
PUBLIC SERVICES BOARD – Progress Briefing

Reason for the Report

1. To advise Members of the Council's progress in addressing the requirements of the Well-being of Future Generations (Wales) Act 2015 in respect of Cardiff's partnership delivery arrangements.

Background

2. In 2015 the Committee acquired overarching responsibility for scrutiny of the Council's partnership work, specifically scrutiny of Cardiff's Public Services Board (PSB). Therefore in line with the Council's Constitution this Committee will perform a strategic overview role of the PSB's performance going forward. In addition each of the Council's five scrutiny Committees has authority to scrutinise partnership activity within their own terms of reference, complementing this Committee's strategic overview of partnership activity.

Well-being of Future Generations (Wales) Act 2015

3. In April 2016 all public bodies became subject to the duties under the Well-being of Future Generations (Wales) Act (WFG). The purpose of the WFG Act is to ensure that the governance arrangements in public bodies for improving the well-being of Wales take into account the needs of future generations. The aim is for public bodies to

improve the economic, social and environmental well-being of Wales in accordance with the detailed sustainable development principles and well-being goals that are prescribed by the Act.

4. Under the new legislation, public bodies have a duty to pursue a common aim to improve the economic, social and environmental well-being of Wales. The Act requires public bodies to apply sustainable development principles and take into account:
 - the importance of balancing short term needs with the ability to meet long term needs;
 - the benefits of a more integrated approach;
 - the importance of involving those with an interest in the objectives;
 - seeking views and taking them into account;
 - collaborative working to meet objectives; and
 - the use of preventative measures to contribute towards meeting objectives.

5. The public bodies relevant to the Act are the following:
 - Welsh Ministers
 - Local Authorities
 - Local Health Boards
 - NHS Trust including Public Health Wales and Velindre Trust
 - National Park Authorities (in Wales)
 - Welsh Fire and Rescue Authorities
 - Natural Resources Wales
 - Higher Education Funding
 - Arts Council of Wales
 - Sports Council of Wales
 - National Library of Wales
 - National Museum of Wales.

6. The Act requires each of these public bodies to publish an annual report of the progress it has made in meeting its well-being objectives.
7. The Act provides for the appointment of a Future Generations Commissioner for Wales with the duty to promote the sustainable development principles and act as a guardian of the ability of future generations to meet their needs and to monitor and assess the extent to which well-being objectives set by public bodies are met.

Public Services Boards

8. The Act recognises that each public body has a role to play in improving well-being and sharing responsibility for contributing to well-being goals in accordance with sustainable development principles. Furthermore, it prescribes that public bodies should take into account collaborative working to assist in the achievement of their well-being objectives. Adopting a collaborative approach recognises the different roles that each body plays in tackling challenges, preventing conflicting actions and contributing to the achievement of well-being goals.
9. The Act prescribes the establishment of statutory Public Services Boards for each local authority area in Wales with a duty to improve the economic, social, environmental and cultural well-being of its area by contributing to the achievement of the well-being goals. These boards replace existing local partnership boards.
10. The core members of each Public Services Board (PSB) should include:
 - the Local Authority;
 - the Local Health Board;
 - the Welsh Fire and Rescue Authority; and
 - the Natural Resources Wales.
11. The Act also states that the local authority must make administrative support available to the Public Services Board. The local authority represented at the Board is responsible for

convening the Public Services Board and facilitating its work by undertaking secretariat, publishing plans and reports on their website etc.

12. The PSB must invite the following to participate in the activity of the board: Welsh Ministers; the Chief Constable of the Police Force; the Police and Crime Commissioner; at least one body representing relevant voluntary organisations. The PSB may also invite any other person who exercises functions of a public nature to participate in the activity of the Board. For example a Community Council; Public Health Wales NHS trust; Community Health Council; National Park Authority; Higher Education Funding Council for Wales; Arts Council of Wales; the Sports Council for Wales; the National Library of Wales; and the National Museum of Wales.

Assessment of Local Well-being

13. Attached at **Appendix 1** is an update provided to the Cardiff Executive Public Services Board of plans in place to deliver the requirements of the Well being of Future Generations Act in respect of Cardiff's Assessment of Local Well-being and the Local Well-being Plan.

14. The PSB is required to publish an assessment of the state of economic, social, environmental and cultural well-being in its area; consult on the assessment with a range of bodies including the Commissioner; the Board's invited participants; its other partners; the local authority's overview and scrutiny committee; relevant voluntary organisations; resident representatives; business representatives; trade unions representatives; any other persons who, in the opinion of the board, are interested in the improvement of the area's economic, social, environmental and cultural well-being. This Assessment of Well-being must be published no later than 1 year before the PSB Well-being Plan is published.

Local Well-being Plans

15. The PSB is required to prepare and publish a local well-being plan which sets out the local well-being objectives and the steps it proposes to take to meet them. The publication of the local well-being plan must tie in with the local government election cycle, no later than one year after the date of the next ordinary election. Prior to its publication, the PSB must provide a draft copy of the local well being plan for consultation to the Commissioner; its invited participants and its other partners; the overview and scrutiny committee; relevant voluntary organisations, resident and business representatives; trade unions representatives etc. as identified in the Act for a period of no less than 12 weeks.

Annual Progress Report

16. The PSB is required to prepare and publish an annual progress report that must be sent to the Welsh Ministers; the Commissioner; the Auditor General for Wales; and this Committee as the nominated overview and scrutiny committee.
17. PSBs will establish their own performance management system. Where, however, progress in establishing performance management systems is poor or inconsistent Welsh Ministers have the power to set performance measures so that the local authority overview and scrutiny committee can function more effectively as an improvement mechanism.
18. Welsh Ministers will not approve PSB well-being plans, The Act makes it clear they are locally owned and subject to local scrutiny. Welsh Ministers, however, will have a power to refer a plan to the relevant local government scrutiny committee if it is not considered sufficient; for example, due to an adverse report by the Future Generations Commissioner.

Governance and Reporting Arrangements

19. The Cardiff PSB first met in May 2016, at which it was agreed that the Executive PSB should consider partnership governance and reporting arrangements and report back to the PSB in November 2016.
20. Members will find at **Appendix 2** a report outlining previous Cardiff Partnership Board performance reporting arrangements; proposals for a revised PSB programme structure in the short term; and diagrammatic proposals for a revised thematic structure and partnership model in the longer term (page 4 of 8).
21. This Governance report clearly identifies Scrutiny's remit within the Well-being of Future Generations Act as reviewing decisions made or actions taken by the PSB; reviewing the Board's governance arrangements; making reports to the Board regarding its function or governance arrangements; and requiring PSB members to attend Committee.

Way Forward

22. At the meeting the Committee will be briefed on progress, and have an opportunity to question Councillor Phil Bale (Council Leader, and Chair of Cardiff's Public Services Board); Paul Orders (Chief Executive and Chair of the Executive Public Services Board); and Joseph Reay (the Council's Head of Performance and Partnerships).
23. The Committee has determined its future work programme, which will include consideration of the Assessment of Well-being in January 2017.

Legal Implications

24. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to

consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

25. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

The Committee is recommended to: Consider the information presented, and whether it wishes to make any comments or observations to the Leader as the Council's lead representative and Chair of Cardiff's Public Services Board, about progress in preparing to deliver the requirements of the Well being of Future Generations Act.

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