

City of Cardiff Council Response to the Statutory Guidance for the Well-being of Future Generations (Wales) Act 2015- Consultation

The City of Cardiff Council supports the aims of the Act and welcomes the move to place sustainability at the heart of decision making in Wales.

Key Points:

1. **Local well-being objectives must sit within the local Well-being Plan, not individual corporate plans (or equivalent).**

With particular reference to:

- P7. Core Guidance: *“... for public bodies the core duty in the Act (Wellbeing duty) is that you must set well-being objectives that maximise your contribution to achieving the well-being goals.”*
- P4: Statutory Guidance for the Well-being of Future Generations (Wales) Act 2015 SPSF2 – Individual role (Public Bodies) *“We consider that for greatest impact public bodies should ensure that their well-being objectives form part of their central planning arrangements, such as a corporate plan or similar organising tool.”*

The key to successfully delivering against well-being goals is effectively marshalling all local resources to ensure a coordinated whole area approach. Having well-being objectives sit within the Well-Being Plan is a clear and effective method of doing so. Having the Well-being objectives sit within the local Well-being Plan- rather than individual corporate plans (or equivalent) thus enables:

- A whole area response,
- alignment between national “well-being goals” and local “well-being objectives”,
- local areas to measure their contribution towards achieving “well-being objectives” through an Annual Review of Well-being Plans and a High level Needs Assessment
- Welsh Government to observe the contribution of local areas to “wellbeing Goals”,
- Public Service Board performance management structures to capture the contribution of local organisations/public bodies against well-being objectives.

2. **The Guidance must provide clarity on how, if at all, any inspectorate regime will expect public bodies to demonstrate compliance with the 5 sustainable development principles and linkages with the Well-being Goals**

Demanding that all public bodies demonstrate that all their actions contribute to all the well-being goals will create an overly burdensome reporting structure. Certainly, organisations should be encouraged to consider their contribution to multiple well-

being goals, but demonstrating link with all 7 is overly prescriptive. The Council already compels all internal policies, strategies or activities to engage with a policy integration tool to shape integrated, long term and statutory compliant decision making.

We would ask however that Welsh Government confirms how compliance will be audited.

This is particularly relevant since the 7th Well-being Goal of ‘*A Globally Responsible Wales*’ will be difficult for all public bodies to evidence, beyond policy statements and evidence of compliance (i.e. provisions within procurement policy).

The City of Cardiff Council proposes to build on existing measures undertaken internally to demonstrate compliance and support the aims of the act by:

- **Developing a “Future Generations Decision Making Guide”**: The Council already has a Statutory Integration Tool- embedded in the Council’s Formal Decision Making Process- which ensures that any new policy, strategy or initiative is aware of statutory requirements. It also encourages new policies, strategies and initiatives to consider what impact they will have on the 7 local outcomes as included in the Single Integrated Plan. We intend to develop this into the “Future Generations Decision Making Guide” which will ensure that any decision has considered the 5 sustainability principles as well as the well-being objectives, in addition to other important considerations, such as the Welsh Language Standards. This will enable the Council to embed the act formally within the organisation and demonstrate how the aims of the Act have been considered.
- **Investing in informed decision making**: Training on the Future Generations Act could be incorporated in Corporate Inductions and form part of the Council’s ongoing programme of training, delivered through the Cardiff Academy.

3. **Strong local partnerships, with the power and discretion to deliver local outcomes**

With particular reference to the Statutory Guidance for the Well-being of Future Generations (Wales) Act 2015SPSF3 – Collective role (public services boards)

- The Focus on more formal joined up working is welcomed. We share the view that Public Service Boards represent the right vehicle at the right geographical level to progress sustainable public service and drive forward public service reform. However, we believe that the Future Generations Act would be best served if the focus was on ensuring Public Service Boards have appropriate funding, powers and responsibilities to deliver local outcomes within a national outcomes framework (as set by the Well Being Goals). We would also take this opportunity to note that we have yet to receive confirmation of the LSB Development Grant, which is a crucial enabler of joined up local delivery.

- We welcome the requirement that public sector partners are compelled to collaborate, with the Public Service Boards providing the appropriate mechanism. We would however strongly contest the assertion that some of the named invitees “*are not required to accept the invitation*”. We believe that the participation of a representative of the police force, as well as a body which acts on behalf of the voluntary sector, are crucial to the success of local partnerships.
- We welcome the recognition that the cost of servicing the Public Service Boards should be shared proportionally. This will help ensure that they are not regarded as Local Authority constructs.
- The guidance place demanding requirements upon public bodies and, whilst the spirit of the act is welcomed, there is no denying that demonstrating compliance will inevitably be a technical requirement. Whilst many public bodies are already compliant with several aspects of the guidance, there will be undoubtedly additional demands. As a consequence, **some organisations may have limited capacity to respond to a series of additional requirements**. Natural resource Wales, for instance, will be expected to sit on 22 Public Service Boards.
- We would contest the stipulation that “*All the members must be in attendance at a meeting of a public services board for the decisions made during that meeting to be considered valid*”. **Decision making should be at the discretion of the Public Service Board.**
- We believe that the governance arrangements determining the Political Leadership (involving elected officials) and Strategic Management (involving senior public sector management) should be an issue for local discretion.
- We support the suggestion that “*a public services board must prepare and publish an assessment of the state of economic, social, environmental and cultural well-being in its area a year before it publishes its local well-being plan*”. The Council’s Liveable City Report pre-empted this requirement and is aligned with the draft national indicators identified by Welsh Government. This is in addition to the Joint Needs Assessment undertaken by local partners.
- We see the value of local needs assessments- which we have successfully been undertaking for a number of years – to “*include predictions of likely future trends in the economic, social, environmental and cultural well-being of the area.*” It must be recognised however, that **trend forecasting is a highly specialised statistical exercise, made even more demanding by the 25 year planning horizon reflected in the act**. This requirement should be tempered, and that an analysis of the current state of an area, along with an understanding of the anticipated direction of travel of key indicators, represents a more realistic requirement of the Needs Assessment.
- We strongly disagree with the requirement that “*prior to publishing [the] assessment of local well-being, a public services board must consult with the persons outlined*”. The development of **the assessment of well-being will be**

an objective statistical exercise. It will, as far as possible, align with the emerging national outcome indicators, and will include data on all relevant local indicators, whether they are a statutory or not. **Consultation on the needs assessment is therefore ill advised** and represents unnecessary use of resources. We agree, however, that the Well-being plans should be consulted on, and that these should make clear the local evidence base used to inform priorities and well-being objectives. Consultation on the needs assessment is an unnecessary requirement.

- We agree that the “well-being assessment must identify the geographic community areas within the board’s overall area.” Cardiff has already led on much work in this area to identify community needs based on appropriate geographical scale. We would note however that it should be a matter of local discretion as to what level of detail the needs assessment drills down to. Should they wish to drill down as far as electoral wards, this should be accepted, even encouraged, given that Ward Councillors are strong local champions and a key part of a local democracy.
- We agree that a public service board should publish an annual report; however this annual report should discharge the obligations of all local public delivery partners to produce a report. Cardiff currently does produce an annual report which demonstrates how partner organisations are contributing to local outcomes (via our What Matters strategy), and which also notes how population indicators are performing. This allows local areas to demonstrate how they are collectively contributing to the well-being goals.

4. Opportunities for Further Integration and Alignment

- Aligning National Indicators with Programme Indicators: Cardiff welcomes the work to develop national outcome indicators, and has already sought to respond positively at a local level by developing the Liveable City Report. The Liveable City Report contains a small number of outcome indicators to demonstrate the overall performance of the city against our seven “well-being outcomes” as included in our single integrated plan. This means that our corporate plan can focus on “organisational performance” (how effectively we are delivering our services) whilst the Liveable City Report will demonstrate “city performance” (how the collective action of a number of organisations are impacting the performance of the city at the population level).

We can therefore consider how any activity we take forward is likely to impact on the city, and will be doing this by ensuring organisational performance indicators can be seen to be contributing to City Wide outcome indicators.

It is therefore important that Welsh Government also ensures that the performance indicators for major funding programmes are aligned with any national outcome indicators. This means ensuring that indicators relating to the Youth Engagement Act, Social Services and Well-being Act as well as the Families First, Flying Start and Communities First funding programmes are all aligned to a national outcomes framework.

- **Workforce Planning:** From a Workforce Planning perspective, work is currently being undertaken through the **Workforce Partnership Council** across the public sector in Wales and it would be beneficial to ensure that this work delivers the change envisaged by the Act. Supporting a workforce with the right skills and support to adapt to the changing needs of society is an aim of the act which strongly resonates with the aims of the Workforce Partnership Council.
- **Financial systems** - of particular significance are the difficulties of embedding long term planning into organisations that operate under a short term budgetary framework. Whilst the City of Cardiff Council has a Corporate Plan focused on the medium term and a Single Integrated Plan (Well-being Plan) focused on the long term, it is locked into a one year budget setting cycle. This makes aligning policy and budget difficult over the long term. There will be an important opportunity to consider this issue as part of the **Travers Commission on local government finance**.
- **Social Services and Well-being Act** – Clear distinction is required between Well-being objectives as articulated in the Social Services and Well-being Act. Equally, it is important not to create a cluttered landscape of “statutory objectives” particularly since Local authorities are also required to formally agree “improvement objectives” under Local Government (Wales) Measure, 2009.

5. Demonstrating Compliance

Provided below is an overview of how the City of Cardiff Council intends to respond to major aspects of the Future Generations Act.

Individual well-being duty on public bodies	
Guidance:	City of Cardiff Council response:
<p>19. Part 2 of the Act places a well-being duty on public bodies:</p> <p>(1) Each public body must carry out sustainable development.</p> <p>(2) The action a public body takes in carrying out sustainable development must include –</p> <p>a) setting and publishing objectives (“well-being objectives”) that are designed to maximise its contribution to achieving each of the wellbeing goals, and</p> <p>b) taking all reasonable steps (in exercising functions) to meet those objectives</p>	<p>The City of Cardiff Council and the Cardiff Partnership Board (Local Service Board) believe <i>the “well-being objectives” should be captured within the statutory well-being plan (single integrated plan).</i></p> <p>This allows local areas to clearly demonstrate their contribution to the National Well Being Objectives, within an established framework for delivery.</p> <p>For example in Cardiff, all partners could demonstrate how public bodies would work through the well-being plan to deliver local well-being objectives. These could then be aligned with national well-being goals.</p>

<p>20. This means that for public bodies the core duty in the Act (Wellbeing duty) is that you must set well-being objectives that maximise your contribution to achieving the well-being goals. In doing so, take all reasonable steps to meet those well-being objectives, in accordance with the sustainable development principle.</p> <p>21. The other duties that apply to individual public bodies are outlined in the remainder of this document, with detailed guidance provided in SPSF2.</p> <p>22. It is fundamentally important that the requirements of the Act are not seen as ‘an additional layer’ to existing activity. For example, the setting of well-being objectives should be the primary way in which a public body sets priorities; it should not take place in addition to an existing process.</p>	<table border="1" data-bbox="758 224 1465 828"> <thead> <tr> <th data-bbox="758 224 1018 291">“Well Being Goals”</th> <th data-bbox="1018 224 1465 291">Local Area “Well-Being Objective” (Cardiff’s 7 outcomes)</th> </tr> </thead> <tbody> <tr> <td data-bbox="758 291 1018 421">A prosperous Wales</td> <td data-bbox="1018 291 1465 421">Cardiff has a thriving and prosperous Economy & People in Cardiff achieve their full potential</td> </tr> <tr> <td data-bbox="758 421 1018 488">A resilient Wales</td> <td data-bbox="1018 421 1465 488">Cardiff is clean, sustainable and attractive</td> </tr> <tr> <td data-bbox="758 488 1018 544">A healthier Wales</td> <td data-bbox="1018 488 1465 544">People in Cardiff are healthy</td> </tr> <tr> <td data-bbox="758 544 1018 645">A more equal Wales & A globally responsible Wales</td> <td data-bbox="1018 544 1465 645">Cardiff is fair, just and inclusive</td> </tr> <tr> <td data-bbox="758 645 1018 734">A Wales of cohesive Communities</td> <td data-bbox="1018 645 1465 734">People in Cardiff are safe and feel safe</td> </tr> <tr> <td data-bbox="758 734 1018 828">A Wales of vibrant culture and thriving Welsh language</td> <td data-bbox="1018 734 1465 828">Cardiff is a great place to live, work and play</td> </tr> </tbody> </table> <p>Progress can then be measured through the existing and established Local Service Board performance management structures.</p> <p>This would effectively demonstrate the collective contribution of local organisations to a national outcomes framework set by Welsh Government.</p> <p>Also this ensures that “the requirements of the Act are not seen as ‘an additional layer’ to existing activity”.</p>	“Well Being Goals”	Local Area “Well-Being Objective” (Cardiff’s 7 outcomes)	A prosperous Wales	Cardiff has a thriving and prosperous Economy & People in Cardiff achieve their full potential	A resilient Wales	Cardiff is clean, sustainable and attractive	A healthier Wales	People in Cardiff are healthy	A more equal Wales & A globally responsible Wales	Cardiff is fair, just and inclusive	A Wales of cohesive Communities	People in Cardiff are safe and feel safe	A Wales of vibrant culture and thriving Welsh language	Cardiff is a great place to live, work and play
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<p>23. In order for public bodies to effectively carry out sustainable development the requirements of the Act should be embedded within existing corporate processes – for example:</p> <ul style="list-style-type: none"> - The setting of well-being objectives should take place through a corporate planning process, and be reflected in a corporate plan (or equivalent); - Reporting on progress toward meeting objectives should take place through a corporate reporting process, and be reflected in an annual report (or equivalent). 	<p>Sustainable development will be embedded in the Council’s (and the partnership’s) strategic planning process.</p> <p>It will be demonstrated via a consideration of the strategic needs assessment and the undertaking of statutory assessments where necessary.</p> <p>We would contest that “well-being objectives should ... be reflected in a corporate plan”. As outlined above, “well-being objectives should be included in the overarching well-being plan.</p> <p>Otherwise there is a risk of creating a confusing bureaucratic exercise, that creates unnecessary confusion with “improvement objectives” etc.</p>														

Collective well-being duty on public services boards	
Guidance:	City of Cardiff Council response:
<p>24. Section 36 of the Act sets out the well-being duty on public services boards.</p> <p>(1) Each public services board must improve the economic, social, environmental and cultural well-being of its area by contributing to the achievement of the well-being goals.</p>	<p>If the “wellbeing objectives” are captured in the well-being plan it allows an area to</p> <ol style="list-style-type: none"> i. Demonstrate alignment between local wellbeing objectives and national well-being goals ii. Demonstrate progress against local “well-being objectives” by measuring progress against locally selected (macro level) wellbeing indicators”. iii. Demonstrate the contribution of local outcomes to national outcomes.
<p>(2) A public services board’s contribution to the achievement of the well-being goals must include</p> <ol style="list-style-type: none"> a) assessing the state of economic, social, Environmental and cultural well-being in its area, b) setting objectives (“local objectives”) that are designed to maximise its contribution within its area to achieving those well-being goals, and c) the taking of all reasonable steps by members of the board (in exercising their functions) to meet those objectives. <p>(3) Anything a public services board does under this section must be done in accordance with the sustainable development principle.</p>	<p>Cardiff Council and the Cardiff Partnership will (and currently do) assess the state of economic, social, Environmental and cultural well-being in its area by producing a Strategic Needs Assessment and a “Liveable City Report”.</p> <p>We believe that Well-being objectives for all organisations should sit within the Well-being Plan</p>
Sustainable Development Principles	<p>Ensuring Compliance with the Future Generations Act: An Integration Tool- embedded in the Council’s Formal Decision Making Process- to ensure that any decision on a policy or activity has considered the 5 sustainability principles and well-being objectives. This will enable the Council to embed the act formally within the organisation and demonstrate how the aims of the Act have been considered.</p>

Ensuring informed decision making: Training on the Future Generations Act could be incorporated in Corporate Inductions and form part of the Council's ongoing programme of training.

Simply Put:

Welsh Government	Local Area (Cardiff)
<p>A National Outcomes Framework:</p> <p>Wellbeing Goals</p>	<p>Local Outcomes Framework:</p> <p>Well-being Goals</p> <ul style="list-style-type: none"> • Captured in Well Being Plans • Aligned to Wellbeing Goals • Contributed to by public body partners
<p>Measuring Delivery:</p> <p>National Indicators (once agreed)</p>	<p>Measuring Delivery:</p> <ul style="list-style-type: none"> • Strategic Needs Assessment (5years) • Liveable City Report (Annual and aligned to national indicators)
<p>Performance Reporting Requirement:</p> <p><i>“taking of all reasonable steps by members of the board (in exercising their functions) to meet those objectives.”</i></p>	<p>Performance Reporting Compliance:</p> <p>Cardiff Partnership performance framework will capture the collective contribution of organisations to the “well-being objectives” using an outcomes focused performance management framework.</p>

Consultation Questions:

- **Question 1:** Does the Core Guidance (SPSF 1) explain what is expected of public bodies and public services boards subject to the Act in a way that can be understood by public bodies and interested stakeholders?

Yes, the Guidance is clearly expressed. That said, some of the requirements need further consideration- please see key points 1 and 2 (page 1), 3 (page 2) and 4 (page 4) above.

- **Question 2:** Does the statutory guidance (SPSF 2) enable **public bodies** to discharge the requirements provided by Part 2 of the Well-being of Future Generations (Wales) Act 2015?

Yes, the Guidance is clearly expressed. That said, some of the requirements need further consideration- please see key points 1 and 2 (page 1), 3 (page 2) and 4 (page 4) above.

- **Question 3:** Does the guidance (SPSF 2) explain how public bodies should respond to the recommendations of the **Commissioner**?

Yes, though further clarity is required on how, if at all, any inspectorate regime will expect public bodies to demonstrate compliance with the 5 sustainable development principles and linkages with the Well-being Goals.

Please see key points 1 and 2 (page 1), 3 (page 2) and 4 (page 4) above. Also key point 5 (page 5) on demonstrating compliance.

- **Question 4:** Does the statutory guidance (SPSF 3) enable **public services boards** to establish and complete all its functions as provided for in Part 4 of the Well-being of Future Generations (Wales) Act 2015?

Yes, provided there is sufficient local discretion to build on existing structures and practices and that some of the requirements are re-considered. Please see Key point 3 (page 3).

- **Question 5:** Does the statutory guidance (SPSF 3) support **public services boards** to achieve a step change in the way they work collectively towards shared objectives?

Please see Key Point 1 (page 1).

- **Question 6:** Does the statutory guidance (SPSF 4) to **Community and Town Councils** make clear which councils are subject to the duty in section 40, and what those affected are required to do?

Yes, however there is some concern about the ability of Community Councils to respond. To respond to this, Cardiff Council proposes to put in place a framework for compliance with the requirements of the Well-being of Future Generations Act 2015 and share good practice, information and opportunities for engagement with Community Councils with a view to working towards the well-

being goals outlined in the Act. In return, Community Councils will take all reasonable steps to contribute towards meeting the local objectives included in the local well-being plan prepared pursuant to the Well-being of Future Generations Act 2015. It is intended that this will be included in a revised Community Council Charter.

- **Question 7:** In the context of Local Government Reform and new authorities to be in place in 2020, we would welcome your views on the appropriate arrangements for the development of assessments of local well-being, and local well-being plans, in order to enable the Act to be implemented in a timely and effective manner but in a way that minimises the need to duplicate effort.

In the event of Local government Reform, an exercise would need to be taken to align the local well-being plans and well-being assessments of two previously separate authorities. This would need to be considered alongside a number of other considerations associated with any re-organisation of Local Government in Wales.

- **Question 8:** Do you have examples of good practice that show key actions under the Well-being of Future Generations (Wales) Act 2015 that could be shared with other public bodies?

We would consider the Liveable City Report (please see page 4) as an example of good practice which we have discussed with the previous Sustainability Commissioner, and Cynnal Cymru. We would also consider the Cardiff Partnership model an example of good practice. Taken together, Cardiff is well positioned to meet the *requirements* of the Act and undertake activity to improve well-being that is consistent with the *spirit* of the Act.

- **Question 9:** We have asked eight specific questions on the draft guidance. If you have any related issues which we have not specifically addressed, please use the consultation response form to express your views.

Please see response above, p1 onwards.