



Dinas a Sir Abertawe

Hysbysiad o Gyfarfod

Fe'ch gwahoddir i gyfarfod

## Panel Ymchwiliad Craffu – Gweithio Rhanbarthol

Lleoliad: Councillor Meeting Room 235

Dyddiad: Dydd Iau, 15 Mawrth 2018

Amser: 11.00 am

Cynullydd: Y Cynghorydd Lyndon Jones MBE

### Aelodaeth:

Cynghorwyr: V M Evans, J A Hale, C A Holley, M H Jones, B J Rowlands, M Sykes  
a/ac T M White

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### Agenda

Rhif y Dudalen.

- 1 Ymddiheuriadau am absenoldeb.
- 2 Datgeliadau o fuddiannau personol a rhagfarnol.  
[www.swansea.gov.uk/disclosuresofinterests](http://www.swansea.gov.uk/disclosuresofinterests)
- 3 Y diweddaraf am sefyllfa bresennol Gweithio Rhanbarthol yng Nghymru
- 4 Adroddiad am ganfyddiadau'r ymchwiliad a'r themâu sy'n ymddangos 1 - 157  
Bydd y panel yn defnyddio'r adroddiad am ganfyddiadau'r ymchwiliad a'r themâu sy'n ymddangos fel sail i ddod â'i ymchwiliad i ben.  
Ysgrifennir adroddiad terfynol yn seiliedig ar y canfyddiadau a'r drafodaeth yn y cyfarfod hwn o'r panel.

Huw Evans

Pennaeth Gwasanaethau Democrataidd

Dydd Iau, 8 Mawrth 2018

Cyswllt: Michelle Roberts, Scrutiny Officer





## Report of the Convener of the Regional Working Scrutiny Panel – 15 March 2018

### **FINDINGS REPORT** **Regional Working Scrutiny Inquiry**

<b>Purpose</b>	The purpose of this report is to help the Panel to develop its conclusions and recommendations from the scrutiny inquiry into regional working.
<b>Content</b>	This report provides a summary of the evidence from the review. The report also includes some emerging themes for discussion by the Panel, which have been drawn up based on the evidence.
<b>Councillors are being asked to</b>	To consider these findings and discuss possible conclusions and recommendations.
<b>Lead Councillor(s)</b>	Councillor Lyndon Jones, Convener of the Panel
<b>Report Author</b>	Michelle Roberts, Scrutiny Officer

### **1. Introduction**

The Inquiry into Regional Working commenced on the 2 October 2017 and evidence has been gathered from a number of sources over the past 6 months. The Panel will now start the process of concluding their inquiry and agreeing recommendations that will be presented to Cabinet.

### **2. Findings and Emerging Conclusions**

This report highlights some of the key themes arising from the evidence gathered by the Panel and forms the basis for writing the final report.

The final report when written will answer this key question by using the findings from the inquiry to draw conclusions. The report will follow the evidence framework below, to be discussed, amended by the panel today.

The panel are asked to discuss their thoughts on these issues and anything that they wish to add so that the Scrutiny Officer can gather views? The Scrutiny Officer will then write the final report based upon this and by referencing it to the evidence gathered as detailed in the pack attached.

**Inquiry key question is:** *How can the Council, with its partners, develop and improve regional working for the benefit of Swansea and its residents?*

The Inquiry Panel conclusions answer this key question as follows:

**2.1 Providing clarity and simplifying the regional picture across Wales**

- The Regional footprint ...
- Recognising that this is not within Swansea alone's power...but current differing footprints and confusion, different partnerships having different footprints etc.
- Understand reasons for WG reform and why...
- Wales Government mandating regional working if councils don't do more...
- Welsh government and clarity around regional working...
- Pros and cons of mandating services to work regionally and Panels thoughts?

**2.2 Addressing the challenges to harmonisation that regional working will require**

- Joint regional working arrangements and cross over with existing partnerships like for example the PSB
- PSB - local vs regional for LA and for other partners...
- Harmonisation across current clusters and changing membership like for example Bridgend and Western Bay
- Welsh Government Directives that do not align with current regional working pictures.
- Decision making and the time consuming nature of decision being taken through each partner's decision making process, making change complex slow to implement.
- Key principles for effective joint working...detail what learnt
- Common language, systems and processes etc...

**2.3 Identifying and addressing the barriers to regional working on the ground for Swansea and its partnerships**

- Learning lessons from previous reorganisations, regional partnerships and attempts at shared services both in Swansea and elsewhere (including PSB experience)
- What is working well in existing partnerships and what needs to be improved?
- What the barriers are and whether these can be overcome or mitigated. For example disparity of Terms and Conditions, also different practices and cultures and different IT systems can be a major stumbling block), protectionism, developing common working process/standards that all adhere to.
- Identify specific barriers that can be overcome (prioritise and the suggest concentration on these...bite size chunks?)
- Learning points for regional working?
- Some governance structures can be onerous and slow to make decisions
- To what extent does protectionism frustrate regional collaboration
- Bridgend/Swansea experience and example of procurement in food waste (positive outcome but challenging process etc)

- Working across LA's and with Welsh Government especially when funding is involved can be a long drawn out and onerous process. Simplifying this would be of benefit to all. Recognising the need for due diligence.
- Include learning points found by panel...

#### 2.4 **Ensuring that regional partnerships have good Governance, challenge and scrutiny arrangements**

- Panels thoughts on range and level of scrutiny across partnerships?
- Welsh Government is increasingly directing funds via regional partnerships it is therefore important that we have robust governance arrangements (example Western Bay).
- What should regional scrutiny look like and how could it work in the new arrangements? What proposals can Swansea make with regards to scrutiny at a regional, sub-regional and local level?
- What are the current governance models and what are the advantages and disadvantages of the options available? ERW...Western Bay etc.
- ERW has formed Governance structure with associated informal scrutiny arrangement. Western Bay governance structure, currently no scrutiny (include reasons given), Swansea Bay City Deal governance structure in development it is envisaged that it will include a scrutiny arrangement.
- Ensure decisions and activities have a suitable amount of challenge? Must ensure that adequate governance arrangements are in place across regional partnerships which should include a scrutiny element for those larger partnerships. Recognising that local scrutiny is essential but also a scrutiny process for the wider regional aspect of a partnership...ERW example. Whether this should be more an informal like ERW arrangement or a more formal joint committee arrangement...views of panel?
- Ensuring code of conduct, equalities, welsh language and other policies are commonly accepted across the partnership.
- Thoughts? on a danger of democratic decisions being taken by more "remote" collaborations and does this undermine local democracy?
- Complexity and time consuming nature of decision making processes of Joint Committee partnerships...
- Formal partnerships and governance arrangement will give a partnership structure, prominence and a voice for a partnership (example of issues on no longer formal South West Wales Regional Transport Partnership).

#### 2.5 **Involving others like the third and private sector in regional collaborations**

- Ensure that we are including all those who need to be/should be involved...
- The Council is progressing with a co-production strategy with the help of WLGA and other partners. This will provide the opportunity for local citizens to influence how policies are written and services are developed across the whole council (relate to regional working?)

## 2.6 **Ultimately ensuring that regional working activities are having a positive impact for the residents of Swansea?**

- Local needs and context must be considered and included in the regional partnership priorities (as exemplified by ERW, WB). Differing priorities can be a risk (example ERW where majority of region is rural, urban issues could be given less priority...)
- Information on impacts evidenced...
- Panels views on this, based on evidence seen as part of this inquiry...?
- Benefits to regional working including:
  - Sharing of expertise good practice, ideas and innovation
  - Pooling of resources to enable greater capacity
  - Improved quality and common practices/procedures
  - Economies of scales in procurement
  - Sharing of information and business intelligence
  - In some cases joint planning and performance management of a service at a regional level
  - Joint management of major/high risk projects or programmes
  - Receiving training and development
  - Improved influence at national level
- Some of the challenges to regional working include:
  - Often meetings are in Llandrindod Wells, which involved significant travel for all partners. Use of new technology for some meeting
  - Staff time/councillor time
  - Diverse groups with different priorities and drivers can make decision-making / progress slow
  - Little formal financial contribution so may operate with existing stretched resources
  - Some groups meet rarely so it is difficult to drive a meaningful agenda

## 2.7 **Assessing what future resources are needed and ensuring that planning for the future is joined up across the region?**

- How are we planning for the future, assessing resources both direct financial and officer time? How much of this can be considered the day job and what is eating into officer time for other duties...this will only increase
- Financial aspects and future costs and possibly savings, regional working not just direct financial issue but a lot of officer time...assessing that and its value...
- Pleased to see outline picture of regional working for Swansea has been produced and would like to see this used by the Authority to monitor the ongoing picture and our commitments in this area
- Time saving elements considered like for example facilities for and use of modern technologies for meetings for example video conferencing, telephone conferencing etc.
- Regional partner thoughts on how developing in future...
- We will need to be more SMART about the partnerships with are involved in...are we getting value for the time spent.
- City deal projections, upskilling locally to meet needs and issue of

- European Funding and for example financing part of City Deal...
- Fulfilling requirements of Wellbeing and Future Generations Act...

### **3.0 Recommendation Areas?**

We recognise that some of the recommendations are within the Councils control and some will be suggestions for our representatives on partnerships to put forward or make the argument for.

- 3.1 **Addressing and mitigating barriers to regional working by...?**
- 3.2 **Harmonisation...learning from previous collaborations (including both positive and negative)?**
- 3.3 **Ensure all partnerships have an effective governance structure that has a suitable amount of elected member challenge built in?**
- 3.4 **Changing picture moving forward...ensure we continue to be head of the game by...?**
- 3.5 **Current picture being continually understood including finances and staff time being allocated...**
- 3.6 **Understanding what Swansea's regional partnerships are and there footprints remit...regional partnership page online with links...?**
- 3.7 **Be sure we are involved in those partnerships that are adding value for the residents of Swansea but assess our membership of those that are not adding value (prioritising staff time)? Be SMART about the partnerships with are involved in...are we getting value for the time spent...**
- 3.8 **Modern technology used for meetings to reduce travel time...for example skype, video conferencing...ensuring the right facilities are available?**
- 3.9 **Ensure that the third sector and private sector inclusion is considered when developing partnerships as appropriate?**
- 3.10 **Make representations to Welsh Government through partnership about streamlining and simplifying the business case and grant application process?**
- 3.11 **Should governance structure for Western Bay be revisited considering Joint Committee and associated scrutiny type model...?**
- 3.12 **?**
- 3.13 **?**

# **EVIDENCE PACK**

## **Regional Working Scrutiny Inquiry**

**SUMMARY:** This is the evidence pack for the Scrutiny Inquiry into Regional Working. It includes all of the evidence collected by the scrutiny councillors at meetings, through research and from submissions. The scrutiny councillors will present their conclusions and recommendations in a separate report based on this evidence.



# **Contents**

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- 4. Evidence session 1 – Financial Picture**
- 5. Evidence session 2 – Place Directorate**
- 6. Evidence session 3 – People/Education Directorate and PSB**
- 7. Evidence session 4 - Roundtable meeting with Partners, Place**
- 8. Evidence session 5 – Roundtable meeting with Partners, People**
- 9. Other documents and background information**

# 1. Introduction

This pack draws together, in one document, all of the published evidence for the Regional Working Scrutiny Inquiry.

Over the last 5 months a panel of scrutiny councillors have been looking at the Council's Regional Working. Specifically they have been looking to answer the following question:

***How can the Council, with its partners, develop and improve regional working for the benefit of Swansea and its residents?***

The Panel agreed to investigate the following aspects and these have each scrutiny session based on the following questioning strategies:

***The Swansea Picture:*** What is the regional picture as it affects Swansea currently? What are the proposals for the future? Where do we want to be?

***Financial Picture:*** What are we financially contributing too currently? How is this envisaged to change in the future?

***Regional Partners:*** The current relationship between Swansea and its regional partners? What are the barriers to improving this.

***Impact:*** What has been the impact for Swansea and its resident of regional working so far?

***Scrutiny:*** What scrutiny mechanisms on regional partnership governance arrangements?

***Legislation and Directives:*** What are the influences on regional on regional working by national and local directives/policy/legislation?

***Good Practice:*** Are there food examples of effective practice in regional working and how are we/partners using this to improve?

All of the papers for the inquiry have been published on the Scrutiny web pages.

Please direct any enquiries to [scrutiny@swansea.gov.uk](mailto:scrutiny@swansea.gov.uk)

The final report for the inquiry, including conclusions and recommendations, is expected to be published in April 2018.

## 2. Timetable of Work

When / Where	What / Who
<b>Pre Inquiry Working Group</b> 2 October 2017	<ul style="list-style-type: none"> <li>• <b>Overview/strategic picture</b> (Cabinet member and lead officer)</li> <li>• <b>The Corporate landscape</b> with regards to regional working / partnerships</li> <li>• <b>Agreeing the inquiry project plan:</b> discuss the key question, lines of inquiry, evidence gathering and work programme.</li> </ul>
<b>Background information to be sent to the panel throughout inquiry</b> <ul style="list-style-type: none"> <li>• Legislation and relevant directives/announcements</li> <li>• Good practice examples</li> </ul>	
<b>Evidence gathering phase</b>	
<b>Session 1</b> 30 Oct at 2pm	<ul style="list-style-type: none"> <li>• <b>Financial picture</b> of Swansea Councils part in regional working. (Details of what are we contributing to and how much)</li> </ul>
<b>Session 2</b> 13 Nov at 2pm	<ul style="list-style-type: none"> <li>• <b>Place Directorate</b> – Consider the picture of regional working/partnerships within this Directorate</li> </ul>
<b>Session 3</b> 26 Jan at 10.30am	<ul style="list-style-type: none"> <li>• <b>Education</b> (Nick Williams)</li> <li>• <b>Social Services</b> (Dave Howes)</li> <li>• <b>Public Service Board</b> (Chris Sivers)</li> </ul> Consider the picture of regional working/partnerships within these areas
<b>Session 4</b> 2 Feb at 10.30am	<ul style="list-style-type: none"> <li>• <b>Roundtable meeting 1</b> - with representatives from regional working partnerships including               <ul style="list-style-type: none"> <li>○ City Deal (Helen Morgan, Carmarthenshire Lead)</li> <li>○ Ben George, South West Wales Regional Transport</li> <li>○ Zak Shell, Waste Partnership (Bridgend)</li> </ul> </li> </ul>
<b>Session 5</b> 16 Feb at 10.30am	<ul style="list-style-type: none"> <li>• <b>Roundtable meeting 2</b> - with representatives from regional working partnerships including Western Bay and ERW               <ul style="list-style-type: none"> <li>○ Sara Harvey (Programme Director Western Bay)</li> <li>○ Betsan O'Connor (Managing Director ERW)</li> </ul> </li> </ul>
<b>Session 6</b> 15 Mar at 11.00am	<ul style="list-style-type: none"> <li>• <b>Update on latest position with Regional Working</b> (Leader and Chief Executive)</li> <li>• <b>Findings report</b>              Panel consider evidence gathered and discuss emerging themes, conclusions and recommendations arising from the inquiry.</li> </ul>
<b>Finalising Inquiry phase</b>	
<b>Session 7</b> Mar/Apr 2018 TBA	<ul style="list-style-type: none"> <li>• Discuss Final report</li> </ul>

### **3. Pre Inquiry Briefing on 2 October 2017**



City and County of Swansea

## Notes of the **Scrutiny Inquiry Panel – Regional Working**

Committee Room 4, Guildhall, Swansea

Monday, 2 October 2017 at 4.00 pm

**Present:** Councillor L R Jones (Chair) Presided

**Councillor(s)**

J A Hale  
B J Rowlands

**Councillor(s)**

C A Holley  
R C Stewart

**Councillor(s)**

M H Jones  
T M White

**Officer(s)**

Phil Roberts  
Sarah Caulkin  
Michelle Roberts

Chief Executive  
Director Resources  
Scrutiny Officer

**Apologies for Absence**

Councillor(s): M Sykes

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**1 Disclosure of Personal and Prejudicial Interests.**

Cllr Joe Hale and Cllr Mary Jones declared a personal interest for Regional Working Overview.

**2 Overview of Regional Working Report and Q&A**

Cllr Rob Stewart (Leader), Phil Roberts (Chief Executive) and Sarah Caulkin (Director Resources) attended the panel and presented [an overview of Regional Working](#) in order to inform and support this Inquiry. The following points were noted:

- Why do we need to reform was discussed including: austerity and affordability of council services, there is currently a confusing pattern of footprints, limitations on collaboration and importantly ensuring the focus is on citizen outcomes.
- Significant change is underway at a Regional level following the announcements and subsequent Welsh Government meeting around Local government Reform (LGR) in Wales. The Welsh Government set out its proposal for mandatory regional working and Joint Governance Committees (JGC) emerging from the White Paper Consultation process:
- The mandated service areas for Regional Working include:
  - Economic development
  - Transport
  - Strategic land use planning and building control
  - Social Services
  - Education improvement and additional learning needs

- Public protection
- JGCs would be responsible for the effective planning and delivery of these. There will be two types of JGCs: Governance and Service. Governance JGC for each region will be made up of elected members. They will be decision making bodies with consistent levels of delegation from each LA. New legislation will set out their duties and powers.
- Existing partnership structures will be maintained within the new framework and will co-exist.
- It is proposed that there are three large regions
  - North Wales, Mid and West Wales and South East Wales.
  - Swansea would be part of Mid and West Wales along with Powys, Ceredigion, Pembrokeshire, Carmarthenshire and Neath Port Talbot.
- There is likely to be many service JGCs under these proposals on both regional and sub-regional footprints. These will oversee planning, budgeting, funding etc. The panel did have concerns about the potential of another layer of bureaucracy.
- The panel were informed that there is a move away from merger to more of a framework model.
- The panel highlighted the need to consider Scrutiny arrangements within these partnership models as this remains unclear at present.
- A summary of Swansea council's responses to the White Paper was attached to the report for awareness and information.
- A review of the current partnerships highlights that the council is currently involved in around 100 partnership/collaboration areas but the big three are: ERW, the City Region and Western Bay.
- Excluding the big three the Council also makes an annual cash contribution of around £150,000 to partnerships. Council Officer time equates to just under 600 days per year (excluding those posts that are specifically grant funded for regional work)
- The Panel agreed that it is important to understand what is working well in current arrangements, what needs improvement and what collaborations add no value. The panel plan to consider this when speaking to officers and partners throughout this inquiry,
- The key benefits and disadvantages to collaborative working were discussed including:
  - *Benefits include:* sharing of good practice, ideas and innovation; pooling of resources to enable greater capacity; sharing of information and business intelligence; joint planning and performance management at regional level; joint management of major/high risk project/s; training and development and networking opportunities.
  - *Disadvantages* can include: often meeting are in Llandrindod Wells, which involves significant travel for all partners. The Panel agreed that better use of new and remote working technology needed; staff time; diverse groups with different priorities and drivers can make decision making and progress slow; little formal financial contribution so may operate on existing stretched resources; some groups meet rarely so it is difficult to drive a meaningful agenda.
- Firm arrangement for scrutiny have not been discussed yet, however the White Paper summary highlighted that the JGC approach should be coupled with a joint regional scrutiny committee. Work should not be duplicated between

regional and local authority scrutiny committees and one authority should be the lead for an individual scrutiny committee.

- It was also suggested that scrutiny function should be based upon good practice at a regional and national level. Local elected members must have a voice and be able to hold regional bodies to account on behalf of local citizens. There is also suggestion of public and stakeholder groups being part of the scrutiny process.
- Issues around harmonisation were highlighted for example: the co-existence of JGCs and Public Service Boards; harmonisation across different regional clusters that are already in place like City Regions.
- There is a risk that Welsh Government may introduce a framework which is either not aligned to or has detrimental effect on those current partnerships which are proving highly beneficial. The Panel heard that the WLGA is urging Welsh Government to work with local authorities to review current arrangements and make improvement where needed; review current binding agreements between councils; consider regional variations and not take 'one size fits all' approach; consider regional framework agreements early in the process before everything is formalised.
- There is also a risk the regional decisions will require LA decision making process which could take time and making change slow to implement.
- The panel agreed that we must learn lessons from experience including local government reorganisations and attempts at shared services, for example:
  - The need to have a guiding coalition and shared vision.
  - The Council and partners need to be able to commit time and resources to progress ideas
  - Need for clear leadership, time, priority and focus
  - Need to harmonise training and skills of staff
  - Need to harmonise terms and conditions and other workforce related policies as they vary significantly and this takes time
  - Harmonisation between different teams working together as culture in different organisations can be very different

### **3 Discuss and Plan Scrutiny Inquiry into Regional Working**

The following was agreed:

- a) A set of dates for the agreed work programme
- b) Scrutiny activities as per the circulated draft work programme
- c) To publish a 'call for evidence' blog and send via twitter
- d) Scrutiny Team to complete some desk based research looking at the different mechanisms of scrutiny used in various partnerships
- e) That next meeting will take place on 30 October and will look at the financial picture in relation to regional working

The meeting ended at 5.00 pm



## Scrutiny Inquiry into Regional Partnership Working

### Pre-Inquiry Planning 2<sup>nd</sup> October 2017

#### **1.0 Purpose of this Report**

- 1.1 This report aims to inform and support the Scrutiny Inquiry into Partnership Working, which starts with a pre-inquiry planning session on the 2 October 2017. Emerging questions have been included at section 6.0 to inform the planning session.
- 1.2 Analysis has been undertaken of current collaborations to inform the inquiry, which is in section 3.0 of the report.
- 1.3 Significant change is underway at Regional level following the announcements and subsequent Welsh Government meetings around Local Government Reform (LGR) in Wales. These ideas are still changing and developing however, current thinking is included in section 4.0.

#### **2.0 The Council's Previously Agreed response to the White Paper**

- 2.1 A reminder on the background and context: The previous Welsh Government's reform proposals were contained in the 'Draft Local Government (Wales) Bill' published for consultation in November 2015. There was a greater focus on mandatory mergers of local authorities in these early reform proposals, which were subsequently softened to voluntary mergers, then finally dropped in favour of greater regional frameworks. One area that has maintained support throughout - starting from the early draft Bill - includes the General Power of Competence. On the wider issue of powers for local government, according to a subsequent White Paper<sup>1</sup>, the Welsh Government would be "prepared to consider the appropriateness of further devolution of powers".

A White Paper<sup>2</sup> was issued for consultation by Mark Drakeford, the Cabinet Secretary for Finance and Local Government, on the 31 January 2017. This consultation exercise closed in April 2017 and sought views on:

- Regional Working
- Voluntary Mergers
- A Framework for Local Leadership
- Leading Localities
- Community Councils

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<sup>1</sup> Welsh Government's White Paper: Reforming Local Government, Power to Local People, Welsh Government, February 2015

<sup>2</sup> Reforming Local Government: Resilient and Renewed, July 2017



- Elections and Voting

2.2 Appendix A provides a summary list of the key points agreed by Council for the consultation response. Areas that are now proposed by Welsh Government but were not fully supported by the Council in the response include the following:

- A mandatory framework for financing JGC expenditure
- Regional Land Use Planning
- Regional Building Control
- Regional licensing, specifically Taxi licensing, street trading, entertainment and sex establishments
- Management and development of Housing stock.

Areas of the Swansea response where the impact of future arrangements are still unclear include:

- Scrutiny arrangements
- Impact on capital and revenue budgets of Local Authorities
- Capital and asset ownership
- Public Services Boards.

2.3 The Cabinet Secretary for Finance and Local Government made a statement on the way forward on 18 July 2017. A further consultation document on 'Local Government Electoral Reform' was published on 18 July. On 27 June 2017, the First Minister announced that a Local Government Bill, to give effect to the Welsh Government's proposals, would be included in the legislative programme for the second year of the current National Assembly term.

### 3.0 Current Regional Partnerships

3.1 A review of current partnerships highlights:

- The Council is currently involved in around **one hundred partnership / collaboration areas**. The 'big three' being ERW, City Region, and Western Bay
- Excluding the major contributions to ERW, the City Region, and Western Bay, the Council also makes an **annual cash contribution of around £150,000** to partnerships
- **Swansea Council Officer time on partnerships equates to just under 600 days per year**. This excludes those posts which are specifically grant funded for regional work in order to understand Swansea Council's commitment
- **A need to understand what is working well in the current arrangements, what needs improvement and which collaborations add no value.**

3.2 The key benefits / disadvantages of partnership / collaborative working include:

- Benefits:
  - Sharing of good practice, ideas and innovation
  - Pooling of resources to enable greater capacity
  - Sharing of information and business intelligence

- In some cases joint planning and performance management of a service at a regional level
- Joint management of a major / high risk project or programme
- Receiving training and development
- Networking opportunities.
- Disadvantages:
  - Often meetings are in Llandrindod Wells, which involves significant travel for all partners. Use of new technology for some meetings would help
  - Staff time
  - Diverse groups with different priorities and drivers can make decision-making / progress slow
  - Little formal financial contribution so may operate with existing stretched resources
  - Some groups meet rarely so it is difficult to drive a meaningful agenda.

#### **4.0 Headlines of the New LGR proposals**

A meeting of the Welsh Government Local Government Reform Task and Finish Group was held w/c 11 September 2017, attended by the Chief Executive. This is made up of officials from Welsh Government and senior officers from local government, chaired by Jack Straw. The Welsh Government set out its proposals for mandatory regional working and Joint Governance Committees (JGC) emerging from the White Paper consultation process.

##### **4.1 Mandated Service Areas for Regional Working include:**

- Economic Development
- Transport
- Strategic land use planning and building control
- Social Services
- Education improvement and Additional learning Needs
- Public protection

##### **4.2 Joint Governance Committees and Accountability**

- JGCs would be responsible for the effective planning and delivery of the regional services listed above, at both regional and sub-regional level
- There would be two types of JGC: Governance and Service
- It is proposed there are three large regions: North Wales, Mid and West Wales, and South East Wales. Swansea would be part of Mid and West Wales with Powys, Ceredigion, Pembrokeshire, Carmarthenshire and Neath Port Talbot
- There will be a governance JGC for each region made up of elected Members. They will be decision-making bodies, with consistent levels of delegation from each Local Authority. New legislation will set out their duties and powers
- Existing local partnership clusters will be recognised and maintained within the new framework and will co-exist

- There are likely to be many service JGCs under these proposals on both regional and sub-regional footprints. These will oversee planning, budgeting, funding and any other specific function deemed appropriate.

#### 4.3 The Arrangement for Scrutiny

Firm proposals around scrutiny arrangements have not been discussed yet by the Task and Finish Group. However, the White Paper summary of response<sup>3</sup> highlighted the JGC approach should be coupled with a joint regional scrutiny committee. Work should not be duplicated between regional and local authority scrutiny committees and one authority should be the lead for an individual scrutiny committee.

It was also suggested that scrutiny functions should be based on good practice at regional and national level, but with the ability to deliver local accountability on key issues. Locally elected Members must have a voice and be able to hold regional bodies to account on behalf of local citizens. There was also the suggestion of public and stakeholder groups being part of the scrutiny process, in order to represent citizens and properly scrutinise decisions and direction at regional level.

#### 4.4 Challenges of Harmonisation

- The co-existence of JGCs and Public Services Board will need analysis to ensure there is consistency and alignment
- Harmonisation will be important across the different regional clusters already in place, e.g. City Region
- There is a risk that Welsh Government may introduce a new framework which is either not aligned to, or has a detrimental effect on those current partnerships which are proving highly beneficial. WLGA is urging Welsh Government to:
  - Work with Local Authorities to review current arrangements, making improvements where needed
  - Review current binding agreements between Councils, as additional legislation may be unnecessary
  - Consider regional variations and not take a 'one size fits all' approach
  - Consider regional framework agreements early in the process before everything is formalised.
- There is also a risk that regional decisions will need to be taken through each Local Authorities' decision-making process which could take time and make change slow to implement.

#### 5.0 **Lessons Learned from Previous Local Government Re-organisations / Regional Partnerships and attempts at Shared Services**

- Without a guiding coalition and shared vision it has been difficult to progress conversations quickly, leading to ideas often losing momentum and fading away. The Political priorities of each organisation are often different or not closely aligned

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<sup>3</sup> White Paper – Summary of Response, Reforming Local Government: Resilient and Renewed, July 2017

- Often other partners have been unable to commit time and resources so ideas have not progressed
- Service integration is complex and needs clear leadership, time, priority and focus which has not always been possible from all partners in the past, again leading to ideas dropping off the priority list
- Where services have come together the training and skills of staff have needed harmonisation
- Equally terms and conditions and other workforce related policies vary significantly, so harmonisation takes time
- The culture of each organisation is also very different, so harmonisation between different teams can take time and requires deliberate focus.

## **6.0 Questions**

Two questions which have been consistently raised during development of this report relate to the following two areas of partnership working, and which the inquiry might want to consider during the pre-inquiry planning meeting:

- What is working well in the existing partnerships and what needs improvement as we move forward? Which collaborations add no value?
- What would regional scrutiny look like and how will it work in the new regional arrangements? What proposals can Swansea make with regards to scrutiny at a regional, sub-regional and local level?



## **Appendix B: Summary of Swansea Council's Responses to the White Paper**

### **Operational boundaries for regional working**

Each of the models brings its own complexities. It is the view of the Council that where regional working is proposed it is undertaken across the Economic 'City Deal' region, regardless of the activity.

### **Proposed Governance Arrangements for Regional Working**

In terms of proposed governance arrangements, it is the opinion of this Council that:

- A Joint Governance Committee (JGC) would appear to be the most appropriate model for governance of regional arrangements
- Any proposals must include provision for adequate scrutiny of JGC decision making
- Financial arrangements should not include the ability for direct precept of individual Councils effectively pre-deciding democratic resource allocation.
- We would not support a mandatory framework for financing JGC expenditure
- Welsh Government should consider the implications on Regional working on the Capital as well as revenue budgets of LA's.

The Council is of the opinion that delegation of these powers on a regional basis should only be undertaken where the scale and impact of the proposals is best delivered at a regional level – it should not, for example, include lower level activities such as the management and development of managed workshops to support local business within a specific locality.

It is also of the opinion that there is no justification for extending regional working beyond the current agreed City deal region.

Whilst the Council recognises the potential benefits of regional transport planning inevitably it imparts a level of complexity between National transport infrastructure (e.g. electrification of main line trains), regional infrastructure and local infrastructure.

The Council also recognises the difficulty in devolving any elements of Capital expenditure on a regional basis due to the impact on individual LA's and the question of ultimate asset ownership.

In respect of Land Use Planning and Building Control whilst the Council again recognises the potential benefits from regional working it is clear that, once again, regionalisation may well introduce an added level of complexity, with planning matters potentially being decided at more than five levels from National Government down to Community level.

The Council is not convinced that Building Control needs to be provided on a regional basis.

The Council recognises the fact that Regional working in line with the Swansea Bay City deal region does not conform with Health boundaries but that is closely tied up with significant decision to be made regarding regional working for Bridgend County Borough Council.

The Council acknowledges the potential for the ongoing regional agenda for Education Improvement and ALN services

This Council does not believe that matters relating to licensing, specifically relating to Taxi licensing, street trading, entertainment and sex establishments should be undertaken other than on an individual LA basis.

The Council understands the potential for regional collaboration on Housing Policy matters but believes strongly that for those LA's who retain Housing stock then matters relating to the management and development of LA Housing stock should remain a local issue.

It is clear that the statutory reporting requirements of LA's, the legal framework in which they operate, the existence of different pay and grading models and differing terms and conditions are such that this Council would not support the transfer of support requirements to the NHS shared services arrangement.

The Council would support further exploration of regional support services but at recognition of the potential significant transition risk both financially and operationally that could arise from the adoption of consistent systems and processes and would seek assistance in mitigating those costs.

### **Other Issues Highlighted**

The Council is of the opinion that wherever possible the footprint of the PSB's should follow that suggested for regional collaboration.

The Council recognises this possibility but considers that it is unlikely that there will be support for such mergers at the current time.

This Council would not support a return to the Committee system and believes there should be one model of operation across all LA's in Wales.

This Council does not support at this time the concept of regional statutory officers which would have to be carefully considered in the light of current statutory obligations, potential conflict of interest and workload constraints.

Most of these issues are a matter for political level debate and response but the Council would urge the Welsh Government to take forward changes to the elections and voting arrangements with caution as it is crucial that the electorate maintain full confidence in the democratic process.

There is a proposal in the white paper to phase out Returning Officer Fees for Welsh Elections. The Chief Executive has a pecuniary interest in this matter and, as the main author of this report, offers no views on the matter (and he will be declaring an interest at the Council meeting).

# Regional Working Pre Inquiry Working Group

2<sup>nd</sup> October 2017



“There is nothing more dangerous on a battlefield than a general with a map”.





## Background

- Why reform?
- Emerging proposals
  - Boundaries
  - Governance
- Possible issues for scrutiny



## Why reform?

- Austerity and affordability
- A confusing pattern of footprints
- Limitations on collaboration
- Focus on citizen outcomes

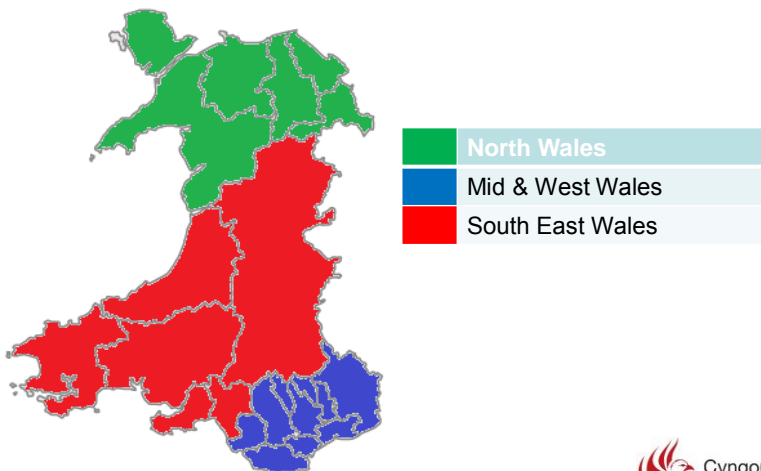


## What do the proposals mean for governance?

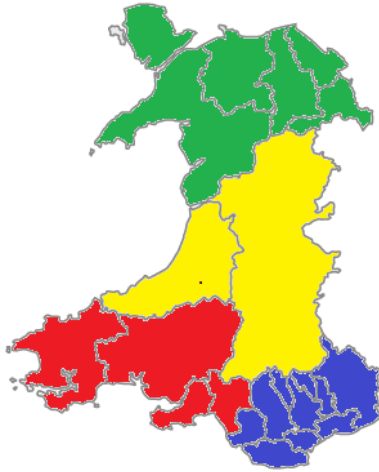
- For the first time all local government and health services are on a common footprint in three regions
- Each of the three regions would form a Joint Governance Committee (JGC)
- The JGC would determine how services would be delivered in the region with some “mandation”.
- This can differ between regions
- Joint Service Committees would then be formed for the different functions
  - Health & Social Care
  - School improvement
  - Economic Development, transport, planning







## Boundaries ; joint governance committees



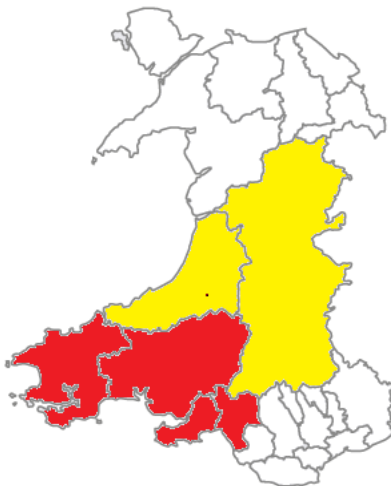
## Boundaries – Economic Development, Transport & Planning



	North Wales Ambition Board
	Cardiff Capital City Region
	Swansea Bay City Region
	Growing Mid Wales Partnership



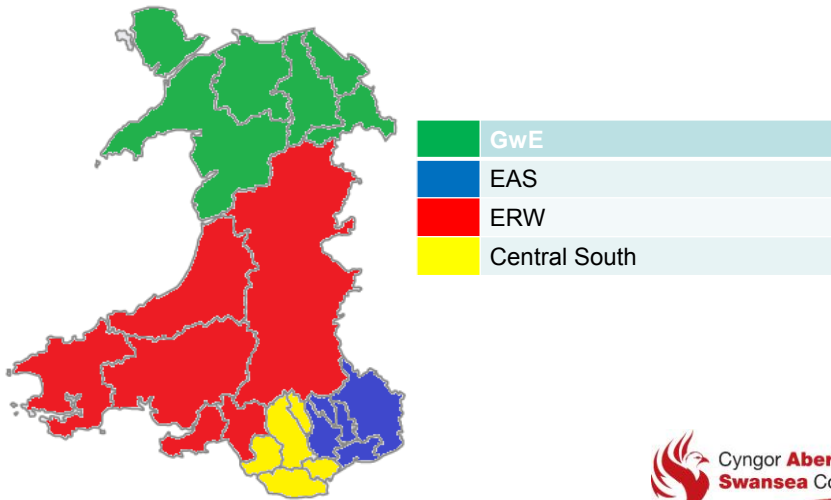
## Boundaries – Economic Development, Transport & Planning



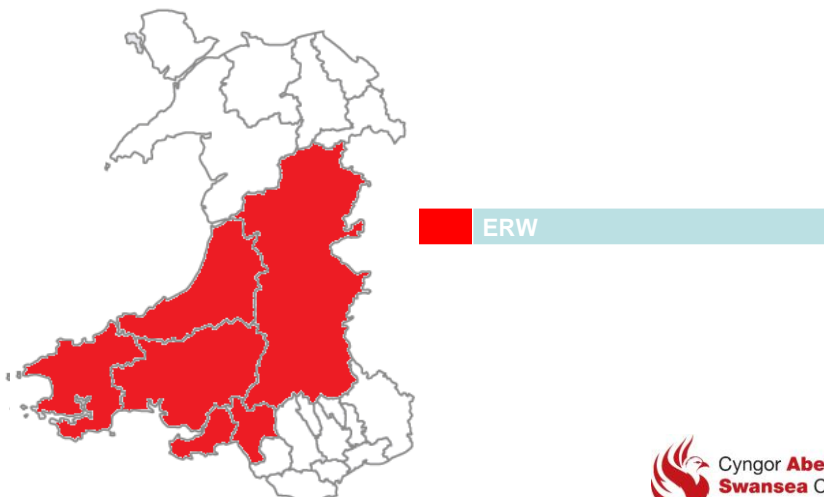
	Swansea Bay City Region
	Growing Mid Wales Partnership



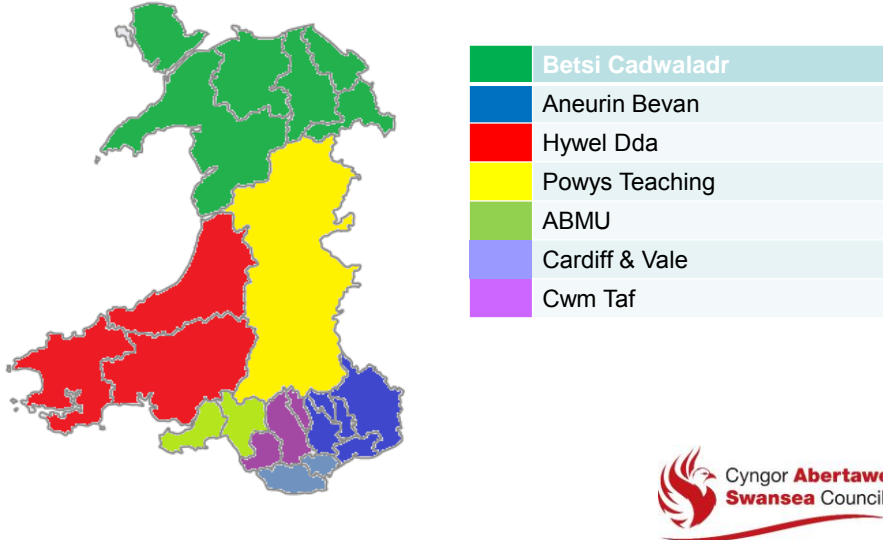
## Boundaries ; school improvement consortia



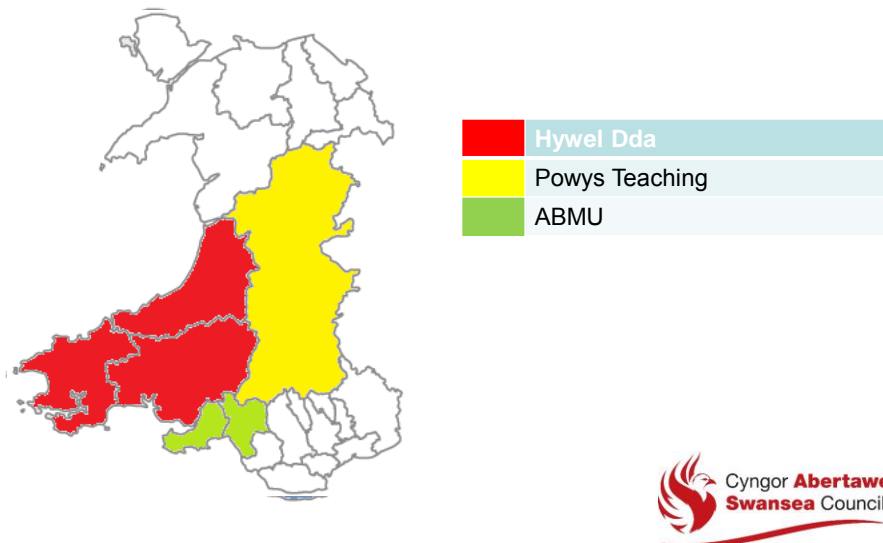
## Boundaries ; school improvement consortia



## Boundaries ; local health boards (post ABMU boundary change)



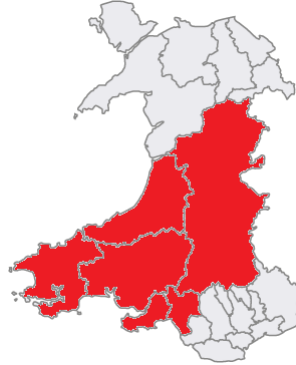
## Boundaries ; local health boards (post ABMU boundary change)



## What does this mean for us?

- **Mid & West Wales Region**

- Health & Social Care
  - 3 current health boards ;
    - Hywel Dda
    - ABMU
    - Powys
- School improvement
  - 1 school improvement consortium
- Economic Development
  - 2 economic development boards
    - Swansea Bay City Region
    - Growing Mid Wales Partnership



## Possible issues for scrutiny

- To what extent do these proposals match the Council's agreed position on LG reform?
- Regional Planning or Service Delivery?
- How will scrutiny operate on a regional basis?
- How will local councillors be involved in regional planning?
- Is another layer of governance really necessary?



## **4. Session 1 on 30 October 17 Financial Picture**



City and County of Swansea

## Notes of the **Scrutiny Inquiry Panel – Regional Working**

Committee Room 4, Guildhall, Swansea

Monday, 30 October 2017 at 2.00 pm

**Present:** Councillor L R Jones (Chair) Presided

**Councillor(s)**  
C A Holley

**Councillor(s)**  
B J Rowlands

**Councillor(s)**  
T M White

**Officer(s)**  
Geoff Dong  
Michelle Roberts

Chief Treasury and Technical Officer  
Scrutiny Officer

### **Apologies for Absence**

Councillor(s): J A Hale and M H Jones

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#### **4 Disclosure of Personal and Prejudicial Interests.**

None

#### **5 Notes from previous meeting on 2 October 2017**

The notes from the previous meeting were received.

#### **6 Regional Working: The Financial Picture**

Geoff Dong, Chief Treasury and Technical Officer attend to present the report and answer questions. The following points covering the financial aspects of the three larger partnerships and the smaller examples of regional working across the Council were discussed:

##### **City Deal**

- The City Deal is in the development stages of practical formation and detailed agreement even though the head of agreement has not yet been signed between Government and the local partners. So there is not a level of detail yet to confirm and clarify the final position for Swansea individually. There is a Joint Working Agreement Panel and Swansea's financial representative is the Section 151 Officer. There is no formal agreement currently but recent good progress had been made and it is anticipated all local partner councils will take reports to their respective Cabinets in November.
- The overall financial position as it stands currently is detailed in the [report](#) however the exact amount has not yet been confirmed. At the moment the only cash contribution Swansea makes is an annual payment of £50,000 and seven



other authorities have agreed to make identical payments. For each project that this put forward a full business will need to be made. The panel recognise that over and above this the senior officer and member time is also significant.

- The panel recognise the difficulty in giving a definitive timescale in the context that the drawdown time for capital is over 50 years.

### **Western Bay**

- Western Bay is currently a partnership between Bridgend, Neath Port Talbot, Swansea and the ABMU Health Board. The primary purpose is to provide a strategic mechanism for co-ordinating a programme of change through a number of projects that have been identified as of common concern.
- Swansea's contribution currently is £223,000 per annum for administration of the project. The total cost of administration is £1.5m. Although Swansea bears this cost, the funding has ultimately been provided by Welsh Government.
- For Adoptions, Swansea leads on this service and each of the three local authorities contribute £949,000 each.
- For Youth Offending Service Swansea's core element is £743,500, with grant also being received for £791,600, so the total spend for Swansea is £1.535m
- These are classed as spend on services rather than on Western Bay. There are further services benefitting from Western Bay Partnership. *The Panel agreed to look into Western Bay projects in much more depth when they speak to the Chief Social Services Officer in January including getting a breakdown of the spend mentioned.*

### **Education Through Regional Working (ERW)**

- ERW is a partnership of 6 local authorities: Swansea, Neath Port Talbot, Powys, Ceredigion, Carmarthenshire, and Pembrokeshire Councils.
- For 2016/17 the total spend of the group came to £68.3m, £68.1 of which was grant funded (mainly by Welsh Government). Of the £68.5 spend £68.3 was passported directly to individual authorities.
- In 2016/17 Swansea received £17.9m, and this includes the Pupil Deprivation Grant. In addition to this each authority is required to ring-fence a level of financial contribution to the regional provision. In Swansea this is currently £1.3m in core education budgets but almost all is still Swansea spending on Swansea staff supporting Swansea schools directly.
- Swansea's contribution to the ERW central Team is £68,750 and this is based on percentage of pupil numbers.
- The Panel will look in more detail at ERW and other education partnerships when they meet with the Chief Education Officer on 1 Dec. *The panel have also asked the scrutiny officer to provide the panel with, ERW statement of accounts, the governance framework including scrutiny arrangements, for their pre meeting.*

### **Smaller Partnerships**

- Swansea has a number of smaller regional working partnerships. There is estimated to be around 100, the report supplied details those where a direct financial contribution is made. Two of these which have significant contributions include WLGA (£123,745) and the Joint Archives Service (£183,900). The total contribution to smaller partnerships at present is £329,010.

*The Panel recognise that there is a significant officer time implication in regional working. The panel would like to find out if there has been an assessment of the financial cost of officer time spent on regional working activities. Scrutiny Officer will email the Chief Transformation Officer for more information on this.*

*Councillor also wanted to find out if and how regional working partnership financial arrangements are audited. The scrutiny officer will email the Chief Finance Officer for further information.*

## **7 Project Plan Work Programme**

The next meeting will take place on Monday 13 November where the panel will look at regional working within the Place Directorate.

The meeting ended at 2.50 pm

**Chair**

## Roberts, Michelle

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**Subject:** FW: Regional Working Scrutiny Inquiry

**From:** Smith, Ben  
**Sent:** 08 November 2017 20:31  
**To:** Roberts, Michelle; Caulkin, Sarah  
**Cc:** Jones, Lyndon (Councillor)  
**Subject:** RE: Regional Working Scrutiny Inquiry

My understanding is that

1. There is no systemic recording of officer time on regional working as we don't keep timesheets for projects, and to some extent we just accept the regional agenda as part of the "local job". The legal section used to do such work based assignment timing. Anecdotally the work is clearly growing and I know for example this week I have had as a sample in my own diary including some basic travelling time

Half day Regional Treasurers (Carmarthen)  
Half day City Deal (Carmarthen)  
Half day Wales Pension Partnership (Carmarthen)  
Half day Pension fund pooling (Cardiff)  
Half day Western Bay (Bridgend -now by Skype)

This is an extreme week but pertinent. Some officers could be spending routinely 10% and often up to 20% of each week on regional/national work. I typically am overbooked so can only cover 2/3 of meetings but try to send deputies.

2. Audit arrangements vary, by way of example

Western Bay 3 authorities - - I understand pooling stuff is audited at each local authority by each external auditor as part of each Council audit grant claims but that Swansea is the lead partner and host for finance so we get an extra look at

ERW 6 authorities – internal certification by each constituent authority's internal auditors. External audit and published accounts by external auditors of host authority, Pembrokeshire. Own scrutiny function.

City Deal 4 authorities – shadow form only - but will plan to have arrangements that involve similar arrangements to ERW – albeit with external auditors to Carmarthenshire as lead (same external audit team as Swansea). Will have own scrutiny function .

Swansea Bay Port Health Authority 4 riparian authorities – internal audit provided by Swansea – external audit by our external auditors as we host but formally the audit is to the SBPHA itself as separate legal entity

Regards

Ben



**Ben Smith**  
Pennaeth y Gwasanaethau Ariannol a'r Ganolfan Gwasanaethau  
Swyddog Adran 151  
Head of Financial Services & Service Centre  
S151 Officer

☎ 01792 636409 | 07887 055344





## Report of the Head of Financial Services and the Service Centre

Scrutiny Inquiry Panel – Regional Working – 30<sup>th</sup> October 2017

### Financial Overview on Regional Working

Purpose:	The report presents a summary of the regional working financial arrangements involving Swansea Council
Report Author:	Ben Smith
Finance Officer:	Ben Smith
Legal Officer:	Tracey Meredith
Access to Services Officer:	Sherill Hopkins

#### For Information

### 1. Background

- 1.1 The Scrutiny Inquiry Panel – Regional Working met on 2<sup>nd</sup> October and agreed the work programme. This included receiving an overview of the financial picture of Swansea Council's part in regional working.
- 1.2 This report summarises the financial position for the three larger regional partnerships and outlines the smaller examples of regional working.

### 2. The City Deal

- 2.1 The City Deal is in the development stages of practical formation and detailed agreement, notwithstanding the mains heads of agreement being signed between government and local partners, and as such there isn't a level of detail yet agreed that confirms and clarifies the final position for Swansea individually.
- 2.2 There is a Joint Working Agreement Panel for Finance and Legal, Swansea's financial representative is the Section 151 Officer. No final formal agreement has been reached yet but recent good progress is

accelerating rapidly and it is anticipated all local partner councils will take reports back to their respective Cabinets, probably in November.

- 2.3 The overall financial position for the City Deal is shown in the following table, Swansea's contribution will form part of the Public contribution, however the exact amount hasn't yet been confirmed (no detailed grant offer made with extant terms and conditions).

PROJECT NAME	Private £m	Public £m	Revenue £m	Gov £m	Total Project £m
<b>Internet of Economic Acceleration</b>					
Digital Infrastructure	£ 30.0	£ -	£ -	£ 25.0	£ 55.0
Skills & Talent Initiative	£ 4.0	£ 16.0	£ -	£ 10.0	£ 30.0
Swansea City & Waterfront Digital District	£ 61.4	£ 56.8	£ -	£ 50.0	£ 168.2
Centre of Excellence of Next Gen Digital Services (CENGS) & technology Centre	£ 22.0	£ 5.5	£ 5.0	£ 23.0	£ 55.5
Yr Egin	£ 3.0	£ 16.3	£ -	£ 5.0	£ 24.3
<b>Internet of Life Science, Health &amp; Wellbeing</b>					
Life Science & Wellbeing Campus Network	£ 10.0	£ 20.0	£ -	£ 15.0	£ 45.0
Life Science & Wellbeing Village	£ 127.5	£ 32.0	£ -	£ 40.0	£ 199.5
<b>Internet of Energy</b>					
Homes and Power Stations	£ 382.9	£ 119.2	£ -	£ 15.0	£ 517.1
Pembroke Dock Marine	£ 24.2	£ 24.1	£ -	£ 28.0	£ 76.3
<b>Smart Manufacturing</b>					
Active Factory of the Future	£ 3.0	£ 10.5	£ -	£ 10.0	£ 23.5
Street Science Centre	£ -	£ 60.0	£ -	£ 20.0	£ 80.0
	£ 668.0	£ 360.4	£ 5.0	£ 241.0	£ 1,274.4

- 2.4 As an example, as part of the Swansea City & Waterfront Digital District it is anticipated that Swansea Council will receive approximately £35m of the £50m Governments contribution for this project.

- 2.5 At the moment, the only cash contribution Swansea makes is an annual payment of £50,000 to Carmarthenshire County Council as the host/accountable body on behalf of the Joint Governance Committee. Seven other partners agreed to make identical cash contributions.

- 2.6 Senior officer and Member time involvement has been and will remain significant.

### 3. Western Bay

- 3.1 Western Bay is a partnership between the Local Authorities of Swansea Council, Bridgend County Borough Council and Neath Port Talbot County Borough Council together with the ABMU Health Board.

- 3.2 The primary purpose of the partnership is to provide a strategic mechanism for co-ordinating a programme of change in a suite of projects that partners have identified as a common concern.

- 3.3 There is an annual to Swansea Council of £223,000 for the administration of the partnership. The total cost of the administration is

£1.5m per annum. This is mostly funded by Integrated Care Fund grant of £1.3m, with the residual cost of £223,000 being funded by Swansea. It should be noted however that this residual cost was previously funded by a Welsh Government Delivering Transformation grant, which was transferred into Swansea's block grant in 2017/18. So although Swansea now bears this cost, the funding has been ultimately provided by Welsh Government.

- 3.4 This partnership enables regional working on areas of common concern such as Adoptions and Youth Offending Services.
- 3.5 For Adoptions, Swansea leads on this service and each of the three local authorities contribute an equal amount of £949,000 per annum.
- 3.6 Bridgend is the lead on the Youth Offending Service, and the funding arrangements for this are slightly more complicated as this is partly core funded and partly grant funded. Swansea's core element is £743,500 per annum, with grant being received of £791,600, so total spend of £1.535m per annum.
- 3.7 This is classed as spend on Services, rather than spend on Western Bay. Further information on other Services benefitting from the Western Bay partnership can be provided if required.

#### **4. Education through Regional Working (ERW)**

- 4.1 ERW is a partnership of 6 local authorities including Swansea. For 2016/17 the total spend of the group came to £68.3m, £68.1m of which was grant funded (mainly by the Welsh Government).
- 4.2 Of the £68.3m spend, £63.5m of this was passported directly to the individual authorities. In 2016/17 Swansea received £17.9m, and this includes the Pupil Deprivation Grant – which is paid directly to schools, and the Education Improvement Grant.
- 4.3 In addition to this, each authority is required to ring-fence a level of financial contribution to the regional provision – in Swansea's case this currently amounts to £1.3m in core education budgets but almost all is still Swansea spending on Swansea staff supporting Swansea schools directly. From this total, Swansea contributed a total of £68,750 towards the cost of the central team. Each Authority's contributions are based on percentage of pupil numbers.

#### **5. Smaller Partnerships**

- 5.1 Swansea has a number of smaller regional working arrangements. The total of these is estimated to be around 100, the ones where a direct cash contribution is made each year are listed at Appendix A, but there are far more where the arrangement is for officer time only.

- 5.2 Although listed as smaller partnerships, there are two with significant financial contributions by Swansea – the first is the WLGA and the second is the Joint Archives Service.

#### **4. Equality and Engagement Implications**

- 4.1 There are no Equality and Engagement Implications associated with this report.

#### **5. Legal Implications**

- 5.1 There are no legal implications associated with this report, although there are varying legal arrangements in place across the different regional partnerships.

#### **6. Financial Implications**

- 6.1 There are no financial implications associated with this report.

### **For Information**

**Background papers:** *(Either use the word 'none' or list all the Background papers).*

**Appendices:** Appendix A – List of Smaller Partnerships



List of Smaller Partnerships			
Name of Regional Group / Working	Staff Time (Days per year)	Cash Contribution (£)	Comments
<b>Audit of Regional Working - Corporate Resources Directorate</b>			
Cymru WARP (Warning, Advice and Reporting Point) - ICT Security	4	500	
Society of Welsh Treasurers and Regional Treasurers	6	2,665	
Human Resources Directors Network (All Wales - WLGA)	10	123,745	The total cost the Council pays to the WLGA is £123,745 p.a. which includes a fee for Employment issues.
China	15	5,000	5,000 relates to travel
Customer Services, Web and Corporate & Socisla Care Complaints across all 22 Authorities in Wales	4	250	Each of the 22 LA's pay £250 per annum membership which contributes to the rooms etc at MRC for CFW, Complaints Group and Web Group Wales
<b>TOTAL</b>	<b>39</b>	<b>132,160</b>	
<b>Audit of Regional Working - Place Directorate</b>			
South West Wales Waste Management Group	6	8,000	
West Glamorgan Joint Archives Service		183,900	68% contribution towards the total cost of the service
CLAW	24	1,500	Tome commitment figure includes; BONO, Steering Group and Sub-working Groups i.e. Energy, M&E, Architectural Design etc.
Cardiff/Swansea joint working arrangement	6	1,500	Number of days can vary
Institute of Licensing (Wales Region)	3	450	
LABC Cymru (Local Authority Building Control Wales)	2	400	
All Wales Registration Services Group.	3	100	
<b>TOTAL</b>	<b>44</b>	<b>195,850</b>	
<b>Audit of Regional Working - People Directorate</b>			
Western Bay Regional Community Cohesion	4	1,000	As we are the hosts this covers travel expenses, IT equipment, pay increments to the top of grade as grant is only 45K. This cost is born by CCS only, not the region. It has been raised with partners and WG
<b>TOTAL</b>	<b>4</b>	<b>1,000</b>	
<b>Council Total</b>		<b>329,010</b>	

## **5. Session 2 on 13 November 17 Place Directorate**



City and County of Swansea

## Notes of the **Scrutiny Inquiry Panel – Regional Working**

Committee Room 4, Guildhall, Swansea

Monday, 13 November 2017 at 2.00 pm

**Present:** Councillor L R Jones (Chair) Presided

**Councillor(s)**

J A Hale  
T M White

**Councillor(s)**

C A Holley

**Councillor(s)**

M Sykes

**Officer(s)**

Martin Nicholls  
Michelle Roberts

Director Place  
Scrutiny Officer

**Apologies for Absence**

Councillor(s): M H Jones and B J Rowlands

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**5 Disclosure of Personal and Prejudicial Interests.**

None

**6 Answers received to questions asked at the previous meeting**

The following questions were sent and a response what received for the Panel from the Head of Financial Services:

- The panel wanted to find out if there has been an assessment of the financial cost of the officer time spent on regional working activities?* There is no systematic recording of officer time on regional working and we do not keep time sheets for projects, and to some extent we just accept the regional agenda as part of the 'local job'. The legal section used to do such work based on assignment timing. Some officers could be spending routinely 10% and often up to 20% of each with on reginal /national work.
- How are the different regional working partnerships financial arrangements audited?*
  - Western Bay – Pooling stuff is audited at each local authority by each external auditor as part of each Council audit grant claims but that Swansea is the lead partner and host for finance so we get and extra look at.
  - ERW – Internal certification by each constituent authority's internal auditors. External audit and published accounts by external auditors of host authority, Pembrokeshire. It also has its own scrutiny arrangements.

- City Deal – In shadow form only, but will plan to have arrangements that involve similar to ERW – albeit with external auditors to Carmarthenshire as lead. It will have its own scrutiny arrangements.
- Swansea Bay Port Health Authority – internal audit provided by Swansea, external audit by our external auditors as we host but formally the audit is to the SBPHA itself as a separate legal entity.

## 7 Regional Working : Place Directorate

Martin Nicholls the Director of Place attended the meeting to outline the regional working position within the Place Directorate.

- There are many regional and collaborative working arrangements in existence across the Directorates whole range of services and these are reflected within the following service areas:
  - Corporate Building and Property Services
  - Housing and Public Protection
  - Culture and Leisure Services
  - Planning and City Regeneration
  - Waste, Parks and Cleansing
  - Highways and Transportation
- The [report](#) provided summarising the existing regional and collaborative working which are a mix of formal and informal arrangements. Some examples include:
  - City Deal delivery
  - South West Wales Regional Transport
  - Economic Regeneration
- The panel noted that there are currently 51 different activities listed and recognised that could potentially involve a lot of officer time. They recognise that some are much less time intensive than others. The Panel felt it important that our commitments to different activities should be reviewed regularly to ensure they are essential and provided value for the officer time spent (recognising that some we must participate in).
- The Welsh Government reform agenda is giving a clear indication of the direction of travel with more 'formalised' areas of collaboration in a great number of service areas. The panel agreed that this presents opportunities but also risks.
  - Regional Delivery, some areas can only be delivered regionally, such as strategic transport planning or economic development strategies and these are already delivered on this basis.
  - Efficiency, some areas may give rise to opportunities for greater efficiency by delivering on a regional footprint. However, until this have been scoped and clear opportunities for rationalisation identified, it is dangerous to assume that bigger is always best.
  - Future Prevention, whilst more relevant to people services, consideration has to be given to the Future Prevention agenda and the Future Generations Act whereby Councils individually or even collectively cannot solve some of the most difficult challenges without wider collaborations.
  - Resilience, as budgets shrink, there are increasing concerns that some services particularly in smaller councils are unsustainable by and individual authority in isolation and greater collaboration is one way to address this.

- The Director explained that whilst the debate about further regional working is inevitable, it is important for the Council to be active in whatever the emerging picture should look like and to share its future. It will need to understand the benefits of local delivery but be mindful of the national and regional picture and where the benefits exist.
- The panel recognise and were pleased to hear that this is not just an officer debate agreeing that there will be a need for local knowledge and local accountability to deliver the best outcomes for local communities.
- Currently regional scrutiny arrangements are not in place for any of these partnerships but it is envisaged that the larger City Deal will have this build into their governance arrangements.

The Panel asked for further information to supplement the information provided that details an approximation of officer time spent on the regional activities and some examples of outcomes arising from some of those partnerships listed. The Scrutiny Officer will contact the Chief Education and Chief Social Services Officers to ensure that this is also included in their reports to the Panel.

## **8 Project Plan Work Programme**

The next meeting of the Panel is scheduled for the 1 December 2017 at 10.30pm where the Panel will speak to the Chief Education Officer about the picture within Education Services.

The meeting ended at 3.00 pm

# Regional Working Scrutiny Enquiry Panel

13<sup>th</sup> November 2017 - Place Directorate

## 1.0 INTRODUCTION

1.1 Due to the size and varied nature of the Directorate, there are many existing “Regional” and “Collaborative” working arrangements in existence across the whole range of Directorate services. Just for clarity, this covers the following service areas:-

- Corporate Building and Property Services
- Housing and Public Protection
- Culture and Leisure Services
- Planning and City Regeneration
- Waste, Parks and Cleansing
- Highways and Transportation

## 2.0 EXTENT OF REGIONAL WORKING

**Appendix A** summarises the existing regional and collaborative working, which are a mixture of “formal” and “informal arrangements depending on the area and subject matter. Outlined below are some examples:-

### 2.1 City Deal Delivery

A relatively recent development following the successful attainment of the Swansea Bay City Region deal with a range of officer and member groups culminating in the emerging Joint Committee. This will ultimately become a formal decision making body for the City Deal projects including City’s Digital District, Homes as Power Stations and Learning and Skills Partnership.

### 2.2 South West Wales Regional Transport

This formal arrangement, previously constituted, agrees the forward programme and prioritisation of various funding opportunities linked to Local Transport Plan.

### 2.3 Economic Regeneration

Set up on a South West Wales footprint but also in collaboration with Mid Wales Authorities, the regional approach to Economic Development and prioritisation of projects and funding bids enables the delivery of a joined up strategy on a regional basis.

### **3.0 PROFESSIONAL NETWORKS**

Various Regional and All Wales Networks exist, which can be either officer or officer / member arrangements. These cover a wide range of activities with the opportunities to collaborate and share best practice, some of which are summarised as follows:

- Waste Management
- Highway and Transportation Regional arrangements
- Property and Building Services such as Consortium of Local Authorities in Wales (CLAW), Constructing Excellence (CE) and Local Property Board.
- Association for Public Service Excellence (APSE)
- Planning and Building Regulations
- Energy
- Housing

Many of the groups generally have direct access to Welsh Government and in many cases UK government, which is critical when developing new or changing existing policies.

### **4.0 FUTURE PICTURE**

Whilst the above summarises, at a very high level, the existing regional working, Welsh Government's reform agenda is giving clear indication of the direction of travel with more "formalised" areas of collaboration in a greater number of service areas. Whilst this presents opportunities, it also raises some important risks:

#### **4.1 Regional delivery**

Some areas can only be delivered regionally, such as strategic transport planning or regional economic development strategies and these are already delivered on this basis although in a non-constituted manner. Whether mandating these services, via a formal joint committee or new Council structure, will lead to any further improvements is in doubt.

#### **4.2 Efficiency**

Some areas may give rise to opportunities for greater efficiency by delivering on a regional footprint. However, until this has been scoped and clear opportunities for rationalisation identified, it is dangerous to assume that "bigger is always best".

#### **4.3 Future Prevention**

Whilst more relevant to "People" services such as Social Care, consideration has to be given to the Future Prevention agenda and the Future Generations act whereby Councils individually or even collectively cannot solve some of

the most difficult challenges without having a wider collaboration with other bodies such as Health Boards.

#### 4.4 Resilience

As budgets shrink, there are increasing concerns that some services, particularly in smaller Councils are unsustainable by individual Authorities in isolation and greater collaboration is one way to address such challenges.

### 5.0 **SUMMARY**

As such, whilst the debate about further regional working is inevitable, it's important for the Council to be active in whatever the emerging picture should look like and to share in its future. It needs to understand the benefits of local delivery but also be mindful of the National and Regional picture and where benefits exist.

This isn't just an officer debate as the need for local knowledge and local accountability extends to members who are elected by local people and are accountable to the electorate to deliver better outcomes.

If regions are too large or the footprint differs across various sectors, this could lead to confusion and a loss of democratic accountability. Whilst given the current unsustainable nature of public finances, such debates are inevitable and it is important to understand the implication of any decisions that are likely to be made.

### **Appendix A: Existing Collaborative Arrangements**



Appendix A.XLSX



**Audit of Regional Working - Place Directorate**

<b>Name of Regional Group / Working</b>	<b>Which Partners are involved?</b>	<b>What is the remit?</b>	<b>What are the Benefits to CCoS of this Group?</b>
Swansea Bay City Deal Officer Working Group	Swansea, NPT, Carms, Pembs, Ceredigion, Powys	Deliver the City Deal Projcets	Significant investment, job creation, economic growth
RDP South West & Central Local Action Group	NPT, Swansea, Carmarthen, Pembrokeshire, Ceredigion, Powys	Information exchange of RDP LEADER	awareness of activity, delivery, risks, evaluation and expansion of RDP
Workways + ESF employability project	NPT (lead), Swansea, Carmarthen, Pembs, Ceredigion	Management groups for project	Management of major employability initiative
Cynydd ESF young people support project	Pembs (Lead), Swansea, Carmarthen, NPT, Ceredigion	Management groups for project	Management of major youth engagement project
Cam Nesa ESF NEETs Employability Project	Pembs (Lead), Swansea, Carmarthen, NPT, Ceredigion	Management groups for project	Management of major NEET engagement project
Valleys Task Force - Landscapes	All Valleys LA's	to develop each concept outlined in the "Our Valleys, Our Future" high level plan	Contribute to development of new WG Valleys strategy; could be linked to future funding opportunities for north Swansea
Welsh European Funding Group	All Wales LA's	Meeting of officers engaged in securing and managing external funding sources such as EU funding, HLF, WG capital funding etc	Exchange of information and good practice, constructive networking with other Local authorities, WLGA input
South West Regeneration Directors Group	Swansea, NPT, Carms, Pembs, Ceredigion, Powys	Regional working around regeneraiton agenda, in particular City Deal	Formal discussion around City Deal and associated regeneration issues
RLPSWW employability group	Swansea, NPT, Carms, Pembs, Ceredigion, Powys	Discussion around employability agenda	Engagement with RLP on employability work
South West Regional Engagement Team (WEFO)	Carms (lead), NPT, Swansea, Pembs	regional monitoring of EU funding programmes, assessment of regionla fit of new EU funded proposals	Exchange of information and good practice, constructive networking with other Local authorities, WLGA input
Fisheries Local Action Group network	Swansea, Carms, NPT, Bridgend, Pembs, Ceredigion, Gwynedd and Anglesey	Information exchange of European Maritime and Fisheries Fund, specifically in relation to fisheries local action groups	awareness of activity, delivery, risks, evaluation and expansion of EMFF
South West Wales Markets Forum	Maket Managers/ leads from Swansea, NPT, Bridgend, Pembroke, Carmarthen, Maesteg	To discuss and share best practice regarding the management and development of retail markets	Sharing of ideas and best practice. Discussion of solutions to shared problems.
Wales region of the Association of Town Centre Management (ATCM)	BIDs and LA town centre management practioners from across Wales i.e. Cardiff, RCT, Bridgend, NPT, Newport, Carmarthen, Wrexham, Merthyr, Vale of Glam, Denbighshire, Portcawl, Conway, Caerphilly, Ceredigion, Llanelli etc.	To discuss and share best practice regarding the management and development of towns and city centres across Wales	Sharing of ideas and best practice. Discussion of solutions to shared problems. Joint lobbying of Welsh Government/ Westminster.
Future Landscapes Wales Working Group	3x National Park Authorities, 5x AONB Units, Natural Resources Wales and Welsh Government	Collaborative group working on priorities for designated landscapes in Wales - legislation, governance, resourcing, sustainable management of natural resources	New mode of collaborative decision-making, influence over emerging legislation affecting Gower AONB, developing a stable resource base for AONB with WG and NRW financial support. Learning from practice/projects from other landscapes
Planning Officers Society for Wales (POSW)	All Welsh Local Planning authorities, RTPI Cymru, Welsh Government	Pursuit of good and effective planning practice within local government. Aims are to raise land use planning issues with other national bodies and institutions in Wales, and the Society has been instrumental in promoting Best Value in planning, developing aspects such as Performance Indicators and Benchmarking.	Membership offers the opportunity to influence the development of planning policy and make use of best practices currently being applied throughout Wales. WG utilise the Society as a means of consulting on the development of planning policy in Wales

Name of Regional Group / Working	Which Partners are involved?	What is the remit?	What are the Benefits to CCoS of this Group?
South West Wales Heads of Planning Group	Swansea Council, Carmarthenshire County Council, Neath Port Talbot Borough Council, Ceredigion County Council, Pembrokeshire Coast National Park and Pembrokeshire County Council	Heads of Planning supported by two officer groups (one covering planning policy the other development management) identify regional priorities in accordance with the nationally agreed POSW work programme.	The group provides a focus for strategic planning on a cross boundary basis and ensures that best practice is identified and shared in the interests of securing improved and sustainable performance, efficiency savings and a reduction in service costs. Shared knowledge, resources and good practice, standardised ways of working.
Welsh Rights of Way Managers Group (WROWMG) - this is a sub-group of the County Surveyors Society	All Welsh local authorities, including the National Parks, Natural Resources Wales and Welsh Government	Collaborative group working on priorities for legislation, the distribution of rights of way knowledge and the pursuit of good practice. Chair reports to the UK meeting in Birmingham at quarterly intervals.	Membership offers the opportunity to influence emerging legislation, learn about good practice currently being applied throughout Wales and England and an up to date knowledge forum.
Carmarthen Bay and Estuaries European Marine Site, Relevant Authorities Group	Swansea Council, Carmarthen County Council, Pembrokeshire County Council, Pembrokeshire Coast National Park, Natural Resources Wales, Welsh Water Dwr Cymru, Saundersfoot Harbour Authority, Trinity House Lighthouse Service	The organisations/authorities have a legal responsibility to help safeguard the features of the Carmarthen Bay & Estuaries European Marine Site in undertaking their work and thereby achieving the aims of the Habitats Directive. Relevant authorities are a sub-set of the competent authorities with specific responsibilities in the marine environment. On the CBEEMS, these authorities work closely together as a relevant authorities group.	The CBEEMS RAG jointly employ a Part Time Officer to support the work of the member organisations in meeting their statutory functions under the Habitats Regulations. The Officer is hosted by Swansea Council
Wales Biodiversity Partnership	All Local Authorities in Wales plus other Statutory and non statutory Partners including Welsh Government, NRW, Wildlife Trusts etc	Facilitating collaboration, sharing information and good practice, raising the profile of the Local Nature Partnerships. Improving Communication between Local Nature Partnerships and Welsh Government	Highly useful source of information and support. Helping to keep up to date with new legislation /initiatives/ funding etc. Training opportunities. Networking benefits. No cost
Association Of Local Government Ecologists(ALGE)	All Local Authorities in Wales	Providing support, facilitating information exchange and collaboration with a focus on Ecological planning and policy issues,	Highly useful source of information and support. Helping to keep up to date with new legislation /initiatives/ etc. Networking benefits. No cost
Glamorgan Biodiversity Action Group	Swansea Council, Neath Port Talbot Council, Bridgend, RCT, Cardiff and Vale, Natural Resources Wales, Wildlife Trust, Welsh Government and others	Facilitating networking and collaboration between the Local Nature Partnerships in the Glamorgan area.	Highly useful source of information and support. Helping to keep up to date with new legislation /initiatives/ funding etc. Training opportunities. Networking benefits. No cost
Coed Cymru	Most Local Authorities in Wales plus NRW, Woodland Trust, WLGA	Aims to improve the condition of Welsh woodland and integrate new woodlands within the landscape. Has staff who provide advice and support, innovation and access to grant aid. Brings research into practice about the role of trees in flooding, soils and water, agricultural productivity and wider ecosystem services. Supports cooperative projects between woodland and timber businesses, to increase the economic value from timber and enhance the performance and quality of Welsh timber products.	Swansea benefits from the services of a part time Coed Cymru Officer based with the Nature conservation Team as well as the wider benefits of being members of the partnership
South West Wales Regional Food Waste Hub	Swansea and Bridgend County Borough Council	Regional contract for food waste treatment	Reduced/shared procurement costs, lower treatment gate fees for aggregated tonnaged, WG financial support.

<b>Name of Regional Group / Working</b>	<b>Which Partners are involved?</b>	<b>What is the remit?</b>	<b>What are the Benefits to CCoS of this Group?</b>
South West Wales Regional Waste Management Committee	Swansea, NPT, Bridgend, Pembroke, Carmarthen	Member and officer group to review and oversee the potential for regional waste procurement	Reduced/shared procurement costs, lower treatment gate fees for aggregated tonnaged, WG financial support.
South West Wales Waste Management Group	Blaenau-Gwent, Caerphilly, Cardiff, Carmarthenshire, Ceredigion, Merthyr, Newport, Pembrokeshire, Powys, RCT, Torfaen, Vale of Glam	Procurement and operation of regional treatment contracts, advice and training, etc.	Regional and up to date knowledge forum, access to existing/new contracts with limited cost, access to industry specific good practice training
CSS Waste Wales	All Welsh Las, WLGA, WG, NRW	To shape national waste strategy and share best practice	To participating in the shaping of national waste strategy and the sharing of best practice
Mid & South West Wales Regional Consultancy Framework	Swansea, NPT, Carmarthenshire, Pembrokeshire, Ceredigion, powys	Regional Framework for Civil Engineering Design Services	Maximise ability of in-house team, by supplementing with external resource when necessary.
Regional Transport Directors Group	Swansea, NPT, Bridgend, Pembroke, Carmarthen	Officer Group to support regional transport forum and develop regional transport policies and approaches	Essential that transport is considered beyond boundaries. WG will be requiring greater regional working. The sharing of knowledge and skills is also a benefit. The regional working also extends to other sub groups i.e. we have regional construction and consultancy frameworks which have been established through the collaboration.
Regional Transport Forum	Swansea, NPT, Bridgend, Pembroke, Carmarthen	Member and officer group to facilitate regional working on transport	Builds strong regional working and is likely to constituted formally soon as part of WG proposals
Wales Regional Contractors	Swansea, NPT, Carmarthenshire, Pembrokeshire, Ceredigion	Regional approach, sharing good practice in regard to the 'Built Environment'	Reduced procurement costs, sharing of good practice, recognition of the 'quality' services provided
CLAW	All 22 LA's, CE Wales and other public sector organisations	National approach, sharing good practice in regard to the 'Built Environment'	Reduced procurement costs, sharing of good practice, recognition of the 'quality' services provided
City of Culture Bid	Regional and local public/private sector	submit and ideally secure city of culture 2021	significant profile and inward investment
Local Property Board	AMBU, Universities, RSL, WG, Fiore and rescue and Police	to maximise opportunities with asset portfolio	savings and asset disposal/sharing
Cross Borders Project	Swansea, Neath & Port Talbot & Bridgend local authorities and Supporting People	Supported Housing Project across the region to support women with substance misuse issues/complex needs	Provides a wider range of accommodation options for vulnerable women whilst receiving specialist support.
Western Bay Regional Provider Forum	Voluntary sector, Social Services and other Supporting People providers within Swansea, Neath & Port Talbot & Bridgend	Consider issues which affect providers who are funded by Supporting People	Opportunity to network and discuss the outcomes of funding. Group also feeds into a hierarchy of decision making by making recommendations to the Regional Collaborative Committee.
Housing Regional Collaborative Committee	Western Bay Supporting People teams	Recommend priorities for Supporting People Programme through the development of the Regional Strategic Plan.	Pool resources to support projects such as the Housing First Pilot.
Houses into Homes / Home Improvement Loans Western Bay Regional Group	Swansea, Neath & Port Talbot, Bridgend local authorities	Quarterly update on progress with delivering Houses into Homes / Home Improvement Loans capital programmes to report back to Welsh Government Steering Group.	Lead authority for regional group , reporting back to Welsh Government steering group. The benefits of the regional group are discussions on common themes arising, issues that need reporting to steering group. Being the lead authority Swansea is a member of the steering group, giving influence on strategy/policy issues going forward.

Name of Regional Group / Working	Which Partners are involved?	What is the remit?	What are the Benefits to CCoS of this Group?
Gypsy Traveller Forum	All Welsh Local Authorities, Welsh Government	Facilitated by WG to: Improve understanding of Gypsies & Travellers, look at site standards, planning for new sites, looking at and managing unauthorised encampments, networking to share good practice, ideas for consultation with Gypsies & Travellers and issues linked to improving health and education.	Share good practice and discuss issues around the Gypsy Traveller Community.
Registered Social Landlord Forum	Pembrokeshire, Ceredigion, Carmarthenshire, Swansea, Neath & Port Talbot Social Landlords .	Discuss Universal Credit and Welfare Reform updates etc.	To receive updated information from the DWP and JCP - share experiences and good working practices.
Health and Housing Group	Swansea, Neath & Port Talbot & Bridgend local authorities and social housing providers, ABMU Health Board, third sector	Consider ways in which Health and Housing services can work together to assist clients	Discussions around best practice, pooling of ideas to achieve a mutually beneficial outcome.
Prisoner Regional Resettlement Group	Regional Local Authorities / Prisons / Probation / WLGA	To ensure that the Prisoner Housing Pathway is developed and to have a coordinated approach to dealing with the housing and support needs of ex-offenders.	Sharing good practice and ensures that we are compliant with dealing with prisoners under the Housing (Wales) Act and Social Services and Well-being Act
All Wales Rough Sleeping Task Group	Welsh Local Authorities / WLGA & Third Sector Partners	To tackle rough sleeping in Wales.	A Welsh Government priority is to reduce rough sleeping and Swansea benefits greatly through by influencing the rough sleeping agenda through attendance at this group.
Homelessness Network	All Welsh Local Authorities	To share information and good practice and to ensure that we are compliant with homelessness legislation.	Excellent learning opportunities and to ensures that we have the opportunity to share concerns and good practice.
Wales Heads of Trading Standards - National delivery of Animal Feeds Standards Enforcement	Neath Port Talbot/Swansea Local Authorities - regional delivery group	To complete statutory duties in respect of Animal Feed Standards.	Delivery of statutory responsibilities to standards specified via the Food Standards Agency Code of Practice.
Wales Heads of Trading Standards - National delivery of statutory Trading Standards weights and measure ("Metrology") regulations	All Welsh Local Authorities	Maintain notified body status for legal metrology for individual local authorities.	Enables statutory delivery of metrology service in Swansea to a recognised standard using a quality system applicable across Wales which saves individual Councils from maintaining a system.
Cardiff/Swansea joint working arrangement	Swansea in partnership with Shared Regulatory Services - a partnership organisation made up of Cardiff, Vale of Glamorgan and Bridgend Local Authorities	To undertake calibration of trading standards equipment required by Swansea as a Local Weights & Measures Authority.	Equipment is kept in calibration by Officers from Cardiff saving Officer time required to maintain a local standards laboratory.
Directors of Public Protection Wales	All Welsh Local Authorities	To co-ordinate activities in Public Protection to achieve economies of scale and consistency of service. A number of sub-groups operate under this including: Welsh Heads of Environmental Health; Welsh Heads of Trading Standards; Expert Panels on service specific issues such as food safety, licensing, health & safety, pollution, and private sector housing.	Membership of a range of sub-groups which provide the opportunity for collaborative working to develop framework documents, prepare responses to consultations on behalf of Welsh authorities, and develop a consistent approach to the delivery of Public Protection functions across Wales.
Institute of Licensing (Wales Region)	All Welsh Local Authorities, Representatives from Welsh police forces, Gambling Commission.	A professional body which represents those who work within the field of licensing.	Provides up to date information regarding changes in legislation, case law, best practice, provides training opportunities and represents members views in the development and enforcement of laws and regulations.

Name of Regional Group / Working	Which Partners are involved?	What is the remit?	What are the Benefits to CCoS of this Group?
LABC Cymru (Local Authority Building Control Wales)	All Welsh Local Authorities	To further the management of Building Control in Wales.	Ease of collation of information and benchmarking and a mechanism for sharing good practice, communicating with other local authorities, the Welsh and UK Governments and other relevant organisations.
All Wales Registration Services Group.	All Welsh Local Authorities	To act as a forum for Proper Officers / managers of the registration services in Wales.	Sharing good practice on strategic issues, service development and policy matters. An opportunity to comment on any proposed changes by General Registration Office, Central and Welsh Government. Streamlines benchmarking processes.
Continuous Improvement Forum for Bereavement Services	All Welsh Local Authorities	A forum for Welsh Local Authorities to further the development of the Bereavement Service and to discuss critical related issues.	An opportunity to influence rules and policy. Gaining from the shared knowledge of members. Communication opportunities with the Ministry of Justice. Streamlines benchmarking processes.
<b>TOTAL</b>			

The current position with regard to the signed Cardiff Capital Region and Swansea Bay City Deals and the next steps planned to take them forward.

The Prime Minister signed the Swansea Bay City Deal on 20 March 2017.

Discussions are now underway to set up the Governance arrangements, which encompasses an Economic Strategy Board chaired by a private sector business person and a Joint Committee (JC) of the local authorities. A City Deal Delivery Team will be established to manage the day to day implementation of the City Deal.

Outline Business cases using the 5 case business model approach are being prepared for each of the 11 projects.

The intended impact of the City Deals and the way in which this will be governed, funded and monitored.

- Impact

The Swansea Bay City Region is a critically important driver for the Welsh and UK economy. It is a region with strong urban centres complemented by a wider rural landscape and a significant coastal footprint that has created a diverse economic profile with numerous opportunities and challenges.

However, the region is underperforming economically. The region's GVA has fallen from 90% of the UK average to 77% over the last three decades with low productivity and high economic inactivity. The economy is also over reliant on traditional primary industries and the public sector and risks falling further behind the rest of the UK and other parts of Wales.

The City Deal will provide the region and its partners with the new ways of working and resources to unlock significant economic growth across the Swansea Bay City Region. It provides an opportunity to continue tackling the area's barriers to economic growth through: developing higher value sectors and higher value employment opportunities to match; increasing the number of businesses within these sectors to widen the economic base; and improving the region's GVA level against the UK average.

Local partners within the Swansea Bay City Region estimate that the City Deal will lead to:

- Funding of nearly £1.3 billion for interventions to support economic growth
- Over £600 million of direct private sector investment levered to deliver interventions
- Investment spread across the whole of the region to ensure all localities and citizens can benefit
- An overall increase to the economy of over 9,000 gross direct jobs
- A contribution to regional GVA of £1.8 billion

- Governance

As part of the Swansea Bay City Deal agreement, local partners will create two new bodies to oversee the implementation of the deal:

- an Economic Strategy Board, chaired by a private sector business person, with membership comprising of five further private sector programme board chairs, two HE/ FE representatives, two Life Science/ Wellbeing representatives and the four local authority leaders.
- a Joint Committee of the four local authorities, chaired by a local authority leader.

The Economic Strategy Board will set the strategic direction for the City Deal and will provide strategic advice to the Joint Committee on matters relating to the City Deal. The board will oversee the production of the final business cases for City Deal projects before referring them to the Joint Committee and receive regular monitoring reports to assure and if necessary challenge delivery of the deal.

UK and Welsh Government funding will flow into the Joint Committee, and the Committee will be responsible and accountable for all financial, staffing and legal decisions in the delivery of the Swansea Bay City Deal. The Joint Committee would need to agree to make decisions on City Deal funding based only on business cases on interventions previously agreed by the Economic Strategy Board.

To manage the implementation of the City Deal, local partners will create a dedicated Operational Delivery Unit that will report directly to the Joint Committee and have day to day responsibility for managing the identification, assessment, approval, monitoring and evaluation processes for interventions and projects.

- Funding

The Swansea Bay City Deal will generate £1.3bn of private and public money to be spent over 15 years consisting of:-

- £241m from UK and Welsh governments
- £396m from the public sector and universities
- £637m in private investment

Funding from the UK and Welsh Governments will be released following the agreement of full business cases for the 11 projects by both Governments.

In addition, as part of the City Deal agreement, the Welsh Government will explore additional funding flexibilities with the Swansea Bay City Region:

- the devolution of business rate income above an agreed growth baseline to provide funding for the City Deal programme;
- providing the ability to levy an infrastructure supplement;
- creating the option for the local authorities to use alternative finance sources; and
- removing conditions around some specific Welsh Government grants, to allow funding to be pooled at the regional level in areas such as school support and interventions that seek to address poverty.

- Monitoring

The Swansea Bay City Region has agreed to work with the UK and Welsh Governments to develop an agreed implementation, monitoring and evaluation plan in advance of implementation, which sets out the proposed approach to evaluating the impact of delivery.

The City Deal will be monitored by the Joint Committee and the Economic Strategy Board. The City Deal Delivery Team (Operational Delivery Unit) will provide the UK and Welsh Governments with a quarterly performance report that will:

- Highlight City Deal successes.
- Provide a performance narrative for each element of the City Deal against agreed implementation plan timescales.
- Provide information on outputs and outcomes agreed.
- Identify mitigating actions for projects and programmes that are not being delivered to agreed timescales.

A joint scrutiny committee will be drawn from the membership of the four authorities to provide an independent scrutiny function to ensure greater public accountability over decisions made by the Joint Committee and any of its sub-committees and related entities.

#### The degree to which the growth and city deals could solve or exacerbate existing inequalities, both within and between regions.

The application of social benefit clauses (for example through the CCS Beyond Bricks and Mortar approach) in construction and other City Deal contracts will promote local sourcing and create training and work opportunities for local people who are economically inactive. This will contribute to addressing inequalities in the labour market.

The Skills and Talent Initiative will help ensure the right skills provision is in place so local people can train to take advantage of the job opportunities arising from the City Deal projects.

The Delivering Homes as Power Stations project includes a major aim to reduce fuel poverty and its impact on health. The projects under the Internet of Life Science & Wellbeing will help address health inequalities.

#### The degree to which the growth and city deals co-ordinate with Welsh Government strategy.

In line with the Welsh Government's local government reform agenda, the Swansea Bay City Region, through the Joint Committee and in partnership with the Welsh Government, has committed to delivering service reforms that will see a number of strategic functions delivered at the Regional level. This will include land use planning, transport planning and economic development and will provide the underpinning blueprint and delivery mechanism for development across the region.

The Swansea Bay City Deal harnesses the opportunities set out by the Welsh Government within its Innovation Strategy. As part of the Strategic Outline Business Case each project was evaluated against its fits with Welsh Government Policy.



**6. Session 3 on 26 January 17 Social Services/  
Education Directorate and Public Service  
Board**



City and County of Swansea

## Notes of the **Scrutiny Inquiry Panel – Regional Working**

Committee Room 5 - Guildhall, Swansea

Friday, 26 January 2018 at 10.30 am

**Present:** Councillor L R Jones (Convener) Presided

**Councillor(s)**  
C A Holley  
M Sykes

**Councillor(s)**  
M H Jones

**Councillor(s)**  
B J Rowlands

**Officer(s)**

Chris Sivers	Director Social Services
Helen Morgan Rees	Hub Head School Improvement
Sara Harvey	Programme Director Western Bay
Michelle Roberts	Scrutiny Officer

**Apologies for Absence**

Councillor(s): J A Hale, O G James and T M White

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**1 Disclosure of Personal and Prejudicial Interests.**

None

**2 Notes from the previous meetings on 30 October and 13 November 2017**

Notes accepted by Panel

**3 Regional Working: Social Services Directorate and the Public Service Board**

Chris Sivers (Director, Social Services), Helen Morgan Rees (Hub Head Education Improvement Service and Sara Harvey (Programme Director Western Bay) provided a report outlining the regional working within this Directorate along with information on the Public Service Board. This included information on

- Education through Regional Working (ERW)
- Western Bay Health and Social Care
- Western Bay Regional Contest Board
- Public Service Board
- Community Cohesion Programme

Potential Future Risks to collaboration have been identified:

- Changes to Health Board footprint (for example the removal/moving of a partner and the impact that has on the projects and respective financial contribution)
- Population profiles (urban deprivation vs rural sparsity, BME populations)
- Potential loss of locality focus and/or duplication (must have local assurance)
- Resilience and size of local authority to carry out functions

Key points for regional working inquiry taken from the resulting discussion have been noted as follows:

#### ERW

- Must consider local needs and context within regional partnerships. For example with ERW a business plan is developed where national directives and common objectives across the region are supported but it includes each local authorities local objectives. This is important because each local authority will have a different context and therefore different needs and also when each local authority needs to hold ERW to account at a local level. Working across the region with a close alignment with local priorities can be the best of both worlds.
- Differing priorities can be a risk for a region as can be example in the ERW footprint where the majority of the region is rural particular issues can predominate and this can be reflected in the allocation of funding across the region.
- Difference between SWAMWAC the previous regional education partnership and ERW. ERW has a legal collaborative arrangement with an associated governance structure.
- One of the roles of ERW and potential positives is local authority's helping each other. The panel heard that sharing of skills and expertise across authorities is working well for example we have helped Pembrokeshire and are assisting Powys schools and we have had assistance ourselves. This is also good for breaking down barriers between local authorities. This works as long as one authority is not in detriment by the arrangement.
- The panel asked if ERW was a tier of organisation that is still relevant and needed. The Panel heard that it has been particularly positive and has brought about real benefit in adopting a national model which has brought about better consistency in the work of challenge advisors and headteachers. It has also enabled wider and more consistent training opportunities for schools and education staff across the region. Working much more closely with for example Neath Port Talbot to learn and share good practice has been very beneficial. Although there is the recognition that because we are one of the strongest performance areas it is likely we will be doing more for others.
- ERW is currently being revised and remodelled. Phil Roberts, Swansea's Chief Executive is the lead officer and there is a new council Leader from Ceredigion and it is envisaged that there will be a new updated approach moving forward.
- Have we learnt anything from the other Welsh Consortia? The Panel heard that ERW have worked with other consortia on things where they are further down the line with development, as they have with ERW.
- ERW has a well formed governance structure with an associated scrutiny arrangement.

- The Panel heard that there has been some contention between schools perception of ERW. With ERW carrying out the role of looking at/challenging performance in for example leadership and schools feeling that it causes increased work. ERW has worked with Welsh Government to help develop information for schools around reducing workloads.

#### Western Bay

- Welsh Government is increasingly directing funds via regional partnerships so are oiling the wheels of collaboration, but partners must prove they are working together.
- Western Bay has a good track record of delivery so an increasing number of initiatives are being initiated through this partnership arrangement.
- All regional working under Western Bay must be clearly underpinned by (Part 9) of the [Social Services and Well-being \(Wales\) Act 2014](#)
- Monies are pooled to resource a team that is hosted by Swansea.
- A large part of the funding comes from the Integrated (was Intermediate) care fund which mainly related to services for older people.
- Panel members asked why there was not a regional scrutiny arrangement in place. Councillors heard that most partners involved in the partnership are keen to develop a scrutiny arrangement but one partner currently does not. All partners have to agree any developments through their individual Cabinet Committees. The panel felt it was important and appropriate for there to be a regional scrutiny arrangement built into the governance arrangements for Western Bay and agreed that this could be a recommendation arising from their inquiry.
- Decision making for Western Bay can be long and drawn out because the Joint Committee cannot make a decision they can only recommend and then each Local Authority within the Partnership along with ABMU have to go back and take the recommendation through the Cabinet. The Panel asked whether these governance arrangements should be remodeled and simplified so decisions can be made in a more efficient and timely manner. It was felt that this could also be a possible recommendation for the Panel.
- Early intervention youth justice services have been hugely beneficial. Must be conscious of what is working well when we make changes regional to ensure that good practices are not lost.
- When working across the region it is important to be clear about each local authority's priorities.

#### Public Services Board

- Some members of this partnership are keen for the PSB to move to a regional model around a larger footprint like that of Western Bay. The benefits for some partners of this are clear for example, no more multiple attendance at different LA's.
- Wales Government encouraging working on a regional basis.
- Swansea currently working on its Wellbeing Plan but discussion around regional working will resume once this is complete. The focus is the plan at the moment but regional working is seen by some as a natural way forward.
- Potential initial learning points from Swansea PSB experience of developing the Wellbeing plan with partners include:

- Agreement on vision and long-term thinking, drawing on where passion and interest lies can really help drive partnership working.
- It remains a challenge to retain ownership and drive across all partner organisations.
- Fundamental to strong partnerships is the development of relationships based on trust. So much depends on the individuals involved and their personal approach to the partnership.
- It remains a challenge to retain focus on achieving a smaller number of top priorities, and not get dominated by detail.
- There is an appropriate balance between bottom up and top down approaches that needs to be struck in terms of agreement on delivery.
- Governance arrangements help to provide assurance but do not guarantee successful outcomes.

#### Other partnerships

- Important to ensure the right people are involved in a partnership arrangement. The Panel had a discussion around Fire and Ambulance Services not being involved in the Contest Board and whether this was appropriate or not.

## **4 Project Plan Work Programme**

At the next two meetings on the 2 and 16 February the Panel will meet with Partner Organisations.

The meeting ended at 11.50am



## Regional Working



## For People Services

- ERW – implement the national model to deliver school improvement
- Western Bay – integration of health and social care
- Contest – addressing counterterrorism
- Community Cohesion



## ERW

- Organisation of challenge and support for school improvement
- Data collation on pupil performance
- Delivery of the national model for categorisation for amount of support given
- Supporting the development of school leadership
- Delivery of national Literacy and Numeracy frameworks, Foundation Phase, Welsh Medium Education Strategy



## ERW

- Executive Board and Joint Committee, with appropriate sub-groups
- Estyn report suggesting that this region is improving more slowly than others in Wales
- Undergoing significant change and remodelling at present to better deliver consistency



## Western Bay

- Community Services – Frail and Elderly
- Carers Partnership Board
- Commissioning for Complex Needs
- Welsh Community Care Information System
- Integrated Autism Service
- Workforce Development
- Learning Disability and Mental Health
- Area Plan



## Western Bay

- Programme Team, Leadership Group, Partnership Board
- Traditionally a strong reputation nationally and track record for delivery
- Increasing number of initiatives being directed to these arrangements by WG
- Health Board Changes leading to changes in how we work





## Public Service Board

- Requirement of each Local Authority to have one
- Production of a Wellbeing Assessment and Wellbeing Plan
- Implementation of the Wellbeing of Future Generations Act - to 'maximise contribution' to the goals



## Public Service Board

- Small amount of grant funding available on a regional basis
- WG and Commissioner's Office encouraging us to work on a regional footprint
- Partners involved are keen to explore regional partnerships
- Following production of the Plan, existing agreement to review the governance arrangements, but no conversations yet with NPT



## Contest Board

- Four elements: prevent, protect, prepare, pursue
- Organised on Western Bay footprint, with a duty for LA to undertake and organise this work, with Police and partner involvement
- Rotating chair and resourcing
- Strategic plan and gap analysis completed



## Challenges

- Changes to Health Board footprint and others?
- Population profiles – urban deprivation vs rural sparsity, BME populations
- Duplication and/or loss of locality focus
- Reliance on individuals when governance lacks clarity
- Resilience and size of LA to carry out functions

# Regional Working Scrutiny Enquiry Panel

26<sup>th</sup> January 2018 - People Directorate

## 1.0 INTRODUCTION

1.1 Due to the size and varied nature of the Directorate, there are many existing regional and collaborative working arrangements in existence across the whole range of Directorate services. Just for clarity, this covers the following service areas:-

- Adult Social Services
- Child and Family Social Services
- Education
- Poverty and Preventative Services.

**Appendix A** summarises the existing regional and collaborative working, which are a mixture of formal and informal arrangements depending on the area and subject matter. Outlined below are some examples.

## 2 ERW (Education through Regional Working)

2.1 The purpose of consortia is outlined in the National Model for Regional working and seeks to outline how ERW will deliver a single school improvement service on behalf of Swansea. The national model covers the following core functions that ERW is expected to undertake on behalf of Swansea Council:

- school improvement – which is defined as challenge and support strategies delivered by regional consortia that improve the teaching and learning in classrooms and lead to improved pupil attainment and progress at all levels and in all contexts;
- data collation, analysis and application – which is defined as collating from local authorities and schools the data on school and pupil performance and progress across each region (based on the core data sets established by the Welsh Government), using that data to benchmark and challenge school performance and, with schools, set challenging targets for improvements;
- delivery of the national system for categorising schools, which has been co-constructed by Welsh Government, local authorities, consortia, unions and the profession. This system has replaced the previous individual systems developed by each consortium. This consistent national approach supports schools in their self-evaluation and development planning via a core entitlement to support;

- supporting the development of school leadership at all levels – which includes developing opportunities for emerging and senior leaders to develop their experience and expertise by having assignment and secondments in other schools, in addition to commissioning, and co-ordinating the provision of training and development programmes;
- making sure that school improvement support includes ensuring that schools are mindful of learner wellbeing and supportive of improved standards of behaviour and attendance;
- ensuring that the delivery of the national Literacy and Numeracy frameworks is effective across all schools and co-ordinate and quality assure the provision of training and development to achieve this;
- providing challenge to the performance and delivery of Foundation Phase settings and assess the need for and then commission, co-ordinate and quality assure provision of training and development support;
- aligning national and local 14-19 strategies across the wider consortium area to help raise standards in the core subjects of English/Welsh and mathematics, ensure high quality courses offer relevant training for pupils and contribute effectively to regeneration strategies;
- working with local authorities to ensure that their plans for developing and implementing strategies for 21st Century schools go hand-in-hand with plans for school improvement;
- enabling the aims of the Welsh Government’s Welsh-medium Education Strategy (WMES) to be delivered by ensuring the alignment of the Welsh in Education Strategic Plans (WESP) and the Welsh in Education Grant (WEG) across each of the local authorities within the regional consortia, so that there is consistency in the development of excellence in pedagogy not only across both the Welsh-medium and bilingual sectors, but also in the delivery of Welsh as a second language;
- devising or commissioning, coordinating and quality assuring delivery of high quality governor training and advice services including the requirements for mandatory training for governors;
- providing or ensuring the availability of specialist human resources advice to support headteachers and governing bodies in dealing with performance management and capability issues; and
- ensuring that teacher assessment is undertaken accurately and consistently and that the results of teacher assessments are rigorously moderated on a regional and wider basis.

- 2.2 Swansea benefits from capacity building grants targeted at schools causing concern and has received some financial recompense to support schools within and beyond the local authority. Swansea benefits from receiving support and challenge that is consistent with other local authorities. However, school performance in Swansea was at a high baseline to begin with. Schools have benefitted from support to improve the accuracy of teacher assessment and have received support to develop the literacy and numeracy skills of their pupils. More recently, schools have benefitted from accessing clear support to develop leadership. In most cases, Swansea still has the capacity to deliver what is required by WG, without adding additional resource into the consortium.
- 2.3 Welsh Government asked local authorities to ring fence a proportion of core funding in 2014 to support each of the four regional consortia. In Swansea, the total amount is currently £1.3M. Challenge advisers in schools make up most of this cost equivalent to 12 FTE. However, local subject specialists and staff have also been employed by Swansea to ensure delivery of national priorities.
- 2.4 Included within the £1.3M resource originally ring fenced by ERW (this has reduced year upon year in line with core funding reductions,) Swansea directly contributes £69K to maintain the ERW central team. Also, small amounts of grant monies are retained by ERW for administration of grants and to support wider regional priorities.

### **3 WESTERN BAY HEALTH AND SOCIAL CARE**

- 3.1 The Western Bay Programme delivers integrated health and social care models for older people, children with complex needs, mental health and learning disability services and support for carers.
- 3.2 The Local Authority Chief Executives, Directors of Social Services, Heads of Service across Bridgend, Neath Port Talbot and Swansea together with ABMU Health Board senior leaders have been working together under the auspices of the Western Bay programme since 2012. Swansea Council has been the host authority for the programme since its inception. The Western Bay programme has evolved, and supports collaborative working between the four statutory partner organisations, together with the third and independent sectors.
- 3.3 The benefits of this approach are described in a variety of ways from economies of scale through shared learning, to the advantages of integrated services at the front end of service delivery for service users, from joint commissioning arrangements to sharing good practise. This may involve an integrated approach through formal partnership arrangements and where appropriate, the pooling of funds. On other occasions, the four organisations continue to undertake commissioning activity in parallel but with a shared and co-ordinated regional approach.

- 3.4 The Social Services and Well-Being (Wales) Act 2014 brought about new requirements on statutory partners in the way that services are delivered and the outcomes for citizens. Part 9 of the Act specifically imposes legislative obligations on partners relating to Partnership Arrangements. It requires Local Authorities and the Health Board to make arrangements to promote co-operation with their relevant partners in relation to adults with needs for care and support, children and carers.
- 3.5 It also provides Welsh Ministers with regulation making powers in relation to formal partnership arrangements, resources for partnership arrangements (including pooled funds) and partnership boards.
- 3.6 There is a statutory requirement for Directors of Social Services to ensure that partnership working arrangements are in place and are delivering improved effectiveness and efficiency in relation to the delivery of services to address care and support needs of citizens, including carers, as identified in the Population Needs Assessment.
- 3.7 The regional partnership infrastructure arrangements and work programmes are supported by the Western Bay Programme Office, hosted by the City & County of Swansea. The Programme Office works across partner organisations to deliver on the Regional Partnership Board (RPB) priority areas of work and provides business support to the RPB and the supporting transformational Programme and Project Boards.
- 3.8 The SSWBA requires the Local Authorities and HB to establish a Regional Partnership Board to oversee the integrated health and social care arrangements. The Board is not an autonomous decision making body, therefore any decisions arising from the Board require Cabinet and Health Board endorsement. In terms of scrutiny, it is for each Local Authority and the Health Board to scrutinise the work of the Board and the Programme.
- 3.9 The Western Bay Regional programme covers the following service areas:-
- 3.10 Tier One – Key change projects which are overseen by the RPB and supported in the main by the Western Bay Programme office.
- Community Services (Frail and Elderly)
  - Carers Partnership Board
  - Heads of Children’s Services
  - Commissioning for Complex Needs
  - Welsh Community Care Information System (WCCIS)
  - Integrated Autism Service (ASD)
  - Workforce Development
  - Learning Disability & Mental Health
  - Area Plan
- 3.11 Tier two – business as usual projects which have been through a programme of transformation and report to the RPB by exception only.

- Regional Adoption Service
- Regional Safe Guarding
- Integrated Family Support Service
- Regional Collaborative Committee Supporting People
- Regional Area Planning Board
- Youth Justice and Early Intervention Service

3.12 Since the programme's inception, Welsh Government funding has supported the delivery of Western Bay priorities. Integrated Care Fund (ICF) formerly Intermediate Care Fund was allocated to Swansea Council on behalf of the region, although more recently has been allocated to the ABMU HB for the region. In 2017/18 £6.5m of ICF funding was allocated to the programme against these priorities:

<b>Themes</b>	<b>ICF Grant allocation 2017/18 £</b>
Older People	5,889,079
Learning Disabilities	743,691
Children with Complex Needs	709,809
Carers	40,000
Third Sector Allocation	386,397
Integrated Autism Service (IAS)	318,200
WCCIS	257,898
<b>TOTAL</b>	<b>8,345,074</b>

3.13 Capital funding of £1,770,074 is also allocated to the region in support of integrated health and social care schemes.

3.14 For three years in advance of implementation of the SS&WB (Wales) Act, Welsh Government provided a specific grant to support the LAs and partners to prepare for implementation of the Act (Delivering Transformation Grant). This funding was subsequently included in the Revenue Support Grant allocation to the LAs.

<b>Partner</b>	<b>£</b>	<b>%</b>
Bridgend CBC	127,000	26
Neath Port Talbot CBC	141,000	29
Swansea Council	223,000	45

3.15 Additional contribution from Intermediate Care Fund (held by ABMU HB). Older People Fund, proportion for regional staffing costs for Intermediate Care Services: £169,146 LD Fund, proportion for regional staffing costs for Contracting and Procurement Project: £112,330. Total funding in pooled budget arrangement, £772,476.

3.16 Western Bay Programme Infrastructure Costs 2017/18

Western Bay Programme Office Core Salary Costs	£341,088
Overheads, Training, Expert Advice, Events, Workshops, Citizen Panel Meetings, RPB meetings	£37,000
Additional Regional Resource Requirements (Expert advice for Care Homes, Third Sector Social Enterprise Costs)	£112,912
<b>SUB TOTAL RSG Funded Costs</b>	<b>£491,000</b>
Community Services Programme - Salary Costs	£169,146
Contracting and Procurement Project – 2 key regional posts: WB Implementation Manager and WB Contracting Officer	£112,330
<b>SUB TOTAL ICF Costs</b>	<b>281,476</b>
<b>TOTAL COSTS</b>	<b>£772,476</b>

3.17 The Welsh Government's reform agenda is giving clear indication of the direction of travel with some areas of work across Western Bay already mandated to be delivered regionally; for example: Integrated Autism Service, Safeguarding, regional adoption services and a pooled fund for care home accommodation.

3.18 Currently the future of Bridgend CBC as part of the Western Bay partnership is uncertain; the consultation period for the proposal for Bridgend to move from ABMU HB and align with Cwm Taff University Health Board for healthcare service delivery ends on 7<sup>th</sup> March 2018. If this change is progressed, then there will be the need to disaggregate Bridgend from the Western Bay programme. The impact on Swansea specifically should be minimal. A mapping prioritisation exercise is being progressed.

#### **4 WESTERN BAY REGIONAL CONTEST BOARD**

4.1 Contest is the UK Government's Counter Terrorism Strategy has been in place since 2003 and most recently amended in a third edition of the Strategy in July 2011. The aim of the Strategy is '*to reduce the risk to the UK and its interests overseas from international terrorism, so that people can go about their lives freely and with confidence*'.

4.2 CONTEST comprises of four elements:



1. Pursue: to stop terrorist attacks
  2. Prevent: to stop people becoming terrorists or supporting violent extremism
  3. Protect: to strengthen our protection against terrorist attack
  4. Prepare: where an attack cannot be stopped, to mitigate its impact
- 4.3 The Western Bay Contest Board consists of representatives from all agencies that have a remit or role under the strategy; these include Health, Fire & Rescue, Prison Service, Probation, South Wales Police, WECTU, Education, Welsh Government and Local Authorities.
- 4.4 All three local authorities (LA) within the Western Bay partnership are represented, meeting quarterly to receive updates from the four strands of the strategy, share intelligence; best practice, escalate concerns or uncontrolled risks to national level and effectively plan as a collective to improve the protection of our communities.
- 4.5 The chair of the Board is nominated from the local authorities of Swansea Council, Bridgend County Borough and Neath & Port Talbot County Borough Councils. The chair is rotated annually with the meetings held in the authority area of the chair. The LA chair will be a Senior Officer such as a Director or Head of Service from a department with particular responsibility for the Contest Strategy.
- 4.6 The Chair of the Board is invited to attend the All Wales Contest Board which is jointly chaired by Welsh Government and South Wales Police. The group also comprises representation from Prevent, Protect, Prepare and Pursue, commonly referred to as the 4 P's, from across the region.
- 4.7 Prevent, Protect & Prepare sub groups are in place within the region to ensure the objectives of the strategy are met. Each sub-group is coterminous with its local authority boundary and works closely with the Emergency Management/Resilience Service.
- 4.8 The Board has a strategic action plan, which is reviewed at the quarterly meetings.

## **5 PUBLIC SERVICE BOARD**

- 5.1 Establishment of Public Services Boards (PSB) is a requirement for each local authority. Currently across the Western Bay footprint there are three PSBs, one in each local authority area. The PSB statutory members have a responsibility to produce a Wellbeing Assessment and a Wellbeing Plan. The Wellbeing Plans are currently going through the consultation process and must be published by 4 May 2018. These Plans outline the agreed objectives of partners to maximise their contribution to the Wellbeing Goals.
- 5.2 In 2017/18, a small amount of funding was made available to regions to consider regional implications of PSB delivery and to seek greater

coherence and alignment between them. This funding was made available on a Western Bay footprint and was used to employ a coordinator, who gave notice after a short period in the job. The allocation of funds, however, gives notice of the direction that Welsh Government sees for the future of PSB arrangements. Informal discussions are ongoing about the potential for alignment of PSB arrangements across a Swansea/NPT footprint, and these are far from concluded.

### 5.3 Potential initial learning from Swansea PSB experience of developing the Wellbeing Plan would be:

- Agreement on vision and long-term thinking, drawing on where passion and interest lies can really help drive partnership working.
- It remains a challenge to retain ownership and drive across all partner organisations.
- Fundamental to strong partnerships is the development of relationships based on trust. So much depends on the individuals involved and their personal approach to the partnership.
- It remains a challenge to retain focus on achieving a smaller number of top priorities, and not get dominated by detail.
- There is an appropriate balance between bottom up and top down approaches that needs to be struck in terms of agreement on delivery.
- Governance arrangements help to provide assurance but do not guarantee successful outcomes.

## 6 OTHER REGIONAL COLLABORATIVE ACTIVITY

### 6.1 Community Cohesion

Community Cohesion Funding for a co-ordinator post has been received from the Welsh Government (WG) since 2009 for the implementation and support of the overall aims and objectives of Welsh Government's '*Getting on Together – A Community Cohesion Strategy for Wales*' (i.e. to achieve a fair and just society). Swansea Council is the Grant Recipient Body for the Western Bay Region for the current Community Cohesion Programme grant. The grant pays for one post, the Western Bay Regional Community Cohesion Coordinator, based in Swansea, who is coordinating the delivery of the plan across the region. The three Community Cohesion leads from Swansea, Neath Port Talbot and Bridgend monitor the Regional Community Cohesion Coordinator's work. They meet regularly to check and discuss progress against the agreed work plan, which aligns with each local authority's Community Safety Partnership arrangements on a local level rather than a regional board.

## 6.2 Violence against Women, Domestic Abuse & Sexual Violence (VAWDASV)

In 2018-2019 new arrangements will be established for the Welsh Government (WG) VAWDASV Grant on a regional basis between Swansea and Neath Port Talbot, aligned to the Police Basic Command Unit. The grant allocation for 18/19 has been calculated using the combined local authority allocations awarded in 2017-2018. Work is ongoing to develop a regional needs analysis and commissioning plan which will inform allocations from 2019-20 onwards. During 2017-2018 we have been developing structures in readiness for the roll-out of the regional approach for the VAWDASV grant and improving collaboration between all relevant partners for the delivery of VAWDASV services, through jointly identifying priorities at a regional level. This collaborative approach will continue during 2018-19, with the further development of key areas of governance and leadership, communications, monitoring and performance management, partnership working and information sharing in relation to VAWDASV services.

## 7 POTENTIAL FUTURE RISKS

Whilst the above summarises, at a very high level, the existing regional working, Welsh Government's reform agenda is giving clear indication of the direction of travel with more formalised areas of collaboration in a greater number of service areas. Whilst this presents opportunities, it also raises some important risks.

### 7.1 Changes to Health Board footprint

Welsh Government will shortly be consulting on changes to the ABMU Health Board footprint, to cover only Swansea and Neath Port Talbot, with Bridgend being served by Cwm Taf in future. At the time of writing, the negotiations are continuing, and it is unlikely that this will be fully implemented before 1 April 2019, and potentially could be later. This will impact primarily on the Western Bay arrangements and plans are in development to manage the transition smoothly.

### 7.2 Population profiles

Welsh Government by-pass local authorities by sending some grants straight to regional partnership arrangements, especially in education. There is a risk that formulas disadvantage urban areas like Swansea in the attempt to address rural sparsity or other issues that remain important in other localities, but less so in Swansea.

### 7.3 Potential Loss of Locality Focus and/or Duplication

With an increasing focus on regional working and a need to dedicate capacity to ensuring these arrangements work effectively, there is a risk that the local voice and local difference is masked or lost entirely. This is particularly true when the partnerships include a wide population. This in turn in some cases

has led to us introducing additional local arrangements to provide ourselves with assurance that work is progressing well in our locality in addition to the regional arrangements.

#### 7.4 Resilience

As budgets shrink, there are increasing concerns that some services, particularly in smaller Councils are unsustainable by individual Authorities in isolation and greater collaboration is one way to address such challenges.

### 8.0 **SUMMARY**

8.1 As such, whilst the debate about further regional working is inevitable, it's important for the Council to be active in whatever the emerging picture should look like and to share in its future. It needs to understand the benefits of local delivery but also be mindful of the national and regional picture and the potential opportunities that working on that footprint may bring.

8.2 If regions are too large or the footprint differs across various sectors, this could lead to confusion and a loss of democratic accountability. Whilst given the current unsustainable nature of public finances, such debates are will continue and it is important to understand the implication of any decisions that are likely to be made.

### **Appendix A: Existing Collaborative Arrangements**

**Audit of Regional Working - People Directorate**

Name of Regional Group / Working	Which Partners are involved?	What is the remit?	What are the Benefits to Swansea Council of this Group?
WB Regional Partnership Board	Leaders, Portfolio holders, Chief executives and Director/Chief Social Services officer of Swansea Council, Neath Port Talbot CBC, Bridgend CBC, Chairman and Executive leads for ABMU HB, directors/executives of 3rd Sector representatives, CVS's, Citizens panel and Carers partnership representatives, independent sector, Western Bay Programme Director (Councillor R Jones NPT CBC Chair, Andrew Davies Chairman ABMU HB Vice Chair)	Statutory requirement. Provides a senior forum to oversee the discharge of duties under Part 9 of the Social Services Wellbeing Act; agree Regional priorities; identify and respond to opportunities for collaboration and integration of Health, social care and wellbeing. Oversee the delivery of the Regional programme and 'unblock' obstacles to collaborative working	Significant influence around the discharge of duties and delivery of integrated Health Social and wellbeing activity for the citizens of Swansea; ensuring collaboration and co-production through economies of scale resulting from regional partnership working. Working in partnership to respond and lobby WG and respond to new legislation
ERW (Education through Regional Working)	Leaders, Portfolio holders, Chief executives and Directors/Chief Education Officers of Swansea Council, NPTCBC, Cymarthenshire, Powys, Pembrokeshire, Ceredigion. School staff, governors and local authority education department staff.	School improvement – which is defined as challenge and support strategies delivered by regional consortia that improve the teaching and learning in classrooms and lead to improved pupil attainment and progress at all levels and in all contexts. Delivery of the national system for categorising schools, which has been co-constructed by Welsh Government, local authorities, consortia, unions and the profession. This system has replaced the previous individual systems developed by each consortium. This consistent national approach supports schools in their self-evaluation and development planning via a core entitlement to support. Supporting the development of school leadership at all levels – which includes developing opportunities for emerging and senior leaders to develop their experience and expertise by having assignment and secondments in other schools, in addition to commissioning, and co-ordinating the provision of training and development programmes.	Consortium working has ensured greater challenge to Swansea schools, a consistent application of the national categorisation system (where support is proportionate to need). Support for new qualifications in secondary schools has been provided and there has been suitable support to prepare schools for greater digital competence. Schools now benefit from a range of virtual networks, consistent guidance on Welsh as a second language within and outside the classroom. Support for vulnerable learners has been co-ordinated by the regional service via training for attachment aware schools. Joint conferences and training between Neath Port Talbot and Swansea are arranged to reduce duplication and pool resources. Most functions that ERW has been asked to undertake have been delivered well for Swansea by utilising existing staff within Swansea and across the Hub.
ERW Joint Committee	The Joint Committee is made up of the six Local Authority leaders and is advised by the Executive Board of Directors, external school improvement experts, Headteacher representatives and the Managing Director.	The Joint Committee provides strategic direction, financial oversight and ensures effective and efficient delivery of the service.	Consortium working has ensured greater challenge to Swansea schools, a consistent application of the national categorisation system (where support is proportionate to need).
ERW Executive Board	The Executive Board is made up of the Directors of Education from each of the six Local Authorities within the consortium, and external members.	The Board meets monthly to: <ul style="list-style-type: none"> <li>• Monitor progress against the Business Plan</li> <li>• Hold Delivery Board to account against the Business Plan</li> <li>• Financial planning and accountability</li> </ul>	
<b>Tier 1</b>			
Leadership Group	Chief executives, Directors and Chief social services officers Swansea Council, NPTCBC, BCBC, ABMUHB Directors of services; (Swansea Council Chief Exec Chair)	Provides strategic direction and leadership to ensure effective partnership working; provides commitment and endorsement of programme objectives at Executive level; review, challenge and ratification of business plans/proposals;	Enables Swansea to ensure on going strategic alignment of WB programme with SC strategic direction and ensuring decisions are progressed through the appropriate Cabinet/Board; a focus for strategic planning on a cross boundary basis in the interests of securing improved and sustainable performance, efficiency savings and a reduction in service costs.
Programme Team	LA directors, Heads of Adult Services, 1 Head of Childrens services representative, CVC senior representative; ABMU HB Assistant Director of Strategy and partnerships.	Champion, direct and drive the Regional Programme forward	Enables Swansea to ensure on going strategic alignment of WB programme with SC strategic direction and influence the direction of the programme and commitment from partners
Finance and Legal group	SC, NPTCBC, BCBC, ABMU HB	Ensure a common understanding of WB Programme including financial commitments required from each partner organisation and ensure collective financial governance	Ensure financial commitment is in line and aligned to SC budget; realising financial economy of scale in delivery of Section 9 of the Act by working regionally and in partnership
HR leads group and Regional Trade Union forum	SC, NPTBC, BCBC, ABMUHB, Unison, GMB, RCN BMA and UNITE	Have good working relations for the mutual benefit of statutory partners in the effective delivery of the WB Programme. To share relevant information and intelligence including any workforce matters which may impact on the partners	Positive workforce engagement in relation to regional working

Name of Regional Group / Working	Which Partners are involved?	What is the remit?	What are the Benefits to Swansea Council of this Group?
Community Services Planning and Delivery Board	SC, NPTCBC, BCBC, ABMU HB, 3rd Sector	Planning and commissioning of services for older people that require a common approach across the region. Provide strategic cross challenge around performance and delivery. To oversee the implementation of the social services element of the SS Wellbeing Act regional implementation plan	The Board provides a focus for strategic planning on a cross boundary basis and ensures that best practice is identified and shared in the interests of securing improved and sustainable performance, efficiency savings and a reduction in service costs. Shared knowledge, resources and good practice, standardised ways of working
Community Services Performance sub group	SC NPTCBC, BCBC, ABMU HB	Standardised data collection and reporting infrastructures across the region; ensure comparable data from each of the 3 LA's is provided to the Operational sub group and to Community Services Planning and delivery Board	Enables SC to monitor key performance measures around older peoples services; benchmarking against partner LA's and re design services as needed based on sharing of best practice and improved outcomes; ensuring regionally citizens have access to the same high quality services
Community Services Operational Sub group	SC, NPTCBC, BCBC, ABMU HB, 3rd Sector	Ensure the delivery of a consistent whole system service model, including primary, core and secondary care services across all work streams in Western Bay Community Services Programme; To act as main operational group across Western Bay Community Services for all work streams in the programme	Taking a regional approach enables best practice to be shared across Western Bay improving outcomes for the citizens of Swansea; taking a regional approach to quality frameworks, performance and evaluation
Care Homes sub group	SC, NPTCBC, BCBC, ABMU HB, 3rd Sector	Oversight of implementation of legislation and strategies relating to care homes for older people across the Western Bay region, including the progress of WB care homes commissioning strategy	Taking a regional approach enables best practice to be shared across Western Bay improving outcomes for the citizens of Swansea; taking a regional approach to quality frameworks, performance and evaluation
Care and Support at Home Task and Finish Group	SC, NPTCBC, BCBC, ABMU HB, 3rd Sector	Explore strategically and operationally across Western Bay, the provision of all long-term services delivered to citizens in their home setting; Review the themes highlighted in the Domiciliary Care Position Statement and equally apply to all provision of domiciliary care and all provision of direct payments for older people.	Taking a regional approach enables best practice to be shared across Western Bay improving outcomes for the citizens of Swansea; taking a regional approach to provision of services, quality frameworks, performance and evaluation
Pooled fund for Care Homes Task and Finish Group	SC, NPTCBC, BCBC, ABMU HB,	Oversight of the development and implementation of a pooled fund for care homes for older people as required by the Social Services & Wellbeing (Wales) Act	The development of a Regional pooled fund for care home provision across Western Bay is requirement outlined in SSW Act therefore a statutory requirement; Swansea will directly benefit by being part of this to ensure they have influence over the development of the fund and also long term ability to influence and shape the care home provision across Swansea.
Anticipatory care sub group	SC, NPTCBC, BCBC, ABMU HB,	Develop a process to implement Anticipatory care planning across Western Bay based on the 'What Matters To Me' model; sharing what is developed and tested. With a long term view that this becomes part of core services	Sharing best practice around service delivery to improve outcomes
Commissioning for Complex Needs Board	SC, NPTCBC, BCBC, ABMU HB,	To develop and implement outcomes based commissioning to secure accommodation and support for Adults and Children with complex needs; to implement a Regional Quality Framework	Taking a regional approach enables best practice to be shared across Western Bay improving outcome based commissioning for the citizens of Swansea; taking a regional approach to commissioning, a quality framework, and evaluation. The strength of a collective voice in negotiating providers
Welsh Community Care Information System (WCCIS)	SC, NPTCBC, BCBC, ABMU HB, NWIS	Ensure that the implementation, development and use of WCCIS supports the local and regional requirements for the ongoing transformation of the delivery of integrated health and social services	Sharing learning and experiences to ensure that Swansea's implementation and development of WCCIS is supported and strategically developed to achieve the ambitions for integrated Health and Social Care working. Therefore the real benefits for Swansea will be to call on the experience and networking available in the Regional Team which includes their ability to coordinate, develop and support best practice to implement consistent approaches and thereby minimising duplication, and the need to "re-invent the wheel".
Workforce development steering group	SC, NPTCBC, BCBC, ABMU HB, Social Care Wales	Identify and support key workforce issues from the sector in each region: Recruitment and Retention to promote careers within social care sector; Education and Training Provision ensuring a qualified, competent and confident workforce	Swansea will benefit from taking a regional approach by having a skilled workforce in place and for the care sector to be viewed positively by those considering this sector as a career option; an ability to influence a much wider audience who may consider working across the Swansea area.

Name of Regional Group / Working	Which Partners are involved?	What is the remit?	What are the Benefits to Swansea Council of this Group?
Area Planning steering group	SC, NPTCBC, BCBC, ABMU HB, 3rd Sector, Carers partnership	To ensure the development and production of an area plan for integration of Health and Social care which responds to the findings of the Population assessment.	Sharing resources across Western Bay to develop and deliver an area plan in response to the population assessment; economies of scale and influence
Heads of Childrens services	ABMU HB, BCBC, SC, NPTCBC	Ensure the delivery of key priorities for children with complex needs	The group provides a focus for strategic planning on a cross boundary basis and ensures that best practice is identified and shared in the interests of securing improved and sustainable performance, efficiency savings and a reduction in service costs. Shared knowledge, resources and good practice, standardised ways of working
Integrated Autism Service	SC, NPTCBC, BCBC, ABMU HB, ASD info Wales	Oversee the development of a Regional integrated Autism service	Swansea benefit from a wide range of expertise with the sharing of ideas and best practice and informing the development of the service
ICF - grant allocation process	SC NPTCBC, BCBC, ABMU HB, 3rd Sector, Carers partnership	To oversee the allocation of Integrated Care Fund funding held by ABMU HB on behalf of the Region; Administered by WB programme office. Western Bay programme office support all aspects and gather quarterly reports for submission to WG	Oversight and influence of projects that are funded across WB.
Citizens Panel	Citizens from across Western Bay; BCBC, ABMUHB	To inform and engage with Citizens around the work of Western bay and provide link to the Regional Partnership Board.	Gives a voice to citizens across Swansea engaging, informing and enabling them to understand the processes and services being taken through regional partnership board and enabling them to be part of the decision making process
Carers Partnership Board	Representatives from carers groups across Western Bay; Swansea, NPT and Bridgend CVCs, ABMU HB, SC, NPTCB, BCBC, 3rd Sector	Improve the lives of Carers across the WB area by building on the progress achieved as a result of the Valuing Carers Strategy; maintain the momentum of Carers awareness and provide a framework for partner organisations to respond to Carers within the remit of the Social Services and Well-Being Act 2014 (Wales)	Ensuring Swansseas duty to carers as outlined in the SS Well Being Act (2014) is fulfilled; enabling best practice around the support of carers to be shared
Mental Health and Learning Disabilities Commissioning Board	SC, NPTCBC, BCBC, ABMUHB, 3rd Sector	To ensure the delivery of key priorities for mental health and learning disability services for adults and their families; to lead the development of strategies and commissioning priorities to inform the co-production of proposals to redesign or create new models of	A forum to share best practice around commissioning services and enables Swansea to contribute to the development and influence new models of care
<b>Tier 2</b>			
Regional Adoption Service	SC, NPTCBC, BCBC, Independent and 3rd Sector	The aim of this group is to develop a new regional adoption service collaborating across all 3 local authority adoption agencies.	Ability to influence the development of the regional adoption service
Regional safeguarding Children	SC, NPTCBC, BCBC, ABMUHB, police, probationary service, WAST, independent and 3rd sector	SCBs are the key statutory mechanism for agreeing how the relevant organisations in each area will cooperate to safeguard and promote the welfare of children, and for ensuring the effectiveness of what they do. Western Bay Safeguarding Children Board is committed to the UNCRC and believes in the 7 Core Aims for all children and young people which state that they should: have a flying start in life have a comprehensive range of education, training and learning opportunities have the best possible health, free from abuse, victimisation and exploitation have access to play, leisure, sporting and cultural activities be treated with respect and have their race and cultural identity recognised have a safe home and community that supports physical and emotional wellbeing not be disadvantaged by poverty	Ability to influence and share best practice around safeguarding children across Swansea
Regional safeguarding Adults	SC, NPTCBC, BCBC, ABMUHB, police, probationary service, WAST, independent and 3rd sector	SCBs are the key statutory mechanism for agreeing how the relevant organisations in each area will cooperate to safeguard and promote the welfare of Adults, and for ensuring the effectiveness of what they do.	Ability to influence and share best practice around safeguarding Adults across Swansea

Name of Regional Group / Working	Which Partners are involved?	What is the remit?	What are the Benefits to Swansea Council of this Group?
Area Planning Board for substance misuse	SC, NPTCBC, BCBC, ABMUHB, police, probationary service, WAST, independent and 3rd sector	The APB wants to make sure there are a wide range of integrated services that meet the needs of residents and which improve people's wellbeing, preventing people from using drugs and alcohol harmfully and providing services for those who do need to access specialist service provision, "where service users move seamlessly between services, or access a number of mutually supportive services without necessarily being aware that they are provided by different service providers or service sectors." (Welsh Government)	Ability to influence the development of substance misuse services regionally and also share best practice.
Integrated Family Support Service	SC, NPTCBC, BCBC, ABMUHB	To develop an integrated family support team for referrals when there are concerns about the welfare of children, such as: substance misuse, Domestic violence or abuse, a history of violent or abusive behaviour; mental health issues. Families who experience such difficulties might be at risk of having their children placed into care or having their names put on the Child Protection Register. IFSS work with families to help them to make positive changes, so that any concerns are lessened and children can stay safely at home. IFSS teams provide targeted support and help connect children and adult services, focusing on the family as a unit	Ability to influence the development of IFS services regionally and also share best practice.
Regional collaborative committee for supporting people	Councillors from NPTCBC, SC, BCBC, independent and 3rd sector provider representatives, probation services and substance misuse representatives, ABMU HB Assistant director of Strategy and Partnerships, SPNAB rep	The Supporting People Programme was launched in 2003 and brought together housing-related funding streams from across central government. The Supporting People Programme Grant (SPPG) provides housing-related support to help vulnerable people avoid homelessness and allows them to live as independently as possible. This could be in people's own homes or in hostels, sheltered housing, or other specialist supported housing. The Programme has close policy links across the Welsh Government e.g. Social Services, Health, Probation and Community Safety, Tackling Poverty and Public Service Policy. Whilst the Supporting People Programme can help vulnerable people with housing related matters, Social Services Departments can help with personal care.	
Youth Justice and intervention service	Police, Probation Service, SC, NPTCBC, BCBC, ABMU HB, Education, Substance Misuse Agencies and Housing	The service works with young people aged 10-17 and has 3 main areas of work: Preventing Offending: A large area of work centres around preventing young people from committing an offence and getting involved in the youth justice system. Offenders: The service works with work with young people who have come to the attention of the police and the courts because of their offending. Depending on their sentence, the Youth Justice Service has to supervise the young person throughout their order. During this time the service looks at how it can assist the young person to stop re-offending. Community Safety : A small number of young people continue to reoffend and some young people commit very serious offences. The Service is responsible for working with the young person during their time in prison and when they are released back into the community.	



Name of Regional Group / Working	Which Partners are involved?	What is the remit?	What are the Benefits to Swansea Council of this Group?
Western Bay Regional CONTEST Board	SC, BCBC, NPTCBC, ABMU, SWP, MWWFRS, WECTU, National Probation Service, Wales Community Rehabilitation Company, WG, WAST, Home Office	<p>The Western Bay Regional CONTEST Board's primary role is to progress the delivery of the Wales CONTEST Strategy by ensuring effective multi agency partnership working</p> <p>Objectives:</p> <p>Ensure that local PREVENT action plans are developed and delivered across the partnership area and, where possible, mainstreaming into everyday service delivery;</p> <p>Establish local partnership governance arrangements that identify officers within partner agencies leading on PREVENT and their roles and responsibilities;</p> <p>Establish a process for the formal evaluation of the outputs, outcomes and benefits of relevant local PREVENT projects;</p> <p>Ensure that local PROTECT and PREPARE action plans are developed and delivered across the partnership area and, where possible, mainstreaming into everyday service delivery;</p> <p>Establish local partnership governance arrangements that identify officers within partner agencies leading on PROTECT and PREPARE and their roles and responsibilities;</p> <p>Establish a process for the formal evaluation of the outputs, outcomes and benefits of relevant local PROTECT and PREPARE projects;</p> <hr/> <p>Ensure information sharing protocols enable the sensitive and confidential sharing of intelligence and/or sensitive information between Police and other partners, particularly with regard to individuals/institutions vulnerable to radicalisation and the exchange of information on risk levels, threats and mitigating actions.</p> <p>To be responsible for providing an annual report to the Wales CONTEST Board on progress, developments and emerging best practice.</p>	<p>Significant influence around the discharge of duties and delivery of CONTEST activity for Swansea and ensuring collaboration and multi agency regional partnership working. Opportunity to chair the board as this responsibility is rotated between the 3 local authorities on an annual basis. Collaborate with the Home Office and Welsh Government on the Dovetail Pilot (Swansea the only local authority in Wales and one of 9 nationally) to develop a sustainable Channel model for Wales</p>

## **7. Session 4 on 2 February 17 Roundtable Partners - Place**



City and County of Swansea

## Notes of the **Scrutiny Inquiry Panel – Regional Working**

**Councillor Meeting Room 235, Guildhall**

**Friday, 2 February 2018 at 10.30 am**

**Present:** Councillor L R Jones (Chair) Presided

**Councillor(s)**

J A Hale  
M Sykes

**Councillor(s)**

C A Holley  
T M White

**Councillor(s)**

M H Jones

**Other Attendees**

Helen Morgan

Carmarthenshire Lead for City Deal

Waste Partnership (Bridgend)

Ben George

South West Wales Regional Transport Partnership

**Officer(s)**

Michelle Roberts

Scrutiny Officer

**Apologies for Absence**

Councillor(s): O G James and B J Rowlands

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**1 Disclosure of Personal and Prejudicial Interests.**

Cllr Mike White (Personal Interest Agenda Item 3)

**2 Roundtable meeting with Place Directorate related partners**

The Panel invited representatives from some of the Councils external partner organisations that fall within the Place Directorate area to gain their views on issues relating to regional working and its partnerships. The following points have been noted:

**Representative from South West Wales Waste Partnership from Bridgend Council**

- Working across region particularly around procurement matters, good for economies of scale and Welsh Government is encouraging local authorities to work together around waste.
- Tangible benefit last year: new food waste procurement including Bridgend and Swansea. Welsh Government supported it with 25% funding. It is proving financially beneficial to both LA's. The facility was built in Bridgend and has also resulted in employment opportunities.
- Very positive but this took a substantial time to deliver. With the initial process starting in 2008 when a number of other LA's were involved and the preferred bidder pulled out. After the failed procurement situation some of the LA's lost

appetite for it or found other solutions. So when we tried again with the current procurement fewer LA's involved but it has worked out well anyway. It has been a long winded, extended project but a successful one all the same.

- Some of the barriers/challenges include: the amount of time and effort that it takes to go through this procurement activity, also challenges with getting everyone on board and on the same page.
- Welsh Government funding for this positive but the systems that they require you to go through are onerous and time consuming. The business case and procurement very challenging but good result for Swansea and Bridgend.
- It was a time consuming process, it was led by Swansea (felt that smaller authorities may find difficult to lead such a process with less resource and expertise behind them).
- It is important that all the necessary departments within your own council are working together and are on the same page when you are involved in a regional process.
- Would it have worked even better with more than the two LA's? The Panel heard that it was difficult to say because some aspects do need a local structure. But with the procurement aspect yes bigger buying will power drive better deals and save money for all as a result.
- It was felt that better guidance and a more streamlined service from Welsh Government would be beneficial. It is a long and drawn out process applying for Welsh Government Funding. The panel recognise that it is important that the public sector go the extra mile for due diligence and governance when spending public money but would be keen to see the process simplified if regional working is to be developed on a large scale. It was felt that there needs to be a better balance between the onerousness of the process, the needs of due diligence and the time it takes/bureaucracy this entails.

### **Carmarthenshire Lead for City Deal**

- Swansea Bay City Deal has 11 projects spread throughout the region with a total funding of 1.3 billion pounds.
- 241 million is for the whole Swansea Bay City Deal project and is funded through UK Government and Welsh Government, LA's and the private sector. The deal was signed on 20 March 2017 and is an agreement in principle for the 11 projects over the next 15 years. 5 years for delivery and 10 years to realise the impact. Carmarthenshire is the lead Council.
- Have used the Welsh Government 5 case business model, which has proved to be time and resource consuming.
- 8 out of the 11 business cases have been submitted to both governments. Is a complicated process because these business cases then go to 3 different departments within government.
- Swansea has two projects: City Deal and the Swansea City and Waterfront. All business cases are currently in draft form.
- These two projects total 168 million of that 50 million combined from UK/Welsh government, public sector 94 million and 24 million from private sector.
- The predicted GVA benefit to Swansea economy in the form of uplift will be, after 5 years 64million, after 10 years 190million and after 15 years 319million, with 265 jobs after 5 years, 1178 after 10 and 1323 after 15 years. Although more

work on the predicted value of these jobs needs to be done. The panel feel it is important that many of these are higher paid jobs.

- The Panel heard about the talent and skills initiative where people in the local area are upskilled so they will be able to access the jobs that result from these 11 projects. Working with universities, colleges and schools including primaries.
- Currently working with Leaders and Chief Executives across the region to put together a legal governance structure. There are currently a couple of issues to resolve with the two governments, one is around capitalisation.
- Letters have been sent to Governments on the capitalisation issue: that is being able to turn some project capital monies into revenue spend. Cardiff has been able to do this, but so far this has not been accepted for the Swansea City Deal. Panel were supportive of the representations being made to be able to use some of the monies for revenue purposes.
- The panel raised the issue of the part of the Deal that includes European Funding. The panel were told that those aspects that are ERDF can be front loaded where possible. There has been no agreement about how any monies that may be lost through no longer being in the European Union will be replaced. The EU funding element is included within the 94m public monies part.
- One of the barriers can be the practicality of working across 4 local authorities. But for the City Deal the relationship has matured and issues like protectionism has improved as all partners see the overall benefits of working across the region.

### **Transport Strategy Officer Swansea (South West Wales Regional Transport Partnership)**

- Governance of a partnership very important. South West Wales Regional Transport Partnership currently does not have a formal governance structure as the Consortia were dissolved in 2014. Partners across the region have agreed it is important to keep the partnership going as they do not want to lose the good partnership working, skills and knowledge of its members and have to start from the beginning when they need to work together formally again, so it is currently working together informally in the meantime. The Authorities in the partnership recognised its value. The regionally legally mandated structure for transport has completely gone. It was thought that it would be included in the new city deal developments but this has not happened. There is currently no voice at national level because the governance structure has been stripped away.
- Do need to have a formal Welsh Government mandated partnership for the region for Transport, we cannot rehash SWITCH as things have developed, it needs to be formed in its own right and/or built into the City Deal. Welsh Government needs to clarify the governance issue around transportation policy.
- There are close links with the Wellbeing and Future Generation Act especially around issues like reducing Carbon Emissions etc.

### **3 Inquiry Project Plan**

The Panel will at their next meeting on the 16 February speak partners related to the People Directorate including Western Bay and Education through Regional Working.

The meeting ended at 11.50pm

## **8. Session 5 on 16 February 17 Roundtable partners - People**



City and County of Swansea

## Minutes of the **Scrutiny Inquiry Panel – Regional Working**

Councillor Meeting Room 235, Guildahall

Friday, 16 February 2018 at 10.30 am

**Present:** Councillor L R Jones (Chair) Presided

**Councillor(s)**  
C A Holley

**Councillor(s)**  
B J Rowlands

**Councillor(s)**  
T M White

**Officer(s)**

Sara Harvey  
Alan Edwards  
Michelle Roberts

Western Bay Regional Programme Director  
Head of Teaching and Learning ERW  
Scrutiny Officer

**Apologies for Absence**

Councillor(s): M H Jones and M Sykes

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**1 Disclosure of Personal and Prejudicial Interests.**

None

**2 Roundtable meeting with People Directorate related Partners**

The Panel invited representatives from some of the Councils external partner organisations that fall within the People Directorate area to gain their views on issues relating to regional working and its partnership. The Panel spoke to Sara Harvey (Programme Director at Western Bay) and Allan Edwards (Head of Teaching and Learning at ERW). The following points have been noted:

***Benefits of regional working for Swansea***

Western Bay

- This is really why we do this...to improve services by working together.
- There have been some financial benefits with economies of scale, eradicating duplication of process and effort.
- Real improvements have been in quality. Use a regional quality frame work, which is a set of quality standards used by all across Western Bay care provider.
- Developed a Citizens Panel
- Encouraging the sharing of best practice across the region
- Reviewed processes and assessed services across the region providing challenge for one another

- Local Area Co-ordinators piloted in Swansea and are now being introduced in some other parts of the region.
- Brokerage process, larger organisations get better deals, can speak to providers on block.

#### ERW

- Improved influence due to scale at a national level. Four regions can have stronger influence when national policy is being developed.
- Resources can be targeted based upon need and being able to call on knowledge and expertise from across the region.
- Some efficiencies but not as much as the other regions just yet.
- Improved quality and consistency for example: challenge advisors
- Able to work together to develop resources and materials for schools that can be used across the region.

#### Questions from Panel

- How are care homes assessed and improvement assessed? Quality framework provides care providers with bronze, silver or gold based upon their quality and also the services they provide.
- How do you meet local priorities when situations very different in authorities like for example rural and urban influences? Each LAs Education Improvement Team tailor the services to the locally needs. The ERW Business Plan also has an Annex for each local authority to outline their priorities. There are some gains especially in schools supporting each other across the regions where there are identified common issues.
- Are the same issues flagged up across all six local authorities? There are many concerns that are similar across all and also differences.

#### ***Barriers to Regional Working***

The barriers to greater integration for Western Bay include:

- Trade Unions important, there have been many different Terms and Conditions across the organisations integrated. This is not done yet with most staff in the partnership working under their original contracts which can cause resentment especially when pay and conditions for one are preferable to another.
- Differing ICT systems that cannot or difficult to share information across. New system being introduced which will improve and give capacity to look at data together. Health not yet on board. It will make a real difference when needing to share information.
- There can be concerns by some partners that the system is not serving them as well as others. Each LA serves and answers to its own citizens. This is why it is important that that each LA signs up to a joint plan identifying the regions priorities.
- The funding environment at the moment can make people far more introspective than outward looking but changes and relooking at how we run services can be positive and provide benefits in working regionally.
- Getting all six local authorities to use common working practices.
- Identifying common risks can be a challenge.
- There has been some issues around lines of accountability with staff not sure if they are working for the LA, the region or both (ERW)



- Governance structure is important especially in establishing clarity for all those involved.
- A common language across partners as things can mean different things in different organisations.

### ***Scrutiny and Governance Arrangements***

#### ERW

- Regional ERW Scrutiny Councillor Group is in place (it is an informal panel not formal committee) which scrutinises the work of the ERW Joint Committee. It is made up of the relevant Chairs and Vice Chairs of Education related scrutiny bodies across the region. The work of the scrutiny panel and the recommendations arising from it are sent via a letter from the Chair of the Group to the Joint Committee. The Joint Committee considers it at their meeting and then responds in writing back to the Group. It is proving to be successful and this model is being taken up by some of the other regions.
- ERW is also challenged through a number of other sources like for example Estyn and Audit (4 times a year)
- The ERW Scrutiny Councillor Group meets twice a year, prior to Joint Committee. The panel asked if twice yearly was enough and they heard that work currently but this will need to be continually monitored.

#### Western Bay

- Do not have a joint scrutiny arrangement at present, Neath Port Talbot Council did not wish to proceed with that at present although Bridgend and Swansea were keen. All four partners have to be signed up.
- Each individual local authority do scrutinise the aspects relating to them but the partnership as a whole not scrutinised.
- Do feel that when members can scrutinise the programme it provides good governance and also increases its visibility
- Currently each decision that needs to be made has to go through each council's cabinet and the health board before it can be taken forward. If there was a Joint Committee Arrangement this would make decision-making much quicker.
- Should the governance structure be revisited by the partnership, forming a Joint Committee and associated scrutiny arrangement...possible recommendation?

#### ***Key principles for effective joint working***

- Strong leadership both officer and political
- Common systems across partnership (for example quality framework)
- Good communication at every level and with stakeholders
- Good, clear, visible governance and collective decision making
- Good relationship development and build trust in relationships
- Built in resilience (not easy requires particular skills)
- Champions, sponsors and leads in each partner organisation who can see bigger picture and maintain interest in the partnership

#### ***Clarity from Welsh Government and Mandation***

- Mandation often needed so you can be really clear what the expectations are, we then also get clear statutory guidance. Social Services and Wellbeing Act 2012 a

good example. Mandation brings about different challenges and not everyone will like it.

- Mandation does give more clarity of roles, for example partners not wanting to take part in certain aspects will have to reconsider.

#### ***Working with third and private sector***

- Not working fully with third sector yet, will be looking to do this further where it is appropriate (ERW)
- Work with private sector around education and developing skills industry locally need (through Learning Partnership)

#### ***Is protectionism frustrating regional collaboration?***

- Does and can have quite significant effects at some levels.
- Unnecessary as it should be about the learner/citizen.
- Panel asked how this could be addressed/improved? They heard by:
  - strong political and senior management leadership and direction (senior management play a pivotal role in shaping the ethos of the partnership)
  - Celebrate people on the ground and the work they are doing
  - Communication from top to bottom and particular in the block areas like middle management.
  - A common purpose and shared vision
- Transforming process and asking people to do things differently can be heard. Change is not easy and need careful positive management.

### **3 Inquiry Project Plan**

The Panel will next meet on the 15 March where they will discuss their findings and start to conclude this piece of work.

The meeting ended at 11.30 am

## **9. Other documents and background information**

## Roberts, Michelle

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**From:** Roberts, Michelle  
**Sent:** 02 November 2017 16:38  
**To:** Evans, Mandy (Councillor); Hale, Joe (Councillor); Holley, Chris (Councillor); James, Oliver (Councillor); Jones, Lyndon (Councillor); Jones, Mary (Councillor); Madahar, Brij; Rowlands, Brigitte (Councillor); Sykes, Mo (Councillor); White, Mike (Councillor)  
**Subject:** Regional Working Scrutiny Inquiry - background reading  
**Attachments:** 2. senedd.docx

Good afternoon Regional Working Scrutiny Panel members

As requested at the last meeting, please find below, after some desk based research, some bits of background information on some of the regional working activities within the Place Directorate.

1. Swansea Press release City deal: <http://www.swansea.gov.uk/article/32824/Swansea-Bay-Leaders-celebrate-historic-City-Deal>
2. Current position with regard Swansea City Deal March 2017 (Senedd) – attached to email (gives details on expected governance arrangements etc)
3. WLGA Report May 2017 progress with City Deals and the regional economies: <http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=980> (*The current position with regard to the signed Cardiff Capital Region and Swansea Bay City Deals and the next steps planned to take them forward and others*).
4. SWW Regional Waste Management Consortium Working: <http://apps.dataunitwales.gov.uk/RCC/View.aspx?region=6&id=46>

The Agenda for your meeting with the Director of Place will be circulated next week and will include a report from the department detailing all regional working activities.

Best wishes



**Michelle Roberts**  
Swyddog Craffu / Scrutiny Officer  
01792 637256  
[michelle.roberts@swansea.gov.uk](mailto:michelle.roberts@swansea.gov.uk)

**National Assembly for Wales**  
Communities, Equality and  
Local Government Committee

## **Inquiry into progress with local government collaboration**

December 2013



Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales

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**[www.assemblywales.org](http://www.assemblywales.org)**

Copies of this report can also be obtained in accessible formats including Braille, large print; audio or hard copy from:

Communities, Equality and Local Government Committee  
National Assembly for Wales  
Cardiff Bay  
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Tel: 029 2089 8149

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Email: [CELG.Committee@wales.gov.uk](mailto:CELG.Committee@wales.gov.uk)

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**National Assembly for Wales**  
Communities, Equality and  
Local Government Committee

## Inquiry into progress with local government collaboration

December 2013



Cynulliad  
Cenedlaethol  
Cymru

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Assembly for  
Wales  
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## Communities, Equality and Local Government Committee

The Committee was established on 22 June 2011 with a remit to examine legislation and hold the Welsh Government to account by scrutinising expenditure, administration and policy matters encompassing: Wales's culture; languages; communities and heritage, including sport and the arts; local government in Wales, including all housing matters; and equality of opportunity for all.

### Current Committee membership



**Christine Chapman (Chair)**  
Welsh Labour  
Cynon Valley



**Leighton Andrews**  
Welsh Labour  
Rhondda



**Peter Black**  
Welsh Liberal Democrats  
South Wales West



**Janet Finch-Saunders**  
Welsh Conservatives  
Aberconwy



**Mike Hedges**  
Welsh Labour  
Swansea East



**Mark Isherwood**  
Welsh Conservatives  
North Wales



**Gwyn R Price**  
Welsh Labour  
Islwyn



**Jenny Rathbone**  
Welsh Labour  
Cardiff Central



**Rhodri Glyn Thomas**  
Plaid Cymru  
Carmarthen East and Dinefwr



**Jocelyn Davies**  
Plaid Cymru  
South Wales East

The following Member was also a member of the Committee during this inquiry:



**Lindsay Whittle**  
Plaid Cymru  
South Wales East



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## Chair's Foreword

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Public services, and the way they are delivered, affect the lives of everyone in Wales and, as such, access to effective, high quality public services is vital.

The Welsh Government has long seen collaboration between public services – and particularly within local government – as a means of providing more efficient and effective services in this regard. As such, we decided to undertake this short inquiry to look at the extent to which collaboration is taking place in local government, and to evaluate its success in terms of efficiency savings and the delivery of services.

Everyone is aware that public services in Wales and local authorities in particular are facing a very challenging financial future. We have heard from high-level witnesses about the urgent need to address this. Our work has led us to conclude that collaboration between local authorities in its current form does not provide an adequate solution, which means that something needs to change.

In this respect, two substantive issues have become clear to us during the course of our inquiry. The first is that the focus of any future local government system put in place should be on the delivery of services and on the best way to deliver specific services in specific areas. The number of organisations delivering those services should be a secondary consideration after it has been decided how different types of services could be most effectively delivered on the ground. The Welsh Government should therefore ensure that effective and sustainable delivery of services drives the future organisation of local government structures. By focusing on delivery, the structures should then fall into place.

The second is that, if collaboration remains a goal, there is scope for more drive from the Welsh Government in this regard. The Welsh Government should also focus on the areas in which collaboration will have the maximum beneficial outcomes, rather than pursue a general policy of encouraging collaboration across the piece.

Both these issues are dealt with in more detail in our report, along with other themes and conclusions which became apparent as we undertook our work.

In forming our conclusions, we are aware that the Commission on Public Service Governance and Delivery is due to submit its report to the Welsh Government before the end of 2013. However, whatever that Commission recommends, and whatever model of local government is proposed, we urge the Minister to take note of our conclusions in responding to the Commission.

A handwritten signature in black ink that reads "Christine Chapman". The signature is written in a cursive, flowing style.

Christine Chapman  
Chair

## Recommendations

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**Recommendation 1.** The Welsh Government should ensure that effective and sustainable delivery of services drives the future organisation of local government structures. (Page 30)

**Recommendation 2.** We believe that strong Ministerial direction, with penalties and incentives, is now needed to drive the collaboration agenda forward in local government. However, we also believe that Welsh local government needs to exert more influence over how this is done and that better engagement between the Welsh Government and local government is needed. (Page 31)

**Recommendation 3.** The Welsh Government should focus on the areas in which collaboration will have the most beneficial outcomes, rather than pursuing a general policy of encouraging collaboration across the piece. (Page 31)

**Recommendation 4.** The Welsh Government should undertake further analysis of the costs and benefits of collaboration between local authorities, including non-financial benefits, and publish its findings. (Page 31)

**Recommendation 5.** The Welsh Government should work with local authorities to ensure appropriate arrangements are in place to enable effective scrutiny of collaborative arrangements, particularly by back-bench members. (Page 32)

**Recommendation 6.** Adequate provision of resources at the outset can lead to long-term benefits with regard to collaboration. The Welsh Government should take this into account as it considers the report of the Commission on Public Service Governance and Delivery. (Page 32)

# 1. Background

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## Context

1. For several years, Welsh Government policy statements have called on public bodies in Wales to work jointly to improve services. This has been particularly true within local government and between local authorities, with the signing of the Simpson Compact between the Welsh Government and local government in December 2011 providing further impetus for this agenda.

2. In April 2013, the Welsh Government established a Commission on Public Service Governance and Delivery to develop and propose an optimal model of public service governance and delivery for Wales after assessing the current arrangements.

3. In light of the above, we decided in July 2013 to undertake our own inquiry looking at the progress of local government collaboration in Wales, within the context of:

- The Welsh Government's policy over several years to encourage more collaboration in the delivery of public services;
- The implementation of the Simpson Compact; and
- The anticipated report of the Commission on Public Service Governance and Delivery before the end of 2013.

## Terms of Reference

4. The overall purpose of the inquiry was to look at the extent to which local government collaboration is taking place, and to evaluate the success of this in terms of efficiency savings and the delivery of services. The terms of reference were agreed as follows:

- The extent to which the Welsh Government's collaboration agenda has been taken forward within local authorities;
- The structural, political and practical barriers to successful collaboration;
- The models of governance and accountability adopted when collaboration takes place; and
- The overall costs and benefits of collaborating to deliver local government services.

5. Due to time constraints, and the work being undertaken by the Commission on Public Service Governance and Delivery, we agreed not to look in detail at case studies or local issues. Rather, the aim was to try to gain an holistic understanding of the way in which the collaboration agenda has been taken forward on the ground, with particular focus on the extent to which collaboration takes place between different local authorities on a regional basis.

### **Method**

6. A written public consultation was launched in July 2013, with a closing date of 6 September 2013. Fourteen written submissions were received.<sup>1</sup>

7. We took oral evidence from six stakeholders on 2 and 10 October 2013. Details of the witnesses, transcripts and consultation responses are provided in Annexes A and B.

8. Agendas, papers and transcripts for each meeting are available in full on the Committee's pages on the National Assembly for Wales' website.<sup>2</sup>

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<sup>1</sup> [www.senedd.assemblywales.org/mglIssueHistoryHome.aspx?Ild=7329](http://www.senedd.assemblywales.org/mglIssueHistoryHome.aspx?Ild=7329)

<sup>2</sup> [www.senedd.assemblywales.org/ieListMeetings.aspx?CommitteId=226](http://www.senedd.assemblywales.org/ieListMeetings.aspx?CommitteId=226)

## **2. The scale, extent and benefits of collaboration**

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### **The Welsh Government's general policy direction**

9. On the whole, respondents agreed that collaboration was a necessity for local government in Wales. Local authorities were generally supportive of this Welsh Government policy aim. According to the Welsh Local Government Association (WLGA), whilst Wales benefitted from its community-based forms of government, local authorities believed this was “only sustainable if they work together to spread costs, share specialisms and improve service quality.”<sup>3</sup>

### **The different forms of collaboration**

10. It was made clear to us in evidence that collaboration could take many different forms. There could be, for example, local collaboration across public services and the voluntary sector within a certain local authority area, which is distinct from collaboration on a regional basis between more than one local authority. Most of the evidence we received was focused on the latter, and the way in which different local authorities work together on a regional basis to deliver services.

11. Witnesses also pointed out how the initial drivers for collaborative activity could vary from ‘bottom up’ collaborations generally instigated by professional networks or within service areas, to larger-scale collaborations led by the Welsh Government and Ministerial direction. We were told that some of these had been in place for several years and were mainstreamed, successful and effective, whilst others were less developed and were slow to progress.

12. We heard that two important national forums in driving forward the Welsh Government's collaboration agenda were:

- The Partnership Council for Wales, which is intended to provide the political accountability and leadership for public service reform and collaboration. It is chaired by the Minister for Local Government and Government Business;
- The Public Services Leadership Group, which comprises senior leaders who represent public services and geographical areas across Wales.

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<sup>3</sup> Communities, Equality and Local Government Committee Paper CELG(4)-26-13(p1), *Inquiry into Progress with Local Government Collaboration*, Written Evidence from WLGA, 10 October 2013



This group is also chaired by the Minister for Local Government and Government Business.

### **The proliferation of various collaborative arrangements**

13. Some witnesses suggested that there was too much complexity in the way local services were being delivered. The WLGA said there were “innumerable partnerships out there, and there is a super structure of complexity in the Welsh environment that is not readily understood”.<sup>4</sup> Specifically in terms of collaboration between authorities, the WLGA said:

“When we did the collaborative agenda, there was a helpful attempt, although it did not work, by Carl Sargeant to introduce a footprint based on six. The trouble is that that footprint of six was imposed over the top of an existing structure where you had four school improvement consortia, three social services collaboratives, four transport consortia – it is just confusing. One of the things that we badly need in Wales is a partnership cull.”<sup>5</sup>

14. The Wales Audit Office also referred to the “large number of different arrangements” which “soak up the time of officers and members”<sup>6</sup>, and questioned whether all add value. It believed that these should be mapped and rationalised.<sup>7</sup>

15. Related to this, the Centre for Public Scrutiny pointed out that “there is a risk that the proliferation of partnerships and collaborations may leave councils struggling to identify responsive scrutiny arrangements at a time when resources for scrutiny are tighter than ever before.”<sup>8</sup> We return to the issue of scrutiny and accountability in chapter 3.

### **The need for more progress**

16. Whilst all witnesses seemed to agree that collaboration activity had increased between local authorities, there was also agreement that this had not been to a particularly large extent.

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<sup>4</sup> RoP [para 113], 10 October 2013, Communities, Equality and Local Government Committee

<sup>5</sup> RoP [para 115], 10 October 2013, Communities, Equality and Local Government Committee

<sup>6</sup> RoP [para 194], 2 October 2013, Communities, Equality and Local Government Committee

<sup>7</sup> RoP [para 197], 2 October 2013, Communities, Equality and Local Government Committee

<sup>8</sup> Communities, Equality and Local Government Committee Paper CELG(4)-25-13(p1), *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Centre for Public Scrutiny, 2 October 2013

17. Cardiff Business School told us:

“So while things do seem to be moving in the right direction, the pace of change is not perhaps consistent with the nature of the challenges facing Welsh local government.”<sup>9</sup>

18. In response to a comment from the Auditor General for Wales that the Simpson Compact “promised a lot”, but had not “delivered very much at present,”<sup>10</sup> Joe Simpson admitted that he too would have been much happier had there been greater progress with implementing the Compact. He went on to say:

“I think that the question is whether we are seeing the tanker turn, and I think that there is some evidence that you are beginning to see the tanker turn towards that direction. So, my response to the Audit Office would be: how do we now develop more momentum, rather than looking back too much at why it took so long to develop the momentum?”<sup>11</sup>

19. SOLACE said that the recent report of the Organisational Development and Simpson Implementation Group (which reviewed how the Simpson Compact had been delivered) showed “national agreement and commitment, with supporting structure and investment where needed.”<sup>12</sup> It said that this showed “acceptable progress”<sup>13</sup> in implementing the collaboration agenda set out by Simpson.

20. However, the Auditor General for Wales said that whilst services were certainly working together, he had not seen any transformative change in the way services were delivered and that “to really bring in a transformative change requires a lot of investment, and we have not seen much of that in Wales.”<sup>14</sup>

### **Efficiencies, costs and benefits**

21. The WLGA questioned the extent to which local authorities could make financial savings as a result of collaborating with each other. It concluded:

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<sup>9</sup> Communities, Equality and Local Government Committee Paper CELG(4)-25-13(p2), *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Cardiff Business School, 2 October 2013

<sup>10</sup> RoP [para 192], 2 October 2013, Communities, Equality and Local Government Committee

<sup>11</sup> RoP [para 5], 10 October 2013, Communities, Equality and Local Government Committee

<sup>12</sup> Communities, Equality and Local Government Committee, *Inquiry into Progress with Local Government Collaboration*, Written Evidence from SOLACE, Consultation Response LGC (14)

<sup>13</sup> Ibid

<sup>14</sup> RoP [para 165], 2 October 2013, Communities, Equality and Local Government Committee

“Local government has been committed to collaboration between Councils and also to engagement with other public service partners for many years ... In terms of large scale efficiencies collaboration has not yielded significant savings, as the approach has generally been incremental, but some efficiencies, cost avoidance and service resilience benefits have been identified and are ongoing.”<sup>15</sup>

22. The WLGA claimed that local authorities had found it easier to make savings and efficiencies through internal budgetary prioritisation measures than through collaboration. The local authority leaders who appeared before us agreed, stating that collaboration “does not always save a lot of money” and “it is not an answer in itself to the financial situation.”<sup>16</sup>

23. Similarly, SOLACE said that “most efficiencies – as a prime objective of collaboration – continue to be sourced locally/internally and will continue to do so given the imminence of the changing budget situation and the control local authorities need to exercise, with certainty, over their own budget planning.”<sup>17</sup> It said that this is borne out by local authority medium term financial plans, where “collaboration efficiencies are a small minority of total efficiencies.”<sup>18</sup>

24. However, Carmarthenshire County Council drew our attention to benefits other than financial that could be achieved through collaboration:

“It must however be noted that not all collaborative programmes will have the same tangible outputs and that improvement in a service cannot always be measured through cost benefit. The benefits of collaboration between local authorities in service areas such as school improvement have facilitated challenge, intervention and support to schools leading to more consistent approaches and capacity and will ultimately lead to improved outcomes for children and young people.”<sup>19</sup>

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<sup>15</sup> Communities, Equality and Local Government Committee Paper CELG(4)-26-13(p1), *Inquiry into Progress with Local Government Collaboration*, Written Evidence from WLGA, 10 October 2013

<sup>16</sup> RoP [para 212], 10 October 2013, Communities, Equality and Local Government Committee

<sup>17</sup> Communities, Equality and Local Government Committee, *Inquiry into Progress with Local Government Collaboration*, Written Evidence from SOLACE, Consultation Response LGC (14)

<sup>18</sup> *Ibid*

<sup>19</sup> Communities, Equality and Local Government Committee, *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Carmarthenshire County Council, Consultation Response LGC (08)

## Assessment and evaluation

25. Witnesses from local government emphasised the importance of having robust business plans in place before committing any resources to collaborative arrangements, so that the expected outcomes are clear. The Leader of Ceredigion County Council said:

“We need good, solid business plans to prove that it is worth doing. It is a waste of time and effort for the staff if we go down a route that is not going to work [... ] You as Assembly Members – or rather, it would be the Government – need outline business cases and full business cases before being allowed to move forward and draw down funding. It is the same for us. We have to take that responsibility.”<sup>20</sup>

26. Similarly, the WLGA pointed out that it was important to undertake a cost and benefit analysis before proceeding with collaborative projects:

“It is important that, if you are doing any change - and I include collaboration in that - you have properly thought through the measures that you are about to take and worked out the costs of collaboration and the risks. It is important. You will want to be able, perhaps, to say, ‘I’m sorry, it’s not working; we’ll pull the plug’, instead of continuing to pour money into any kind of initiative on the grounds of, ‘We’ve started it, so we have to keep going’. That means that you are very clear right at the beginning about what it is that you want to achieve. Part of the issue that we have with collaboration in Wales is that we have a desire to collaborate, but we have not actually defined what it is that we would want out of that.”<sup>21</sup>

27. Cardiff Business School also questioned whether sufficient assessment was taking place of the actual impact of collaborative projects in terms of their benefits. It told us:

“... it is vitally important that arrangements are put in place to assess the performance of those collaborations. At the moment, we do not have those methods of assessment.”<sup>22</sup>

28. It said that it was therefore difficult to find objective evidence of the effectiveness of collaboration in terms of its performance, and concluded:

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<sup>20</sup> RoP [paras 220 and 222], 10 October 2013, Communities, Equality and Local Government Committee

<sup>21</sup> RoP [para 212], 2 October 2013, Communities, Equality and Local Government Committee

<sup>22</sup> RoP [para 100], 2 October 2013, Communities, Equality and Local Government Committee

“We need to put in place arrangements to monitor the performance, but we have not been good on this in Wales generally, across the piece. We are not good in terms of performance management for local authorities, let alone partnerships, where it is all sort of a grey area, and nobody really knows who is involved, what they are trying to do, or anything else.”<sup>23</sup>

29. The WLGA said:

“There will have been pockets of evaluation for different themes, but it is difficult to bring that all together and say, “This is what the benefit has been overall”. There are certainly examples of effective evaluations ... There is quite a lot of information out there; it is the veracity and robustness of that information that might be the problem.”<sup>24</sup>

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<sup>23</sup> RoP [para 133], 2 October 2013, Communities, Equality and Local Government Committee

<sup>24</sup> RoP [para 79], 10 October 2013, Communities, Equality and Local Government Committee

### 3. Barriers and obstacles to collaboration

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#### The loss of local control and local scrutiny

30. The perceived lack of local control was identified as a major barrier to collaboration between authorities. This could take two forms: the loss of control in terms of the services delivered by an authority (i.e. at an executive level) and the loss of control over scrutiny arrangements (i.e. at backbench level).

31. The WLGA pointed out that there were inevitably “winners and losers”<sup>25</sup> in regional collaboration of this type, and said that the political pressure on local Members to respond to local needs and demands was a barrier. It said that “the threat of a loss of control and autonomy is a genuine concern for some elected Members and officers”<sup>26</sup> and therefore there is “suspicion that collaboration will undermine democratic control of services and reduce responsiveness to local needs.”<sup>27</sup>

32. Related to this, the role of backbench members was drawn to our attention. Cardiff Business School told us:

“For the vast majority of elected members, collaboration passes them by. They do not get the opportunity to engage in collaboration; it is executive and cabinet members who are part of these collaborations and partnerships. So, for ordinary backbench members, it is a thing that they know is kind of important and is happening around them, but they are not encouraged to engage in it and they are not part of it. That also complicates things, because it is the cabinet members who are on the boards of partnerships, and they feel that they are fulfilling some kind of accountability role, but, actually, they are decision makers, and the scrutineers, the backbencher members, are not part of this system at the moment at all. That does not help.”<sup>28</sup>

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<sup>25</sup> Communities, Equality and Local Government Committee Paper CELG(4)-26-13(p1), *Inquiry into Progress with Local Government Collaboration*, Written Evidence from WLGA, 10 October 2013

<sup>26</sup> *Ibid*

<sup>27</sup> *Ibid*

<sup>28</sup> RoP [para 144], 2 October 2013, Communities, Equality and Local Government Committee

33. Also on this point, the WLGA said:

“There has been significant disquiet from backbench members, particularly within local authorities, about the shift of accountability up to another level into areas that have generally involved executive members as opposed to members involved in scrutiny.”<sup>29</sup>

34. Joe Simpson questioned whether sufficient resources were being provided to this end:

“One of the problems for a backbencher, the more you move into higher things, is that you feel more and more out of the loop ... Corollary of this switch towards a more collaborative model, which necessarily means that cabinet members are more engaged in those discussions, is that you need to enhance the role of front-line councillors in their community-facing role. By and large, we have been very bad at resourcing that part of the councillor’s role.”<sup>30</sup>

### **The need for better accountability arrangements**

35. Whilst stating that there was broad agreement that collaboration was the potential way forward for public services, Cardiff Business School acknowledged that there was a “crisis of accountability around collaborations”<sup>31</sup> and that “there are no robust frameworks in place.”<sup>32</sup> Cardiff Business School referred to the Welsh Government’s attempts to address this issue by scaling up local overview and scrutiny through joint scrutiny committees (under the [Local Government \(Wales\) Measure 2011](#)). However, it said that authorities “are struggling with that for a number of reasons.”<sup>33</sup>

36. It emphasised that accountability “is an urgent issue to be addressed”<sup>34</sup> but the barriers “can be flushed out and debated at a national level”<sup>35</sup>. It suggested that the solution lies in establishing robust accountability arrangements at a very early stage:

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<sup>29</sup> RoP [para 91], 10 October 2013, Communities, Equality and Local Government Committee

<sup>30</sup> RoP [para 48], 10 October 2013, Communities, Equality and Local Government Committee

<sup>31</sup> RoP [para 152], 2 October 2013, Communities, Equality and Local Government Committee

<sup>32</sup> Ibid

<sup>33</sup> RoP [para 123], 2 October 2013, Communities, Equality and Local Government Committee

<sup>34</sup> RoP [para 152], 2 October 2013, Communities, Equality and Local Government Committee

<sup>35</sup> RoP [para 118], 2 October 2013, Communities, Equality and Local Government Committee

“... we see that scrutiny is involved at a late stage, working hard to try to catch up with what has been happening with these collaborations, and it is an impossible task. So, at the outset of the development of the collaborations, robust accountability arrangements—whatever they are—need to be inbuilt from the outset, and the people involved in the collaborations need to be clear about their responsibilities.”<sup>36</sup>

37. The Wales Audit Office made a similar point:

“In recent years, we have reported on weaknesses in governance in a number of public bodies in Wales, including local authorities. That, very often, stems from blurred accountability. Collaborative arrangements add to that risk, so the importance of being clear from the outset what governance arrangements they have and what the accountability systems are - who is accountable for what and to whom - is critical.”<sup>37</sup>

38. Similarly, legal firm Trowers and Hamblins told us:

“We would also strongly reinforce the view that one of the reasons why collaboration, when it has been undertaken, doesn't always work is that councils have failed to put in place sufficiently strong binding arrangements between them such that there remains appropriate accountability for the delivery of services.”<sup>38</sup>

39. This was an issue that the Centre for Public Scrutiny also referred to:

“Having some accountability arrangements built in advance, when people are thinking about governance arrangements for collaboration or joint work, is very important ... We have made some points in the submission about some of the principles that we think should sit behind collaboration, and they are about understanding the objective of the collaboration and the relative benefits for each of the collaborating partners and for the people who use the services that the partners provide.”<sup>39</sup>

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<sup>36</sup> RoP [para 152], 2 October 2013, Communities, Equality and Local Government Committee

<sup>37</sup> RoP [para 215], 2 October 2013, Communities, Equality and Local Government Committee

<sup>38</sup> Communities, Equality and Local Government Committee, *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Trowers and Hamblins, Consultation Response LGC (04)

<sup>39</sup> RoP [para 21], 2 October 2013, Communities, Equality and Local Government Committee



40. Conwy County Borough Council said that collaborative working was not easy and could carry great risks, and that working across organisational and geographic boundaries could bring complexity and ambiguity that could generate confusion and weaken accountability. In their view:

“The key to successful collaborative working involves the establishment of good governance, which is defined as the “process of decision-making and the process by which decisions are implemented”. The introduction of clear and consistent collaboration arrangements can reduce the complexity of working in collaboration.”<sup>40</sup>

### **The need for investment and resources**

41. The WLGA suggested that a further barrier to collaboration was the time and resource required to progress joint working to a stage where tangible benefits were realised:

“Experiences of collaboration to date reveal the amount of project management expertise required to facilitate the joint working can be significant, as well as the commitment of staff and Members to the joint working initiative.”<sup>41</sup>

42. The Regional Partnership Board for Central and South West Wales said that “the requirement to invest up front in the feasibility of a shared service can be a further barrier to successful collaboration.”<sup>42</sup>

43. However, it went on to say:

“WG funding intervention has assisted in this regard (e.g. Making the Connections Improvement Fund). The investment financially needs to be matched by an investment in time and energy, as well as in building relationships. Upfront costs to establish new organisations with new configurations of people, IT systems and estate in the current economic climate, are less likely to be forthcoming, unless a clear political mandate is established between Councils to share

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<sup>40</sup> Communities, Equality and Local Government Committee, *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Conwy County Borough Council, Consultation Response LGC (01)

<sup>41</sup> Communities, Equality and Local Government Committee Paper CELG(4)-26-13(p1), *Inquiry into Progress with Local Government Collaboration*, Written Evidence from WLGA, 10 October 2013

<sup>42</sup> Communities, Equality and Local Government Committee Paper CELG(4)-26-13(p2), *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Partnership Board for Central & South West Wales, 10 October 2013

services and take the risk of another authority or public body providing those services.”<sup>43</sup>

### Legal issues around collaboration

44. The Auditor General for Wales referred to wording in the [Local Government \(Wales\) Measure 2009](#) which states authorities must “seek” to collaborate if it would assist them to improve. According to the Auditor General, this can prove problematic:

“The problem that I think that the duty to collaborate comes up against is that local government is not an agent, in one sense, of central Government—it is a sovereign body, elected by its own people and accountable to its own people. If it has to show to its local electorate that it wishes to collaborate, it needs to show that there has been a proper cost-benefit analysis and that that is the right way to go. To overlay the duty that it will collaborate runs against that. In a sense, the wording that you refer to is something that each local authority has to struggle with.”<sup>44</sup>

45. He went on to say:

“When I take an assessment, as I am bound to under the Local Government (Wales) Measure 2009, I am trying to reconcile two things: one is what the local government unit is doing in terms of having costed and looked at the risks properly—which includes the benefit of not collaborating, because it may be to the authority’s advantage not to collaborate—and then, against that, there is the public service good of Wales to collaborate. That is the difficulty and the struggle.”<sup>45</sup>

46. Meanwhile, Trowers and Hamlins said that the collaborative provisions in the *Local Government (Wales) Measure 2009* are “quite blunt” and the legislation does not “differentiate between the different types of legal structures which might be utilised by local authorities in achieving their outcomes.”<sup>46</sup> It said that there has been a long tradition in Wales of

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<sup>43</sup> Communities, Equality and Local Government Committee Paper CELG(4)-26-13(p2), *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Partnership Board for Central & South West Wales, 10 October 2013

<sup>44</sup> RoP [para 168], 2 October 2013, Communities, Equality and Local Government Committee

<sup>45</sup> Ibid

<sup>46</sup> Communities, Equality and Local Government Committee, *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Trowers and Hamlins, Consultation Response LGC (04)

generalising arrangements for collaboration “which has probably not helped to achieve too many outcomes.”<sup>47</sup>

47. According to Trowers and Hamlins, “the bluntness of the provisions”<sup>48</sup> in the 2009 Measure have not been helpful in this regard and it is therefore crucial that local authorities understand the legal and practical implications of applying different structures when collaborating.

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<sup>47</sup> Communities, Equality and Local Government Committee, *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Trowers and Hamlins, Consultation Response LGC (04)

<sup>48</sup> Ibid

## 4. Collaboration and the future of local government

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### The drive for collaboration: by whom and how

48. Despite most respondents concluding there was scope to improve the pace and scale of collaboration between local authorities, witnesses disagreed as to who should provide the drive for that and how it should be done.

49. Many witnesses believed that it was the role of the Welsh Government to take on this responsibility. Cardiff Business School suggested that there seemed to be a “broad imperative to collaborate across the piece”<sup>49</sup> – with the Simpson report seeming to cover “almost everything”<sup>50</sup> within the services that local authorities provide. It emphasised that the Welsh Government should be more focused as to where it wants to see collaboration having the biggest impact, and should then focus on driving collaboration forward more pressingly in those areas.

50. Cardiff Business School further said that there seemed to be reluctance within the Welsh Government to be specific in terms of collaboration and a tendency to think that you cannot enforce or direct collaboration. It said that “there is good research evidence to suggest that collaboration can benefit from a reasonably strong steer.”<sup>51</sup> Asked how this should be done, it said:

“It has to be in statutory language, because that fundamentally is the language of local government [...] These are statutory organisations that are weighed down by statutory responsibilities and duties, so a vague encouragement to collaborate does not stand a chance.”<sup>52</sup>

51. The Wales Audit Office made very similar points:

“I think that clarity is what is needed, in terms of what is intended to be achieved [by collaboration]. If it is intended to achieve that there shall be a change in the way in which a service is delivered, and it will be to the whole good of Wales, then legislate; prepare it on that basis and then we are all very clear. I think that problems sometimes occur when you try to use persuasion techniques ...”<sup>53</sup>

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<sup>49</sup> RoP [para 96], 2 October 2013, Communities, Equality and Local Government Committee

<sup>50</sup> Ibid

<sup>51</sup> RoP [para 107], 2 October 2013, Communities, Equality and Local Government Committee

<sup>52</sup> RoP [para 106], 2 October 2013, Communities, Equality and Local Government Committee

<sup>53</sup> RoP [para 173], 2 October 2013, Communities, Equality and Local Government Committee

52. It went on:

“What is needed, actually, is not to tackle collaboration on a broad range, but to pick one or two areas and really drive on that, because the wider we work, the less the effect on any particular area.”<sup>54</sup>

53. The Wales Audit Office stressed the urgency to take action in this regard, bearing in mind the financial outlook for local authorities:

“We are coming to a situation where we have to take hard and urgent decisions ... The local government sector has to take cuts that are closer in size to those having to be made in England. If that is the case, now is the time—and we are nearly in the last few days—to prepare a clear strategy on working together for the future ... [Local authorities] need to find the transformational changes to be able to continue to deliver their statutory services within their budgets ... If you are looking beyond [a year or two], local authorities really have to find some radical solutions to live within their means. That will need service transformational change. So, there is urgency to this.”<sup>55</sup>

54. The Centre for Public Scrutiny also said that “councils sometimes need a legal framework to enable collaboration to happen”<sup>56</sup> and that “those legal enabling powers can be quite important.”<sup>57</sup>

55. However, other witnesses disagreed that there was a need for stronger direction from the Welsh Government. Whilst agreeing that collaboration has not yet developed “in the engine room of local government,”<sup>58</sup> Joe Simpson said:

“I do not believe that formal direction and straight instruction is an effective model. There are three things that I think will drive this. The first of these is the financial settlement, and therefore the need to change ... Secondly, it is your ability to create financial incentives towards that change. Thirdly, because a number of these things are cultural challenges about leadership alignment, you need to invest in some soft skills ... What I am trying to argue is this: you get to a point where you say, ‘Things are not moving fast enough. Can I pull a

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<sup>54</sup> RoP [para 192], 2 October 2013, Communities, Equality and Local Government Committee

<sup>55</sup> RoP [para 205], 2 October 2013, Communities, Equality and Local Government Committee

<sup>56</sup> RoP [para 24], 2 October 2013, Communities, Equality and Local Government Committee

<sup>57</sup> Ibid

<sup>58</sup> RoP [para 8], 10 October 2013, Communities, Equality and Local Government Committee

lever that will guarantee that this system changes?’ Honestly, if you try the lever model, it will not work.”<sup>59</sup>

56. The WLGA told us that in their view incentives worked, but were not so certain about penalties:

“It is up to you if you think penalties are the way to drive things, but if we can work together in partnership, and push the partnership agenda, I think that more things get done.”<sup>60</sup>

### **The Commission on Public Service Governance and Delivery and reorganisation**

57. With the Commission on Public Service Governance and Delivery (Williams Commission) currently tasked with developing and proposing an optimal model of public service governance and delivery for Wales, the WLGA questioned the implications of this for the collaboration agenda. It said that, amongst leaders of local authorities, “there is a general view that the 22-authority structure is subject to such intense questioning that it probably has a great future behind it.”<sup>61</sup> The WLGA called for clarity on this point as soon as possible:

“What happens if you reorganise local government in the future and there are 10, 11, 12 or 14 authorities in Wales? We have all of these collaborations, so how does that then work and how will they sit with the boundaries of the new authorities? Or do we say that we will call a halt to all of this, and pull it all back into a smaller number of unitary authorities? We have to be fairly clear shortly about the direction of travel ...If I was a director of finance in local government at the moment, I would be very reluctant to enter into collaborations if I knew that there was a different journey being suggested for the future of local government. The Williams commission will report at Christmas. If there is to be local government reorganisation, so be it, but we need to know that.”<sup>62</sup>

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<sup>59</sup> RoP [para 61], 10 October 2013, Communities, Equality and Local Government Committee

<sup>60</sup> RoP [para 76], 10 October 2013, Communities, Equality and Local Government Committee

<sup>61</sup> RoP [para 161], 10 October 2013, Communities, Equality and Local Government Committee

<sup>62</sup> RoP [para 146], 10 October 2013, Communities, Equality and Local Government Committee

58. The WLGA continued:

“There are collaborations that go on between authorities all the time ...The question, however, is this: what happens if there is local government reorganisation and authorities are based on the boundaries of the local health boards? The Williams commission says that they must not cross the local health board area ... So, some clarity on the direction of travel is vital. That is the burning platform, because, unless we get that, we could waste a lot of effort in the next period, and I think that what we have to do is to concentrate on making these savings, but doing it in a very clear direction of travel that we do not have at present.”<sup>63</sup>

59. The Wales Audit Office’s comments were similar, stating that “there is a need for clarity regarding how services are delivered across Wales”<sup>64</sup> and without it there would be “uncertainty and a lack of direction ... of purposeful collaborative activity.”<sup>65</sup>

60. This was a view supported by the Centre for Public Scrutiny:

“I think that, at the moment, there is inertia in local government around what the Commission on Public Service Governance and Delivery is going to announce and in terms of the likely impact of reduced budget settlements. There is, perhaps, insularity at the moment about how to deal with some of these local issues and how to manage the potential of political fragmentation. So, I am not sure if there is any left over, if you like, to deal with these risky collaborations.”<sup>66</sup>

61. In relation to local government reorganisation, the WLGA told us:

“We will see what Williams recommends. If it recommends local government reorganisation, I do not think that people are afraid of that. From our point of view, I do not think that we particularly want to get into a numbers game at this point, but if there is a

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<sup>63</sup> RoP [para 146], 10 October 2013, Communities, Equality and Local Government Committee

<sup>64</sup> RoP [para 209], 2 October 2013, Communities, Equality and Local Government Committee

<sup>65</sup> Ibid

<sup>66</sup> RoP [para 31], 2 October 2013, Communities, Equality and Local Government Committee

recommendation around that and if there is reorganisation, the one thing that we would ask ... is that we retain our functional integrity.”<sup>67</sup>

62. However, Joe Simpson warned against reorganisation, stating:

“One of the reasons why I am not a fan of a radical reorganisation as a solution is that a reorganisation just recreates a different set of problems.... The difficulty with the imposed structure is that you do not get the buy-in and you are looking at the map from a national end and not from the end of the citizen. You start getting back to thinking that the solution is a geographic solution. It is about getting to a shared endeavour. That is the challenge.”<sup>68</sup>

### **Structures and flexibility**

63. Joe Simpson elaborated on his point above by stating that there is not “a right size for everything.”<sup>69</sup> He said this was why he did not believe that reorganisation was the answer. Instead, he suggested that the solution lay in authorities combining and collaborating to deliver certain services:

“With radical top-down restructuring of local government, all of the evidence shows that it costs you more, it takes much longer, and at the end of it everyone has forgotten why they did it. The combined authority is about saying that for very specific purposes we understand that we need things done. This is the way that we make decisions that stick.”<sup>70</sup>

64. To achieve this, he emphasised that there was a need for investment in leadership development so that there is a cultural alignment between different organisations. He said that, from this point, people start to see the wider picture about where the benefits come from. He reiterated, however, that “you cannot just do it by prescription.”<sup>71</sup>

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<sup>67</sup> RoP [para 152], 10 October 2013, Communities, Equality and Local Government Committee

<sup>68</sup> RoP [para 29], 10 October 2013, Communities, Equality and Local Government Committee

<sup>69</sup> RoP [para 13], 10 October 2013, Communities, Equality and Local Government Committee

<sup>70</sup> RoP [para 25], 10 October 2013, Communities, Equality and Local Government Committee

<sup>71</sup> RoP [para 13], 10 October 2013, Communities, Equality and Local Government Committee



65. Other witnesses agreed that structural flexibility was important. Cardiff Business School said that “there is no simple answer to the local government size conundrum” because “you have hundreds of different cost curves, all behaving differently.”<sup>72</sup> It concluded:

“Whereas, for one service, the right scale may be regional or even across Wales, another may well be best delivered at an incredibly local level. Each different service has a different answer to that question. That suggests that there is not an answer to the question of what is the ideal size of local government ... The only way to solve this, particularly in pressing service areas, is to have a bespoke approach to collaboration, in which you say, ‘Right, this service really does need to be delivered on a different scale to the local authority scale, so let us work out a collaborative solution for that service’. The scale will vary, as it should.”<sup>73</sup>

66. The Wales Audit Office acknowledged that “the model of collaboration will differ between services, and some are delivered more appropriately at different levels and on different scales.”<sup>74</sup>

67. On this point, Carmarthen County Council said:

“...despite the need to establish some structure and methodology to collaboration it would be to the detriment of service development and the eventual service user for organisations to be restricted to working within a set boundary. Organisations must be allowed to determine the most beneficial and high impact routes for collaboration on a service by service basis. In this case one size most certainly does not fit all.”<sup>75</sup>

68. However, SOLACE stated that “collaboration cannot be a substitute for wider organisational change and major institutional cost overhead reduction if that is the/an objective.”<sup>76</sup>

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<sup>72</sup> RoP [para 146], 2 October 2013, Communities, Equality and Local Government Committee

<sup>73</sup> RoP [para 146], 2 October 2013, Communities, Equality and Local Government Committee

<sup>74</sup> RoP [para 178], 2 October 2013, Communities, Equality and Local Government Committee

<sup>75</sup> Communities, Equality and Local Government Committee, *Inquiry into Progress with Local Government Collaboration*, Written Evidence from Carmarthen County Council, Consultation Response LGC (08)

<sup>76</sup> Communities, Equality and Local Government Committee, *Inquiry into Progress with Local Government Collaboration*, Written Evidence from SOLACE, Consultation Response LGC (14)

## **The relationship between the Welsh Government and local government**

69. A further theme to emerge from these discussions was the extent to which local government was involved and engaged in discussions about its future.

70. Whilst advocating a stronger steer from the Welsh Government as to how authorities collaborate, Cardiff Business School pointed out that this could work if local government had more influence as to how it was done:

“We have looked at the relationship between local authorities and the Welsh Government, and one of the things that we have found is that they do not actually feel as involved in the development of policy as they perhaps might. You can have statutory obligations, but developed in partnership ... When I was doing the work on education, a lot of people working in local education authorities actually wanted that firm basis. They wanted to be involved in the development of it, and they wanted to inject the discretion that they thought was necessary in certain places, but they were on the same page.”<sup>77</sup>

71. Whilst Joe Simpson disagreed with Cardiff Business School about the level of Welsh Government prescription, he did call for local government to be more involved:

“What I would not advocate is more direction by Welsh local government; I would advocate more engagement by Welsh local government, so that everyone begins to understand what happens in the reconfiguration. It is a bit like a dance; you cannot be on a dance floor and stay still when everyone else is moving.”<sup>78</sup>

72. When challenged as to the extent to which local government had set out its agenda and outlined its own proposals to the Williams Commission, the WLGA told us:

“We have put a very detailed submission to Williams. We have argued for a couple of things very clearly ... Our view, for example, is that public health in Wales should be within local government.... We will see what Williams recommends.”<sup>79</sup>

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<sup>77</sup> RoP [para 142], 2 October 2013, Communities, Equality and Local Government Committee

<sup>78</sup> RoP [para 43], 10 October 2013, Communities, Equality and Local Government Committee

<sup>79</sup> RoP [para 151], 10 October 2013, Communities, Equality and Local Government Committee

73. Although they welcomed the engagement opportunities provided through forums such as the Partnership Council of Wales and its sub-groups, leaders of local authorities said they wished see the Partnership Council developed and meeting more regularly so that there was greater scope for local government input into decisions.

## **5. Committee's Conclusions and Recommendations**

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### **The context for our conclusions**

74. In forming our conclusions, we were aware that the Commission on Public Service Governance and Delivery would report to the Welsh Government before the end of 2013. We look forward to having an opportunity to discuss the Commission's findings with them in due course.

75. Following the report of the Commission, we understand there is likely to be a delay between agreeing any proposed changes to structures or organisation of services and putting any new arrangements in place. We believe that a clear strategy for this period should be developed by the Welsh Government, and this strategy should be communicated clearly to local government.

### **Structures and the delivery of services**

76. Our first point relates to structures, amid on-going speculation that a reorganisation of Welsh local government will take place in forthcoming years. We firmly believe that the focus of any future local government system should be on the delivery of services and the best way to deliver specific services in specific areas. The number of organisations delivering those services should be a secondary consideration, after it has been decided how different types of services could be most effectively delivered on the ground. By focusing on delivery, the structures should subsequently fall into place.

**The Welsh Government should therefore ensure that effective and sustainable delivery of services drives the future organisation of local government structures.**

### **The need for further drive for collaboration**

77. If collaboration between and within local government continues to be a Welsh Government objective, it is clear from the evidence we received that this needs to be driven at a quicker pace. We are concerned that, although there is consensus that more collaboration is needed, progress seems to be slow and inconsistent.

78. Furthermore, we are concerned that there seems to be some disagreement over who is responsible for making collaboration happen, although we acknowledge that there is a lot of informal, unstructured collaboration already taking place. **We believe that strong Ministerial direction, with penalties and incentives, is now needed to drive the collaboration agenda forward in local government. However, we also believe that Welsh local government needs to exert more influence over how this is done and that better engagement between the Welsh Government and local government is needed.**

79. In doing this, **the Welsh Government should focus on the areas in which collaboration will have the most beneficial outcomes, rather than pursuing a general policy of encouraging collaboration across the piece.** This links to our point above about the need to focus on the delivery of services rather than structures.

#### **The need for more evidence and assessment**

80. It is imperative that local authorities undertake an analysis of the cost curves and benefits of collaboration before committing resources to that end. They should also produce robust business plans showing that better outcomes will be delivered from collaborating, to ensure that public money is spent efficiently and effectively.

81. To enable collaboration to be most effective, we also believe that more evidence and assessment is needed as to where and how it adds value. We agree, in principle, that collaborative working should achieve better quality outcomes, but we are concerned that there is an insufficient evidence base at present to determine whether this is the case within Welsh local government.

Furthermore, it was made clear to us that collaboration can take many forms – many of which might be informal – and therefore this accentuates the need for a better understanding of where it adds value.

82. We were told by many witnesses that collaboration is not a magic bullet. As such, **the Welsh Government should undertake further analysis of the costs and benefits of collaboration between local authorities, including non-financial benefits, and publish its findings.**

83. Once there is a better understanding of when collaboration adds value, stronger Ministerial direction (as referred to above) should then be exercised to drive it forward in the most appropriate places.

## Issues around accountability

84. It is clear from the evidence we received that there are significant issues to be addressed in terms of how collaborative arrangements are scrutinised at a local level, and in terms of where accountability for collaborative work lies within local government. If the Welsh Government continues with its collaboration agenda, there is a need for further work on the provision of local accountability. We heard, for example, of the difficulty faced by local authority back-benchers in scrutinising collaborative arrangements and are unsure whether provisions under the Local Government (Wales) Measure 2011 for joint overview and scrutiny committees are sufficient to overcome the “crisis of accountability” that witnesses referred to. This is an issue that needs to be addressed and prioritised. **The Welsh Government should work with local authorities to ensure appropriate arrangements are in place to enable effective scrutiny of collaborative arrangements, particularly by back-bench members.**

## The need for initial investment

85. We were told that collaboration in local government is not a quick fix. We are also aware that any restructuring or reorganisation of services is likely to place an initial strain on finances. However, it was made clear to us that, for collaboration to work properly, initial investment must be made. In our view, **adequate provision of resources at the outset can lead to long-term benefits with regard to collaboration. The Welsh Government should take this into account as it considers the report of the Commission on Public Service Governance and Delivery.**

86. We acknowledge the WLGA’s comments that, following the report of the Commission, there will inevitably be a delay if, and before, any proposed changes to structures or organisation of services, are to be instigated. We believe that a clear strategy for this period should be developed by the Welsh Government, and this strategy should be communicated clearly to local government.

## **The urgency to take action**

87. To conclude, public services in Wales and local authorities in particular are facing a very difficult financial future. We have heard from high-level witnesses about the urgent need to address this. Collaboration between local authorities in its current form is not an adequate solution, and is not happening quickly enough or consistently across Wales. Urgent action needs to be taken in order to safeguard the future of public service delivery in Wales. We urge the Minister to take note of our conclusions in responding to the Commission.

## **Annex A - Witnesses**

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The following witnesses provided oral evidence to the Committee on the dates noted below. Transcripts of all oral evidence sessions can be viewed in full at: [www.senedd.assemblywales.org/mglIssueHistoryHome.aspx?lId=1306](http://www.senedd.assemblywales.org/mglIssueHistoryHome.aspx?lId=1306)

### **2 October 2013**

Rebecca David-Knight	Centre for Public Scrutiny
Tim Gilling	Centre for Public Scrutiny
Dr Rachel Ashworth	Cardiff Business School
Dr Tom Entwistle	Cardiff Business School
Alan Morris	Wales Audit Office
Huw Rees	Wales Audit Office
Huw Vaughan Thomas	Auditor General for Wales

### **10 October 2013**

Joe Simpson	Local Government Leadership Centre
Steve Thomas	Welsh Local Government Association
Susan Perkins	Welsh Local Government Association
Sara Harvey	Welsh Local Government Association
Councillor Ellen ap Gwynn	Ceredigion County Council
Councillor Dilwyn Roberts	Conwy County Borough Council
Councillor Jamie Adams	Pembrokeshire County Council



## Annex B - List of written evidence

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The following organisations provided written evidence to the Committee. All written evidence can be viewed in full at:

[www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?lId=7329](http://www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?lId=7329)

<b>Organisation</b>	<b>Reference</b>
Conwy County Borough Council	LGC (01)
Bridgend County Borough Council	LGC (02)
Ceredigion County Council	LGC (03)
Trowers and Hamlins	LGC (04)
The Centre for Public Scrutiny	LGC (05)
Powys County Council	LGC (06)
Cardiff Business School	LGC (07)
Carmarthenshire County Council	LGC (08)
Welsh Local Government Association	LGC (09)
Vale of Glamorgan Council	LGC (10)
Flintshire County Council	LGC (11)
Regional partnership Board for Central and South West Wales	LGC (12)
Wrexham County Borough Council	LGC (13)
SOLACE	LGC (14)



Ein Rhanbarth ar Waith  
Education through Regional Working

# DEMOCRATIC ACCOUNTABILITY AND SCRUTINY

Cynghrai o 6 awdurdod lleol yw ERW a reolir gan gyd-bwyllgor cyfansoddiadol cyfreithiol.  
Y nod yw gweithredu strategaeth a chynllun busnes rhanbarthol cytunedig a chefnogi gwelliant ysgolion.

ERW is an alliance of 6 local authorities governed by a legally constituted joint committee.  
Its aim is to implement the agreed regional strategy and business plan to support school improvement.



### Purpose

This paper sets out the planned arrangements for ERW's democratic accountability and scrutiny. It aims to define clearly the expectations for effective joint scrutiny and accountability arrangements to key stakeholders within the democratic accountability processes of each constituent local authority.

The paper seeks approval at Joint Committee to put in place these arrangements and arrange monitoring arrangements.

### Introduction

For ERW to make clear for all stakeholders how effective scrutiny includes a broader role than that of a single committee or structure, as outlined by the Auditor General for Wales (AGW) 2014. This includes internal audit, proper monitoring of outcomes, resources and progress; improvement work by inspection and regulatory bodies as well as formal scrutiny arrangements.

The Good Governance Standards for Public Services sets out six core principles which should underpin the governance arrangements for all bodies:

- A clear definition of the body's purpose and desired outcomes;
- Well defined functions and responsibilities;
- An appropriate corporate culture;
- Transparent decision making;
- A strong governance team; and
- Real accountability to stakeholders.

### **A clear definition of the body's purpose and desired outcomes.**

The National Model for School Improvement guides the legal agreement between the six ERW authorities. The partnerships' regional strategic aims are set out in the ERW strategy with the operational actions and priority outcomes set out in the Business Plan 2015-18.

### **Well defined functions and responsibilities.**

In ERW's organisational design all roads lead to Local Democratic Accountability and Scrutiny. All workstreams and activity both locally and regionally are led by the Joint Committee and are accountable locally. We think this is critically important because the resources and statutory duties lie with the LA.

Last financial year we established a **Regional Forward Work Programme** for scrutiny - this included unverified pupil performance data as early as possible; verified data once available; progress of ERW Business Plan; ERW governance & categorisation of schools.

Following positive feedback on the Regional Forward Work Plan as operational in 2014-15, we agreed to build on this model for the coming three years. The regional FWP is coordinated centrally by the Operational Manager, and overseen by the Managing Director and a group of scrutiny officers from the six LAs. It has been agreed by both by the Executive Board and Scrutiny officers to work towards a common strategy, plan and approach whilst working within local arrangements and schedules.

As a region, we have reviewed other Joint Committee arrangements that we have established eg highways, reviewed current best practice and taken advice from CFPS (Centre for Public Scrutiny funded and commissioned by WG) and WLGA as to the best model.

For 2015-18, the six Local Authorities within ERW have agreed a Regional Forward Work programme 2015-18 and range of common actions with regard to Scrutiny activity and more general member engagement and development with regard to the regional school improvement service. It is agreed that a Regional Forward Work programme with scope to add to it as required will

- provide elected members with the required oversight and scrutiny locally;
- secure the effective coordination of regional work
- make sure that the local statutory responsibility for school improvement, and the work of locally employed officers is overseen locally;
- not add to the bureaucratic burden and the work of both officers and members, and minimise the risk of duplicating roles;
- enhance all members' information on the region's work
- allow high quality challenge and focused accountability of the region's work

In addition, it is recognised that the function is important not the model, and that we can increasingly share the most effective scrutiny practice between the six local authorities. Each LA's constitution is slightly different and we do not want to stray unnecessarily to these areas. Geographical considerations do not support working singularly to consider local responsibilities. In the Legal agreement setting up the ERW Joint Committee, it is noted that there is no need to burden central staff unnecessarily with multiple scrutiny arrangements.

### **An appropriate corporate culture**

ERW's organisational design is that of a partnership governed by a Joint Committee. Developing a constructive culture of cooperation and jointly owned outcomes is complex and requires consistent messaging, effective high level understanding of the principles and purposes of the partnership as well as a joint understanding of both strengths, risks and challenges.

Building and maintaining trust between six large corporate organisations with their own cultures and challenges is pivotal to the success of ERW's corporate improvement and delivery of the Business Plan. At a more operational level, it is about team building and operational collaboration. Enhancing accountability will add to the trust without adding unnecessary burden by utilising existing structures.

## **Transparent decision making**

Increasingly, through effective committee services support and a new website. Transparent decision making arrangements are now better known and shared between stakeholders and with the public.

Standard arrangements for placing minutes and papers in the public domain are operational and advice and guidance is sought from the Advisory Board. The Board includes the Head of Internal audit; Section 151 officer, Head of Procurement; Head of HR.

Please note that the Joint Committee is open to the public and that Scrutiny Committee members may wish to attend as observers.

## **A strong governance team**

ERW does not have a central team for governance, but all LAs' officers dovetail their work together well to coordinate and add value to the regional school improvement service.

The Managing Director will attend each Local Authority once a year.

## **Real accountability to stakeholders.**

Members of the Joint Committee use their local knowledge to represent their LA on issues that are important to our diverse communities. Scrutiny is a process by which decision-makers are accountable to local people via their elected representatives, for improving outcomes. The Scrutiny Committee does not make decisions but seeks to influence those who do by considering the major issues affecting the areas and making recommendations about how services can be improved.

The Scrutiny Committee has a number of different roles including:

- Holding the Joint Committee to account and reviewing its decisions;
- Scrutinising the work of the ERW partnership;
- Helping to develop new policies and developing existing ones; and
- Monitoring the budgets and performance.

This can often lead to recommendations. These are coordinated centrally so that any required actions are captured and managed accordingly.

The work programme for 2015-18 aims to:

- build on existing effective practice across the six authorities;
- support members by providing high quality, accurate and consistent information on school performance as well as ERW's performance;
- enable members to be fully informed and therefore be in a better position to challenge and question the region's performance as well as focusing on their individual authority;
- provide a stable foundation on which to evolve an increasingly common approach across the region;

- provide a clear Forward Work Programme of both information to members and scrutiny topics; and
- use a best practice model to set out expectations of scrutiny of ERW's work.

The main focus of this year's work will fall into the following aspects – information giving and scrutiny activity.

- This year, on request from members, we have added the makeup and performance of the challenge adviser team.
- We are also sharing best practice – calling schools to scrutiny where necessary; targeted investigations on key issues.
- All 6 chairs of scrutiny are also meeting annually - (NPT hosting 2015) with officers working well together.
- We will also provide a seminar to all elected members in the region annually on ERW's work, highlighting the context in each Local Authority
- These common areas in the Forward Work Programme will be performance data; school categorisation; ERW business Plan progress;
- All LAs will receive information on cross region performance with details focusing on their individual authority.

All recommendations and reports will be collated to ensure that findings are followed up and any useful feedback shared. These will be reported to Joint Committee. During the year, any themed work or task and finish may be co-ordinated and shared.

### **Suggest a topic for scrutiny**

- Each scrutiny committee reviews its Work Programme throughout the year to make sure that it is working on topics that it can make a major impact on. If there is an issue or service which you think that should be reviewed, please inform the ERW Office.

### **Recommendations to Joint Committee**

1. To endorse the current arrangements for continued scrutiny of ERW's work

## Useful further details

<http://www.jrf.org.uk/system/files/1898531862.pdf>

# Scrutiny: the new assurance?

## A good governance discussion document

John Bullivant, Chair, GGI  
Tim Gilling, Director, CfPS





### **Good Governance Institute**

*The Good Governance Institute (GGI) exists to help create a fairer, better world. Our part in this is to support those who run the organisations that will affect how humanity uses resources, cares for the sick, educates future generations, develops our professionals, creates wealth, nurtures sporting excellence, inspires through the arts, communicates the news, ensures all have decent homes, transports people and goods, administers justice and the law, designs and introduces new technologies, produces and sells the food we eat – in short, all aspects of being human.*

*We work to make sure that organisations are run by the most talented, skilled and ethical leaders possible and work to fair systems that consider all, use evidence, are guided by ethics and thereby take the best decisions. Good governance of all organisations, from the smallest charity to the greatest public institution, benefits society as a whole. It enables organisations to play their part in building a sustainable, better future for all.*

More information is available at: [www.good-governance.org.uk](http://www.good-governance.org.uk)



### **Centre for Public Scrutiny**

*The Centre for Public Scrutiny's (CfPS) purpose is to improve lives and places through effective governance and public scrutiny. We work with a wide range of organisations, people and places to support them in developing a culture and ways of working which incorporate challenge, scrutiny and involvement. We also provide consultancy, training and policy support which gives people the skills, knowledge and confidence needed to design and deliver good governance.*

More information is available at: [www.cfps.org.uk](http://www.cfps.org.uk)

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## Foreword from Sir Paul Williams

*Sir Paul Williams, author of the Report of the Commission on Public Service Governance and Delivery, has kindly provided a preface which in part reflects back on the work of the Williams Commission – itself highly critical of the complexity which has built up around collaborative working, but also looking forward to new regional partnerships. The Commission's key messages are not only relevant to Wales, but also to all parts of the UK.*

This is a timely document.

Leaders of the future will need to be working across the spectrum of public services and become more adept at operating in highly complex environments.

Collaboration and partnership working needs to be more streamlined, more strategic and more effective.

Organisations spending public monies should be constantly redefining their roles and responsibilities, searching for economies, reduced overheads and one would hope looking for synergy and constant improvement.

Partnership working will need public accountability and systems leaders. Partnerships needs to be more business-like; with a clear sense of purpose, outcomes and accountability.

This is perhaps no more so than in Wales, where partnerships rather than being subjected to structural reform have been given greater prominence (and responsibility) across a whole swathe of local authority functions to deliver the ambitions of the Well Being of Future Generations Act.

In terms of Governance and Accountability partnerships should:

- have a clear, ambitious and realistic purpose and vision
- work within a national single, robust governance model which is equitable and transparent based on identifiable responsibilities and actions and joint rights and obligations, creating clear accountability for delivery
- have measurable outcomes
- be empowered to take significant decisions which will contribute to attaining their purpose and vision
- comprise senior representatives from each organisation who have relevant authority and influence.

In addition, public sector leaders must develop and embrace a shared set of public services values and the concept of 'collective responsibility' for issues such as delayed transfers of care, the environment, and the economy.

**Sir Paul Williams**, OBE, DL; August 2017

## Introduction

Across the UK, people who take decisions about public services are facing a common challenge - how to spend public money effectively and efficiently in ways that meet the needs and demands of society and ensure the best outcomes for local communities.

Meeting this challenge increasingly requires public agencies to work better together and with the voluntary, community and social enterprise sector, making the most of shared resources and tapping into the social assets that exist in communities themselves. Different approaches have emerged in England, Scotland, Wales and Northern Ireland that reflect the political dynamics of the Westminster and Scottish Parliaments and the Welsh and Northern Ireland Assemblies.

Whilst structures and practice vary across the UK, the fundamental principles of good governance and good scrutiny remain constant.

This paper looks at scrutiny across a number of organisations. All four home nations are seeking better outcomes by the alignment of health, social care and other funders and providers. GGI have tended to call this governance between organisations (GBO) and have written a number of papers on the issues and challenges inherent in this – originally in Integrated Governance II: Governance Between Organisations (2009), but followed up in more detail in 2012 and 2016.

In health, boards in seeking to gain confidence that all is working well, tend to talk about challenging, probing, and assurance, whilst in central and local government the term scrutiny is more frequently used. Despite differences in language between sectors, as we work more closely together across organisational boundaries, it is important we hold single and joint funders or providers to account but with sensitivity. To support this, GGI and CfPS have built on the work of the Williams Commission in Wales, the codes of conduct developed in Scotland and Northern Ireland, and lessons from good scrutiny practice in England to create a scrutiny etiquette card (see Exhibit 4).

‘Scrutiny’ of strategic direction and operational performance happens in different ways - for example through:

- regulation and inspection
- locally elected representatives
- non-executive directors and governors
- community and service user voice
- print, broadcast, and social media
- the courts

Although governance and scrutiny structures and practice vary across the public sector, developing a common understanding of principles is important. CfPS advocates four principles of good scrutiny:

- that it offers constructive ‘critical friend’ challenge
- that it amplifies the voices and concerns of the public
- that it is led by independent people who take responsibility for their role
- that it drives improvement in public services

## Why is this important now?

An essential role of all governing bodies is to hold the executive to account. In health, this has usually been secured through challenge and assurance whereas in central and local government it has generally been described as scrutiny. Although there is some confusion and ambiguity about the role, it essentially requires a separation of the executive powers and scrutiny functions. This has happened better in Parliament and the Welsh Assembly with the independence of select committee chairs but is less consistent in local government. CfPS’s 2017 survey of local government overview and scrutiny practice in England and Wales highlights perceptions about how well scrutiny is working.

The new arrangements for joint service planning, commissioning, and delivery in England, Wales, and Scotland, and planned for Northern Ireland, provide opportunities for establishing both accountability and a focus on improved delivery through effective scrutiny at a pan-organisational level. We have tended to assimilate this under the general umbrella of 'governance between organisations'. This is important now as all four nations attempt better integration or alignment of health and social care, sometimes with rather clumsy or ad-hoc arrangements for governance. GGI and CfPS welcome the innovation that a lack of central direction has created but believe some basic principles need to be applied in multi-organisation funding and delivery arrangements.

## The moral imperative

Public services cannot allow others to compromise their obligations and performance. The moral imperative is to secure better joined up service delivery to achieve explicit and stakeholder approved outcomes. Increasingly, this is recognised as a joint effort between organisations especially as the appetite for formal re-organisation is low.

It is telling that the old business excellence model (EFQM etc.) described partners as a resource and not a relationship. Partners must be explicit in their expectations of those who work with, or to, them and follow up when agreed performance is slow or outcomes lacking, but this approach still needs sensitivity and respect.

Increasingly, there is greater emphasis on public bodies to demonstrate awareness of 'risk' and clear plans to develop 'resilience' - not just in organisations themselves but in the communities they serve. Building a strong economy for the future relies on healthy, happy communities - public services can support this by demonstrating risk awareness, developing early intervention strategies, and setting ambitious outcomes.

## The legal background

The legislative provisions for local government overview and scrutiny committees for England can be found in the Localism Act 2011, which amended the Local Government Act 1972. Those for Wales are in the Local Government (Wales) Measure 2011 and the Well-being of Future Generations (Wales) Act 2015, and those for Northern Ireland are in the Local Government Act (Northern Ireland) 2014. There are no legislative provisions for overview and scrutiny in Scotland though many Scottish local authorities do operate scrutiny committees alongside executive structures and use a Shared Risk Assessment (SRA), to ensure proportionate and risk-based scrutiny in line with the recommendations of the 2007 Crerar Report.

### England

Since the introduction of the health scrutiny functions under the Health and Social Care Act 2001, local authority scrutiny committees have prioritised issues of health improvement, prevention, and health inequalities as areas where they can add value through their work. In their reviews, local authorities have looked at the wider social determinants of health and health inequalities, not least because of local government's own contribution through the whole range of its services.

Alongside this, scrutiny has also been aligned to commissioning and quality of services. The relationship between scrutiny, regulation and inspection, and public voice has also developed.

The Local Government and Public Involvement in Health Act 2007 sought to strengthen local authority leadership. It envisaged empowered citizens and greater engagement of local people in shaping public policies and services. A new duty required local authorities to inform, consult, and involve local people in running local services. Councillors were also empowered to resolve issues of concern to the communities they represent, if necessary by requiring consideration by overview and scrutiny committees.

## Health and Social Care Act 2012

The Health and Social Care Act 2012 brought in a range of changes to the NHS in England. Principally, the creation of the NHS Commissioning Board (now known as NHS England) and clinical commissioning groups (CCGs), the abolition of Primary Care Trusts and Strategic Health Authorities, and the transfer of public health responsibilities to local authorities.

Changes made to the health scrutiny provisions in previous legislation came into force in April 2013, amending the National Health Service Act 2006, including making health scrutiny the responsibility of the authority, instead of a specific overview and scrutiny committee. The 2012 Act expands the scope of health scrutiny by applying it to health service providers and CCGs in addition to NHS bodies, and makes consequential amendments, particularly relating to joint scrutiny. The Act established local Healthwatch organisations which are the new champion for patients, the public, and users of health and social care services. It provides them with information and advice to help them make independent, informed choices about their health and social care and it also gathers their views and ensures they are taken into account when local health and social care services are designed and delivered. The Act requires relevant overview and scrutiny committees to receive, have regard to, and respond to referrals, reports, and recommendations from local Healthwatch.

The 2014 regulations in relation to health scrutiny make provision for local authorities to review and scrutinise matters relating to the planning, provision, and operation of the health service in their area. They replace the previous 2002 regulations on health scrutiny. Under the new approach to health scrutiny, local authorities have greater flexibilities in how they discharge their health scrutiny functions. And there are new obligations on NHS bodies, relevant health service providers, and local authorities around consultations on substantial developments or variations to services to aid transparency and local agreement on proposals.

Health scrutiny also has a strategic role in taking an overview of how well integration of health, public health, and social care is working – relevant to this might be how well health and wellbeing boards, the new Sustainability and Transformation Partnerships (STPs), and emerging Accountable Care Systems are carrying out their duty to promote integration, and in making recommendations about how it could be improved. CfPS, the NHS Confederation, NHS Clinical Commissioners, and National Voices have published a governance and scrutiny checklist for STPs.

### CfPS has identified 5 'clarity' questions regarding STPs:

**Clarity about the status of STPs:** are they products of informal collaboration that now need to go through more detailed discussions with stakeholders? Or are they a set of detailed, costed proposals for service changes that require consultation with council scrutiny functions?

**Clarity about the content of STPs:** are they simply an amalgamation of existing organisational plans that have been in public view for a while? Or are they radical transformation plans that contain lots of new thinking that now needs testing in public?

**Clarity about the timeline for implementing STPs:** is there an intention to write new contracts for new patterns of service during 2017/18? Or is there a longer timescale?

**Clarity about purpose of STPs:** what are the ambitions for the outcomes from STPs? Is there a balance between better outcomes and reduced cost?

**Clarity about responsibility and accountability for STP implementation:** where there has been an independent local STP leader, has that role ceased with publication of the plan? Or have they a role in future discussions about implementation?

## Wales

The Beecham Review of Public Service Delivery in Wales (2006) concluded that scrutiny was potentially a strong lever for improving delivery by holding council executives and other public bodies to account, and by contributing substantively to policy development. The review recommended scrutiny at the local level should work across organisational boundaries, should be inclusive, forward looking, extend to all services, and involve a broad spectrum of stakeholders.

The Consultation Paper on the proposed first Designated Persons Order reflected Welsh Government's approach to ensuring all public organisations with responsibility for service delivery are subject to a scrutiny process which examines the services provided in one geographical area, from the 'holistic perspective' of the quality of life for its inhabitants.

The Well-being of Future Generations (Wales) Act 2015 requires that a public services board is set up in every local authority area in Wales. There is a duty on specified public bodies to work through these boards to improve the economic, social, environmental, and cultural well-being of their areas by contributing to the national well-being goals set out in the Act. The Act requires that a local government scrutiny committee is designated to scrutinise the work of the public services board for that area.

The guidance says:

*In order to assure democratic accountability there is a requirement for a designated local government scrutiny committee of the relevant local authority to scrutinise the work of the public services board. It will be for each local authority to determine its own scrutiny arrangements for the public services board of which it is a member.*

CfPS has helped to develop some characteristics of good scrutiny which have been published by the Wales Audit Office (WAO) in its publication 'Good Scrutiny? Good Question'.

## Northern Ireland

The Local Government (Northern Ireland) Act 2014 allowed councils to choose between a number of governance options, one of which involves an executive/scrutiny split. Under that option, powers for scrutiny committees broadly reflect the powers of overview and scrutiny committees in England and Wales. The overall objective is to give greater transparency and efficiency to the decision-making processes, increasing its accountability through overview and scrutiny committees and giving greater public access to meetings and information. All councils in Northern Ireland still currently operate the committee system and have had integrated health and social care since 1973, but in October 2016 the then health minister, Michelle O'Neill, recognised the system itself was at breaking point:

*Put simply, the system has not changed quickly enough to meet the demands and the needs of the population...Professor Bengoa's expert panel report, 'Systems, not Structures' told us that we need whole system transformation if we are to meet the needs of the population.*

The expert panel's report, alongside the Sir Liam Donaldson and 'Transforming Your Care' reports, have been instrumental in developing 'Health and Wellbeing 2026: Delivering Together'. Launched in October 2016, this report sets out a ten year approach to transforming health and social care across Northern Ireland, and provides a clear roadmap for reform and means by which to deliver radical transformation in the way health and social care is received and services accessed. Bengoa's expert panel report recommended the development of Accountable Care Systems (ACS) 'to integrate – by agreement rather than by creating new organisations – the provider sector', and recognised the need for the development of new governance arrangements for the ACS models. However, the Department of Health's strategy talked more about empowering local providers and communities to work in partnership and 'to plan integrated and continuous local care for the populations they serve'. The emphasis is placed on partnerships for planning, as opposed to for providing care.



## Scotland

Legislation to implement health and social care integration in Scotland came into force on April 1, 2016. This brings together NHS and local council care services under one partnership arrangement for each area. 31 local partnerships have been set up across Scotland and they will manage £8 billion of health and social care resources. Working together, the NHS and local council care services will be jointly responsible for the health and care needs of patients, to ensure that those who use services get the right care and support whatever their needs, at any point in their care journey.

The new Integration Authorities (IAs) need to establish effective arrangements for scrutinising performance, monitoring progress towards their strategic objectives, and holding partners to account. The Accounts Commission argues that using the nine statutory outcome measures (listed at Exhibit 1) will help IAs to focus on the impact of health and care services. However, as well as simply monitoring performance, Integration Joint Board (IJB) members will need to use these statutory outcomes to help redesign services and ensure services become more effective.

There is also a need for regular reporting to partner organisations. This is particularly important where most members of the local authority or NHS board are not directly involved in the IJB's work. Aberdeenshire Council, for example, has 68 councillors, with five sitting on the IJB. Those not directly involved need to be kept informed on how the budgets provided to the IJB have been used and their effectiveness in improving outcomes for local people. This transparency and accountability is also crucial in authentically engaging service user and carer representatives, as well as third sector and partner organisations.

It is essential for IAs to set out clearly how governance arrangements will work in practice particularly when disagreements arise, to minimise the risk of confusing lines of accountability, potential conflicts of interests, and any lack of clarity about who is ultimately responsible for the quality of care and scrutiny.

Since 2008, scrutiny bodies have worked together to identify and agree the key scrutiny risks in each of Scotland's 32 local authorities and to develop a plan of scrutiny activity to respond to those specific risks. This approach, called Shared Risk Assessment (SRA), is designed to ensure proportionate and risk-based scrutiny in line with the recommendations of the Crerar Report. All 32 local authority areas have a Local Area Network (LAN), consisting of representatives of all the main scrutiny bodies for local government. The purpose of the LAN is to share intelligence and agree scrutiny risks for each council. Annually, each LAN prepares an Assurance and Improvement Plan which contains a scrutiny plan. This document captures agreed areas of risk and good practice, and the resulting scrutiny response for each council. It is the primary planning document for scrutiny bodies. These individual plans are aggregated each year to form the National Scrutiny Plan.

In the absence of legislation for a local government overview and scrutiny function that matches provisions in England, Wales, and Northern Ireland, it is important for Scottish councils to consider how local councillors can best hold services to account.



## Exhibit 1

The Scottish Government, National Health and Wellbeing Outcomes (IAs are required to contribute to achieving nine national outcomes):

1	People are able to look after and improve their own health and wellbeing and live in good health for longer.
2	People, including those with disabilities or long-term conditions, or who are frail, are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community.
3	People who use health and social care services have positive experiences of those services, and have their dignity respected.
4	Health and social care services are centred on helping to maintain or improve the quality of life of people who use those services.
5	Health and social care services contribute to reducing health inequalities.
6	People who provide unpaid care are supported to look after their own health and wellbeing, including to reduce any negative impact of their caring role on their own health and wellbeing.
7	People who use health and social care services are safe from harm.
8	People who work in health and social care services feel engaged with the work they do and are supported to continuously improve the information, support, care and treatment they provide.
9	Resources are used effectively and efficiently in the provision of health and social care services.

### New regional arrangements

Just as significant are the new city region deals, for example in Cardiff and Swansea and the new mayoral arrangements in England, most of which seem to be designed to work with a cabinet arrangement with representatives of the constituent authorities. Cornwall has agreed a deal which does not involve a directly elected mayor. This is in contrast to combined authorities, for example in Greater Manchester and Liverpool City Regions, and the West Midlands.

In Cardiff:

Utilising the existing statutory framework, the ten local authorities will establish a Cardiff Capital Region Cabinet. The Cabinet will have the status of a joint committee and will be the ultimate decision making body in the governance structure. It will be the first step in the development of greater city-region governance across the Cardiff Capital Region. The Cabinet, which will comprise the ten participating local authorities, will provide the basis for initial decision making regarding the Investment Fund. The ten local authority partners of the Cardiff Capital Region City Deal have agreed to establish a governance model that:

- complies with the existing statutory framework that exists in Wales to deliver this City Deal
- strengthens and streamlines the existing governance and partnership arrangements across the Capital Region
- improves business involvement in local decision making
- provides confidence and assurance to both the UK and Welsh Government that the local authority leaders are making decisions which will drive economic growth across the Capital Region; and
- enables local authorities to explore with the Welsh Government alternative governance arrangements in the medium term

A comprehensive agreement will be drawn up between the participating authorities which will bind and commit each individual local authority and any successor authority (in the event of local government re-organisation) for such duration as is necessary to deliver the City Deal. The agreement will also allow for the possibility of additional functions and powers to be devolved to the Cabinet in the future.

The Cardiff Capital Region commit to reviewing the City Deal governance and exploring the future options for moving to even stronger and effective governance that is legally binding. The review will include consulting the Welsh Government and the UK Government to identify actions needed to take forward future governance options.

CfPS has published guidance about good governance and scrutiny arrangements in respect of devolution.

## Assurance

The NHS in England has a well-developed approach to assurance against strategic objectives embedded within the Board Assurance Framework (BAF). Assurance: the board agenda sets out that ‘the board ensures that there are proper and independent assurances given on the soundness and effectiveness of the systems and processes in place for meeting its objectives and delivering appropriate outcomes.’

Wales has now adopted this approach, but in Scotland the traditional approach is more akin to local government risk registers, which do not include an assurance column.

Assurance provides the confidence that what managers have instigated as controls actually work. Ideally the assurance is independent rather than another form of control such as a management report or project management. Audit and external reviews can provide independent assurance but it is important that the board or governing body owns and has confidence in the assurance offered. It is not good enough simply to list sources of assurance; they should be actively engaged and subject to scrutiny, usually by the audit committee, that they are actually working. Financial scrutiny is important, combining not just the audit role, but also looking beyond formal compliance to consider outcomes and value achieved for the ‘public pound’.

Assurance is ‘a positive declaration that a thing is true’. Assurances are therefore the information and evidence provided or presented which are intended to induce confidence that a thing is true amongst those who have not witnessed it for themselves. Scrutiny can bring a ‘reality check’ to assurance, especially through connections to public voice networks. We know from examples such as Mid-Staffordshire, Rotherham, and more recently, Grenfell Tower, that checking public perceptions of assurance is important.

University Hospital Southampton NHS Foundation Trust was an early adopter of the practice of including an additional column for independent assurance. This is helpful as it is often left blank requiring board members to respond whether they are comfortable with this or need additional assurance to be sought. The standard assurance column we have found to always be populated though often with rather bland and insufficient evidence.

More recently, CCGs in particular have experimented with a more succinct assurance sheet summarising risk appetite, controls, and assurance for each strategic objective on a single page. This innovation originally by Hammersmith and Fulham CCG has revitalised the BAF, which in many places had fallen into dis- or misuse. It is also possible to combine performance trajectories with the controls/ assurance summary, which allows boards to focus on future risks to objectives not being achieved.

## Getting a grip

Boards are often described as needing 'grip'. This is another way of saying that challenge needs to be effective. Lord Carter's review of efficiency in hospitals uses the term 13 times; the CQC who monitor, inspect and regulate health and social care services in England like it and it is often used in their reports:

*It is our expectation that providers should use our inspection reports to get to grips with their problems and ensure they sort them out.*

*We will continue to monitor the trust closely, and will be returning in the near future to check that the trust has got an improved grip on these immediate issues.*

A summary report, 'Mergers in the NHS: lessons learnt and recommendations', which is based on research commissioned by NHS Improvement, provides practical advice for board members and senior executives of foundation trusts and trusts going through a merger or acquisition process. The guidance extols boards to 'get a grip on the target business as quickly as possible and maintain the momentum of integration'.

Maintaining grip across organisational boundaries without mergers is an even more formidable challenge. Holding partners to account requires a sophisticated approach to challenge and an understanding of the partners approach to accountability. Local government has traditionally used the term scrutiny but it is becoming more prevalent in health. Scrutiny itself is evolving both in legislation and in practice. In 2014, the Department of Health offered guidance to health and local government on the changing context in light of the 2012 Act and the advent of new players such as local Healthwatch.

This affirmed that the primary aim of health scrutiny is to act as a lever to improve the health of local people, ensuring their needs are considered as an integral part of the commissioning, delivery, and development of health services.

Health scrutiny also has a strategic role in taking an overview of how well integration of health, public health, and social care is working – relevant to this might be how well health and wellbeing boards are carrying out their duty to promote integration - and in making recommendations about how it could be improved. At the same time, health scrutiny has a legitimate role in proactively seeking information about the performance of local health services and institutions; in challenging the information provided to it by commissioners and providers of services for the health service, and in testing this information by drawing on different sources of intelligence. In the light of the Francis Report, health scrutiny will need to consider ways of independently verifying information provided by relevant NHS bodies and health service providers – for example, by seeking the views of local Healthwatch.

It is interesting that as commissioners or providers of public health services and as providers of health services to the NHS, services commissioned or provided by local authorities are themselves within the scope of the health scrutiny legislation. The guidance says that:

- local authorities may be bodies which are scrutinised, as well as bodies which carry out health scrutiny
- the duties which apply to scrutinised bodies such as the duty to provide information, to attend before health scrutiny and to consult on substantial reconfiguration proposals will apply to local authorities insofar as they may be 'relevant health service providers'

However, the Department of Health report recognised that being both scrutineer and scrutinee is not a new situation for councils, but warned 'it will still be important, particularly in making arrangements for scrutiny of the council's own health role, to bear in mind possible conflicts of interest and to take steps to deal with them.'

Local authorities may appoint a discretionary joint health scrutiny committee (Regulation 30) to carry out all or specified health scrutiny functions, for example health scrutiny in relation to health issues that cross local authority boundaries. Regulation 30 also requires local authorities to appoint joint committees where a relevant NHS body or health service provider consults more than one local authority about substantial reconfiguration proposals.

There are therefore arrangements in place to deal with some of the complex issues arising from whole system health and social care management but there are also cautions to be raised.

## Developing scrutiny competence

The report of the Commission on Public Service Governance and Delivery in Wales identified scrutiny as an important lever to secure improvement but recognised it needed development. Too few saw the fundamental importance of scrutiny in driving improvement instead understanding it as a burdensome process which had to be tolerated but could be largely ignored. This did not bode well for the more complex scrutiny across boundaries:

*Scrutiny that is resisted or undervalued within organisations is unlikely to be successful when extended to other public sector organisations.*

The Commission found that under-resourcing scrutiny mechanisms had contributed to major governance failures. The joint inspection by WAO and Health Inspectorate Wales (HIW) into Betsi Cadwaladr found that the health board collectively lacked the capability and capacity to provide the appropriate levels of scrutiny in relation to service.

The Commission identified five key features of good scrutiny:

- separation of executive delivery and review roles
- focus on improvement
- independent and constructively critical rather than oppositional
- engaged early enough to influence strategy and plans
- scrutiny, audit, inspection and regulation must become complementary, clearly aligned and mutually reinforcing

All of these issues come more sharply into focus as we consider arrangements across health and social care economies. CfPS have argued that 'integration' is potentially the greatest policy priority for those who plan and deliver health and social care services. Councils are central to making integration a reality, working with CCGs and providers of health and social care services to establish a shared framework for delivering seamless health and social care.

However, experience in Scotland makes it clear that external scrutiny should not be seen as the starting point for integration rather it is those public bodies that are most self-aware of their strengths and weaknesses and act upon that knowledge, that tend to be better performers.

The Crerar Report in Scotland made it clear that external scrutiny can be a catalyst for improvement in the way that services are delivered especially when it influences behaviours and the culture of service providers. However, the primary responsibility for improving services lies with the organisations that provide them. The Crerar Report recommended that the degree of future external scrutiny should be dependent upon the range and quality of performance management and associated self-assessment in place within public services.

CfPS have identified some common themes to overcome: potential barriers to effective scrutiny when working across boundaries (see Exhibit 2).

Exhibit 2

## Overcoming potential barriers to effective scrutiny of integration

Potential barrier	Possible solution
Lack of clarity about roles and responsibilities causes tension between health and wellbeing boards, commissioners, providers and scrutiny	Agree a common statement of roles and responsibilities to help avoid duplication and help to plan scrutiny effectively
Scrutiny is not included at an early stage or does not get the information it needs leading to reactive and less influential scrutiny, rather than helping to improve integration plans	Agree a common approach that sets out clear arrangements for scrutiny to be built into the whole cycle of planning, commissioning, delivery and evaluation
Party politics leads to conflicts within scrutiny and between scrutiny, council, executives and partner bodies	Agree a non-partisan approach that separates councillor's scrutiny role and their representative role
Information about the way health and social care services are planned, operated and funded can be complex and proposals for changes are not always well received	Agree to support scrutiny so that councillors can navigate the health and social care system, appreciate its complexities and respond effectively to proposals for change
Lack of clarity about the policy development and 'holding to account' roles of scrutiny	Agree that scrutiny is a balance between collaboration and challenge about priorities and outcomes
Frequent changes in scrutiny arrangements, chairs or members leads to scrutiny becoming inconsistent	Agree a consistent approach to organising scrutiny to help long term effectiveness of the function

GGI support the view that scrutiny is an important lever to secure improvement, but one which needs development. For NHS boards seeking to operate effectively in complex partnership arrangements, they must now not only understand their own roles and accountabilities within, but also recognise and have a grip on their responsibilities and obligations beyond their organisation's boundaries.

Various reviews across the UK suggest that scrutiny across boundaries will require both grip and sensitivity; an etiquette for working together.

## Codes and multi-agency scrutiny etiquette

In 1995, the Committee on Standards in Public Life (the Nolan Committee) identified seven principles of conduct underpinning public life 'for the benefit of those who serve the public in any way', and recommended that public bodies should draw up Codes of Conduct incorporating these principles. The seven Nolan Principles are as follows:

**Selflessness:** Holders of public office should act solely in terms of the public interest.

**Integrity:** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**Objectivity:** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**Accountability:** Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**Openness:** Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**Honesty:** Holders of public office should be truthful.

**Leadership:** Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

The Scottish Executive took the Nolan Committee recommendations one step further with the introduction of the Ethical Standards in Public Life etc. (Scotland) Act 2000 which brought in a statutory Code of Conduct for Board Members of Devolved Public Bodies and set up a Standards Commission for Scotland to oversee the ethical standards framework.

The Scottish Executive also identified nine key principles underpinning public life in Scotland, which incorporated the seven Nolan Principles and introduced two further principles.

**Public Service:** Holders of public office have a duty to act in the interests of the public body of which they are a board member and to act in accordance with the core tasks of the body.

**Respect:** Holders of public office must respect fellow members of their public body and employees of the body and the role they play, treating them with courtesy at all times.

### The Principles of Conduct in Northern Ireland

In Northern Ireland a new Local Government Code of Conduct for Councillors became effective on 28 May 2014 with Guidance on the Code launched by the Commissioner for Complaints on 20 March 2015.

The Code consists of twelve principles of conduct (the Principles) and a number of rules of conduct (the Rules). The Principles are intended to promote the highest possible standards of behaviour for councillors. The Rules are the practical application of the Principles. Adherence to the Rules will assist in ensuring compliance with the Principles for example in the rules section on decision-making it says:

*You should also remember that, the Code requires you, as an individual, to provide a reason if, in certain circumstances, you decide to remain in a meeting after you have declared an interest (Code paragraph 6.7). If these circumstances apply, you should ensure that your reasons for remaining are recorded in the minutes of the meeting.*

### The 12 principles of conduct in Northern Ireland are:

**Public Duty:** You have a duty to uphold the law and to act on all occasions in accordance with the public trust placed in you. You have a general duty to act in the interests of the community as a whole. You have a special duty to your constituents and are responsible to the electorate who are the final arbiter of your conduct as a public representative.

**Selflessness:** You should act in the public interest at all times and you should take decisions solely in the public interest. You should not act in order to gain financial or other material benefits for yourself, your family, your friends or associates.

**Integrity:** You should not place yourself under any financial or other obligation to outside individuals or organisations, which might reasonably be thought by others to influence you in the performance of your duties as a councillor.

**Objectivity:** In carrying out council business, including considering public appointments, awarding contracts, or recommending individuals for rewards and benefits, you should make choices on merit.

**Accountability:** You are accountable to the public for your decisions and actions and for the way that you carry out your responsibilities as a councillor and must submit yourself to whatever scrutiny is appropriate to your responsibilities.

**Openness:** You should be as open as possible about the decisions and actions that you take. You should give reasons for your decisions when required and restrict information only when the wider public interest clearly demands it.

**Honesty:** You should act honestly. You have a duty to declare any private interests relating to your public duties. You should take steps to resolve any conflicts between your private interests and public duties at once and in a way that protects the public interest.

**Leadership:** You should promote and support these principles by leadership and example in order to establish and maintain the trust and confidence of your constituents, and to ensure the integrity of your council and its councillors in conducting business.

**Equality:** You should promote equality of opportunity and not discriminate against any person by treating people with respect regardless of race, age, religion, gender, sexual orientation, disability, political opinion, marital status and whether or not a person has dependents.

**Promoting Good Relations:** You should act in a way that is conducive to promoting good relations by providing a positive example for the wider community to follow and that seeks to promote a culture of respect, equity and trust and embrace diversity in all its forms.

**Respect:** It is acknowledged that the exchange of ideas and opinions on policies may be robust but this should be kept in context and not extend to individuals being subjected to unreasonable and excessive personal attack. You should keep in mind that rude and offensive behaviour may lower the public's regard for, and confidence in, councillors and their councils. You should therefore show respect and consideration for others at all times.

**Good Working Relationships:** You should work responsibly with other councillors for the benefit of the whole community. You must treat other councillors and with courtesy and respect. You must abide by your council's standing orders and should promote an effective working environment within your council. The relationship between councillors and council employees must at all times be professional, courteous and based on mutual respect. You must show respect and consideration for council employees at all times, and ensure that your actions do not compromise their impartiality.



## A new multi-agency scrutiny etiquette

GGI have considered all these developments and have produced a scrutiny etiquette card, endorsed by CfPS, specifically geared to multi-agency working (refer to Exhibit 4 on page 23 of this discussion document).

### GGI/CfPS multi-agency scrutiny etiquette principles

#### 1. Agree common outcomes, values and metrics

The new partnership board must seek to determine its common purpose and it might best be able to do this by agreeing what will be different as a result of the collaboration. Story telling such as 'what will this be like for the patient being discharged? or the care worker receiving a referral?' might be an effective means of doing this.

The new arrangements will bring together different cultures so an early discussion of agreed values, unearthing variations in working practice and language will be important. Co-location will help avoid 'us and them' feelings and improve communication. Once outcomes and values have been agreed, alignment of system and metrics will be important to ensure common reporting back to 'parent' bodies.

#### 2. Ensure separation of executive delivery and scrutiny review roles

Most partnership arrangements involve officers and elected or lay members and it is important to unravel respective roles so there is no ambiguity between executive delivery and scrutiny review roles. In practice, the new partnership board will need to be taking executive decisions with delegated authority from their respective hosts. Lay and elected members must determine if they are there as members for the new board or are representing the parent body who has elected or engaged them. If the former, the parent body will need other means of scrutinising decisions and progress.

#### 3. Re-establish and share engagement principles

Good governance is about taking the best decisions based on good insight. Insight exists inside and outside of organisations and developing shared engagement principles can help executives and people with a scrutiny role talk to the right people at the right time to influence strategic direction and operational performance. Executives can use engagement principles to understand risk and help develop resilience. People with a scrutiny role can use engagement principles to check how services are performing and suggest future improvements.

#### 4. Allow stakeholders to engage early enough to influence strategy and plans

All organisations will have stakeholder engagement models in place, some with statutory force. The new partner body will need to share and where possible align these allowing stakeholders to engage early enough to influence strategy and plans. We are developing this theme with Healthwatch England. This means going beyond legal duties to inform and consult, but making sure that the Gunning Principles remain central.

#### 5. Ensure attendees have delegated authority to take decisions

Those attending joint board meetings should come prepared with delegated authority when decisions are required. They may have this as an agreed element of their role or may need to seek on an ad hoc basis depending on the item under consideration. Board papers need to be explicit when decisions are required to allow members to seek authorisation to act, so as to avoid constant reworking of issues. If not attending, the preferred action should be conveyed to the chair of the board so as to encourage progress rather than delay.

#### 6. Log, share, and track agreed decisions inviting each sovereign body to provide assurance of delivery trajectories



Decisions taken should be logged and explicit in what they will achieve, sharing with parent bodies intended outcomes and progress against these. When progress is at risk of running off agreed trajectory, reference should be made to delegated tolerances for escalating to parent bodies. Audit should be commissioned to check this operates as planned. Others with a scrutiny role can also check that levels of ambition for outcomes and progress are reasonable.

**7. Understand each other's risk appetite to allow for shared costs and risks**

A shared approach to risk and resilience is vital to successful partnership arrangements so that planned actions are not de-railed by unexpected circumstances. This means developing a common understanding about respective performance management and regulatory frameworks which can impact on the realities of joint working.

**8. Delegate to partners and suppliers within agreed risk tolerance**

Parent bodies should be clear of their own and partners risk appetite for change to allow for informed risk sharing of costs and reputation. Agreed tolerances will help those representing them at partnership meetings to know when variations in expected performance need to be referred back to the parent bodies for additional effort, prioritisation, or resources.

**9. In scrutinising papers focus on improvement rather than opposing**

Scrutiny should focus on improvement of outcomes rather than simply opposing decisions that have been taken. Where executives and those with a scrutiny role have a different view about actions to be taken, asking the question 'are executives doing what they said they would do?' can help take 'heat' out of difficult conversations.

Scrutiny should always be positive rather than dismissive, seeking to improve the outcome for service users and carers

**10. Aim for 'what goes around, comes around' rather than win-win**

It will not always be possible for partners to be equal gainers from decisions so rather than seeking only bilateral win-win outcomes, a 'what goes around, comes around' approach will help remove log jams, recognising that different partners will secure different benefits at different times.

**11. Recognise that our boards and stakeholders must police governance and scrutiny before regulators**

Good governance is not demonstrated only through compliance with external rules and regulations, but by adopting a transparent, inclusive and accountable culture within and across organisations. Boards and those with a scrutiny role must take governance seriously, recognising that good insight is required to take the best decisions. There are lessons from the past about what can go wrong when good governance is not fully understood.

**12. Seek alignment of scrutiny, audit, inspection and regulation within and between different agencies to provide mutually reinforcing systems**

The combined boards should aim to develop their own assurance that intended standards and outcomes are being achieved. This should be shared with parent bodies on a no surprise basis. It is the combined boards role to achieve this rather than rely on external regulators.

In addition, combined boards should support their auditors, inspectors and regulators to work together to develop a holistic pathway or place based approach to audit and regulation. This should gradually replace the many institutional based reviews which fail to tell the whole story.

**13. Be prepared to explain variance rather than simple compliance with regulation or norms**

Boards need to know the best evidence about what works – and what doesn't. They also need to benchmark their performance against the best and avoid taking actions that risk matching the lowest performers. These steps will help overcome a 'post code lottery' and ensure that people who use services and communities benefit from innovation and improvement.

**14. Appoint an arbitrator to agree local resolution arrangements and handle disputes before they arise**

It will be challenging for new organisational forms to handle varying priorities, regulation and practice. This might encourage more push back on simple compliance but always with the explanation of why the regulation has not been met. Doing the right thing is better than compliance that misses the true need.

Be prepared for disputes with partners by appointing an arbitrator before they are needed. This will avoid the difficulty of reaching agreement on an independent broker when tensions are already high.

## Reviewing the effectiveness of governance and scrutiny

Finally, regularly review progress of joint working to resolve barriers and improve working arrangements. The maturity matrix for sustainability and transformation partnerships, integration joint boards, and public service boards will provide a simple ready reckoner of progress from agreement in principle to result being achieved and sustained (see Exhibit 3).

# Maturity Matrix for Sustainability and Transformation Partnerships (STPs-England), Integration Joint Boards (IJBs-Scotland) and Public Service Boards (PSBs-Wales)

## Exhibit 3

VERSION 2.1

TO USE THE MATRIX: IDENTIFY WITH A CIRCLE THE LEVEL YOU BELIEVE YOUR ORGANISATION HAS REACHED AND THEN DRAW AN ARROW TO THE RIGHT TO THE LEVEL YOU INTEND TO REACH IN THE NEXT 12 MONTHS.

PROGRESS LEVELS	0	1	2	3	4	5	6
KEY ELEMENTS	No	Principle Accepted	AGREEMENT OF COMMITMENT AND DIRECTION; PLANS IN PLACE	Practice mainstreamed	RESULTS	MATURITY comprehensive assurance in place	EXEMPLAR
<b>1. PURPOSE AND CLARITY OF REMIT</b>	No	Purpose, values, vision, and remit clarified, debated and agreed across partner organisations with a strong focus on delivering improved outcomes.	Purpose and strategic vision affirmed in public. National targets and local priorities agreed. KPIs identified.	The organisations have established robust mechanisms for service redesign, adding or removing services provided together or separately.	Focus on delivery. Performance against defined collective KPIs is recorded and improving.	The organisations consistently perform highly against a range of national standards and local priorities.	The organisations influence national and international standards and are recognised for publishing and sharing examples of best practice. Success has allowed the organisations to redefine / extend remit.
<b>2. LEADERSHIP AND STRATEGY</b>	No	The Joint Board / Committee (group) is clear on their roles and responsibilities. Joint strategic objectives have been discussed and agreed.	Members are able to take decisions with authority, on risk sharing on behalf of their parent body. Conflicts have a resolution mechanism.	The organisations are tangibly working towards the delivery of their collective strategic objectives. A joint BAF has been created.	Performance against defined strategic objectives are recorded and improving. The strategy is regularly reviewed.	The organisations are able to evidence how they are recognised as leading the local health and social care system.	The organisations are recognised nationally for their sustainability and system transformation work.
<b>3. RISK SHARING</b>	No	The group have identified shared risks to achieving their joint objectives / purpose. Each organisation will record such risks in their systems.	Risk appetite has been discussed and resolved in relation to joint objectives.	Continuity plans are regularly tested. The group uses scenario testing or similar exercises to develop joint understanding of risk and opportunities.	A high degree of risk sensitivity is demonstrable across the organisations. The organisations are comfortable being held to account.	The organisations are able to respond to risks, and are challenged. The group is assured that the collective BAF is balanced and reflects priority issues.	A joint audit has confirmed assurance. The sharing of risk has created extra value in the system.
<b>4. ASSURANCE OF DELIVERY ACROSS BOUNDARIES</b>	No	The partner organisations (group) have agreed a joint commitment and accountability to compliance with national guidelines.	Potential internal and external system failures are identified in a shared way, and these are jointly mitigated. There is ongoing effective communication around potential pressure points.	The organisations are able to track (measurable) strategic objectives. There are no surprises in outcomes data.	Issues are systematically identified and are addressed if necessary by jointly commissioned deep dives.	National standards and local targets are consistently achieved across the health economy.	The parent boards are confident they have intelligent analysis and assurance across the health economy. Lessons learned and best practice is shared within the group & externally.
<b>5. INTERNAL STAKEHOLDERS</b>	No	A collective engagement strategy is in place for staff and wider partners. Staff and partner input is sought and valued as a means of driving improvement.	Staff are engaged in developing the approach to system transformation in targeted areas.	Mechanisms are in place to ensure that staff feedback is routinely collected. The group receives reports on internal engagement including feedback. Pay differentials are being tackled.	Staff are recognised as effective ambassadors for their organisations. Appropriate group forums exist for staff to learn from any improvement initiatives, and for staff to receive structured feedback.	Third party feedback confirms the effectiveness of the approach to staff engagement. Audit provides evidence of sustainable positive change in regards to staff engagement.	The organisations have been audited and are recognised nationally as a collective learning organisation. Initiatives and improvements introduced by staff are shared within and beyond the group. The organisations can demonstrate they are employers of choice.

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TO USE THE MATRIX: IDENTIFY WITH A CIRCLE THE LEVEL YOU BELIEVE YOUR ORGANISATION HAS REACHED AND THEN DRAW AN ARROW TO THE RIGHT TO THE LEVEL YOU INTEND TO REACH IN THE NEXT 12 MONTHS.

KEY ELEMENTS	PROGRESS LEVELS						
	0 No	1 BASIC LEVEL Principle Accepted	2 AGREEMENT OF COMMITMENT AND DIRECTION; PLANS IN PLACE	3 EARLY PROGRESS Practice mainstreamed	4 RESULTS	5 MATURITY comprehensive assurance in place	6 EXEMPLAR
6. EXTERNAL STAKEHOLDERS	No	A collective engagement strategy is in place for patients, the public and wider stakeholders. Patients, public and wider stakeholder input is sought and valued as a means of driving improvement across the group.	Patient and stakeholders are engaged in developing the approach to system transformation in targeted areas. Stories define how the vision impacts users and staff.	Mechanisms are in place to ensure that patient feedback is routinely collected. Patients and carers are engaged and feel confident providing their feedback to the organisations via a variety of means	Effective partnership engagement working is in place and can be evidenced through improved outcomes.	A review of external stakeholders demonstrates that the joint work undertaken by the organisations is trusted by both service users and the local community.	The group actively contribute to the improvement of health and social care in their health economy. The group engages and learns from other providers and have experienced tangible operational and strategic benefits.
7. TRANSPARENCY AND CANDOUR	No	The group have agreed to share assurance systems; to commission joint audits and deep dives as necessary and to share and publish results.	A conflicts of interest register is reviewed and updated by the group and individual boards.	The board has defined the need for probity in all dealings with partners and contractors. Local sourcing is encouraged but compliant with Standing Orders.	Each board is confident that appropriate group actions to mitigate conflicts can be actioned and followed through.	Reputational risks are routinely considered by all organisations. The group is seen publicly as open and transparent.	The group have adopted standards such as integrated reporting to share their commitment, success, failures and learning.
8. SYSTEMS AND STRUCTURES	No	The group has identified the need to define governance structures and systems fit for purpose.	The group has established or aligned governance structures and systems fit for purpose.	Decisions and operational plans are now clearly aligned to the various partner organisations and the joint strategic objectives.	Systems are aligned and allow for the easy sharing of information, risk and assurance.	Audit demonstrates the consistent achievement of delivery across the group to national standards and local joint objectives.	The group has shown it is able to share and use data to drive system-wide improvement. Results and Assurance are routinely shared externally.
9. PARTNERSHIP ETIQUETTE AND COMPLIANCE WITH COLLECTIVE DECISION MAKING	No	The group has agreed to a joint etiquette on decision taking.	The group has defined a joint etiquette for decision taking based on parent organisations defining their individual risk appetite and tolerance for delegation.	Group decisions are usually accepted by parent organisations. Conflict resolution mechanism working well and has been tested.	Member organisations have demonstrated an ability to hold to collective decision-making processes.	Member organisations have audit evidence that collective decision making processes have not compromised their corporate responsibilities.	Collective decision making arrangements have been recognised as model system by external regulators.
10. SYSTEM WIDE QUALITY IMPROVEMENT	No	The group has identified the strategic outcomes it wishes to achieve together.	Improvement plans are in place recognising health economy priorities such as service resilience, value for money, sustainability, handover etc.	Joint strategic objectives have clear performance trajectories and recognition of risks that could compromise achievement.	The group have confidence in the quality of results, and are able to present one version of the truth externally.	Audit and peer review demonstrates the consistent achievement of delivery.	The group is able to promote its success regionally, nationally and internationally.

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# Multi-agency scrutiny etiquette card

**1.** Agree common outcomes, values and metrics

**2.** Ensure separation of executive delivery and scrutiny review roles

**3.** Re-establish and share engagement principles

**4.** Allow stakeholders to engage early enough to influence strategy and plans

**5.** Ensure attendees have delegated authority to take decisions

**6.** Log, share, and track agreed decisions inviting each sovereign body to provide assurance of delivery trajectories

**7.** Understand each other's risk appetite to allow for shared costs and risks

**8.** Delegate to partners and suppliers within agreed risk tolerance

**9.** In scrutinising papers focus on improvement rather than opposing

**10.** Aim for 'what goes around comes around rather than win win

**11.** Recognise that our boards and stakeholders must police governance and scrutiny before regulators

**12.** Seek alignment of scrutiny, audit, inspection and regulation within and between different agencies to provide mutually reinforcing systems

**13.** Be prepared to explain variance rather than simple compliance with regulation or norms

**14.** Appoint an arbitrator to agree local resolution arrangements and handle disputes before they arise