information has been completed, if there are further public items to be considered, all remote participants will be invited to re-join the public remote meeting and the recording and webcast will be resumed. Likewise, the observers or participants attending the physical meeting will be invited to return into the meeting venue.

9 MEETING ETIQUETTE

- 9.1 Participants attending meetings remotely, should use an appropriate

background setting. It is recommended that Members either blur their background or chose the corporate background feature when attending remotely.

9.2 Members should conduct themselves in a professional manner at all meetings regardless of the setting (physical or remote). Members should refrain, whenever possible, from eating **and smoking** when on camera and should consider their appearance with no offensive clothing or materials on display. Members should ensure that they show respect at all times and consideration for others and not use bullying language or behaviour towards others.

9.3 In addition it is essential to **attend meetings from a safe, confidential and secure location, ensuring that where possible the location does not cause connectivity, sound and vision issues which may detract from the content of the meeting.** ~~avoid joining a meeting virtually from a noisy or public location or from your vehicle as undoubtedly these locations will cause.~~ **Members and Officers should ensure that their location provides a** ~~Neither will they offer a safe and confidential environment when discussing exempt agenda items. If it is deemed that the location a Member has chosen to conduct the meeting is not suitable for the reasons stated above, Under such circumstances the~~ **Chair in discussion with the Proper Officer attending the meeting may** ask a member to leave the meeting and rejoin from a more suitable location.

9.4 Virtual participants should only use the chat function if there is something they need the meeting to be aware of i.e. they are having sound issues or they need to leave the meeting early. The chat facility is not to be used for discussions, as all discussions must be made verbally in the meeting for the sake of individuals observing the meeting and / or the meeting recording where appropriate. The chat is not to be used for other reasons. Be mindful that everyone in the meeting can see the chat content.

9.5 All those participating in the meeting, physically or remotely, will need to indicate when they would like to speak, via the microphone queuing system in the Chamber or virtual hands raised when attending remotely. Only when brought in by the Presiding Officer / Chair may someone speak. Those in physical attendance in the Council Chamber should wait for their microphone light to indicate red before speaking. Those attending remotely should remember to unmute their microphone when speaking and to re-mute when finished. In both settings, participants must speak clearly and into the microphone.

10 VOTING

10.1 Voting will either take place electronically, via a roll call or a mixture of both. All voting results will be announced by either the Presiding Officer / Chair, the Monitoring/Legal Officer or the Head of Democratic Services before moving to the next item of business. Should a Member leave the meeting and not return, their vote will not be able to be provided by another Member.

- 10.2 Unless a recorded vote is requested in accordance with the Council's Constitution, the Chair will seek a consensus from Members. If no objections are received the recommendations will be considered as carried ("no dissent").
- 10.3 In both Hybrid or virtual meetings, where the vote will be carried out electronically the names of those voting for, against or abstaining will be automatically recorded and published on the Council's website. If a physical roll call of votes is taken this will be undertaken by the Monitoring Officer or Head of Democratic Services at Full Council and for any other meeting by the Legal/Democratic Services Officer.

11 WELSH SIMULTANEOUS TRANSLATION

- 11.1 The Council Chamber conferencing system, which includes simultaneous interpretation and webcasting, currently promotes the use of the Welsh Language at every opportunity and this provision is in place to support those committees where the membership includes Welsh speaking Members. This will also be offered where Democratic Services has been informed in advance of any public speakers wishing to converse through the medium of Welsh (as indicated above).
- 11.2 For observers of any live webcast meeting, observers will have the option of viewing the webcast through either the English or Welsh feed provided, subject to their language choice.

12 RECORD OF ATTENDANCE

- 12.1 The Democratic Services Officer will record the attendance of each Committee Member and participant at the meeting and record attendance in the relevant Decision Notice/Minutes of the meeting. An attendance record will also be displayed on each individual Members' profile on the Council webpages. Committee Members are to inform the relevant Democratic Services Officer if they are unable to attend a meeting and their apologies will be recorded at the meeting and published in the minutes of the meeting.

13 PUBLIC PARTICIPATION

- 13.1 In order to address Committees such as the Planning & Development Committee, public participation guidance is available to assist residents when they attend both remote meetings and in person in the Council Chamber. Following confirmation of their requests to the appropriate chair, they will be contacted and supported through the processes in place to address Committee.
- 13.2 A public participant at a meeting wishing to speak in Welsh is required to contact Democratic Services at least 2 days in advance of a meeting (as directed on each Committee agenda) so that the necessary translation arrangements can be made. All meetings will be facilitated by a Democratic Services Officer.

14 CHAIRING MEETINGS

- 14.1 The Statutory Guidance understands that chairing a multi-location meeting is very different to chairing a face-to-face meeting. The job of the Presiding Officer / Chair is particularly challenging at a physical meeting with some participants joining remotely. Presiding Officers / Chairs and vice-chairs are encouraged to attend meetings in person in order to benefit from the direct support of the Democratic Services officer and Legal officer supporting the Committee.
- 14.2 In general Chairs of meetings should ensure they are prepared for the meeting; ensure all participants are able to access the meeting and can see and hear each other; introduce themselves and others to members of the public who may be present; check occasionally to ensure no one has been lost due to technical difficulties and provide support to those participants experiencing challenges; and, ensure all participants are given an opportunity to speak and appropriately use the chat facility.

15 WEBCASTING OF MEETINGS IN RHONDDA CYNON TAF COUNCIL

- 15.1 Local Authorities are required to webcast certain Council meetings. The main purpose of webcasting is to aid transparency, governance and accountability by giving members of the public, elected members, officers and other interested parties the opportunity to observe meetings without having to attend in person and for the Council to have an official audio and visual record of its decision-making process.
- 15.2 The following formal meetings of the Council are amongst some of the meetings that will either be webcast by being streamed live or recorded for upload to the Council's webcasting website within a reasonable period of time following the end of the meeting:

[Home – Rhondda Cynon Taf County Borough Council \(public-i.tv\)](#)
[Virtual Meetings | Rhondda Cynon Taf County Borough Council](#)
 [\(rctcbc.gov.uk\)](http://rctcbc.gov.uk)

- Council
 - Cabinet
 - Planning & Development Committee
 - Licensing Committee
 - Governance and Audit Committee
 - Democratic Services Committee
 - All Scrutiny Committee meetings
 - Standards Committee
- 15.3 Webcasting enhances the formal record of the meeting and the decisions taken, which are published on the Council website in the form of minutes or decision notices.

- 15.4 A webcasting protocol is included in [Part 4 Of the Council's Constitution](#).

16 RECORDING OF THE MEETING

- 16.1 At the start of each meeting, participants will be informed verbally of the intention to record the meeting. Subject to any disagreement being made verbally, all attendees consent to be filmed and to the use of those images and any sound recordings.
- 16.2 When recording the meeting the Council collects, uses and stores the following categories of personal information about participants;
- Their voice which will be recorded when they speak at the meeting;
 - Their image which will be recorded for the duration of their attendance in the meeting.
- 16.3 Details of how the local authority uses a participant's personal information for Recording and Publishing Meetings of the Council, Cabinet and Committees can be found [here](#).

17 PUBLICATION OF MEETING INFORMATION

- 17.1 The Council's committee administration software [Civica-Modern.gov](#) is used to publish all meeting related agendas, reports, minutes and decision notices to its Council webpages on both the English and Welsh side of the website for the public to view. In addition, each Committee page links to its relevant webcast recording.

18 CALENDAR OF MEETINGS

- 18.1 A calendar of meetings will be developed annually which identifies when Committee meetings will be taken forward throughout the Municipal Year and the timings of such meetings. This may be subject to change for operational reasons and these changes will be publicised.

19 TRAINING

- 19.1 Members and officers will receive training to be able to participate at meetings which will include the use of the virtual meeting platform software utilised for joining remote meetings and the use of the microphones in the Council Chamber when meetings take place physically in the building. Other training includes access to Modern Gov Committee papers, electronic voting and external participants will also receive support from Democratic Services when accessing the meeting.
- 19.2 Training for multi-location meetings will continue to be reviewed and provided to ensure the appropriate support provision is provided at all times by the Council Business Unit.

20 REVIEWING THE POLICY

20.1 The Multi Location meetings policy will be reviewed as and when appropriate to ensure it remains relevant and 'fit for purpose'.

21 SUPPORTING DOCUMENTS

21.1 This guidance policy should be read in conjunction with the Council's Constitution, Privacy Notice for Recording and publishing Council, Cabinet and Committee Meetings and the Council's Corporate Privacy Notice - which can be found in the following links:

Constitution – [Council Constitution | Rhondda Cynon Taf County Borough Council \(rctcbc.gov.uk\)](http://rctcbc.gov.uk)

Privacy Notice - [Recording and Publishing Council, Cabinet and Committee Meetings for Staff and Elected Members | Rhondda Cynon Taf County Borough Council \(rctcbc.gov.uk\)](http://rctcbc.gov.uk)

Council's Corporate Privacy Notice – [How we use your personal information - An Overview | Rhondda Cynon Taf County Borough Council \(rctcbc.gov.uk\)](http://rctcbc.gov.uk)
