

CYNGOR SIR POWYS COUNTY COUNCIL.

Democratic Services Committee
15th July, 2013

REPORT AUTHOR: Interim Head of Democratic Services

SUBJECT: Statutory Guidance from the Local Government Measure
2011 – Annual Reports

REPORT FOR: Information / Decision

- 1.1 Statutory Guidance issued by Welsh Government (May 2013) in respect of Annual Reports has been received.
- 1.2 Part 1 of the Local Government (Wales) Measure 2011 contains provision intended to strengthen local democracy. Chapter 1, Section 5 of that part provides for the production of annual reports by Members.
- 1.3 Section 5 of the Measure requires that local authorities ensure that all their elected members are able to make an annual report on their council activities during the previous year. This includes enabling any member of the Council's Executive to be able to report on their executive activities also. Any reports produced by Members must be published by that council.
- 1.4 A local authority is free to set conditions / limits on what is included in a report. A local authority must publicise what arrangements it has for publishing annual reports and in drawing up these arrangements must have regard to the guidance.
- 1.5 The guidance includes detail in relation to the following:

Duties of a local authority.

- A Local authority must make arrangements to enable its members to produce annual reports.
- A Local authority must tell its members how and by when to produce reports.
- The Head of Democratic Services to carry out democratic services functions including:
 - Provision of support and advice to members to assist them in carrying out their functions (including the organisation of the annual report process).
 - The Measure prevents the Head of Democratic Services from providing support and advice to a Member of an Executive in relation to the member carrying out their Executive function, but the production of an annual report is not an executive function in itself.

Publication of reports.

- How a local authority decides to publish members' annual reports is a matter for that authority to decide.
- The minimum requirement would be for the authority to link a member's annual report to that part of the authority's website which carries details of individual members.

- There is no requirement for publicity beyond this, and if there is any further publicity for the reports, the same provision is provided for all members. (A member's request that their report is given greater publicity should be declined unless carried out in respect of all members)
- Local authority websites should include information about the introduction of annual reports and how members of the public can access them.

Content of reports.

- The central purpose of the report is for members of the public to find information about their local councillor's activity.
- A local authority should have regard to the resource implications of supporting all local Members to prepare for publication of their annual report.
- Authorities may wish to create a standard annual report template that acknowledges the need to strike a balance between resources and output, whilst taking account of the requirements of the Data Protection Act.
- Annual reports should avoid promoting political achievements, be written in the past tense and limit the report template to two sides of A4.
- The template might include – Role and responsibilities (membership of internal and external committees, panels, groups and organisations); Constituency Activity; Initiatives and Special Activities, Learning and Development; Other Activities.
- Annual reports should only contain factual information;
- Care should be taken to avoid in reports information concerning activities where the member concerned is not operating in the role of councillor.
- Care should be taken not to include information which could be interpreted as critical of another member.
- The following are proposed as standard items for inclusion:
 - Role and Responsibilities;
 - Local Activity;
 - Major Projects;
 - Learning and Development.

1.5 The Council will need to consider the requirements of the Statutory Guidance and review its Constitution accordingly to take account of these requirements.

Recommendation:	Reason for Recommendation:
(i) That the Statutory Guidance from Welsh Government be noted.	(i) To update the Committee on new Legislation / Regulations / Guidance affecting the Council.
(ii) That the requirements of the Guidance be taken into account in reviews of the Council's Constitution.	(ii) To update the Council's Constitution to take account of new Legislative requirements and guidance.

Relevant Policy (ies):	
Within Policy:	Y / N
Within Budget:	Y / N
Relevant Local Member(s):	
Person(s) To Implement Decision:	Clive Pinney
Date By When Decision To Be Implemented:	May 2014 – Constitution update

Contact Officer Name:	Tel:	Fax:	Email:
Wyn Richards Scrutiny Manager	01597-826375	01597-826220	wyn.richards@powys.gov.uk

Background Papers used to prepare Report: