

**CYNGOR CAERDYDD
CARDIFF COUNCIL**

**POLICY REVIEW & PERFORMANCE
SCRUTINY COMMITTEE**

18 July 2017

Cardiff Public Services Board – overview and draft well-being objectives

Purpose of the Report

1. To outline the Committee's statutory responsibilities for scrutiny of the Cardiff Public Services Board (CPSB).
2. To advise Members of the CPSB's progress in addressing the requirements of the Well-being of Future Generations (Wales) Act 2015.
3. To provide Members with an opportunity to consider the draft Well-Being Objectives.

Background

4. In 2015, the Committee acquired overarching responsibility for scrutiny of the Council's partnership work, specifically scrutiny of Cardiff's Public Services Board (CPSB). Therefore, in line with the Council's Constitution, this Committee will perform a strategic overview role of the CPSB's performance going forward. 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.

Well-being of Future Generations (Wales) Act 2015

5. 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

6. 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 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.

7. 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.

8. 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.

9. The new legislation provided for the appointment of a Future Generations Commissioner for Wales, with the duty 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.

Public Services Boards

10. 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.

11. 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.

12. 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.
13. 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.

Local Well-being Plans

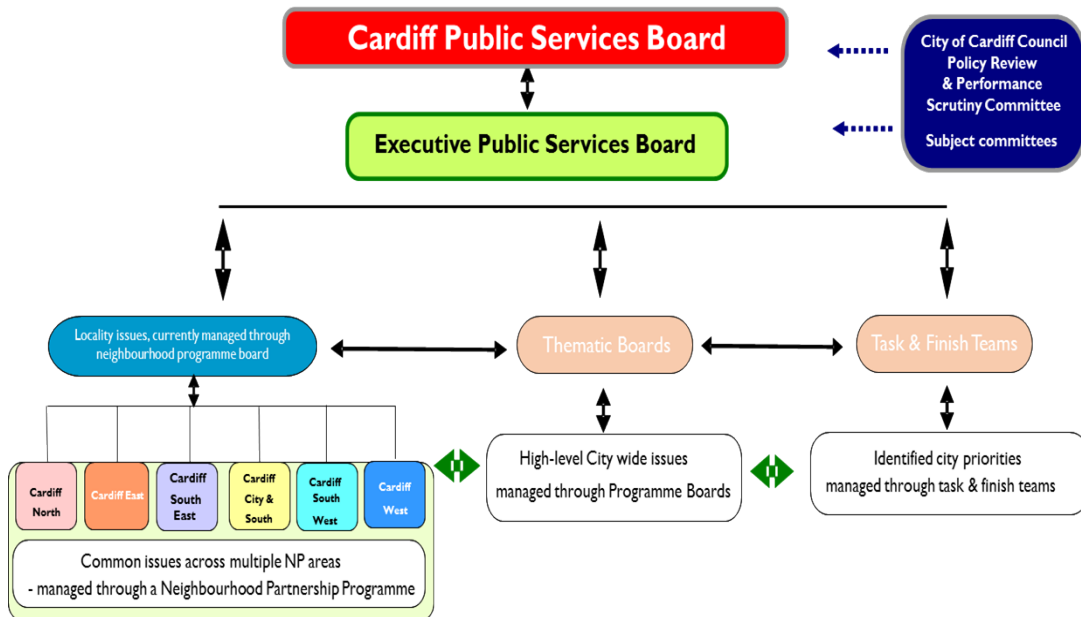
14. The PSB is required to prepare and publish a local well-being plan, which sets out the local well-being objectives and the steps it proposes to take to meet them. These must be designed to maximise the Board's contribution to delivering the well-being goals within its area; and take all reasonable steps to meet those objectives.
15. The local well-being plan must :
- a. be published within one year of the local government elections, i.e. the first must be published by 3 May 2018 and will cover a five-year period
 - b. prior to publication, be submitted in draft copy for consultation to the Commissioner; invited participants and 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.

Cardiff's Public Services Board Arrangements

19. Cardiff has a well-developed history of partnership working that has stood it in good stead to embrace the requirements of the Well-being Act. In May 2016 the Cardiff Partnership Board transitioned into the Cardiff Public Services Board.
20. The structure of arrangements now in place are illustrated below:



Cardiff's Local Well-Being Plan - progress

21. The CPSB produced its statutory well-being assessment in March 2017, and in June 2017 approved the draft well-being objectives developed by its newly created Policy Advisory Group.
22. The Well-Being Objectives attached at **Appendix A** will now be submitted to the Future Generations Commissioner for advice.
23. Under the Act the Well-Being Plan must include a statement:
 - c. explaining why the Board thinks the objectives will contribute to achieving the well-being goals;
 - d. explaining how the objectives and proposed steps have been set with regard to the local well-being assessment;
 - e. specifying a timescale for meeting the objectives;
 - f. explaining how the steps are to be taken in accordance with the sustainable development principle (the five ways of working);
 - g. specifying the steps which will be taken to meet objectives included when these are partners' individual objectives, and by which partners, either individually or collectively;

- h. setting out the steps taken to meet the objectives in the previous plan, if it is not the first plan and to what extent those objectives were met;
- i. providing any other information the Board thinks is appropriate.

24. Statutory guidance sets out that the PSB's well-being objectives should be the Board's **objectives for change over the longer term**, while the **steps should be the actions to be taken to achieve these objectives over the short, medium or long term**. The guidance also states that the right balance must be struck between delivering for the short term and doing so in the context of priorities for the long term.

25. The plan may include objectives that are also the well-being objectives of Board members (e.g. the Council's well-being objectives as set out in the Council's corporate plan) that are to be met by steps taken by one or more member of the board, acting individually or jointly. Objectives requiring steps to be taken by non-statutory members of the Board can only be included if that partner agrees.

Role of the Future Generation's Commissioner

26. The Board must consult the Future Generations Commissioner on **how to take steps to meet the local objectives** to be included in the plan. Her advice must be given in writing; be provided no later than 14 weeks after it is sought and must be published at the same time as the plan.

27. That said, the accountability of the work of the PSB, including the Well-being Plan, is local. The commissioner will provide advice and challenge, but it is the local scrutiny committee that must provide oversight and scrutiny of the PSB and of the Well-being Plan.

28. Feedback from the Future Generations Commissioner and her office is that: A smaller number of well-being objectives (4 to 7) is preferable to a larger number of well-being objectives. PSBs are encouraged to focus *'on a smaller number of issues and using the lens of the Act to look at them differently'*.

29. Well-being objectives should be targeted based on the issues arising from the well-being assessment. They should not be generic outcome statements, should focus specifically on areas of **collective** action that address challenges identified in the Well-being Assessment.
30. The Future Generations Commissioner has published a draft strategic plan which sets out 4 'emerging priorities':
- a. Climate change - focusing on reducing emissions and tackling impacts.
 - b. Economic change - shifting to an economy that is fit for the future
 - c. Population change - tackling the challenges and opportunities of an ageing population, the changing composition of our communities and the importance of early years and adverse childhood experiences.
 - d. Citizen disengagement - championing public participation and involvement in decision-making.

Way Forward

31. At the meeting, Members will receive a presentation, which will be circulated electronically ahead of the meeting to assist members in their preparation.
32. In attendance will be the Leader, Councillor Huw Thomas, in his capacity as Chair of the CPSB; the Chief Executive, Paul Orders, in his capacity as Chair of the Executive CPSB; and Gareth Newell, Operational Manager Partnerships and Community Engagement, with responsibility for supporting the work of the CPSB.
33. Members will have an opportunity for questions, to ensure they understand the implications of the Well-Being of Future Generations Act for the Council, the governance role of the Committee in relation to the CPSB, and to gather information that will inform prioritisation of the Committee's 2017/18 work programming discussions.

Legal Implications

34. 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

35. 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

36. The Committee is recommended to:

- a. 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 delivering the requirements of the Well being of Future Generations Act.

- b. Factor scrutiny of the CPSB Well-being Plan into the Committee's 2017/18 work programming discussions.

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12 July 2017