



Western Bay Regional Partnership Board Draft Terms of Reference

Prepared with reference to the Welsh Government Statutory Guidance Social Services and Well-being (Wales) Act 2014 Part 9 Statutory Guidance (Partnership Arrangements)

Agreed by Western Bay Regional Partnership Board on _____

Status

1. Abertawe Bro Morgannwg University Health Board,

Swansea City and County Council,

Bridgend County Borough Council, and

Neath Port Talbot County Borough Council

are Partnership Bodies for the purposes of the Partnership Arrangements (Wales) Regulations 2015¹
2. The Partnership Bodies are required to establish a Partnership Board pursuant to the Regulations to be known as the Western Bay Regional Partnership Board²
3. Western Bay Regional Partnership Board (The Board) does not have separate legal personality and references to the Board are references to members of the Board acting jointly.

Objectives of the Board

4. The statutory objectives of the Board are summarised in paragraphs 5, 6 and 7 below.³

¹ Regulation 1 (4) Partnership Arrangements (Wales) Regulations 2015

² Regulation 5 (2)

³ Regulation 10



5. To ensure that the Partnership Bodies work effectively together to
 - a) respond to the population assessment carried out under Section 14 of the Social Services and Well-being (Wales) Act 2014 (the Act) and ⁴
 - b) implement the plans for each local authority area covered by the Board which the Partnership Bodies are each required to prepare and publish under Section 14A of the Act
6. To ensure that the Partnership Bodies provide sufficient resources for the Partnership Arrangements in accordance with their powers under Section 167 of the Act.
7. To promote the establishment of pooled funds where appropriate.
8. Aside from the established of pooled funds for care home accommodation functions and family support functions, decisions on the establishment and maintenance of pooled funds shall be made by the Partnership Bodies in consequence of an assessment carried out under Section 14 of the Act or any plan prepared under Section 14A of the Act.
9. In exercising its functions the Board must have regard to:-
 - (a) Any guidance issued by the Welsh Government and to any outcomes specified in a statement issued under Section 8 of the Act.⁵
 - (b) The need to obtain timely and sufficient funding from the Welsh Government
 - (c) Other statutory duties of the Partnership Bodies.

⁴ Regulation 10 (a) (i)

⁵ Section 169 (2) Social Services and Well-being –(Wales) Act 2014



Main Functions

10. The Board has the following functions:
- (a) To provide a senior forum to
 - (i) oversee the discharge of duties under Part 9 of the Act,
 - (ii) agree regional priorities,
 - (iii) identify and respond to opportunities for collaboration and integration in the delivery of health, social care and well-being in Western Bay programme area,
 - (iv) oversee delivery of the regional programme and
 - (v) unblock obstacles to successful collaborative working
 - (b) To ensure that information is shared and used effectively to improve the delivery of services, care and support, using technology and common systems to underpin this
 - (c) To sign off an annual Partnership Plan and produce an Annual Report on delivery against the Plan
 - (d) To agree a recommended budget for consideration by the Partnership Bodies to support delivery of the Partnership Plan and agree to any reallocation of resources within the course of the year to support revised priorities
 - (e) To ensure the Partnership Plan reflects specific duties within the Act and facilitates service transformation across the region through effective collaborative working, sharing of practice and comparative analysis
 - (f) To meet accountability arrangements to the Welsh Government regarding delivery of the Partnership Plan and deployment of grant funding
 - (g) To mandate regional programme and project boards to oversee activities to support delivery of the Regional Plan, deploy resources appropriately, monitor delivery and provide reports when required to the Regional Partnership Board.
 - (h) To assess each year whether the regional governance arrangements are effective in promoting collaboration and facilitating delivery of the Partnership Plan



- (i) To assist the Partnership Bodies in preparing a Population Assessment each electoral cycle, as required under section 14 of the Act and implement plans at local authority and regional level as required under section 14A of the Act
- (j) To make recommendations to the Partnership Bodies for establishment of pooled funding arrangements for functions exercised jointly in response to the Population Assessment, family support functions and, from April 2018, for care home accommodation for adults
- (k) To approve and oversee the implementation of the plans under the Intermediate Care Fund
- (l) To make appropriate arrangements for service user and carer engagement in the development and delivery of the regional programme and Partnership Plan
- (m) The Board is not a formal decision-making body and has no executive powers. Courses of action will be agreed by consensus among the full members. Partners will need to take issues agreed by the Board through their own local policy and decision-making for ratification as required

Board Membership

11. The membership of the Board is set out below⁶:

- (a) Three elected Members of each local authority
- (b) One Member of the Local Health Board
- (c) The Director of Social Services appointed under Section 144 of the Act of each local authority (or his or her nominated representative)
- (d) Three representatives of the Local Health Board
- (e) Three persons who represent the interests of third sector organisations
- (f) One person who represents the interests of care providers in the area covered by the Board
- (g) One person to represent people with needs for care and support in the area covered by the Board

⁶ Regulation 11



- (h) One person to represent carers in the area covered by the Board
12. The person referred to in (e) to (h) above shall be selected by the Partnership Bodies.
 13. The Partnership Bodies may substitute at any time another person for any of the persons appointed under paragraphs (a), (b) and (d).
 14. The persons appointed under paragraph (a) above shall cease to be members of the Board if they cease to hold the office of elected Member.
 15. The term of office of members of the Board shall run until the next general election of local authority members of the local authorities represented on the Board following the elections which occur in May 2017 or the dissolution of those local authorities by effect of statute.
 16. If any person appointed to the Board tenders written resignation, becomes incapable of acting or fails to attend Board meetings for a period of six months that person shall cease to become a member of the Board.
 17. Any occasional vacancy amongst the persons named in paragraphs (e) to (h) above shall be filled by decision of the Partnership Bodies.
 18. The Board may co-opt such other persons to be members of the Board as it thinks appropriate.⁷
 19. The Board shall determine the method by which a Chair and Vice Chair are appointed together with the period of office which applies to those roles.

⁷ Regulation 11 (2)



20. Board decisions are made by simple majority but are only effective if supported by all Board members of the Partnership Bodies appointed under paragraphs 11 (a) and (b).

21. (a) In the event of a disagreement between members of the Board it is the responsibility of the chair to convene a meeting to resolve the disagreement.

(b) In the event that a consensus cannot be reached at that meeting the Chair shall appoint an independent mediator who must not be in the employment of any of the Partnership Bodies.

(c) All Board members must cooperate with the mediator.

(d) The costs of mediation shall be borne in equal shares by the Partnership Bodies.

Quorum

22. A meeting of the Board shall be quorate if it is attended by representatives of all the Partnership Bodies.

Meetings of the Board

23. The Board shall meet at least four times in any financial year.

24. Additional meetings may be held at the discretion of the Board

25. The first meeting of the Board in any financial year shall adopt a work programme for the Board during the course of that financial year and shall undertake a review of the functioning of the Board in the previous financial year.



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Sub-Groups of the Board

26. The Board may establish sub-groups to support it in undertaking its functions.
27. Any sub-group of the Board must include at least one representative of a Partnership Body who will chair the sub-group.

Administrative Support

28. Administrative support for the Board is provided by the City and County of Swansea.

Scrutiny

29. The Board shall submit to scrutiny by overview and scrutiny committees of the local authorities which are Partnership Bodies or a joint Overview and Scrutiny Committee established by those local authorities.
30. The Overview and Scrutiny Committees can require any member of the Board to give evidence but only in respect of the exercise of functions conferred on the Board.