



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Scrutiny Performance Panel – Public Services Board

At: Committee Room 5 - Guildhall, Swansea

On: Wednesday, 5 December 2018

Time: 10.00 am

Convenor: Councillor Mary Jones

Membership:

Councillors: P M Black, T J Hennegan, C A Holley, P R Hood-Williams, P K Jones, L R Jones, J W Jones and M Sykes

Co-opted Members: Cherrie Bija, John Warman and Martyn Waygood

Agenda

Page No.

- 1 Apologies for Absence.**
- 2 Disclosure of Personal and Prejudicial Interests.**
www.swansea.gov.uk/disclosuresofinterests
- 3 Public Questions**
Questions must relate to matters on the open part of the Agenda of the meeting, and will be dealt with in a 10 minute period
- 4 Notes and Conveners Letter** **1 - 6**
To approve & sign the Notes of the previous meeting(s) as a correct record.
- 5 Working with Nature - Statutory Member Q&A**
 - Martyn Evans - Head of Operations South West Wales
- 6 Working with Nature - Objective Lead Update on Action Plan**
 - Max Stokes - Senior Natural Resources Planning Officer
- 7 Governance Update** **7 - 13**
 - Suzy Richards - Sustainable Policy Officer
- 8 Work Plan 2018/2019** **14 - 15**

Next Meeting: Wednesday, 6 February 2019 at 10.00 am

Huw Evans

Huw Evans
Head of Democratic Services
Wednesday, 28 November 2018
Contact: Scrutiny 636292

Agenda Item 4



City and County of Swansea

Minutes of the **Scrutiny Performance Panel – Public Services Board**

Committee Room 5 - Guildhall, Swansea

Wednesday, 3 October 2018 at 10.00 am

Present: Councillor M H Jones (Chair) Presided

Councillor(s)

P M Black
P R Hood-Williams
J W Jones

Councillor(s)

T J Hennegan
P K Jones
M Sykes

Councillor(s)

C A Holley
L R Jones

Co-opted Member(s)

Cherrie Bija

Co-opted Member(s)

Martyn Waygood

Co-opted Member(s)

Other Attendees

Sophie Howe
Jacob Ellis

Future Generations Commissioner
Public Affairs Advisor

Officer(s)

Bethan Hopkins

Scrutiny Officer

Apologies for Absence

Councillor(s):

Co-opted Member(s): John Warman

Other Attendees:

1 Disclosure of Personal and Prejudicial Interests.

- None

2 Public Questions

- None

3 Notes

- Approved

4 Question and Answer Session - Sophie Howe, Future Generations Commissioner

- Future Generations Commissioner Sophie Howe attended the Public Services Board to take part in a discussion and Q&A
- The Commissioner explained that we are two and a half years into the Well-being and Future Generations Act implementation
- The work has been ground-breaking, exciting and challenging
- The legislation should have the PSB aims first then the aims of the public bodies
- There has been a missed opportunity to regionalise the work and the Local Authorities need to consider whether there is an appetite to do this
- City Deals are not all clearly linked with the Well-being Plans
- The duties under the Act are about fundamentally changing how we do business
- Seeing this work as process or compliance will miss the intention of the legislation
- **Questions for the Commissioner**
- How do you feel Public Services Boards have been performing across Wales overall?
- It is difficult to respond with evidence as no annual reports have been submitted yet
- Not all PSBs are working as well as possible
- There are pockets of good practice
- The more inclusive the boards are (e.g. Chair, resourcing, participants) the more effective in theory
- Members are more engaged if they are involved in setting the agenda
- Noticed that roles are starting to be deputised which isn't as effective
- Workshop sessions are better than long agendas – sometimes people are invited in to tell stories and share lived experiences. Innovative approaches are more successful
- The local authorities were available to provide the support for example committee support, just because they do this doesn't mean it should dominate the PSB
- What is the added value of the PSB against what the Local Authority does anyway e.g. section 6 of the Environment Act?
- There are things which are outside of a single organisations capacity e.g. health, poverty air pollution etc we are missing opportunities to work together
- We are developing a number of future generations frameworks which will act as prompts to what should be considered when developing projects
- 'The Art of the Possible' has been set up with a number of organisations (Wildlife Trust, Sport Wales, Public Health Wales etc) with an aim of drawing out good practice
- Regarding the environment, we should be limiting grass cutting and planting wildflowers instead, it is money saving and better for the environment
- Housing left out as a theme
- Not involved in drafting the legislation, education was not included either, but housing associations are keen to work with us and we are looking at a specific framework for housing, agree that housing is so intrinsic
- Housing should be using new technology which is energy generating, using local businesses within green infrastructure and looking at no fuel poverty

- PSBs need to set out how they measure progress. Not all have measures or they have ineffective ones e.g. children's cases reviewed on time
- FG office has no duty to monitor or assess goals and the legislation isn't helpful here, there is an appetite to monitor progress with the auditor general
- There are good examples from Bridgend regarding adverse childhood experience (ACE) projects (police, social services, education), renewable energy across estates, community consultation and engagement
- There is often no intervention in ACEs until the situation is critical, there needs to be earlier intervention and more funding – 14% of Welsh people have experienced 4 or more adverse childhood experiences – we must intervene earlier to mitigate issues. Maybe think about the involvement of teachers and sports coaches
- The legislation is about process and raises expectation without resources. How do we fund the demand? The action plan implementation will be essential. If the action plans go awry what is the power to correct it?
- The power is judicial review of the action/decision taken e.g. the M4 tested judicial review and a school closure, we will start seeing the use of the legal framework ramping up, we need brave decisions e.g. the police funding the night time economy project in Swansea means everyone benefits
- FGC can review public bodies and PSBs – haven't used them yet but have threatened them
- Planning is a priority area now, trying to get policy and guidance in line with the Future Generations Act. Planning Policy Wales is now in line with the Future Generations Act
- The National Development Framework is now the next step, there are issues in terms of systems. Currently working closely with the Planning Inspectorate and there is a good relationship
- Last month, the Future Generations Act was used as a basis for refusal for planning for the first time, there are ongoing frustrations around funding to deal with this
- Do you have any advice for scrutiny Panels looking at Public Services Boards going forward?
- Will have much more after the framework feedback which is coming in
- Are there examples of good practice which you can share with the Panel?
- Examples have already been listed above
- What do you feel are the challenges facing Public Services Boards and their Scrutiny Panels?
- As above
- Do you think the lack of funding for the work of Public Services Boards is having a negative impact on their performance?
- The cost estimation was very mechanical, it focussed on processes not outcomes
- There was no resourcing of the cultural change, the FGC office has brought in an extra £650k in the last couple of years to help with this
- Money should be issued for research and to support leadership, in some circumstances, no head teachers had been consulted on 'Best Start in Life'
- This is the biggest cultural change Wales has seen
- Last year we scrutinised the budget and provided feedback, there is a lack of definition around 'preventative spend' but this definition has now been agreed

- There is a shift from health spend to Local Authority spend for prevention but there are political issues here too
- Social care/decarbonisation/skills/mental health – we have written to the Cabinet Secretary to ask what resources they have allocated to the sector
- Some issues with schools, sometimes parents and teachers know nothing of the Future Generations Act
- This isn't isolated but people on the PSB can change this, they can look at how they are raising awareness of Adverse Childhood Experiences (ACEs), public bodies have to take all reasonable steps to tackle this
- If the focus on bureaucracy then this is getting it wrong, the focus needs to be on outcomes, some of our mechanisms are wrong but our aspirations are great. We need to tackle bureaucracy and deliver
- You hold to account the PSB, we can come and support and intervene if needs be
- How do you feel individual ward members can have a positive impact in their communities taking into account the aims of the Public Services Boards?
- FGC was a local Councillor for years, the issues reflect the frustrations of local wards e.g. services not joined up
- The Future Generations Act can be used for community planning and by Community Councils – Llanelli currently have an interesting project using it
- Newport had ward profiles, this allows for advocating in wards because they can identify issues
- The reference to the Resilient Wales Goal is often misunderstood with specific reference to guidance from the Planning Inspectorate
- The goal name should have been different, the statutory definition is often misinterpreted e.g the 'Prosperous Goal' is often translated as increase of GVA. We highlight this whenever we see it, but it is difficult
- The environment is not as prominent as it should be. 'Skill's' needs to be looked at overall in relation to education and developing green goals etc
- Will go back to the Planning Inspectorate to discuss it
- Regarding judicial review, most people can't afford it. Once the issues have been reviewed, issue the guidance and other Local Authorities will know the outcome

5 Work Plan 2018/2019

- Work plan reviewed
- Next meeting will look at 'Working with Nature'
- An update item has been added to every meeting

The meeting ended at 11.50 am

Chair



To/

**Professor Andrew Davies
Chair of Swansea Public Services
Board**

*Please ask for:
Gofynnwch am:*

*Direct Line:
Llinell Uniongyrochol:*

*e-Mail
e-Bost:*

*Date
Dyddiad:*

Overview & Scrutiny

01792 636292

scrutiny@swansea.gov.uk

29th November 2018

BY EMAIL

Summary: This letter is from the Public Services Board Performance Panel. It follows on from the meeting with the Future Generations Commissioner on 3rd October 2018.

Dear Professor Davies,

On 3rd October 2018 the Panel met with the Sophie Howe the Future Generations Commissioner to discuss her thoughts on Public Services Boards and the progress so far. The Panel is grateful to the Commissioner for taking time to attend this meeting considering her busy schedule and for giving us the opportunity to ask questions and provide feedback on the Panels thoughts.

We heard that we are two and a half years into the Well-being and Future Generations Act implementation and that so far the work in Wales has been ground-breaking, exciting and challenging. The duties under the act are about changing behaviour and fundamentally changing how we, along with other public bodies, do things.

We heard that not all Public Services Boards (PSBs) are working as well as they could be but there are pockets of good practice. We heard that the best PSBs are those with inclusive members and members are more engaged when they are involved in setting the agenda.

Both the Panel and the Commissioner agree that an opportunity was missed to regionalise the work and there needs to be consideration over whether there is an appetite to do this.

We heard how some issues are too wide ranging to be dealt with by a single public body such as health, poverty and the environment and we all need to work together to achieve progress. The Panel was interested to hear that the Future Generations Commissioner is developing a number of future generations' frameworks which will act as prompts for what should be considered when developing projects. This should

act as a way of creating consistency and adherence to the Act ensuring important aspects are not missed and consideration is given to the Act requirements at the earliest opportunity.

We heard that housing and education are not core considerations of the Act but the Commissioner is working with schools and housing associations to ensure that they get the attention and profile which is needed. For example, housing should be using new technology which is energy generating, using local businesses within green infrastructure and looking at zero fuel poverty initiatives.

The Panel made the observation that the legislation is about process and raises expectation without supplying necessary resources and questioned how we fund the demand and who has the power to influence action plans if they go awry. The Commissioner made the point that judicial review will be the action to take if the requirements under the act are not met. The Panel suggested that most people cannot afford judicial review and once the issues have been reviewed, Local Authorities should be issued with guidance of the outcome to review and implement.

The issue of planning was raised. The Panel felt that the resilience goal was being misinterpreted by the Planning Inspectorate and other associated bodies. This misinterpretation relates to the word 'resilience' being used to mean social or community resilience rather than ecological resilience which is what was intended. The Commissioner agreed this was an issue and is making this a top priority trying to get policy and guidance in line with the Future Generations Act.

The Panel asked whether a lack of funding for the work of Public Services Boards is having a negative impact on their performance. The Commissioner agreed that the initial cost estimation was very mechanical, it focussed on processes not outcomes and there was no resourcing for cultural change. Social care, decarbonisation, skills and mental health were all areas which the Commissioner highlighted as areas of poor funding. The Panel heard how the Commissioner was providing budget feedback but the Panel feel a lack of funding will be an ongoing issue in the efforts of PSBs to deliver under the legislation.

The Panel will continue to meet quarterly to speak with those involved in delivery and planning of the PSB action plans in Swansea and feedback any relevant information to you.

There is no requirement for you to respond to this letter but your thoughts and comments are welcome.

Yours sincerely,



Councillor Mary Jones

Convener, Public Services Board Scrutiny Performance Panel

✉ cllr.mary.jones@swansea.gov.uk

Agenda Item 7



Report of the Chair of Swansea Public Services Board

To the Public Services Board Scrutiny Performance Panel – 5 December 2018

Monitoring Report (PSB progress, updates and governance)

Purpose:	To brief/update the PSB Scrutiny Performance Panel on progress, updates and governance of the PSB
Content:	A report on progress, updates and governance of the PSB.
Councillors are being asked to:	Consider the information provided and to forward views to the Chair via a letter from the Panel Convener
Chair	Andrew Davies - ABMU
Lead Councillor:	Councillor Rob Stewart, Cabinet Member for Economy & Strategy (Leader)
Finance Officer:	Paul Roach
Legal Officer:	Debbie Smith
Equalities Officer:	Rhian Millar
Lead Officer & Report Author:	Suzy Richards Tel: 01792 635104 E-mail: Swansea.psb@swansea.gov.uk

1. Background

- 1.1. Swansea Public Services Board in its first phase of operation focused on the development of a Local Assessment of Well-being, followed by a second phase agreeing priorities for a long-term Local Development Plan. This extensive period

of intensive work to meet demanding statutory requirements has now ended and the focus moving forward is on delivery and implementation of those plans.

- 1.2. A new Chair and Vice Chair were appointed in October 2018, with Professor Andrew Davies as Chair, and Cllr Rob Stewart becoming Vice Chair. This change of leadership and other personnel changes within partner organisations presented an opportunity to take stock and evaluate the PSB's approach to forthcoming challenges.
- 1.3. Significant changes are taking place within the public sector landscape which impact Swansea PSB. In April 2019, changes in health board boundaries with responsibility for the commissioning of health services for the population of Bridgend moving from ABMU to Cwm Taf Health Board. As a result, there is a clear ambition for closer working between Neath Port Talbot and Swansea PSBs and closer alignment with the Western Bay Regional Partnership Board.
- 1.4. The relationship between PSBs and the Regional Partnership Boards (Western Bay RPB in the case of Swansea) is currently the subject of a Senedd Inquiry and a forthcoming Future Generations Commissioner Review. This reflects opportunities for closer working with the Regional Partnership Board in future.
- 1.5. There are acknowledged risks in terms of meeting the PSB's duty to deliver the Local Well-being Plan in the short term while long-term solutions are developed. Action plans have yet to be agreed, some delivery mechanisms have yet to be formalised and statutory Annual Reporting on distance travelled takes place in April 2019.

2. Progress

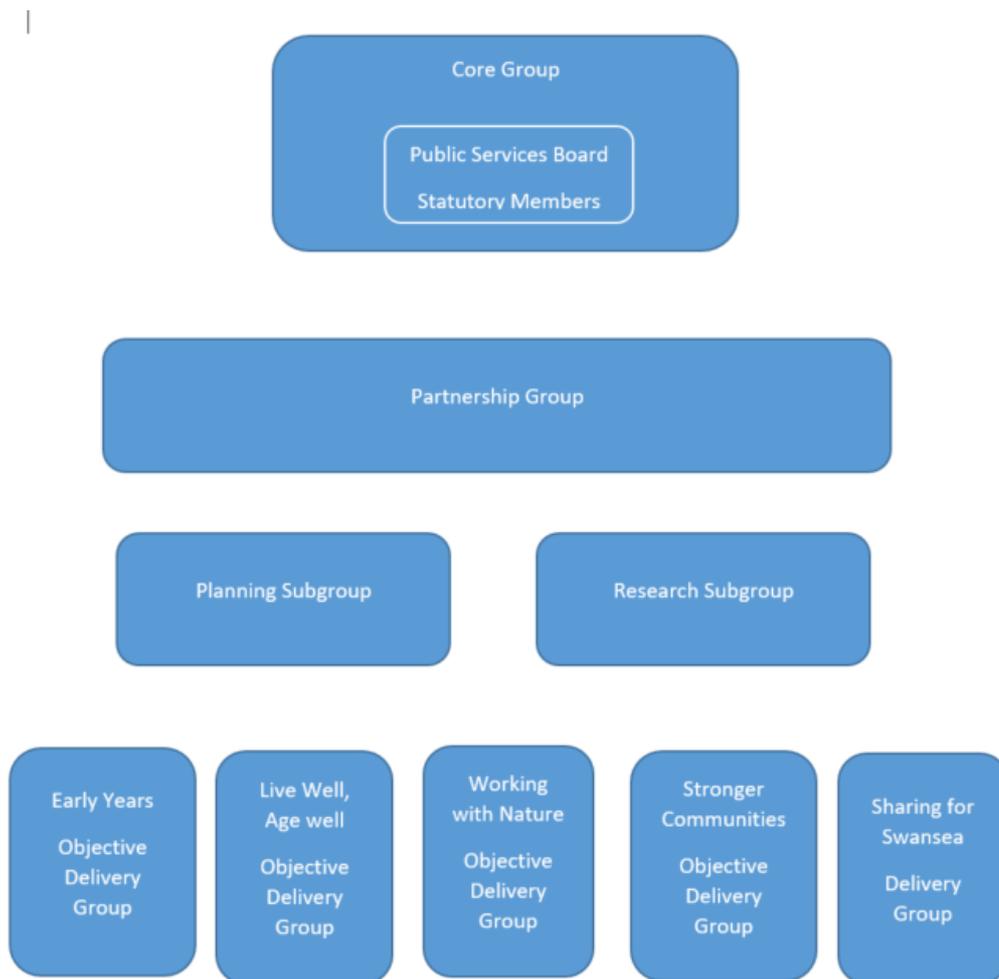
- 2.1 Action Plans are under development but are not yet formally signed off. Objectives Delivery Groups are at differing stages of development reflecting the maturity and degree to which the activity is already well established in Swansea as a subject for multi-agency working or has been newly introduced.
- 2.2 However it should be noted that delivery of the majority of the actions is well underway and significant progress in each of the Objective Areas has been made. Successes to date range from signing up to the '*First 1000 Day Collaborative*', through the implementation of a regional green infrastructure project to the establishment of a Human Rights City Steering group.

3.1 Governance and Updates

- 2.2 The structure, skills, expertise and organisation for delivery are significantly different to those needed in the PSB's initial period of operation. This need has been recognised and as an urgent priority, a governance review is currently underway so the PSB is better able to deliver its Well-Being Objectives.
- 2.3 This governance review meets a commitment set out in the Local Well-being Plan and is in line with best practice issued by the Well-being of Future Generations Commissioner.

- 2.4 The intention is that the new governance arrangements will be simplified with clarity about roles and responsibilities between the various parts of the PSB's structure. Streamlining governance is considered the most effective means of agreeing action plans and improving the implementation of the Local Well-being Plan.
- 2.5 The current PSB Structure offers significant opportunities to reduce complexity and streamline delivery.

A simplified overview of the current PSB structure



- 2.6 A small working group has been formed, consisting of individuals with expertise and experience in governance. This group will define terms of reference to enable further engagement.
- 2.7 In addition, actions were agreed at the October 2018 Core Group to improve accountability and communication with Objective Delivery Groups and subgroups. The Chair is writing to Objective Leads setting out responsibilities and requesting direct reporting of progress at each Core Group meeting.

3. Equality Implications

There are no Equalities issues within report

4. Legal Implications

There are no Legal issues within report

5. Finance Implications

There are no financial issues within report

Appendices:

Appendix A – Progress Tracker



Risk Tracker/Issue Log (Light Touch)

Project Title :	Well-being Objective Action Planning and implementation	Sponsor :	
Project Manager:	Suzy Richards	Date Created:	Updated 01/10/2018
		Version Number:	3

ID	Subject	Risk/ Issue	Description	Proposed Action	By When	RAG Status	Open/ Closed
01	Action Plan agreement within groups June 2018	Issue	The scheduling of meetings and allocation of step and action leads has led to delay in the setting of objectives	All groups are to be reminded of the need to draft objectives by July. This might be reinforced by organisational leads. <i>Update Oct 2018 – Status paper with options scheduled at Core Group for decision</i>	June 2018	Red	Open
02	EasyRead Version of the Well-being Plan June 2018	Issue	This was commissioned for 3 rd May however the process has led to delays.	Regular updates will continue to be requested. It is hoped to be delivered by July. Translation will then be required. <i>Update Oct 2018 – No ETA or additional available, potential supplier issues, direction is sought from Core Group</i>	July 2018	Red	Open
03	Participation limited to ‘usual suspects’ June 2018	Risk	There is no mechanism to communicate the action planning process so opportunities to participate are restricted.	In order to meet the aim of involving unusual suspects - the Action Planning Checklists requires Leads to consider who else could be involved or where existing practice can be supported <i>Update Oct 2018 - Status paper</i>	July 2018	Red	Open

ID	Subject	Risk/ Issue	Description	Proposed Action	By When	RAG Status	Open/ Closed
				<i>decisions will set context for options to address issue</i>			
04	Capacity to deliver our ambitions June 2018	Risk	All organisations are impacted by austerity so finding the resources to deliver will be challenging	Prompt and regular reporting on this risk so it can be mitigated where possible via partnership working. <i>Update Oct 2018 – Status paper decisions will set context for action</i>	April 2019	Red	Open
05	PSB General Capacity June 2018	Issue	Chris Sivers is leaving, leaving a strategic and operational gap. Co-ordination support ends in September seriously impacting PSB capacity.	Mitigations include handover arrangements and pursuing options for funding future support <i>Update - Oct 2018 The new Deputy CEO will take on SC role, the PT co-ordinator role has been funded until Mar 19.</i>	September 2018	Red	Open
06	Statutory Annual Report Oct 2018	Risk	The PSB has a duty to report on progress towards improving well-being and the steps it is taking to do so.	Ensure Objective leads are engaged in completing action planning checklist and reporting on progress and lessons learnt	May 2018	Amber	Open
07	Membership and selection of Chair Oct 2018	Issue	The membership and Chair is overdue for annual review	Select chair and review membership at next Core Meeting	Summer 2018	Amber	Open
08	Review of Governance Oct 2018		The PSB has committed to a Review of Governance on completion of the Local Well-being Plan	Schedule a Review of Governance	Following completion of the LWP	Amber	Open
09	Regional Funding Bid	Risk	Funding can be clawed back if objectives are not met	Continued monthly monitoring of activity Gantt and Trello Board	April 2019	Green	Open

ID	Subject	Risk/ Issue	Description	Proposed Action	By When	RAG Status	Open/ Closed
	Oct 2018			supported by an evidence file			
10	Additional items/projects/activities Oct 2018	Risk	Ad hoc and unanticipated items have the potential to divert focus from the implementation of the well-being Plan and overfill agenda diverting attention from core business	Clarity over the roles and responsibilities of sub and delivery groups/leads could enable a 'management by exception' approach where autonomous groups report to the Core Group only where necessary enabling the Core to focus on projects requiring their intervention	Ongoing	Amber	Open
11	Streamlining Oct 2018	Risk	The Local Well-being Plan is an ambitious wide-ranging long term plan not everything has to be implemented in Year 1.	Ensuring actions are staged over actions over the short, medium and long term will ensure	Ongoing	Amber	Open
12	New ways of working Oct 2018	Risk	Workshops and other dynamic means of debate are not currently possible within the support framework	Consider alternative/innovative mechanisms as part of the review of governance.	Ongoing	Amber	Open
13	Deputation and quoracy Oct 2018	Risk	The Future Generations Commissioner has identified a national 'slippage' in attendance by leaders. This is perceived as 'moving away from leadership from the front' if replacements lack decision making powers	Deputies and substitutes if in possession of decision making powers and permanently in control of a brief can make more consistent well-informed decisions. Update and core member substitute records to ensure quoracy.	May 2018	Amber	Open

Agenda Item 8

Public Services Board Scrutiny Performance Panel Work Plan for 2018/2019

All meetings are scheduled to commence at 10am.

<p>Meeting 1</p> <p>Wednesday 18th July 2018 Committee Room 3B</p>	<ul style="list-style-type: none"> • Terms of Reference • Governance overview report from Rob Stewart as Chair of PSB. Questions sent in advance • Discussion Session
<p>Meeting 2</p> <p>Wednesday 3rd October Committee Room 5</p>	<ul style="list-style-type: none"> • Future Generations Commissioner – Question and Answer Session
<p>Meeting 3</p> <p>Wednesday 5th December Committee Room 5</p>	<ol style="list-style-type: none"> <u>Statutory Member Session</u> <u>Working with Nature</u> <ul style="list-style-type: none"> • Statutory member to discuss questions which have been sent in advance <ul style="list-style-type: none"> ✚ NRW – Martyn Evans • The plan/objective/steps – where are they involved? What are they doing against the specific steps? <u>Objectives/Steps Update</u> <ul style="list-style-type: none"> • Objective Lead to come in and update on action plan <ul style="list-style-type: none"> ✚ NRW – Max Stokes and Phil McDonnell • Where are they with delivery and progress? <u>Monitoring Item</u> <ul style="list-style-type: none"> • Suzy Richards to present monitoring report on PSB progress, updates and governance
<p>Meeting 4</p> <p>Wednesday 6th February Civic Centre Committee Room 1</p>	<ol style="list-style-type: none"> <u>Statutory Member Session</u> <u>Live Well, Age Well and Strong Communities</u> <ul style="list-style-type: none"> • Statutory member to discuss questions which have been sent in advance <ul style="list-style-type: none"> ✚ Rob Stewart – Swansea Council • The plan/objective/steps – where are they involved? What are they doing against the specific steps?

	<p>2. <u>Objectives/Steps Update</u></p> <ul style="list-style-type: none"> Objective Lead to come in and update on action plan  Polly Gordon and Adam Hill – Swansea Council Where are they with delivery and progress? <p>3. <u>Monitoring Item</u></p> <ul style="list-style-type: none"> Suzy Richards to present monitoring report on PSB progress, updates and governance
<p>Meeting 5</p> <p>Wednesday 3rd April Committee Room 5</p>	<p>1. <u>Statutory Member Session</u> <u>Early Years</u></p> <ul style="list-style-type: none"> Statutory member to discuss questions which have been sent in advance  Andrew Davies - ABMU The plan/objective/steps – where are they involved? What are they doing against the specific steps? <p>2. <u>Objectives/Steps Update</u></p> <ul style="list-style-type: none"> Objective Lead to come in and update on action plan  Sian Bingham – Swansea Council  Nina Williams – Public Health Wales  Sandra Husbands - ABMU Where are they with delivery and progress? <p>3. <u>Monitoring Item</u></p> <ul style="list-style-type: none"> Suzy Richards to present monitoring report on PSB progress, updates and governance