

Cardiff Public Services Board

Governance Arrangements for Delivering the Well-being Plan 2018-2023

Purpose of this Report

1. To provide the Committee with the context, background and information to support the statutory scrutiny of the governance arrangements proposed by the Public Services Board to deliver Cardiff's Well-Being Plan.

Background

2. The Committee has overarching responsibility for scrutiny of the Council's partnership work, and has been allocated statutory responsibility for the scrutiny of Cardiff's Public Services Board (PSB). Therefore, in line with the Council's Constitution, this Committee undertakes strategic overview scrutiny of the PSB's performance.
3. In addition, each of the Council's five scrutiny Committees has authority to scrutinise partnership activity relevant to their own terms of reference, complementing this Committee's strategic overview of partnership activity. The work undertaken in each of the Programme Boards proposed in the report under consideration today, attached at **Appendix A**, will be subject to scrutiny by the relevant scrutiny committee.
4. The Committee has undertaken partnership scrutiny on two previous occasions during the 2017/18 municipal year. Firstly, in July 2017, a report introducing the

Committee to the Well-being of Future Generations (Wales) Act 2015 and its statutory scrutiny role under the Act. Secondly, in November 2017, scrutiny of the PSB's draft five year Well-being Plan.

5. The Well-being Plan has subsequently been approved by the PSB, on 1 May 2018, and was launched on 8 May 2018. The report under consideration today proposes new partnership governance arrangements to support the delivery of the Well-being Plan, and sets out how the PSB will report progress on an annual basis.

Legislative Framework

Well-being of Future Generations (Wales) Act 2015

6. In April 2016, all public bodies became subject to new 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 pursue a common aim to improve the economic, social and environmental well-being of Wales in accordance with detailed sustainable development principles and seven national well-being goals prescribed by the Act.

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh Language
- A globally responsible Wales

7. The new legislation recognises that each public body has a role to play in improving well-being and sharing responsibility for contributing to well-being goals, and public bodies must take into account the following 5 ways of working:
 - 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;
- collaborative working to meet objectives; and
- the use of preventative measures to contribute towards meeting objectives.

The Future Generations Commissioner and Scrutiny

8. In addition, the new legislation provided for the appointment of a Future Generations Commissioner for Wales and places a duty on the Commissioner to promote the sustainable development principles, 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.
9. The PSB is required to seek advice from the Commissioner on how to take steps to meet the local draft well-being objectives included in the Well-being Plan. Going forward the Commissioner will provide advice and challenge, but it is the designated Scrutiny Committee that must provide oversight and scrutiny of the PSB and of the Well-being Plan.
10. Each Local Authority must ensure its overview and scrutiny committee has the power to;
 - scrutinise the decisions made or actions taken by the PSB;
 - scrutinise the board's governance arrangements;
 - make reports or recommendations to the board regarding its functions or governance arrangements;

Public Services Boards (PSB)

11. The Act prescribed the establishment of statutory PSB's 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 replaced existing local partnership boards.

12. The local authority represented at the Board must make administrative support available to the PSB, which is responsible for convening the PSB facilitating its work and publishing plans and reports online.

Local Well-being Plans

13. The Act requires the PSB 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. These must be designed to maximise the Board's contribution to delivering the well-being goals within its area; and take all reasonable steps to meet those objectives.

14. Members will recall that the well-being objectives in Cardiff's Well-being Plan are:

- A Capital City that works for Wales.
- Cardiff grows in a resilient way.
- Safe, confident and empowered communities.
- Cardiff is a great place to grow up.
- Supporting people out of poverty.
- Cardiff is a great place to grow older.
- Modernising and integrating our public services

Annual Progress Report

15. 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 to this Committee as the nominated overview and scrutiny committee.

16. PSBs are responsible for establishing 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.

17. The Act makes it clear that PSB Well-being Plans are locally owned and therefore subject to local scrutiny. Welsh Ministers will not approve well-being plans. They will, however, 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.

Cardiff's Public Services Board Arrangements

18. Cardiff's Public Services Board (PSB) was established in May 2016. Two Boards make up the high-level structural arrangement for partnership working in Cardiff. The **PSB**, Chaired by the Leader of the Council, and the **PSB Delivery Board**, Chaired by the Chief Executive of the Council.

19. In addition, alongside the PSB there is a **Regional Partnership Board**, supported by the **Integrated Health & Social Care Strategic Leadership Group**.

20. The PSB is able to establish sub-groups/programme boards to support it in undertaking its functions and the Board can authorise sub-groups to exercise a limited number of functions. Each Programme Board will prepare terms of reference and the Chair of the group will submit them to the Board for approval.

The Governance Proposals

21. The Governance arrangements for delivering the Well-being Plan, explained in the report attached at **Appendix A**, were approved by the PSB on 1 May 2018.

22. The proposals are based on the following principles:

- **Focus** - avoidance of duplication of activity is of paramount importance.
- **Alignment and Integration** of members' corporate priorities is key.
- **Decision Making** - each Programme Board will include at least one statutory member of the Board.
- **Administrative Support and Resourcing** are provided by Cardiff Council, but resourcing the functions of the Board is the responsibility of all statutory members equally.

23. On **page 4** of **Appendix A** Members are referred to a diagram illustrating the structure of proposed partnership governance arrangements. It contains **seven Programme Boards** for areas, which require a continuous programme of collaborative activity. These are:

- Community Safety Board
- Inclusive Growth Board
- Improving Outcomes for Children Board
- Improving Outcomes for Adults Board
- Strategic Asset Management Board
- Education Development Board
- Resilient Growth Board

24. The creation of a Resilient Growth Programme Board was agreed at the PSB Delivery board 5 June 2018. This Programme Board will provide a mechanism by which the PSB can work with planners to deliver on its commitment to an integrated approach to the planning and delivery of public services in the city's new communities. The Board will also provide a forum for addressing citywide issues - active travel, air quality and carbon reduction.

25. For each of the Programme Boards in the diagram the report attached at **Appendix A** explains the responsibility of the Board, the focus of its work, the proposed Terms of Reference of the Board, and the specific programmes of activity its work will include. There are Appendices relevant to each of the Boards attached to the report. For example, information on the Inclusive Growth Board, including membership, can be quickly viewed by reference to paragraph 15 followed by Appendix 2.

Board	Paragraph	Page	Appendix	Page
Community Safety Board	14	5	1	11
Inclusive Growth Board	15	5	2	20
Improving Outcomes for Children Board	16	6	3	23
Improving Outcomes for Adults Board	17	6	4	26
Partnership Asset Management Board	18	6	5	29
Education Development Board	19	7	6	32
Resilient Growth Board	20	8	7	36

26. In addition, not all 'steps/commitments' contained within the Well-being Plan will require the oversight of a programme board. In relation to the delivery of a number of commitments, or for emerging issues, the PSB may wish to commission a time-limited Task and Finish Group for commitments that are discrete, time bound activities.

27. Each Board will agree its Terms of Reference and Programme Briefs at the first meeting, and report back to the PSB Delivery Board. Some Boards have already met for the first time; others are programmed in the near future.

Reporting Arrangements

28. As indicated above, the PSB is required in statute to produce an annual report on the delivery of the Well-being Plan. The Board is proposing that this has two components:

- A report outlining Cardiff's performance against the city outcomes identified in the Well-being Plan.
- A report outlining progress against each step contained in the Well-being Plan.

29. For each Programme Board, a Programme Brief will be developed and agreed including:

- Priority work-streams (aligned with Well-being Plan commitments).
- Outcome indicators for each workstream.

- Work-stream activity and projects, including relevant milestones and risks.
30. Programme Boards and Task and Finish Groups will be required to provide a highlight report, on an exceptions basis, to the PSB Delivery Board. Issues will be escalated to the PSB if necessary. The responsibility for approval of each report will be with the relevant board Chair.
31. The Council's Performance Management Team will provide support on the preparation of quarterly reports. Further to the report attached at **Appendix A** an update to the PSB Delivery Board on 5 June 2018 explained that for each Programme Board a performance dashboard will be produced to capture key performance data and project progress, including any key risks and issues the relevant Programme Board needs to be aware of. Going forward these will be used as the basis for highlight updates to the PSB Delivery Board.

Previous Scrutiny

32. The Committee previously welcomed the PSB in November 2017, for scrutiny of the draft Well-being Plan. Members made a number of observations, captured in a letter from the Chair of Committee to the Leader as Chair of the PSB. The letter is attached at **Appendix B**.

Way Forward

33. In attendance to answer Members questions will be the Leader, Councillor Huw Thomas, in his capacity as Chair of the PSB; the Chief Executive, Paul Orders, in his capacity as Chair of the PSB Delivery Board; and Sarah McGill, Corporate Director People & Communities, who will give a presentation on the governance proposals.
34. Also attending, statutory partners Maria Battle, Chair of Cardiff & Vale Health Board, and Deputy Chair of the PSB, Fiona Kinghorn, Deputy Director of Public Health, David Bents, Group Manager South Wales Fire Service, Gareth O'Shea, Executive Director South Wales Operations Natural Resources Wales, and Sheila Hendrickson-Brown, Chief Executive Cardiff Third Sector Council.

35. All partners will be invited to comment on the implications for their organisation of the new partnership governance arrangements to deliver the Well-being Plan.

36. Members will then have an opportunity for questions to the panel representing Cardiff's Public Services Board.

Legal Implications

37. 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

38. 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.

RECOMMENDATION

39. The Committee is recommended to consider the information and discussion, and whether it wishes to feed comments, observations, or concerns back to the Public Services Board in respect of the governance arrangements proposed for delivering the Well-being Plan.

DAVINA FIORE

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14 June 2018