



## Report of the Head of Democratic Services

Council – 2 February 2023

### Public Participation Strategy

<b>Purpose:</b>	To adopt a Public Participation Strategy.
<b>Policy Framework:</b>	None.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The Public Participation Strategy adopted and added to the Council Constitution.
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#### 1. Introduction

1.1 Section 40 of the Local Government & Elections (Wales) Act 2021 places a duty on each Principal Council to prepare and publish a Public Participation Strategy.

#### 2. Preparing the Strategy, Reviewing the Strategy & Consultation

2.1 In preparing the Strategy and when reviewing the Strategy, the Council must consult with local people and such other persons as it considers appropriate. The Head of Democratic Services shall work with the Consultation Coordinator to ensure that this aspect is addressed.

2.2 The Strategy must be reviewed shortly after each Local Government Election or more frequently if required.

### **3. What must be included in a Public Participation Strategy?**

3.1 The Strategy must address:

- a) Ways of promoting awareness among local people of the Principal Council's functions.
- b) Ways of promoting awareness among local people of how to become a member of the Principal Council, and what membership entails.
- c) Ways of facilitating access for local people to information about decisions made, or to be made, by the Principal Council.
- d) Ways of promoting and facilitating processes by which local people may make representations to the Principal Council about a decision before, and after, it is made.
- e) Arrangements made, or to be made, for the purpose of the Council's duty in section 62 of the 2011 Measure (bringing views of the public to attention of overview and scrutiny committees).
- f) Ways of promoting awareness among members of the Principal Council of the benefits of using social media to communicate with local people.

3.2 The Strategy may also address how a Principal Council proposes to comply with a duty imposed by any enactment.

3.3 The Draft Public Participation Strategy is attached as **Appendix A**.

3.4 The Public Participation Strategy has been subject to a period of formal consultation during October / November 2022. The responses have been considered in compiling the final draft Strategy.

### **4. Integrated Assessment Implications**

4.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage.
- Consider opportunities for people to use the Welsh language.
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

- 4.2 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.
- 4.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also considers other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.
- 4.4 An IIA Screening Form has been completed and no adverse implications have been noted.

## **5. Financial Implications**

- 5.1 All costs associated with the Strategy will be contained within existing budgets.

## **6. Legal Implications**

- 6.1 The proposals identified are in accordance with relevant legislation.

### **Background Papers:**

None

### **Appendices:**

Appendix A Draft Public Participation Strategy  
Appendix B IIA

## Public Participation Strategy

### 1. Introduction

- 1.1 Section 40 of the Local Government & Elections (Wales) Act 2021 places a duty on each Principal Council to prepare and publish a Public Participation Strategy.
- 1.2 The Public Participation Strategy supports the Council's Consultation & Engagement Strategy.
- 1.3 The Public Participation Strategy aims to promote:
  - A. The Principal Council's functions.
  - B. How to become a Member (Councillor) of the Principal Council, and what membership (Being a Councillor) entails.
  - C. Accessing information about decisions made, or to be made, by the Principal Council.
  - D. Making representations to the Principal Council about a decision before, and after, it is made.
  - E. Arrangements made, or to be made, for the purpose of the Council's duty in section 62 of the 2011 Measure (bringing views of the public to attention of overview and scrutiny committees).
  - F. Benefits of Councillors using social media to communicate with local people.

### Section A. The Principal Council's Functions.

#### 2.1 How the Council Operates

- 2.2 All 75 Councillors meet as the Council. Meetings of the Council are normally open to the public, but occasionally the Council will resolve to go into private session if confidential or exempt business is to be transacted. Private sessions of Council are rare.
- 2.3 At Council meetings Councillors decide the Council's overall policies and set the budget each year. The Council has a Cabinet which is responsible in turn for implementing policies agreed by the Council and taking executive decisions on matters which are not the responsibility of the Council or its Committees.

## **2.4 How the Council Works?**

- 2.5 The Council comprises 75 Councillors representing 32 Electoral Wards. Further information may be found at [www.swansea.gov.uk/wardprofiles](http://www.swansea.gov.uk/wardprofiles)  
The Council normally meets monthly and has a list of functions including adopting and changing the Constitution, approving, and adopting the Budget and Policy Framework, appointing the Leader of Council, determining, and agreeing Committees and their terms of reference.
- 2.6 Several Councillors (this can include Job Share Cabinet Members) make up the Cabinet (the Executive). The Leader of the Council is the Chair of Cabinet. The Cabinet is responsible for carrying out all the Local Authority functions which are not the responsibility of the Council. Cabinet Members are responsible for decision making within specific areas of interest, known as Cabinet Portfolios.
- 2.7 Scrutiny Committees act as a 'critical friend' to the Cabinet and other decision makers to promote better services, policies, and decisions. Working in a similar way to Parliamentary Select Committees, scrutiny involves Councillors who are not in the Cabinet.
- 2.8 The Planning Committee, Licensing Committees and Governance & Audit Committee make the Council's regulatory decisions.
- i) Planning Committee determines planning applications.
  - ii) Statutory Licensing Committee determines public entertainment licences for premises amongst others.
  - iii) General Licensing Committee determines licences to drive a hackney carriage or a private hire vehicle (taxis).
  - iv) Governance & Audit Committee reviews and scrutinises the Council's financial affairs.
  - v) Democratic Services Committee reviews the adequacy of provision by the Authority to discharge the democratic services function.
  - vi) Standards Committee seeks to promote high standards of conduct and support Councillors to comply with the Code of Conduct.

## **3. Council's Decision-Making Structure**

### **3.1 Council**

- i) All 75 Councillors, normally meet monthly.
- ii) Agrees budget.
- iii) Agrees corporate policy framework.
- iv) Decides political management framework.
- v) Appoints Leader of the Council.

- vi) Appoints Chief Executive & Directors.
- vii) All other identified non-executive functions.

### **3.2 Cabinet**

- i) Comprises a maximum of 10 voting Councillors including Leader of the Council. Job Share Cabinet Members are permitted.
- ii) Cabinet is appointed by Leader of the Council.
- iii) Each Cabinet Member is assigned a thematic Cabinet Portfolio.
- iv) Proposes Policy & budget to the Council
- v) Implements Council policies under the political guidance of the Leader of the Council.
- vi) Takes delegated executive decisions, in accordance with Council policy and budget.

### **3.3 Scrutiny**

- i) One Scrutiny Committee, called the Scrutiny Programme Committee.
- ii) Themed Scrutiny Inquiry Panels on specific matters of concern.
- iii) Themed Scrutiny Performance Panels on specific matters of concern.
- iv) Themed Scrutiny Working Groups on specific matters of concern
- v) Scrutiny holds the Cabinet (Executive) to account, including responsibility for pre-decision scrutiny and call-in of decisions.
- vi) Monitor and challenge the effectiveness of service delivery, polices and performance and improvement.

### **3.4 Committees, Panels, Groups etc.**

- i) The Council's list of Committees, Panels, Groups etc., may be viewed at [www.swansea.gov.uk/committees](http://www.swansea.gov.uk/committees)
- ii) Further information relating to Councillors & Committees may be viewed at [www.swansea.gov.uk/democracy](http://www.swansea.gov.uk/democracy)
- iii) The Terms of Reference of these Council Bodies may be viewed at [www.swansea.gov.uk/constitution](http://www.swansea.gov.uk/constitution)

## **Section B. How to become a Member (Councillor) of the Principal Council, and what membership (Being a Councillor) entails.**

### **4. How to become a Councillor**

- 4.1 The next Local Government Elections will be held in May 2027. This section provides you with information on how to stand for election and what is expected of you should you be elected as a Councillor for Swansea Council.

4.2 The Welsh Local Government Association (WLGA) has produced the “Be a Councillor. Be the Change” website. This is a useful guide for prospective candidates. This may be viewed at [www.beaCouncillor.wales](http://www.beaCouncillor.wales)

4.3 Swansea Council has a useful “Be a Councillor” website. This may be viewed at [www.swansea.gov.uk/beaCouncillor](http://www.swansea.gov.uk/beaCouncillor)

## **5. How much time does it take up to do a Councillors role?**

5.1 If you are in employment and intend to stand as a candidate you may wish to ask your employer what provisions they may have in place to allow you to attend to Council business. It is estimated that on average, Councillors spend the equivalent of three to four days a week on Council business. Obviously, there are some Councillors who spend more time than this, and some less.

## **6. Standing as a Candidate**

6.1 A candidate for election must complete a set of nomination papers that must be signed by the candidate in the presence of a witness who must attest the signature. You then need to win a majority of the votes cast at the ballot box (if there is a contest for the seat). Some electoral wards have up to 5 Councillors, therefore the top 5 would be elected.

6.2 Nomination packs will be available early in 2027. If you would like to register your interest, please contact [Electoral Services](#) on 01792 63 6123. Further useful information may be viewed at [www.swansea.gov.uk/elections](http://www.swansea.gov.uk/elections)

6.3 If you are thinking of standing as a candidate for a particular political party, then you should first get in touch with that party’s local organisation. If you plan to stand for election as an independent Councillor, contact us and we will be pleased to give you more information.

6.4 Councillors receive a salary which is determined annually by the Independent Remuneration Panel for Wales (IRPW) and can also claim travel and subsistence costs (subsistence is paid for ‘out of county’ meals and accommodation only) when undertaking official duties. Councillors can also claim towards the costs of care and personal assistance for them to carry out their approved duties.

6.5 Further information on Councillor Salaries & allowances may be viewed at <https://gov.wales/independent-remuneration-panel-wales>

## **7. Support for Disabled Candidates Seeking Election**

- 7.1 The Welsh Government has approved funding for a pilot scheme to fund reasonable adjustments and support for disabled candidates seeking election to the Local Government elections. Further information may be viewed at <https://www.disabilitywales.org/projects/access-to-elected-office-fund-wales/>

## **8. What being a Councillor entails?**

- 8.1 The Council is composed of 75 Councillors who are elected every five years. Councillors are democratically accountable to residents of their electoral ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.
- 8.2 Once elected Councillors are expected to attend various training and development sessions during their term of office. A Councillor Induction session is provided for all new and returning Councillors during the first 12 months in office with further training provided on an ongoing basis through member development events. Councillors should set aside time during the first 3 months after the election for the Councillor Induction Session.
- 8.3 Councillors are expected to attend meetings and committees and must observe the provisions of the Councillors Code of Conduct. Further information may be viewed at [www.swansea.gov.uk/codeofconduct](http://www.swansea.gov.uk/codeofconduct)
- 8.4 Councillors can physically or remotely attend Council, Cabinet, and the majority of Committee Meetings. These are called Multi-Location Meetings (MLM). They can be useful for people with responsibilities such as work, caring etc., by allowing them to participate from a location convenient to them.
- 8.5 As local representatives, Councillors have responsibilities towards their constituents and local organisations. These responsibilities and duties often depend on what the Councillor wants to achieve and how much time is available and may include: attending governing body meetings of schools within their ward, attending meetings of local organisations such as tenants' associations, bodies affecting the wider community, raising issues on behalf of members of the public, holding surgeries for residents to raise issues and meeting with individual residents in their own homes.
- 8.6 Councillors are entitled to a basic salary (£16,800 per annum in 2022-2023). Senior Salaries and other allowances / expenses are paid dependant on the roles and responsibilities the Councillor may have after the election.



8.7 Councillors are also entitled to travel allowances and those with caring responsibilities can also receive a Contribution towards Costs of Care & Personal Assistance.

8.8 Further information on payments and the Independent Remuneration for Wales (IRPW) Annual Report may be viewed at <https://gov.wales/independent-remuneration-panel-wales>

## **9. Councillor Facilities & Support**

9.1 The Democratic Services (DS) Team administers meetings of the Council, Cabinet, Committees etc., and provides a dedicated support service, providing advice on the law and practice of meetings to Councillors, Officers, and the public. The Team also help Councillors with queries and admin related requests.

9.2 Data (Broadband), ICT and Voice Communications equipment and systems are essential to enable Councillors to carry out their responsibilities effectively and securely. The Councillors ICT Allowances Policy provides Councillors with an allowance to provide Councillors with adequate telephone, email facilities and electronic access to appropriate information. Further information may be viewed at [www.swansea.gov.uk/cllrsict](http://www.swansea.gov.uk/cllrsict)

9.3 Councillors will also be provided with an email address in the following format [cllr.firstname.surname@swansea.gov.uk](mailto:cllr.firstname.surname@swansea.gov.uk) which must be used when conducting Council business. All Council meetings are paperless, and it is recommended that all candidates can use IT confidently or are willing to undertake training.

## **Section C. Accessing Information about Decisions made, or to be made, by the Principal Council.**

### **10. Notices of Meeting**

10.1 The Council will give at least three clear working days' notice of any formal meeting (other than Council & Cabinet) by posting details electronically on the Council's web site. For Council & Cabinet, Swansea Council aims to give five clear working days' notice. The Council website is [www.swansea.gov.uk](http://www.swansea.gov.uk)

10.2 However, an exception will arise where the Council has received an application from the Police under section 53A of the Licensing Act 2003 for the summary review of a premises licence (The Council being required to decide on whether to take any preliminary measures within 48 hours of receiving the application), the Council may give less than 3 clear days' notice

of the meeting of the Licensing Committee meeting called to consider the application.

## **11. Access to Agenda & Reports Before the Meeting**

- 11.1 Copies of the agenda and reports open to the public shall be available for inspection at [www.swansea.gov.uk/democracy](http://www.swansea.gov.uk/democracy)
- 11.2 If an urgent item is added to the agenda after the agenda was originally published, the Head of Democratic Services will post the amended agenda and report on the website once available. The period of public inspection will be from the time the item was added to the agenda.

## **12. Access to Minutes etc., After the Meeting**

- 12.1 The Council will make available copies of the following on its website for a period of six years after a meeting:
- i) Minutes of formal Council, Cabinet & Committee meetings or record of decisions taken by the Cabinet.
  - ii) The agenda for the meeting.
  - iii) Reports relating to items when the meeting was open to the public. A decision note which details, attendance, any interests declared, and decisions will be published on the Authority's website within 7 days of the meeting.

## **13. Access to View Meetings\***

- 13.1 The Council will ensure members of the public can attend or view meetings that are open to the public either:
- i) In person (social distancing regulations permitting and part of the meeting includes physical attendance).
  - ii) Through video conferencing if making representations /asking questions.
  - iii) By watching a meeting live via our webcast page or in archive (the webcast will be available to view for 6 months) Requests for copies of archived webcasts beyond 6 months can be made through Democratic Services – a small administrative charge may apply for this service.

**Note:** This does not apply when exempt or confidential information is being discussed.

## **Section D. Making representations to the Principal Council about a decision before, and after, it is made.**

### **14. Council & Cabinet**

- 14.1 Members of the public, if they are residents of the County, own a business located within the County or are employed within the County can ask questions at meetings of Council, Cabinet and Scrutiny Programme Committee. Questions must relate to an item on the agenda and will be dealt with during the 10-minute period allocated on the agenda.
- 14.2 To ask a question you need to deliver your question in writing (preferably e-mail) to [democracy@swansea.gov.uk](mailto:democracy@swansea.gov.uk) no later than noon, on the working day prior to the meeting. Alternatively, you can physically attend and providing the 10-minute period has not been used by those submitting in advance, you may ask a verbal question.
- 14.3 When submitting your question, you must include your name and address (include your business name and address if you own a business located in Swansea or work in Swansea but live elsewhere) and the Agenda Item that it relates.
- 14.4 The Council also welcomes petitions and recognises that petitions are one of many ways in which people can let us know their concerns and engage in the democratic process. A copy of the Council's Petition Scheme can be found at [www.swansea.gov.uk/petitions](http://www.swansea.gov.uk/petitions)

### **15. Scrutiny**

- 15.1 See dedicated section on Scrutiny below or at [www.swansea.gov.uk/scrutiny](http://www.swansea.gov.uk/scrutiny)

### **16. Planning & Licensing**

- 16.1 Further information may be viewed at:
- i) [www.swansea.gov.uk/planning](http://www.swansea.gov.uk/planning)
  - ii) Speaking Rights at Planning Committee. See [https://democracy.swansea.gov.uk/ieListDocuments.aspx?CId=539&MIId=7349&Ver=4&Info=1&LLL=0#Bookmark\\_42](https://democracy.swansea.gov.uk/ieListDocuments.aspx?CId=539&MIId=7349&Ver=4&Info=1&LLL=0#Bookmark_42)
  - iii) [www.swansea.gov.uk/licensing](http://www.swansea.gov.uk/licensing)

**Section E. Arrangements made, or to be made, for the purpose of the Council's duty in section 62 of the 2011 Measure (bringing views of the public to attention of overview and scrutiny committees)**

**17. How can I become Involved in Scrutiny?**

- 17.1 Scrutiny provides an opportunity for the public (residents, community organisations, partners, etc.), to become involved in Council activities. If you are a resident of Swansea or own a business or are employed within Swansea, you may ask questions at Scrutiny meetings. Further information is available at the Scrutiny Procedure Rules within the Council Constitution [www.swansea.gov.uk/constitution](http://www.swansea.gov.uk/constitution)
- 17.2 Getting involved in scrutiny is one of the best ways to influence decision making at the Council, as Councillors will hear your experiences first hand. There are several ways you can get involved in the work of scrutiny at the Council:
- i) Attending a Scrutiny meeting.
  - ii) Asking a question of Cabinet Members through Scrutiny either via Public Question Time for a specific meeting, or generally go to [www.swansea.gov.uk/questioncabinetmember](http://www.swansea.gov.uk/questioncabinetmember)
  - iii) Suggest a topic for scrutiny, go to [www.swansea.gov.uk/raiseanissuetoscrutiny](http://www.swansea.gov.uk/raiseanissuetoscrutiny)
  - iv) Contribute views / evidence on issues being examined by scrutiny.
  - v) Keeping up to date with what's happening in scrutiny.
- 17.3 All scrutiny meetings are open to the public except where exempt information must be discussed. A list of meeting dates and agenda items can be found at [www.swansea.gov.uk/democracy](http://www.swansea.gov.uk/democracy). If you would like to attend a meeting (physically or remotely) simply follow the instructions on the agenda.

**18. Updates on What is Happening in Scrutiny**

- 18.1 To receive updates on Scrutiny, you can:
- i) Download the Modern.gov app. It is available on Android, Apple, & Windows. This will allow you to automatically the agendas and reports you want.
  - ii) Scrutiny Blog. [www.swanseascrutiny.co.uk](http://www.swanseascrutiny.co.uk)
  - iii) Sign up to the [Scrutiny Newsletter](#)
  - iv) Twitter. <https://twitter.com/swanseascrutiny>

## 19. Contribute Evidence for Scrutiny Inquiries

- 19.1 When undertaking scrutiny work, especially in-depth inquiries, Councillors hope to receive a wide range of evidence from a number of sources. Submitting evidence will help ensure that your voice is heard and that the Councillors make recommendations that will improve the services from a user's perspective. If you are interested in any issues and would like to submit evidence, please contact us:

**Scrutiny Team**, Swansea Council, Guildhall, Swansea, SA1 4PE  
Tel: 01792 63 7732 | E-mail: [scrutiny@swansea.gov.uk](mailto:scrutiny@swansea.gov.uk)

### Section F. Benefits of Councillors using social media to communicate with local people.

- 20.1 Social media is a powerful tool for Councillors, helping them to engage with communities, raise awareness of community issues, events, or Council initiatives and to seek views and receive feedback.
- 20.2 Social media has changed how politics works, it makes politicians and public institutions more accessible, allows individuals to have their voices heard and helps share ideas or promote campaigns.
- 20.3 By using social media you can:
- i) Learn about local issues, and concerns within your ward.
  - ii) Find the latest news and publications from Swansea Council, other Local Authorities, the Welsh Government, and organisations such as the Welsh Local Government Association.
  - iii) Promote your role and what you do on a day-to-day basis.
  - iv) Share information quickly and gain opinions of your constituents.
- 20.4 Many Councillors already use social media; however, Councillors must remember that they are bound by the Code of Conduct as it equally applies to online and social media content. Councillors are personally responsible for the content they publish and must abide by the Code of Conduct when posting information.
- 20.5 The Welsh Local Government Association has provided free guidance for Councillors along with some tips and advice in terms of handling on-line abuse. [www.wlga.wales/social-media-and-online-abuse](http://www.wlga.wales/social-media-and-online-abuse)