

Appointment of a Community Youth Representative

Under Section 120 of the Local Government (Wales) Measure 2011 enables Town Councils to appoint up to two individuals over the age of 15 but under the age of 26 to act as community youth representatives.

Steps to appoint a youth representative

- Opportunity is to be made to all eligible young people in the community.
- Youth representatives do not necessarily have to live, work or receive education in Towyn and Kinmel Bay provided the Council considers them suitable.

Must comply with notice requirement by:

- Posting a notice in some conspicuous area.
- Give notice to the Headteacher and Governing Body (Emrys Ap Iwan).
- Give notice in any other manner that ensures young people are made aware (Social Media, Notice Board, Community Facebook pages, Posters).

Public notice must contain the following information:

- Contact details of the Clerk.
- Any other information the council deem appropriate.
- The council determine the selection process and the nature of the role the youth representative plays.
- Invite to give a short presentation/interview/application similar to Co-Option application.
- Youth view on all matter before the council (no voting rights).

Safeguarding:

Council determines if Councillors and staff need undergo a DBS check and what level.

Youth Representative will never be left alone with an individual staff members or councillors

Most Councillors are DBS checked under their School Governor role.

Chapter 4 Appointment of Community Youth Representatives

Statutory guidance issued in accordance with section 120 of the Local Government (Wales) Measure 2011

Introduction

4.1. The Aberystwyth Study identified that the composition of community councils in Wales did not proportionately reflect the composition of the population as a whole. In particular, the study identified a need to engage with young people, both to gain their input into the areas of the councils' responsibilities which affect them and to encourage them to further participate in local government when they are old enough to stand for election.

4.2. Chapter 4 of Part 7 enables community councils to appoint up to two individuals to act as community youth representatives. It addresses the need to give notice of the intention to appoint a community youth representative to the public; the head teacher or proprietor of any school with premises in the area; and the principal and governing body of any further or higher education establishment with premises in the area.

The Measure Provisions

4.3. The Measure does not require community councils to appoint youth representatives, but sets out what they are required to do if they choose to do so. These requirements ensure that, when the decision is made to appoint youth representatives, the opportunity to become a youth representative is made available to all eligible young people in the community. The requirements to give notice and information about the appointment of youth representatives also help parents, guardians and education professionals to best support young people in their campaign for election and in their work with the council after election.

4.4. A community council may appoint no more than two individuals to act at any one time as community youth representatives. The Measure defines a "community youth representative" as an individual who:

- is over the age of 15 but under the age of 26; and
- is considered by the council to be suitable to represent the interests of individuals under the age of 26 who live, work or receive education or training in the community area.

4.5. Youth representatives do not necessarily have to live, work or receive education or training in the community area themselves, provided the council considers them suitable. This may be particularly applicable where a neighbouring community does not have a community council.

4.6. A community council may not appoint any individual as a youth representative unless they have complied with the notice requirements in section 119 of the Measure. Under section 119, councils are required to give notice in accordance with the requirements of section 232 of the 1972 Act, modified as follows:

(a) by posting the notice in some conspicuous place or places within the council's area;

(b) by giving notice to the head teacher and proprietor of any school which has any part of its premises situated in the area of the community council;

(c) by giving notice to the principal and governing body of any institution of further or higher education which has any part of its premises situated in the area of the community council; and

(d) by giving notice in any other manner that appears desirable to the community council for ensuring that as many eligible young people as possible are aware of the intention to appoint youth representatives.

4.7. The public notice must contain the following information:

- the contact details of an individual from whom further information about the appointment of youth representatives, and the process of their appointment, may be obtained;
- any other information the community council considers appropriate; and
- any other information required to be included in the notice by any regulations made by the Welsh Ministers.

At present, there are no intentions to issue regulations under this section.

Statutory Guidance

4.8. This statutory guidance has been issued by Welsh Ministers in exercise of their powers under section 120 of the Measure.

4.9. By virtue of section 120(1) of the Measure, local authorities must have regard to this guidance in exercising their powers to appoint community youth representatives.

4.10. The Measure sets out minimum requirements for giving notice in relation to the appointment of youth representatives. However, in considering where and how to give notice, councils should have regard to the need to reach out to as wide a range of young persons within their community as possible. In addition to giving notice to educational establishments as required by the Measure, councils should consider whether there are other youth organisations in the area which should also be consulted.

4.11. It is for councils to determine the selection process, the terms of appointment and the nature of the role that youth representatives will play. The latter might include, for example, participation in relation to the consideration of specific facilities for young people, or it could extend to providing a "youth view" on all matters before the council.

4.12. Although these provisions in the Measure are specifically aimed at encouraging the involvement of young people as council representatives, they do not

preclude the council's use of other methods of engaging young people such as youth councils and other youth fora.

4.13. Community youth representatives are not members of the community council that appoints them and, consequently, they may not vote on council matters.

4.14. Welsh Ministers have powers to provide through regulations that community youth representatives are to be treated as members of the council for prescribed purposes. There is currently no intention to make such regulations, but this will be reviewed in light of implementation of the legislation over time.

4.15. It should be noted that individuals are eligible to become full community councillors from the age of 18. Individuals between the ages of 18 and 26 who are elected or co-opted as community councillors must assume the full duties and privileges of a councillor and must represent the interests of the whole community, not only young people. Therefore, individuals between the ages of 18 and 26 who become community councillors, either through election or co-option, cannot also be community youth representatives.

Disclosure and Barring Service Checks (formerly Criminal Records Bureau checks)

4.16. The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority were merged in December 2012. The Disclosure and Barring Service (DBS) was created in place of the two bodies. CRB checks are now referred to as DBS checks.

4.17. As the appointment of youth representatives and their role is at the discretion of the individual community or town council, it will be for the council itself to determine whether they are entitled to ask for a DBS check, and at what level, for councillors, clerks and staff working with youth representatives, given the individual circumstances of the council. If the role of the youth representatives changes, the council would need to reconsider its position regarding DBS checks.

4.18. Community and town councils can obtain further information about DBS checks from <https://www.gov.uk/disclosure-barring-service-check> or by emailing the DBS at customerservices@db.s.gsi.gov.uk. In addition, the Home Office has produced guidance on eligibility for DBS checks

<https://www.gov.uk/government/publications/db.s-check-eligible-positionsguidance>

