



Report of the Monitoring Officer & Head of Democratic Services

Annual Meeting of Council – 24 May 2022

Amendments to the Council Constitution – Multi Location Meeting Policy, Petition Procedure and Standards Committee Terms of Reference

Purpose:	To make amendments in order to simplify, improve and / or add to the Council Constitution. A decision of Council is required to change the Council Constitution.
Policy Framework:	Council Constitution.
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	It is recommended that Council approves: 1) The Multi Location Meeting Policy attached at Appendix A 2) The Petitions Scheme attached at Appendix B 3) The Standards Committee Terms of Reference at Appendix C
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1. Introduction

- 1.1 The Local Government and Elections (Wales) Act 2021 introduced new legislative requirements in respect of multi-location meeting arrangements and electronic broadcasting of meetings, petition procedures and new duties for the Standards Committee.

- 1.2 The Constitution Working Group considered reports on a multi-location meeting policy, a petitions scheme and amended terms of reference for the Standards Committee on the 25 April. The Constitution changes recommended by the Constitution Working Group are as follows:

2. Multi-Location Meeting Policy

- 2.1 There is a legal requirement for Local Authorities to make and publish arrangements to ensure that all Council, Cabinet, Committee, Sub-Committee and Joint Committee meetings may be attended as multi location meetings (a mix of both physical and remote attendance) and to broadcast meetings. Local Authorities cannot mandate physical attendance at meetings.
- 2.2 Attached at appendix A is the Multi-Location Meeting Policy which has been developed having regard to Welsh Government Interim Statutory Guidance on multi-location meetings.
- 2.3 The Policy provides that all Council, Cabinet, Committee, Sub-Committee and Joint Committee meetings will operate as multi-location meetings and participants will be able to attend remotely or physically (subject to any health and safety limitations). There may be occasions ie Ceremonial Councils when Councillors will be encouraged to attend in person but that does not preclude a Councillor attending remotely if they wish to do so.
- 2.4 In terms of the detail of the Policy specific reference is made to:
- Meetings being multi location meetings with councillors being able to join either remotely or in person
 - The arrangements for public participation at meetings
 - Use of cameras in meetings
 - Health and safety of councillors
 - Chairing meetings
 - Use of chat function

3. Petitions Scheme

- 3.1 The Local Government and Elections (Wales) Act 2021 places a duty on Councils to make and publish a Petitions Scheme and provides that a Petitions Scheme must, in particular, 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.

3.2 A Petitions Scheme must set out how the Council intends to handle and respond to Petitions (including electronic Petitions). Electronic Petitions are referred to in this Scheme as ePetitions. This Petitions Scheme is one element of the wider Public Participation Strategy.

3.3 Petitions are documents (whether electronic or physical) that contain details of issues that are important to communities and the City and County of Swansea as a whole, signed by local people who are in support of the proposed action. The Petitions Scheme is attached at appendix B.

4. Terms of Reference of the Standards Committee

4.1 The Local Government and Elections (Wales) Act 2021 provides additional duties on Standards Committees to:

- monitor compliance by Leaders of Political Groups with their new duties to uphold the ethical framework and
- produce an annual report to Council describing how the Committee has discharged their functions during the year.

4.2 As the Terms of Reference have not been updated for some time the Monitoring Officer has taken the opportunity to consider the Terms of Reference afresh and attached at appendix C are the proposed changes to be made. The current terms of reference are attached at appendix D for ease of reference.

4.3 Council will note that the functions have been split into two sections. The first section relates to those responsibilities associated with the Code of Conduct and ethical framework and includes an additional duty of determining requests for representation under the Council's Indemnity Scheme.

4.4 There are also some additional responsibilities which relate to oversight of the following:

- Officer/ Councillor Relations Protocol
- Whistleblowing Policy
- Member/Member Dispute Resolution Process.

4.5 The Standards Committee Hearing Procedure for Code of Conduct referrals was adopted on 18 February 2021. The Procedure is attached at appendix E for information only and will be added to the Council Constitution for visibility.

5. Financial Implications

5.1 All financial impacts of this report are contained within existing budgets.

6. Legal Implications

6.1 There are no further legal implications other than those set out in the report.

7. Integrated Assessment Implications

- 7.1 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.
- 7.2 The Well-being of Future Generations (Wales) Act 2015 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'.
- 7.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account 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.
- 7.4 An IIA screening form has been completed and has determined that a full IIA report will not be required primarily as this is an updating addition to the Constitution following the introduction of new legislation.

Background Papers: None

Appendices:

Appendix A – Multi Location Meeting Policy

Appendix B – Petitions Scheme

Appendix C – Changes to Terms of Reference for Standards Committee

Appendix D – Current Terms of Reference for Standards Committee

Appendix E – Standards Committee Hearing Procedure