

## Democratic Services Committee Terms of Reference

Section 16 of the Local Government (Wales) Measure 2011 requires the Council to establish a Democratic Services Committee in accordance with Statutory Guidance. The Terms of Reference are based on Chapter 3 of the Statutory Guidance, the Local Government and Elections (Wales) Act 2021 and the Welsh Government Draft Statutory and Non-Statutory Guidance for Principle Councils in Wales.

DSC meetings and sub-committees are to be open to the public as is normal in council meetings and subject to the same regime of accessibility in general.

### **Terms of Reference of the Committee**

The functions of the Democratic Services Committee are to:

- Carry out the local authority's function of designating the Head of Democratic Services (HDS)
- Keep under review the provision of staff, accommodation and other resources made available to the HDS, in order to ensure that it is adequate for the responsibilities of the post
- Make reports, at least annually, to the full council in relation to these matters
- To consider, and make recommendations to the Council, concerning the timing of meetings
- To oversee the training and development of Members

The Democratic Services Committee can decide how it carries out these functions.

### **Membership**

The Committee will comprise 6 politically balanced Members as appointed by the Council. It should consist solely of councillors, and cannot include more than one member of the executive or assistant to the executive. Any executive member must not be the Council Leader.

### **Chairman**

The Chairman will be appointed by the Council and will serve for a term of two consecutive municipal years (in accordance with Article 5.2 of Part 2 of the Constitution). The Chair must not be a member of any of the political groups represented in the executive. The exception to this is when a council has no opposition groups. In this case, any member of the Democratic Services Committee can be appointed as chair provided the member is not a member of the executive.

### **Co-option**

The Measure does not provide the Committee with powers to co-opt persons onto the Committee.

### **Sub-committees**

The Committee may appoint sub-committees as and when required and delegate functions to them.

The Committee will appoint the Chairman of any sub-committee.

***Attendance to answer questions***

The Committee (and any sub-committee) has the power to require the attendance of any Members or Officers of the Council to answer questions and can invite anyone else it likes to do so also. If a member or officer is required to attend they must answer any questions unless the question is one which they would be entitled to refuse in a court.

***Access to information***

The Committee's proceedings are subject to the Council Access to Information Rules as found in Document B Part 4 of the Constitution.

***Frequency of meetings***

The Committee is required to meet at least once in any municipal year, however the Democratic Services Committee will aim to meet at least three times in any municipal year.

A meeting of the Committee can also be convened if the full Council so decides or at least a third of the members of the Committee demands a meeting. There is no limit on the maximum number of meetings a Democratic Services Committee may hold.

The onus lies on the Chairman to ensure that meetings are held when required.

***Welsh Government Guidance***

The Committee must have regard to guidance from Welsh Ministers when exercising its functions.

***Reports of the Head of Democratic Services***

Any report presented to the Committee by the HDS must be considered by the Committee within three months. Similarly, any report made by the Committee must be considered by the full Council within three months.