



CYNGOR GWYNEDD - Report to Cyngor Gwynedd Cabinet

Item title:	Performance Report of the Cabinet Member for Corporate Support and Legal
Cabinet Member:	Councillor Menna Trenholme
Relevant officer:	Iwan Evans - Head of Legal Services
Date of meeting:	22 November 2024

1. Decision Sought

To accept and note the information in the report.

2. The reason why the Cabinet needs to make the decision

In order to ensure effective performance management.

3. Introduction and Rationale

3.1 The purpose of this report is to update my fellow members on what has happened in the areas for which I am responsible as Cabinet Member for the Corporate Support and Legal Departments. The report will include an outline of what has happened on Legal Services projects and progress on performance measures.

3.2 I would like to remind you that all issues have already been discussed and scrutinised by me at a meeting with the Management Team on 11 November.

3.3 I am pleased with the projects being led by the Service, together with the day-to-day performance of the Service and recognise the key contribution they make to support the work of the Council.

4. LEGAL SERVICE

4.1 The performance of the Service is being monitored by seeking feedback from the Departments who receive a service. Views are evaluated against a scale from 1-5 in the form of a simple e-mail and the monitoring process has improved. (Scale of, 5 = Very Satisfied, to 1 = Completely Dissatisfied). It is also possible for departments to add comments about a score. Since the beginning of the financial year, the score on the whole is very high with 100% being very satisfied with the service. Transferring to a new electronic system has had an impact as technical problems affect the number of questionnaires. However, the situation has now been resolved.

2024														
Score	%	April	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	
Very Satisfied 5	100%	6	1	*	*	*	6	4						17
Satisfied 4	0%													
Reasonably Satisfied 3	0%													
Dissatisfied 2														
Very Dissatisfied 1														
Total questionnaires returned		6	1				6	4						
Number sent out		7	2				63	25						97

4.2 We will continue to develop the Legal Team to create resilience within the Team.

What has been achieved?

The department has been part of Cynllun Yfory for some years and has benefited from employing a trainee, who has then moved on to qualify and is working within the department as a solicitor. It is a pleasure to note that the newly-qualified trainee who qualified this August has also received a job within the department, filling a vacant post. (A post that was previously filled by a locum). Furthermore, the department has also taken advantage of the apprenticeship scheme and has employed the department's first para-legal apprentice. This is working well, and the apprentice has commenced her Para-legal qualification a month ago.

The next steps

It is intended to look at how to ensure the completion of the planning and employment plan in the short and long-term.

It is intended to ensure support for the team members who develop their skills whether through work experience or by working on a qualification.

Risks

No specific risk has been identified at this time. The jobs and employment market will need to be investigated to assess whether there is a risk, if it is not possible to appoint.

Timetable

The apprentice time-frame is 2 years. An open timetable for developing resilience within the team.

4.3 We will look to complete Lexcel post work for maintaining SRA proprietary systems

What has been achieved?

The department has now incorporated a new case management system and is now in a position to look more broadly at addressing the features of the Lexcel qualification that would be beneficial for the department. We are specifically looking at a form of supporting each other through positive feedback on cases through file reviews. There is no intention to seek the Lexcel qualification as a whole (due to its lack of relevance to much of the work of an in-house solicitor and its cost), but rather to use some of the principles to develop the way of working and to strengthen systems.

The next steps

It is intended to confirm the arrangements at a team meeting in the next month, with the intention of implementing the processes by the New Year.

Risks

Nothing to highlight.

5. PROPRIETY

THE DEPARTMENT'S PLANS

5.1 We will continue to support and give advice on the functions of the Council in terms of ensuring constitutional, legal and administrative propriety.

What has been achieved?

This work is permanent but specifically a series of "Good Decisions" seminars are planned for the new year. The objective of the courses is to explain the basics of decisions in public bodies together with the constitutional and regulatory framework regarding this area. A pilot has been carried out and the response has been positive.

The next steps

Establishing a programme of seminars.

Risks

This work is part of the Council's governance arrangements which receive the oversight of the Governance Group.

Timetable

The work is constant. Due to other requirements, the intention to hold these seminars has slipped.

5.2 We will work with the Standards Committee, Leaders of Political Groups and Members together with relevant officers to maintain and support high standards of conduct among councillors.

What has been achieved?

We will proceed during the second and third quarter of the year to focus on the work of collaborating and supporting with the new duty regarding the conduct of members, with group leaders. In addition, by reflecting a requirement highlighted in induction sessions, Code of Conduct courses are planned for Council members in the last quarter of 23/24 and earlier if resources allow.

The next steps

A meeting was held between members of the Standards Committee and Group Leaders to promote and support the implementation of the new duties. As a result, an agreement was reached on the proposed criteria and procedure for regular meetings between the Monitoring Officer and the Leaders to support the work.

Risks

Risks in terms of the Council's reputation if the duty is not met. However, arrangements are in place to implement the duty.

Timetable

Due to the changes in the Council's leadership, the meeting with the Standards Committee was delayed to its February meeting. However, it is intended to organise a briefing meeting with the Chair of the Standards Committee once a Leader is in place.

5.3 We will review and secure adequate resources for supporting the requirements on the Service deriving from regional work

What has been achieved?

Resolving our recruitment situation means that it is now possible to move forward to plan how the regional requirements can be met. As the North Wales Corporate Joint Committee moves to become operational, an increase has been seen across the board in requests for resources. This remains a challenge but it is an issue that is recognised within the project. The current period is particularly challenging since many elements of the CJC's work becomes operational during the current quarter. In addition, the UK and Welsh Governments collectively have imposed the regional responsibility for accountability for the Flintshire and Wrexham Investment Zone on the CJC.

The next steps

To work as part of the CJC's management team to identify the required resources to maintain the new authority. Work to claim a Welsh Government grant to contribute to the resource.

Risks

Failing to secure sufficient resources and creating the appropriate capacity to sustain the work of establishing the Joint Committee. Increase in work across a range of elements is currently creating a flood of parallel work.

Timetable

It was intended that the functions of the Ambition Board should transfer to the Corporate Joint Committee by 1 November 2024. However, this timetable has slipped to April 2025. In the meantime, we are commencing discussions immediately with the intention of identifying SLAs with the CJC which will support recruitment to address the demands for the medium term.

5.4 We will complete the project on reviewing the Council's voting arrangements by 15 November 2024.

What has been achieved?

A report was presented to Full Council in December 2023 where it was decided to move to a consultation process. A consultation process was held in accordance with the Legislation and an Extraordinary Council meeting was held on 25 October 2024 to make a decision on the system. The work was led by a team which included this service as well as Democracy and Communication and Data.

The next steps

The motion did not manage to reach the statutory threshold, i.e. 'at least 46 votes in favour of moving to STV'. As a result, no decision can be taken to change the system for the 2027 elections.

Risks

With the decision of 24 October 2024, there are no specific risks in terms of the decision or process to address this.

Timetable

There is no further action following the decision.

5.5 We will complete a review of the Constitution by 31 December 2024 to ensure that it remains current and fit for purpose.

What has been achieved?

There are two elements to this, updates deriving from statutory changes and modifications that address the needs of the current Council and potential improvements. The journey to a decision will vary according to the text but is scheduled to report to the Full Council in September. Further work and consultation will be required on the review of department Staffing, as well as updates to elements of the Scheme of Delegation. While the process is ongoing, discussions with some Departments have highlighted that communicating needs has not worked consistently when dealing with changes.

The next steps

Complete delegation plan reviews and Staffing Standing Order arrangements together with other resulting modifications to the constitution.

Risks

The current Constitution is key to the conduct of Council business and shortcomings can lead to uncertainty and delays in key decisions along with a risk of challenge. The review has not identified specific risks that need to be prioritised at this time.

Timetable

It is anticipated that the completion of this work will slip to the May Council due to the pressures of other matters.

5.6 We will support the Standards Committee to develop arrangements to implement its responsibilities towards Town and Community Councils by offering training sessions.

What has been achieved?

Although the pilot course has been available and is ready, a range of issues have meant that it has not been possible to proceed with this training. The Standards Committee has held a review of the relationship with the Town and Community Councils and has identified that we need to act to strengthen this partnership. Although it is not a general reflection of every council, it is also statistically obvious that the bulk of complaints to the Ombudsman regarding the Code of Conduct, derive from this sector.

The next steps

Offer a programme of virtual courses for Town and Community Councils.

Risks

Failure to address these matters in particular where specific councils have problems, increases the work and demands on the Propriety Team.

Timetable

Present the course offer by 31 December 2024 - Commence courses from 1 January onwards.

5.7 We will complete the work of training Cyngor Gwynedd members in Code of Conduct matters by offering detailed training sessions on the Code to members who have not attended.

What has been achieved?

Although courses have been held this year, with a request made to group leaders and a clear message voiced in the annual report, there remains a gap in the number of members who have attended. Whether there are 6 or 20 members in a course, the commitment of staff time is the same. All members have received the short course at the beginning of the term, but there is insufficient information for new members here on the fundamentals of the Code and how to avoid breaches at the commencement of their term.

The next steps

A further evening course has been scheduled for December 2024, and this will be recorded and be made available to members.

Risks

There are risks to members and the authority's reputation if members are found guilty of breaching the Code. This is all a part of the challenge regarding the core courses for members.

Timetable

We intend to complete the composite courses by December this year and then review a programme to provide courses on more specific aspects of the Code such as declaring an interest, internal resolution procedure, etc.

6. ELECTIONS AND ELECTORAL REGISTRATION

DEPARTMENTAL PLANS

6.1 We will work to support the Returning Officer and Electoral Register Officer specifically to address: -

- **The completion of the work of implementing changes to the Elections Act 2022 relating to postal votes.**
- **Preparing for Senedd Cymru electoral changes.**
- **Participating in Welsh Government's 'automatic' registration pilot scheme.**

What has been achieved?

We have held the Police Commissioner Election and then the UK Parliamentary Election which was called at short notice. This meant that there was a need to implement the new arrangements introduced by the Elections Act 2022, and the cross-boundary arrangements established with Conwy and Denbighshire Councils due to boundary changes, practically for the first time. The Count was also held in Porthmadog for the first time.

The next steps

Implementing the work programme

Risks

Failure to deliver the requirements for elections but the risk assessment shows that there is an acceptable status to the delivery of these requirements.

Timetable

In accordance with the work programme.

6.2 We will carry out a Statutory Community Survey, gathering data, holding initial engagements and reporting to the Council on the results of the process, with recommendations.

What has been achieved?

Following the initial work of gathering and collating information and engaging, a report was submitted to the Full Council and they approved the proposal and the terms of reference to hold a community review and a review of electoral arrangements in parallel.

The next steps

Commence the statutory process of consulting and investigating and then collating the information.

Risks

Failure to conduct a review in accordance with the statutory requirement, however, the risk assessment shows that there is an acceptable status to delivering these requirements. There has been slippage as a result of the General Election in July this year, but it is not anticipated that this will affect our ability to complete the process in a timely manner.

Timetable

Submit a report and draft proposals to the Full Council in March 2025 before consulting on those proposals.

6.3 We will hold a Review of Polling Settings.

What has been achieved?

Initial work of gathering information and engaging has commenced, including sending questionnaires to assess the suitability of all polling stations. Both elections this year have provided up-to-date information to us about the condition and suitability of the stations.

The next steps

Collate the information and seek specialist advice on accessibility with the Equality Officer. Search for alternative stations as required.

Risks

Stations no longer available or unsuitable, but we will find an appropriate solution for any election that is held.

Timetable

Commence the statutory consultation process in September 2024 with a report to the Full Council in December 2024 to approve the outcome of the review.

6.4 Welsh Government Pilot Scheme –

Automatic registration is a Welsh Government policy, and the intention is to establish the most accurate and effective way of registering electors without them having to apply. This includes looking at the best data matching process, the most effective way of conveying the new registration arrangements to local government electors; and establish the most effective way of gathering data from those traditionally considered to be "hard to reach".

What has been achieved?

We have volunteered to be one of the authorities that will participate in the scheme. Following a delay due to the elections, discussions have recommenced between the authorities, Welsh Government and the providers of electronic electoral systems in order to create the pilot scheme.

Risks

Whilst the fundamental element of the project (data matching and registration) appears to be achievable at present, the engagement and data source development elements would require an additional staff resource. Funding is available from Welsh Government, but we will not proceed with the full plan without assurances of a suitable resource. The plan is also subject to changes to the current legislation.

Timetable

The intention of the Welsh Government is to run the pilot between January and December 2025.

7. CORONER SUPPORT

7.1 We will continue to provide resources to support and improve the support available to the Coroner.

What have we been doing – examples:

- Strengthening the administrative support by increasing the matters that the Administrative Unit can deal with.
- Planning to move documents to the Council's Records Centre
- Changing the procedure of paying jurors and witnesses in inquests
- Preparing a risk assessment for inquests and the Coroner's work in general.

8. Risk/Service Position

- Contributing to regional work, recognising that this risk situation is subject to further review
- Job Continuity in the Coroner's field
- Police have asked to review the funding of the coroner officers' service
- Loss of specific Income

8. Views of the Statutory Officers

8.1 Chief Finance Officer

"I forecast that the net expenditure of the services will be within their budget this year. I have no further comments from the perspective of financial propriety."

8.2 Monitoring Officer

Author of the report