



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2018 - 2019

OVERVIEW AND SCRUTINY COMMITTEE

25TH JUNE, 2018

INCREASING PUBLIC ENGAGEMENT IN SCRUTINY

REPORT OF THE DIRECTOR, LEGAL & DEMOCRATIC SERVICES

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1. PURPOSE OF THE REPORT

To seek the Committee's consideration to the protocol as attached at Appendix 1 to the report in respect of enabling members of the public to speak at meetings of the Scrutiny Committees.

2. RECOMMENDATIONS

It is recommended that Members of the Overview and Scrutiny Committee:-

- 2.1 Agree and adopt the protocol as shown at Appendix 1 to the report in respect of enabling members of the public to speak at meetings of the Scrutiny Committees, subject to any amendments made at the meeting;
- 2.2 That the Director, Legal & Democratic Services (as Monitoring Officer) amend the Council's Constitution to reflect the inclusion of the protocol.

3. REASONS FOR RECOMMENDATIONS

- 3.1 On the 14th May, 2018 the Council's Corporate Governance and Constitution Committee, in accordance with its terms of reference, met to consider a number of proposed amendments to the Council's Constitution and determined to recommend to Council the adoption of the proposed amendments as reported to the Council's Annual Meeting on the 23rd May, 2018. These amendments incorporated the inclusion of a protocol to be

introduced to enable members of the public to speak at meetings of the Scrutiny Committees.

- 3.2 It is considered that the implementation of such a protocol as appended to this report would provide for increased participation by members of the public in the scrutiny process within Rhondda Cynon Taf and allow for greater transparency. The proposed protocol seeks to ensure a consistent and robust approach to governance across the Authority.

4. BACKGROUND

- 4.1 Members will recall that at the Council's Annual Meeting held on the 23rd May, 2018 delegated authority was given to the Overview and Scrutiny Committee to agree and adopt the final version of a protocol in respect of enabling members of the public to speak at meetings of the Scrutiny Committees for inclusion in the Council's Constitution. This emanated from the review that was undertaken by the Wales Audit Office during 2016 in respect of the Council's Scrutiny arrangements when concerns were raised concerning the publication of Scrutiny Work Programmes and the lack of engagement with the public in scrutiny.
- 4.2 A number of measures were put in place to address the concerns of the Wales Audit Office, including a dedicated Scrutiny page on the Council's website which gives access to the Work Programmes of each of the Scrutiny Committees, a monthly Scrutiny Chair's blog and a social media presence.
- 4.3 The need for a protocol was highlighted at the meeting of this Committee held on the 14th February, 2018 when a member of the public made a request to address the Committee on a particular matter. The request was granted but unfortunately the individual concerned did not attend.
- 4.4 In recognition of this, and as agreed by Members at the meeting of Council held on the 23rd May, 2018, a protocol has been developed, as shown at Appendix 1 which has been based on the following principles, as reported and agreed at the AGM:-
- Members of the public may present their views in two ways. They can request to speak at a Scrutiny Committee or send in written representations.
 - Anyone who lives or works in Rhondda Cynon Taff and who has registered in advance be entitled to speak at a scheduled meeting
 - The number of speakers be limited to 2 per agenda item with the discretion for the Chair to increase this limit if he/she feels it appropriate to do so.
 - For each agenda item a maximum of 10 minutes speaking time be allocated in total for members of the public to speak. Individual speakers will be limited to 5 minutes in respect of each agenda item.

- The right of the public to speak apply to all items on the agenda with the exception of the following:
 - Apologies; Declarations of Interest; Minutes; If an agenda Item has been withdrawn; Any agenda item that is not accompanied by a written report or agenda item for which the Chair has exercised his or her discretion to withdraw the right of public speaking.
- When confidential/exempt items are under consideration by Scrutiny the Chair will ask all members of the press and public to vacate the meeting room.
- The right does not include the right to ask any questions of any Elected or Co-opted Member, Officer of the Council, invited attendees or any other speaker.
- Chair has discretion to stop the speaker before their allotted time has concluded if in the Chair's view the speaker is making any comments that are, or appear to be, defamatory or offensive or unrelated to the agenda item under discussion.
- In order to for Members to give full consideration to any points made Speakers must provide any supporting information/documentation they intend to refer too in their presentations in advance on registering to speak. No additional information/documentation may be produced at the meeting itself.
- Speakers may be asked to clarify any of the comments they make and asked questions by Members. Speakers must not enter into debate with the Committee Members.
- The Committee will consider the comments made by the Speaker and thereafter determine whether to make any recommendations arising from those comments/issues raised.
- Members of the public wishing to speak must notify Democratic Services by no later than 5.00pm on the penultimate working day preceding the relevant scrutiny meeting. Requests must include details of the agenda item of the relevant Scrutiny Committee at which they wish to speak. Applications will be dealt with in the order they are received. All those who have been accepted to speak will be notified via email or through their contact telephone number.
- Anyone wishing to make written representations must do so in the same manner and by no later than 5.00pm on the penultimate working day preceding the relevant Scrutiny Committee.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An equality impact assessment screening form has been completed relating to the introduction of the proposed protocol and has shown no adverse affects on those groups with protected characteristics as defined under the Equality Act 2010. Consequently a full Equality Impact Assessment is not required.
- 5.2 If taken forward the proposed protocol should allow members of the public greater accessibility to the scrutiny process and a more accessible route to involvement with elected Members. As part of measures being introduced to increase public engagement in scrutiny it is hoped that the introduction of such the protocol would also help engagement with those groups that share the protected characteristics.

6. CONSULTATION

- 6.1 On the 14th May, 2018 the Council's Corporate Governance and Constitution Committee, in accordance with its terms of reference met to consider a number of proposed changes to the Council's Constitution and determined to recommend to Council the adoption of the proposed changes as outlined in the report that was subsequently agreed at the AGM on the 23rd May, 2018, which included the proposed protocol in respect of enabling members of the public to speak at meetings of the Scrutiny Committees.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications aligned to this report. The proposed improvements seek to strengthen the engagement with the public in the Council's scrutiny process using existing resources.

8. LEGAL IMPLICATIONS AND LEGISLATION CONSIDERED

Local Government Act 2000

Overview & Scrutiny

Public Participation Guide



RHONDDA CYNON TAF

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PUBLIC SPEAKING AT A SCRUTINY COMMITTEE MEETING

Rhondda Cynon Taf County Borough Council recognises that members of the public can make an important contribution and be a valuable source of information. The Council therefore encourages the active participation of all residents within the Scrutiny process in Rhondda Cynon Taf.

This Guide provides information on what members of the public can expect when attending a Scrutiny Committee meeting.



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1. What is Scrutiny?

The Council's Scrutiny process provides an opportunity for elected Members (Councillors) to examine the services that the Council provides and to ask questions on how decisions have been made. Scrutiny Committees must also make arrangements to listen to the views of the public and the community. One of the roles of the Scrutiny Committee is to take account of those views when considering the relevant issue and, if considered appropriate, to pass those views on to the Council's Cabinet for their consideration.

It is important to be aware that the Scrutiny Committees do not deal with individual queries, concerns or complaints. You should also bear in mind that a Scrutiny Committee meeting is a meeting held in public but it is **not** a Public Meeting.

The Council has five Scrutiny Committees:-

Overview and Scrutiny Committee

This Committee co-ordinates the work of the following four thematic Scrutiny Committees and ensures that the work of each of these Committees is effective. The Committee is responsible for approving the Work Programmes developed by the four themed Scrutiny Committees to ensure deliverable, co-ordinated and outcome focused programmes of work. To fulfil the Overview and Scrutiny role in relation to 'all Council' cross cutting themes which cut across the terms of reference of the four thematic Scrutiny Committees. The Committee is also responsible for dealing with all 'Call-Ins' (under the Council's Overview and Scrutiny Procedure Rules).

Finance and Performance Scrutiny Committee

This Committee is responsible for scrutinising financial and operational performance; treasury management arrangements; the annual revenue budget consultation process; statutory performance reporting requirements and monitoring the implementation of medium term financial planning decisions.





Children and Young People Scrutiny Committee

This Scrutiny Committee's role is in connection with scrutinising all education provision from 3 – 19 years and Children's Social Services.

Health and Well-Being Scrutiny Committee

This Scrutiny Committee's role is in connection with scrutinising services which support the Health and Well-being of our communities. The Committee considers adult social services as well as other functions which contribute to the health and wellbeing of the County Borough such as Leisure Services, Housing and Public Health and Wellbeing.

Public Service Delivery, Communities and Prosperity Scrutiny Committee

This Scrutiny Committee deals with scrutinising public service delivery across a range of Council services. The Committee considers areas which contribute to prosperity and also community safety issues. It is the Council's designated Crime and Disorder Committee (pursuant to Section 19 and 20 of the Police and Justice Act, 2006).

2. Where and when do the Committees meet?

Each of the Council's five Scrutiny Committees meet approximately 8 times a year. Meetings commence at 5 p.m. (with the exception of meetings of the Overview and Scrutiny Committee, when dealing with 'Call-Ins' as these are 'special' meetings and are convened at a time as requested by the Chair). To increase engagement with the public in scrutiny, we endeavour to hold as many Scrutiny meetings in different venues across the County Borough. A schedule of all the Scrutiny Committee meetings for the current municipal year is available on the Council website at the following link [INSERT LINK](#)





3. How do I get my “voice” heard?

Your “voice” at a Scrutiny Committee can be heard via two ways. If you choose, you can request to speak at a Scrutiny Committee or alternatively, you can send in your written representations. The procedure for submitting written representations can be found in paragraph 14 on page **INSERT PAGE NO**

4. Who can speak?

Anyone who lives or works in Rhondda Cynon Taf and who has registered in advance is entitled to speak at a scheduled meeting of one of the Council’s Scrutiny Committees.

The number of speakers will be limited to two per agenda item with the discretion for the Chair to increase this limit if he/she feels it appropriate to do so.

In the event that a person aged under 16 years of age wishes to speak at a Scrutiny Committee meeting, they must be accompanied by an adult.

5. How long do I have to speak?

For each agenda item a maximum of 10 minutes speaking time be allocated in total for members of the public to speak. Individual speakers will be limited to 5 minutes in respect of each agenda item.

The Chair has discretion to stop the speaker before their allotted time has concluded, if in the Chair’s view the speaker is making any comments that are, or appear to be, defamatory or offensive or unrelated to the agenda item under discussion.





6. What can I speak on at the meeting?

A member of the public, speaking on an item on the agenda must address their speech to the item they have registered to speak on and cannot address other agenda items or unrelated business.

You should ensure that:

- Your comments are clear and concise and are directly related to the report on which you have requested to speak;
- You avoid repeating points made previously by any earlier public speakers;
- Your views are limited to the advantages or disadvantages of the report and that you highlight how the report could affect the delivery of services to specific user groups of citizens in Rhondda Cynon Taf; and
- Your comments are not defamatory, discriminating or contain offensive language.

Speakers may be asked to clarify any of the comments they make and asked questions by Members. Speakers must not enter into debate with the Committee Members.

7. What can't I speak on at the meeting?

The right of the public to speak applies to all items on the agenda with the exception of the following:

- Apologies; Declarations of Interest and Minutes
- If an agenda item has been withdrawn
- Any agenda item that is not accompanied by a written report or agenda item for which the Chair has exercised his or her discretion to withdraw the right of public speaking





- When confidential/exempt items are under consideration by Scrutiny the Chair will ask all members of the press and public to vacate the meeting room.

The right to speak does not include the right to ask any questions of any Elected or Co-opted Member, Officer of the Council, invited attendees or any other speaker.

8. Attendance at the Meeting

Members of the public who have registered to speak are asked to arrive 15 minutes before the scheduled start time of the meeting and should inform the Democratic Services Officer of their arrival.

9. Where do I sit?

The Democratic Services Officer will seat you accordingly and, at the appropriate time, the Chair will ask you to move to a particular place within the room, where you can be clearly seen and heard.

10. When will I speak during the Meeting?

Normally, agenda items with public speaking will be considered first and will take the following format:

- Responsible Officer from the Council to present the report;
- If applicable, the Cabinet Member portfolio holder to address the Scrutiny Committee;
- Members of the public who have registered to speak;
- Other elected Members (i.e. not Members of the Scrutiny Committee); and
- Scrutiny Committee Members





11. Can I hand out supporting documents or use visual aids?

In order for Members to give full consideration to any points made, speakers must provide any supporting information/documentation they intend to refer too in their presentations in advance on registering to speak. No additional information/documentation may be produced at the meeting itself.

Should speakers wish to produce visual aids by way of a PowerPoint presentation, then these slides must also be provided in advance on registering to speak.

12. Once I have spoken

After you have finished speaking, please be aware that you may be asked questions by the Chair of the Committee and/or Members of the Committee.

The Committee will then consider the comments made and thereafter determine whether to make any recommendations arising from those comments/issues raised to the Cabinet or Senior Officer with delegated responsibility as deemed appropriate.

The Chair will then advise that there are no further queries and if you so wish, you are free to leave the meeting.

13. How do I register to speak?

The agendas for Scrutiny Committee meetings are published on the Council's website, 5 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.

14. How do I register to speak in Welsh?

In accordance with the guidance as shown in 13, should you wish to address Members of the Committee in Welsh then the same process applies, including stipulating whether the address is to be conducted in Welsh or English.

15. Written representations

We appreciate that you may find it difficult to address the Committee in person. If this is the case, we welcome written submissions and this must be done in the same manner i.e. by no later than 5.00 p.m. on the penultimate working day preceding the relevant Scrutiny Committee.

Please submit written representations to:

Email: **INSERT EMAIL ADDRESS**

or to the following postal address:

Democratic Services,
Rhondda Cynon Taf County Borough Council,
The Pavilions,
Cambrian Park,
Clydach Vale, Tonypany. CF40 2XX

16. Additional Information

Filming and recording of meetings will not be allowed, unless in exceptional circumstances and at the discretion of the Chair. Prior permission is to be sought.

Speakers should advise Democratic Services in advance if they have any special needs or requirements.





If you have any questions concerning public speaking at a meeting then please do not hesitate to contact one of our Democratic Services Officers on the telephone number or email address as shown below:

INSERT TEL.NO

INSERT EMAIL ADDRESS



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