

Meeting of:	CORPORATE OVERVIEW AND SCRUTINY COMMITTEE
Date of Meeting:	24 JULY 2023
Report Title:	PROPOSALS FOR THE JOINT OVERVIEW AND SCRUTINY ARRANGEMENTS FOLLOWING THE TRANSITION TO A SINGLE PUBLIC SERVICES BOARD (PSB) FOR CWM TAF MORGANNWG
Report Owner / Corporate Director:	CHIEF OFFICER – LEGAL & REGULATORY SERVICES, HR & CORPORATE POLICY
Responsible Officer:	MERYL LAWRENCE SENIOR DEMOCRATIC SERVICES OFFICER - SCRUTINY
Policy Framework and Procedure Rules:	The work of Overview and Scrutiny Committees relate to the review and monitoring of plans, policy or strategy that form part of the Policy Framework and consideration of plans, policy or strategy relating to the power to promote or improve economic, social or environmental wellbeing in the County Borough of Bridgend. Any changes to the structure of the Scrutiny Committees and the procedures relating to them would require the Bridgend County Borough Council Constitution to be updated.
Executive Summary:	<p>The report is an update on the proposed joint scrutiny arrangements and Terms of Reference for the Cwm Taf Morgannwg Public Services Board, to ensure effective scrutiny arrangements are in place to scrutinise the new single Public Services Board (PSB) for Cwm Taf Morgannwg, which is being reported to Council on 19 July 2023.</p> <p>Subject to agreement of the proposed joint scrutiny arrangements and Terms of Reference by Council on 19 July 2023, this report seeks nominations of five Members of this Committee (as the Scrutiny Committee designated to scrutinise the work of the Public Service Board as required by the Well-being of Future Generations (Wales) Act, 2015) and based on the political balance of this Committee, as far as practical, to the Cwm Taf Morgannwg Public Service Board Joint Overview and Scrutiny Committee (JOSC).</p> <p>The report also seeks the nomination of one substitute Member from the Committee to attend the JOSC when one of the core Members are not available.</p>

1. Purpose of Report

- 1.1 The purpose of the report is, subject to approval of the proposed joint scrutiny arrangements and the attached Terms of Reference by Council on 19 July 2023, to:
- a) Update the Committee on the proposed joint scrutiny arrangements and Terms of Reference for the Cwm Taf Morgannwg Public Services Board, following the transition to a single Public Services Board (PSB) for Cwm Taf Morgannwg;
 - b) To request nominations of **five** Members from the Committee (as the Scrutiny Committee designated to scrutinise the work of the PSB as required by the Well-being of Future Generations (Wales) Act, 2015) and based on the political balance of the Committee, as far as practical, to the Cwm Taf Morgannwg Public Service Board Joint Overview and Scrutiny Committee (JOSC), and;
 - c) To request nomination of **one** substitute Member from the Committee to attend the JOSC when one of the core Members are not available.

2. Background

- 2.1 The Well-being of Future Generations (Wales) Act 2015 gives a legally binding common purpose to improve the economic, social, environmental and cultural well-being of their area by contributing to the achievement of the 7 national well-being goals. The Well-being of Future Generations (Wales) Act (the Act) puts a well-being duty on specified public bodies including local authorities, local health boards, fire and rescue services and Natural Resources Wales to act jointly via PSBs. PSBs are required to:
- assess the state of economic, social, environmental and cultural well-being in their areas (the Well-being Assessment);
 - use that assessment to set local well-being objectives (the Well-being Plan);
 - act together to meet those objectives.
- 2.2 To reduce duplication and enable more effective joint working to improve well-being for people within the Cwm Taf Morgannwg area, the two PSBs currently in place within the footprint (Cwm Taf and Bridgend) have taken forward a merger to create a new PSB for the Cwm Taf Morgannwg area. This merger will enable the PSB to align with the health board footprint, as well as being co-terminus with the 'Mid Glamorgan' basic command unit of South Wales Police.
- 2.3 The Well-being of Future Generations (Wales) Act provides for two or more PSBs to be able to merge and to collaborate if it would assist them in contributing to the achievement of the well-being goals.
- 2.4 The Well-being Assessment was prepared to cover the Cwm Taf Morgannwg area and was done in close collaboration with the Regional Partnership Board in the development of their Population Needs Assessment.

- 2.5 Following on from the Assessment, the two PSBs have worked together this year to develop a single Well-being Plan for the Cwm Taf Morgannwg region that was endorsed by Council on the 12 April 2023.
- 2.6 During February the two separate PSBs agreed to the formal transition to a single PSB to ensure the delivery of the well-being plan and objectives, and are currently operating as a shadow joint PSB whilst the Board works through its governance and operating arrangements.

3. Current situation / proposal

SCRUTINY ARRANGEMENTS

- 3.1 In order to ensure democratic accountability of the PSB, there is a statutory requirement set out in the Well-being of Future Generations (Wales) Act, 2015 and associated statutory guidance for a designated Local Government Scrutiny Committee of the relevant authority to scrutinise the work of the PSB.
- 3.2 Both regions have established scrutiny arrangements in place in respect of scrutiny of their respective PSBs.
- 3.3 Rhondda Cynon Taf County Borough Council and Merthyr Tydfil County Borough Council agreed to the creation of a Joint Overview and Scrutiny Committee, comprising elected Members of both Authorities' Overview & Scrutiny Committee and Governance, Performance, Business Change and Corporate Services Scrutiny Committee (respectively), to scrutinise the Cwm Taf Public Services Board in 2016 and meets quarterly to scrutinise and challenge the work of Cwm Taf PSB.
- 3.4 The Membership of the Cwm Taf Joint Overview and Scrutiny Committee (JOSC) comprises 5 County Borough Councillors from each Local Authority and also includes 'co-opted' members representing the Local Health Board, Community Health Council and citizen representatives from the 2 local regions.
- 3.5 Bridgend Council had established a Public Service Board Scrutiny Panel. The membership of the PSB Panel was determined annually and incorporated six Overview and Scrutiny Members and counterpart representatives that sit on the Public Service Board.
- 3.6 Following the merger of the PSBs, it is important that the scrutiny arrangements mirror the same footprint to prevent duplication and ensure effective scrutiny arrangements are in place.

SCRUTINY GOING FORWARD

- 3.7 It is proposed that a Cwm Taf Morgannwg Joint Overview and Scrutiny Committee is established comprising of 5 Elected Members from each of the three Local Authorities' Overview and Scrutiny Committees designated to scrutinise the work of the PSB as required by the Well-being of Future Generations (Wales) Act, 2015 and based on the political balance of each of those Committees, as far as practical.
- 3.8 To assist with attendance and potential quorum issues, provision will be made for one substitute Member from each Local Authority to be provided. A substitution will

be made available to allow an alternate Member to attend the JOSC when *one* of the core Members are not available. This will assist with any quorum issues but will not dilute the knowledge base of the overall Membership.

- 3.9 Good practice would suggest that co-option of Members to the JOSC is taken forward, to allow the JOSC to mirror in part the PSB. It is important to highlight that the current membership of the Cwm Taf PSB has not yet been finalised in respect of invited attendees, therefore it is suggested that the statutory partners of PSBs are co-opted within the scrutiny arrangements, i.e., non-executive representation from Cwm Taf Morgannwg University Health Board, South Wales Fire and Rescue and Natural Resources Wales. As a form of recognised good practice and in line with the ambitions of the Well-being of Future Generations (Wales) Act, 2015 of 'public engagement and involvement' the citizen panel representations currently taken forward with the Cwm Taf JOSC PSB should be continued for future arrangements.
- 3.10 It is suggested that the arrangements proposed above are reviewed at an appropriate point in time to ensure that the membership, where possible, reflects the single PSB membership, once confirmed, in respect of invited attendees. In accordance with paragraph 8.3.3(1) of the Statutory Guidance of the Local Government (Wales) Measure, 2011, the number of co-opted members on the JOSC should not exceed the number of elected Members.
- 3.11 A draft Terms of Reference for the merged Joint Cwm Taf Morgannwg PSB Overview and Scrutiny Committee is attached as **Appendix 1** of the report. It is proposed that once agreed the Terms of Reference are reviewed periodically to ensure they are 'Fit for Purpose'.

CHAIRPERSON

- 3.12 The role of the Chair of the Joint Scrutiny Committee will play a significant part in the success and outcomes of the Committee. It is suggested that the appointment of the Chairperson is taken forward on an annual basis, although for greater consistency of the leadership of the JOSC, it is proposed that there is no requirement for an annual rotation of appointment between Authorities and a current Chair could be re-appointed.
- 3.13 It is suggested that the appointment of the Chair and Vice Chair cannot be from the same Authority. Due to legal requirements, a co-opted Member could not be considered for the role of Chair or Vice Chair.

SUPPORT ARRANGEMENTS

- 3.14 Following the agreement to establish the Cwm Taf Public Service Board Joint Overview and Scrutiny Committee, Rhondda Cynon Taf County Borough Council and Merthyr Tydfil County Borough Council agreed to undertake the administrative arrangements on a joint basis and provide dedicated support and advisers for the JOSC for a period of one year each, on a rotational basis respectively.
- 3.15 In 2019 a review was undertaken by senior officers from Rhondda Cynon Taf County Borough Council and Merthyr Tydfil County Borough Council of the administrative arrangements of the Cwm Taf Public Service Board Joint Overview & Scrutiny Committee, where it was subsequently agreed that Rhondda Cynon Taf

County Borough Council would continue the role as the Host Authority with periodic reviews of the administrative arrangements when appropriate.

- 3.16 The agreed approach ensured that Members of the JOSC would continue to work together with shared responsibility for improved outcomes with the most appropriate support and resources in place. This arrangement also complimented the secretariat support that was provided by Rhondda Cynon Taf Council to the Joint PSB.
- 3.17 Bridgend County Borough Council previously took forward the support arrangements for the Bridgend Public Service Board Scrutiny Panel.
- 3.18 Due to the previous experience gained with support arrangements for Joint Overview and Scrutiny it is proposed that Rhondda Cynon Taf Council take forward the support arrangements for the newly merged Joint Overview and Scrutiny Committee. It is proposed that this arrangement is taken forward for a 2-year period, commencing from the beginning of the 2023/24 Municipal Year before a review of the arrangements is undertaken. This would allow for consistency of approach and support, whilst support officers from each of the Local Authorities would be involved in discussions and approaches going forward.

TRAINING REQUIREMENTS

- 3.19 Members appointed to the Committee will be provided with any necessary training requirements to fulfil their role as a Member of the Joint Overview and Scrutiny Committee as detailed in the Terms of Reference.

SCHEDULE OF MEETINGS

- 3.20 The Committee will meet on a meeting frequency that will reflect the meeting arrangements of the PSB, where the scrutiny Committee will meet at least 2 weeks prior to a PSB meeting to allow for any potential pre-scrutiny to be undertaken. The meetings will be conducted on a hybrid arrangement and can be reviewed by the Committee as and when appropriate.

FUTURE POTENTIAL DEVELOPMENT

- 3.21 A review of the Cwm Taf Morgannwg Region Community Safety Arrangements has recently been undertaken which recommended the establishment of a Cwm Taf Morgannwg Community Safety Partnership Board. Given that the footprints are the same and the Boards are intrinsically linked it would seem appropriate that consideration be given in the near future to the inclusion of this Board, once established, within the remit of the Joint Overview and Scrutiny Committee. Similar consideration could also be given to the inclusion of the Cwm Taf Morgannwg Safeguarding Board and any future partnership mergers based on the Cwm Taf Morgannwg region.

REPORT TO COUNCIL ON 19 JULY 2023

- 3.22 To ensure effective scrutiny arrangements are in place to scrutinise the joint PSB, following its recent merger, a report on the proposed arrangements has been submitted to Council on 19 July 2023, with the following recommendations, to:

- 1) Agree to the creation of a Joint Overview and Scrutiny Committee comprising elected Members from Rhondda Cynon Taf, Merthyr Tydfil and Bridgend County Borough Councils to scrutinise the Cwm Taf Morgannwg Public Services Board;
- 2) Endorse the Draft Terms of Reference of the Cwm Taf Morgannwg Public Services Board Joint Overview and Scrutiny Committee, as set out in **Appendix 1**, and to make any further comments as felt appropriate.
- 3) Determine the PSB Statutory members (non-executive) and `invited participants` to serve as co-opted members on the Cwm Taf PSB JOSC as highlighted within section 3 of the report.
- 4) Agree that the Chair and Vice Chair arrangements, highlighted within section 3 of the report, be taken forward, commencing from the beginning of the 2023/24 Municipal Year.
- 5) Agree that the support and administrative arrangements, highlighted within section 3 of the report be provided by Rhondda Cynon Taf County Borough Council, for a 2-year period, commencing from the beginning of the 2023/24 Municipal Year before a review of the arrangements is undertaken.
- 6) Agree that all Members of the Cwm Taf Morgannwg PSB JOSC be provided with training to assist them in undertaking their new role.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The Protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The Act provides the basis for driving a different kind of public service in Wales, with 5 Ways of Working to guide how public services should work to deliver for people. The following is a summary to show how the 5 Ways of Working to achieve the well-being goals have been used to formulate the recommendations within this report:
 - Long Term – The establishment of the Joint Scrutiny Arrangements will enable the Authority's long-term commitment to effective scrutiny of the Cwm Taf Morgannwg PSB.
 - Prevention – The PSB Wellbeing Assessment and Plan will be preventative in nature and progress will be scrutinised effectively.

- Integration – The proposed arrangements are for integrated joint scrutiny by three Local Authorities of the integrated partnership arrangements of the Cwm Taf Morgannwg Public Service Board.
- Collaboration – This report supports collaborative working with other Local Authorities and partners to effectively scrutinise the PSB.
- Involvement – The joint arrangements will enable effective scrutiny of the wellbeing assessment, plan and progress and promote the involvement of stakeholders, partners in scrutiny activity.

5.2 The proposed arrangements will assist in the achievement of the Council's 7 Well-being Objectives under the **Well-being of Future Generations (Wales) Act 2015**, listed below:

1. A County Borough where we protect our most vulnerable
2. A County Borough with fair work, skilled, high-quality jobs and thriving towns
3. A County Borough with thriving valleys communities
4. A County Borough where we help people meet their potential
5. A County Borough that is responding to the climate and nature emergency
6. A County Borough where people feel valued, heard and part of their community
7. A County Borough where we support people to live healthy and happy lives

LINKS TO PUBLIC SERVICE BOARD WELL-BEING OBJECTIVES

5.3 The recommended approach set out supports the Public Service Board Well-being objectives by ensuring progress of the Joint Overview and Scrutiny Committee is robustly scrutinised by the Committee, the public and others with a vested interest.

5.4 The proposed approach will also support the requirements set out in the 'Statutory guidance on the Well-being of Future Generations (Wales) Act 2015' which states:

- Effective involvement of people and communities in decisions that affect them is at the heart of improving well-being currently and in the future; and it is vital to factor people's needs; ensuring engagement is meaningful and effective.

6. Climate Change Implications

6.1 There are no Climate Change Implications arising from this report.

7. Safeguarding and Corporate Parent Implications

7.1 There are no Safeguarding and Corporate Parent Implications arising from this report.

8. Financial Implications

8.1 There are no financial implications arising from this report.

9. Recommendations

9.1 Subject to approval of the proposed joint scrutiny arrangements and the attached Terms of Reference by Council on 19 July 2023, the Committee is requested to:

- a) Note the joint scrutiny arrangements for the Cwm Taf Morgannwg Public Services Board and the Terms of Reference, following the transition to a single Public Services Board (PSB) for Cwm Taf Morgannwg;
- b) Nominate **five** Members from the Committee (as the Scrutiny Committee designated to scrutinise the work of the PSB as required by the Well-being of Future Generations (Wales) Act, 2015) and based on the political balance of this Committee, as far as practical, to the Cwm Taf Morgannwg Public Service Board Joint Overview and Scrutiny Committee (JOSC), and;
- c) Nominate **one** substitute Member to attend the JOSC when one of the core Members are not available.

Background documents

None.