



RHONDDA CYNON TAF COUNCIL DEMOCRATIC SERVICES COMMITTEE

Minutes of the meeting of the Democratic Services Committee meeting held on Tuesday, 19 March 2019 at 5.00 pm at the Block F, The Pavilions, Cambrian Park, Clydach Vale, Tonypany, CF40 2XX.

County Borough Councillors - Democratic Services Committee Members in attendance:-

Councillor G Davies (Chair)

Councillor J Bonetto Councillor G Caple
Councillor S Rees Councillor E Stephens
Councillor G Thomas Councillor S Powderhill
Councillor L Walker

Officers in attendance

Mr C Hanagan, Service Director of Democratic Services & Communication
Ms L Evans, Principal Information Management & Data Protection Officer
Mrs D Hughes, Head Of Organisational Development
Mr T Jones, Service Director – ICT & Digital Services

16 APOLOGIES

Apologies for absence were received from County Borough Councillors J Brencher, A Davies-Jones, H Fychan, K Morgan & W Treeby.

17 Declaration of Interest

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

18 Minutes

It was **RESOLVED** to approve the minutes of the 12th November, 2018 as an accurate reflection of the meeting.

19 MATTERS ARISING

Minute : The Chair asked for an update in respect of the Members Charter and the Interim Head of Democratic Services advised that following discussions with the WLGA a light touch approach would be taken forward by the WLGA in respect of the review, to which Officers were working towards.

20 Support Provision - Working Group

The Interim Head of Democratic Services provided Members an overview of the report and recommendations of the Democratic Services working group set up to look at Support provision for Members. Members were reminded of the origins

of the working group, which was to assist with taking forward the 'paper light' approach to Committee meetings whilst also recognising the need to ensure that Members were able to perform their roles confidently with the devices that they were provided with.

Members were provided with each of the recommendations highlighted by the Working Group and the rationale behind the recommendations.

Members queried how the Training Framework would operate with the topic suggestions within the framework and also timeframes. The Head of Organisational Development advised that the outcomes of Member PDR's would help inform the framework and the training programmes that needed to be taken forward and depending on the popularity of the subject area a provision for training could be made either using the 'Pre Council / Committee' training schedule or smaller working group sessions or depending on the item bespoke one to one training could be provided.

One Member questioned whether the Committee should be looking at the longer term with a stronger reference to 'paperless' Committee meetings rather than 'paper light'. Members discussed that although this was the intended outcome in the long term, the interim approach should be that of a 'paper light' approach, to reduce any pressure on those Members that did not feel comfortable with using their electronic devices.

Members discussed the potential of undertaking on-line training and the Interim Head of Democratic Services agreed that this was an approach that the Council were keen to take forward as it was recognised that this would assist Members who were already trying to balance heavy workloads and therefore not able to attend training sessions being provided.

Members **RESOLVED:**

- i. To endorse the recommendations of the Working Group as contained within the report attached as Appendix 1 (and for ease of reference listed below a-f).
 - a) That a flexible training Framework be taken forward by ICT and HR to support Members with their roles and to assist in the paper light approach to Committee meetings.
 - b) Details regarding a dedicated point of contact within ICT (who can assist them with any technical difficulties that they may be experiencing with their devices) are circulated to all Members.
 - c) That the adequacy and access to internet for Members across Council Buildings including Schools is reviewed by the Head of ICT and acted upon where necessary.
 - d) That the Director of Communications & Interim Head of Democratic Services takes forward a costing exercise in relation to the upgrading of facilities available to Members in the Chamber, from basic charging points to webcasting facilities.
 - e) That the Chairs of Committee meetings become an exemplar of the Paper light approach, utilising the Modern.Gov system and

impressing the paper light approach to each of their Committee Members, identifying training where needed.

- f) That all Members are advised of the importance of attending training sessions when arranged to support Members in their roles and to ensure value for money for the Council.
- g) That the Director of Communications & Interim Head of Democratic Services reviews the Members paper budget provision and to raise awareness to Members on the 'think don't print' approach to reduce printing where available to reduce costings for the Authority and the impact on the environment.

- (ii) That officers prepare an implementation plan detailing the actions required to take forward the approved recommendations.

21 GDPR REQUIREMENTS FOR ELECTED MEMBERS (Casework)

The Data Protection & Improvement Officer presented her report to Members which provided proposals to support Members in fulfilling the legal obligations placed upon them by the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA), in situations where they are undertaking casework on behalf of their constituents and individuals they may represent.

The Officer discussed the work of Members with dealing with requests from constituents with case work which often made Members 'data controllers' and the need, under the GDPR requirements for Members to process personal data, in an open, honest and transparent way so that constituents were aware of how their personal data would be used. The officer advised that the easiest way of communicating this information was to develop a 'Privacy Notice' and referred Members to the draft Privacy Notice and the proposal to recommend to all Members that a general privacy notice be placed on the Council website under each Members profile, to which Members can refer residents to if and when necessary.

In addition to the Privacy Notice Members were also advised of a general 'Authority to Act' form, following requests by Members. This form may be used by Members to seek 'authority' from constituents for the Member to act on his/her behalf.

Before concluding her report the Officer advised Members on the changes to their annual data protection registration requirements as a data controller with the Information Commissioner's Office, advising that following an amendment to the Regulations from 1st April 2019, elected representatives (as defined in the Regulations) will be exempted from the requirement to notify the Information Commissioner and therefore pay the required registration fee.

Members queried what time frame they should be keeping constituent's information for. The Officer advised that members were not allowed to keep information for longer than was necessary although it often depended on the nature of the inquiry. The Officer continued by advising that for best practice, Members should always review the information they retained on a timely basis.

The Data Protection & Improvement Officer referenced the intention to create a handbook for Members to assist them with the GDPR requirements and noted

that retention of information and handling information would be provided within the guidance notes.

Members asked a number of queries in relation to the requirements and the officer provided some useful general tips about the safeguarding of information, such as Members using a private email address, which could not be accessed by other family members when dealing with constituents information and ensuring Members manage the expectations of their constituents. The officer also discussed displaying of privacy notices at member surgeries and the potential of adding a link to each Elected Members email signature to the Council website to display the Privacy Notice.

Members commented that often as they were approached in the local community they may not be equipped with forms such as the privacy notice or the Authority to Act form, and enquired how the Member should then proceed. The officer advised that as data controllers members were able to sign post constituents to the privacy notice (i.e. on the Council website). In respect of the Authority to Act form, the officer clarified that this was not a requirement of GDPR but was a form that had been developed following requests from Members. Therefore this could be completed at a follow up meeting with the resident if the Member so wished.

Following a detailed discussion in respect of the report the Committee
RESOLVED:

1. To endorse the Councillor Privacy Notice template, Record of Processing Activity (RoPA) template and Authority to Act form as contained in Appendix I-III of the report;
2. That the Privacy Notice and RoPA templates be published on the Council's website under each Member's profile (where a Member has elected to utilise the Council's website to publish such documents);
3. To acknowledge that it is the responsibility of each individual Member to ensure that their legal obligations under the GDPR and DPA are met when dealing with casework.
4. To acknowledge that with effect from the 1st April 2019 Members are no longer required to annually register with the Information Commissioner for data protection purposes and to pay the required registration fee.

22 MEMBERS SURVEY AND PORTAL.

The Interim Head of Democratic Services provided Members with an overview of the report which provided details of the proposed Members survey as in accordance with the Welsh Local Government Measure. Members were advised that following Members comments at the Committee meeting on the 12th November the survey had been amended to include details of the support provision provided to Members which would be fed back to the Democratic Services Committee.

The Interim Head of Democratic Services also advised of the proposal to produce a 'Members Portal' which would be an area on the Council website for Elected Members to access which would allow them an area too potentially:

- Report problems,

- Submit questions / Notices of Motion to Council
- Submit scrutiny Call In's
- Submit Research requests
- Provision of useful contact details for officers / external organisations.
- E-learning.
- Access relevant forms / consultation links
- Members Survey

Members were happy to support the amendments to the survey and welcomed the suggested Members portal which would also assist in the retaining of the Members Charter. One Member queried how technical difficulties would be communicated if there was a problem with the Portal and the Interim Head of Democratic Services advised that there would be provision within the system to clearly indicate if an action had completed successfully or not i.e. Submitting a question to Council.

Members **RESOLVED**

- i. To agree to the distribution of the Member Survey as outlined in Appendix A of the report;
- ii. That the results of the survey be provided back to the Democratic Services Committee for consideration and action if necessary;
- iii. To instruct the Interim Head of Democratic Services to further review the development of a Members Portal as outlined in section 5 of the report.
- iv. To provide a demonstration of a 'mock' Members portal at the next appropriate meeting of the Democratic Services Committee.

23 LONE WORKING POLICY.

The Interim Head of Democratic Services advised Members that following a number of requests from Members in respect of Lone Working it was proposed that a policy be developed which would aim to provide councillors with a concise, easy to access set of guidelines about how to assess and manage risk when in lone working situations. The officer advised that these guidelines would also outline the proactive safety measures that could be taken forward should councillors find themselves in situations where they have concerns for their safety.

Members welcomed the policy and commented on the vulnerable situations some Councillors were faced with when undertaking their duties.

Members **RESOLVED:**

- i. To agree the development of a lone working policy for the use of elected Members.
- ii. That the Interim Head of Democratic Services and the Director of Human Resources bring forward a policy for Members consideration at a future Committee

24 NOTIFICATION TO MEMBERS - POLICY CONSIDERATION

The Interim Head of Democratic services referred Members to his report which

sought Members consideration to the creation of a policy to guide Council Officers to communicate key information to Elected Members in respect of their electoral division.

Members were advised that over recent months a number of requests had been put forward to the Interim Head of Democratic Services requesting that Members receive timely notification of any updates / events or significant work being carried out within a Members wards.

The Interim Head of Democratic Services advised that the Councils Communications team respond in a timely manner to any public or press enquiries that the Council receives and Services areas are aware of the importance of informing relevant local members when an issue may be of public interest. There is however no specific guidance in place to Officers.

Members commented on the positive measures the policy would bring forward, commenting on the importance of timely information to members to assist them in undertaking their role.

It was **RESOLVED**:

- i. To agree to the development of a 'Member Information' policy for the use of Council Officers.
- ii. That the Interim Head of Democratic Services take forward this matter and report progress to the next meeting of this committee.

25 SECURITY AT COUNCIL LOCATIONS

One Member took the opportunity to raise concerns regarding the security within Council building locations and the good practice for all Council staff to wear identity badges and reporting in to buildings, again for both security and fire safety reasons.

It was **RESOLVED** that a report on the issue be brought forward to a future meeting of the Committee.

The meeting closed at 18:15

This meeting closed at 6.15 pm

Cllr G Davies
Chairman.

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Chairman.**