

## GWŶS Y CYNGOR

Rydych dan wŷs trwy hyn i ddod i gyfarfod CYNGOR DINAS A SIR ABERTAWA i'w gynnal yn Siambr y Cyngor, Neuadd y Ddinas, Abertawe dydd Mawrth, 28 Ebrill 2015 am 5.00 pm

Cynigir trafod y materion canlynol:

1. **Ymddiheuriadau am absenoldeb.**
2. **Datgeliadau o fuddiannau personol a rhagfarnol.** 1 - 2
3. **Cofnodion.** 3 - 12  
Cymeradwyo cofnodion y cyfarfod cyffredinol a gynhaliwyd ar 31 Mawrth 2015 a'u llofnodi fel cofnod cywir.
4. **Cyhoeddiadau'r Aelod Llywyddol.**
5. **Cyhoeddiadau Arweinydd y Cyngor.**
6. **Cwestiynau gan y Cyhoedd.**  
Rhaid i'r cwestiynau ymwneud â materion ar ran agored agenda'r cyfarfod, ac ymdrinnir â hwy o fewn 10 munud.
7. **Cyflwyniad Cyhoeddus - Dim.**
8. **Adroddiad Aelod y Cabinet dros Drawsnewid a Pherfformiad.**  
8.a Aelodaeth Pwyllgorau. 13 - 14
9. **Adroddiad y Prif Weithredwr.**  
9.a Ymgynghoriad ar y Papur Gwyn 'Diwygio Llywodraeth Leol - Grym i Bobl Leol' - Ymateb Dinas a Sir Abertawe. 15 - 91
10. **Cwestiynau gan y Cynghorwyr.** 92 - 98
11. **Adroddiadau Er Gwybodaeth. (Dim Trafodaeth)**  
11.a Ymatebion ysgrifenedig i gwestiynau a ofynnwyd yng nghyfarfod cyffredinol diwethaf y Cyngor. 99 - 102



Patrick Arran  
Pennaeth Gwasanaethau Cyfreithiol, Democrataidd a Chaffael  
Canolfan Ddinesig  
Abertawe  
**Dydd Mercher, 15 Ebrill 2015**  
**At: Bob Aelod o'r Cyngor**

## Disclosures of Interest

To receive Disclosures of Interest from Councillors and Officers

### Councillors

**Councillors Interests are made** in accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea. You must disclose orally to the meeting the existence and nature of that interest.

**NOTE:** You are requested to identify the Agenda Item / Minute No. / Planning Application No. and Subject Matter to which that interest relates and to enter all declared interests on the sheet provided for that purpose at the meeting.

1. If you have a **Personal Interest** as set out in **Paragraph 10** of the Code, you **MAY STAY, SPEAK AND VOTE** unless it is also a Prejudicial Interest.
2. If you have a Personal Interest which is also a **Prejudicial Interest** as set out in **Paragraph 12** of the Code, then subject to point 3 below, you **MUST WITHDRAW** from the meeting (unless you have obtained a dispensation from the Authority's Standards Committee)
3. Where you have a Prejudicial Interest you may attend the meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, **provided** that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. In such a case, you **must withdraw from the meeting immediately after the period for making representations, answering questions, or giving evidence relating to the business has ended**, and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration (**Paragraph 14** of the Code).
4. Where you have agreement from the Monitoring Officer that the information relating to your Personal Interest is **sensitive information**, as set out in **Paragraph 16** of the Code of Conduct, your obligation to disclose such information is replaced with an obligation to disclose the existence of a personal interest and to confirm that the Monitoring Officer has agreed that the nature of such personal interest is sensitive information.
5. If you are relying on a **grant of a dispensation** by the Standards Committee, you must, before the matter is under consideration:
  - i) Disclose orally both the interest concerned and the existence of the dispensation; and
  - ii) Before or immediately after the close of the meeting give written notification to the Authority containing:

- a) Details of the prejudicial interest;
- b) Details of the business to which the prejudicial interest relates;
- c) Details of, and the date on which, the dispensation was granted; and
- d) Your signature

## **Officers**

### **Financial Interests**

1. If an Officer has a financial interest in any matter which arises for decision at any meeting to which the Officer is reporting or at which the Officer is in attendance involving any member of the Council and /or any third party the Officer shall declare an interest in that matter and take no part in the consideration or determination of the matter and shall withdraw from the meeting while that matter is considered. Any such declaration made in a meeting of a constitutional body shall be recorded in the minutes of that meeting. No Officer shall make a report to a meeting for a decision to be made on any matter in which s/he has a financial interest.
2. A "financial interest" is defined as any interest affecting the financial position of the Officer, either to his/her benefit or to his/her detriment. It also includes an interest on the same basis for any member of the Officers family or a close friend and any company firm or business from which an Officer or a member of his/her family receives any remuneration. There is no financial interest for an Officer where a decision on a report affects all of the Officers of the Council or all of the officers in a Department or Service.

## CITY AND COUNTY OF SWANSEA

### MINUTES OF THE COUNCIL

HELD AT GUILDHALL ON TUESDAY, 31 MARCH 2015  
AT 5.00 PM

**PRESENT:** Councillor D W W Thomas (Presiding Member) presided

<b>Councillor(s)</b>	<b>Councillor(s)</b>	<b>Councillor(s)</b>
J C Bayliss	T J Hennegan	J Newbury
P M Black	C A Holley	B G Owen
J E Burtonshaw	P R Hood-Williams	D Phillips
M C Child	B Hopkins	C L Philpott
R A Clay	D H Hopkins	J A Raynor
U C Clay	L James	T H Rees
A C S Colburn	Y V Jardine	I M Richard
D W Cole	J W Jones	C Richards
A M Cook	M H Jones	P B Smith
J P Curtice	S M Jones	R V Smith
N J Davies	E T Kirchner	R J Stanton
A M Day	A S Lewis	R C Stewart
P Downing	D J Lewis	G J Tanner
C R Doyle	R D Lewis	C M R W D Thomas
V M Evans	C E Lloyd	M Thomas
W Evans	P Lloyd	L G Thomas
E W Fitzgerald	K E Marsh	L J Tyler-Lloyd
R Francis-Davies	P M Matthews	G D Walker
F M Gordon	P N May	L V Walton
J A Hale	P M Meara	T M White
J E C Harris	H M Morris	N M Woollard

206. **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors S E Crouch, A J Jones, D G Sullivan and C Thomas.

207. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.**

The Head of Legal, Democratic Services and Procurement gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda.

The Head of Democratic Services reminded Councillors and Officers that the "Disclosures of Personal and Prejudicial Interests" sheet should only be completed if the Councillor/Officer actually had an interest to declare. Nil returns were not required. Councillors and Officers were also informed that any declarable interest must be made orally and in writing on the sheet.

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea the following interests were declared:

Councillors

- 1) Councillors J C Bayliss, P M Black, J E Burtonshaw, A M Day, P M Meara and J A Raynor declared a personal interest in Minute No. 212 - "Public Presentation - Bay Campus, Swansea University Campus Development Strategy".
- 2) Councillors J E Burtonshaw, J P Curtice, J A Hale, C Richards and N M Woollard declared a personal interest in Minute No. 213 - "Pay Policy 2015/2016".
- 3) Councillor P Downing declared a personal interest in Minute No. 213 - "Pay Policy 2015/2016" and stated that he had received dispensation from the Standards Committee to stay and speak and vote on any item relating to general staff Employment, on Budget matters and any other matters that affect Corporate Building Services, other than matters that directly affect his brother with specific reference to his post.
- 4) Councillor F M Gordon declared a personal interest in Minute No. 213 - "Pay Policy 2015/2016" and stated that she had received dispensation from the Standards Committee to stay and speak on any item relating to general staff employment, on budget matters and any other matters that directly affect Education other than matters that directly affect her son by specific reference to his post.
- 5) Councillor C A Holley declared a personal interest in Minute No. 213 - "Pay Policy 2015/2016" and stated that he had received dispensation from the Standards Committee to stay, speak and vote on any item relating to Social Services matters, general staff employment, on budget matters and other Social Services matters other than those that directly affect his daughter by specific reference to her post.
- 6) Councillor G J Tanner declared a personal interest in Minute No. 213 - "Pay Policy 2015/2016" and stated that she had received dispensation from the Standards Committee to stay and speak but not vote on any item relating to general staff employment on budget matters other than matters that directly affect her son by specific reference to his post.

- 7) Councillor M Thomas declared a personal interest in Minute No. 213 - "Pay Policy 2015/2016" and stated that he had received dispensation from the Standards Committee to stay and speak but not vote on any item relating to general staff employment, on budget matters other than matters that directly affect his wife by specific reference to her post.
- 8) Councillor T M White declared a personal interest in Minute No. 213 "Pay Policy 2015/2016" and stated that he had received dispensation from the Standards Committee to stay and speak on any item relating to general employment, on budget matters other than matters that directly affect his daughter by specific reference to her post.
- 9) Councillor C R Doyle declared a personal interest in Minute No. 215 "Admission Arrangements 2016/2017" as a School Governor of Birchgrove Comprehensive and Primary Schools.
- 10) Councillor J W Jones declared a personal interest in Minute No. 215 "Admission Arrangements 2016/2017" as a School Governor and his grandchild is due to enter education.
- 11) Councillor I M Richard declared a personal interest in Minute No. 215 "Admission Arrangements 2016/2017" in relation to having nine grandchildren in education in Swansea.
- 12) Councillors J C Bayliss, D W Cole, A C S Colburn, A M Cook, M H Jones, E T Kirchner, A S Lewis, P Lloyd, C L Philpott, I M Richard, D W W Thomas and T M White declared a personal interest in Minute No. 217 - "Local Development Plan Petitions" as members of the Planning Committee.

#### Officers

- 1) P Arran, L Harvey, M Hawes, P Meller, J Parkhouse, P Roberts, C Sivers, D Taylor and J Tinker declared personal and prejudicial interests in Minute No. 213 - "Pay Policy 2015/2016" and left the meeting prior to discussions on this item.

#### 208. **MINUTES.**

**RESOLVED** that the following Minutes be approved and signed as a correct record:

- 1) Extraordinary Meeting of Council held on 24 February 2015;
- 2) Ordinary Meeting of Council held on 3 March 2015.

209. **ANNOUNCEMENTS OF THE PRESIDING MEMBER.**

**1) Condolences**

**a) Janet Borsden, Wife of Gareth Borsden**

The Presiding Member referred with sadness to the recent death of Janet Borsden. Janet Borsden was a former employee of the City and County of Swansea and the wife of Gareth Borsden (Democratic Services).

All stood as a mark of respect and sympathy.

**2) Councillor Resignations**

The Presiding member stated that three Councillors of the City and County of Swansea had resigned with immediate effect on 20 March 2015.

**Councillor John Davies** represented the Morrison Electoral Ward on Swansea City Council from 5 May 1983 to 31 March 1996 and the City and County of Swansea from 4 May 1995 to 20 March 2015. This was a period of approximately 32 years. Councillor John Davies had previously served as a Cabinet Member and was Lord Mayor in 2000-2001.

**Councillor Nick Bradley** represented the Townhill Electoral Ward on the City and County of Swansea from 1 May 2008 to 20 March 2015. This was a period of approximately 7 years. Councillor Nick Bradley had previously served as a Cabinet Member.

**Councillor Mitch Theaker** represented the Cockett Electoral Ward on the City and County of Swansea from 3 May 2012 to 20 March 2015. This was a period of approximately 3 years. Councillor Mitch Theaker had previously served as a Cabinet Member.

**3) MPs Standing Down**

The Presiding Member indicated that two MPs for Swansea were standing down - Martin Caton, who had been an MP for Gower since 1997 and Sian James who had been an MP for Swansea East since 2005.

**4) Congratulations**

The Presiding Officer stated that youngsters from Blaenymaes school's Rhodri's Rangers Group had won a High Sheriff Award for their work in helping classmates with issues such as bullying and internet safety.

210. **ANNOUNCEMENTS OF THE LEADER OF THE COUNCIL.**

**1) Tribute to Councillor J Davies**

The Leader paid tribute to ward all his colleagues, but paid specific thanks to his ward colleague Councillor John Davies for his contribution over many years both as both as Cabinet Member and Ward Colleague.

**2) Marketing of Sites**

The Leader indicated that there had been keen interest in the marketing of sites and a shortlist had been prepared. A productive and positive meeting had also been had regarding the sale of the Liberty Stadium.

211. **PUBLIC QUESTIONS.**

A number of questions were asked by members of the public. The relevant Cabinet Member responded accordingly. Those questions requiring a written response are listed below:

1) Lis Davies asked the relevant Cabinet Member a question in relation to Minute 218 - Council Questions - Page 145.

- (i) Which specific schools has the Labour Administration identified as having 'high market value sites with existing access arrangements'?
- (ii) Why has Swansea Council decided to effectively award schools five percent less money in the next financial year [delegated budget cuts] when Neath & Port Talbot and Carmarthenshire councils have not done so?

The Cabinet Member for Education indicated that she would provide a written response.

2) Lis Davies asked the relevant Cabinet Member a question in relation to Minute No. 215 - Admission Arrangements 2016/2017 - Page 54.

The report identifies that there are 79 Primary and 14 Comprehensive Schools in Swansea and yet the Council only received (11) responses to the consultation on Admission arrangements.

- (i) A breakdown of the 11 responses - how many responses were received from Primary Schools and how many from Comprehensive Schools?
- (ii) Has there been any further consultation with schools asking why they failed to respond to the consultation?



- (iii) Was the lack of interest apathy on part of the schools who failed to respond or further evidence of the dysfunctional relationship between Swansea schools in general and the LA Education Department?

The Cabinet Member for Education indicated that she would provide a written response.

212. **PUBLIC PRESENTATION - BAY CAMPUS - SWANSEA UNIVERSITY CAMPUS DEVELOPMENT STRATEGY.**

Professor Iwan Davies gave a presentation on the Bay Campus, Swansea University Campus Development Strategy. He referred to the opportunity, excellence and impact that this development would create.

Questions were asked by members regarding this exciting project.

The Leader and the Cabinet Member for Enterprise, Development and Strategy gave thanks for the presentation.

213. **PAY POLICY 2015/2016.**

S Rees, Head of HR & OD, Neath Port Talbot County Council presented a report on the Pay Policy 2015/2016. The Pay Policy 2015/16 was attached as Appendix 1. Paragraph 4.3.5 of the pay policy was amended to state that the living wage was increasing from £7.45 per hour to £7.61 per hour, rather than per year.

**RESOLVED** that:

- 1) the Pay Policy 2015/2016 be approved;
- 2) the pay offer for Chief Officers as outlined in paragraph 3.9 of the report be approved.
- 3) any future pay increases for JNC, NJC and Soulbury Staff be implemented as and when they arise.

214. **MEMBERSHIP OF COMMITTEES.**

The Citizen, Community Engagement and Democracy Cabinet Member stated that an amended report had been circulated. The Leader had agreed that the following organisation be added to Council Outside Bodies:-

**Vision Impaired West Glamorgan**

Add Councillor T J Hennegan  
Add Councillor Y V Jardine  
Add Councillor G J Tanner  
Add Councillor C Thomas

**RESOLVED** that the membership of the Council Bodies listed below be amended as follows:

**1) Scrutiny Programme Committee**

Remove Councillor A J Jones  
Add Councillor D J Lewis

**2) Audit Committee**

Remove Councillor P Downing  
Add Councillor J C Bayliss

**3) Engagement and Inclusion Cabinet Advisory Committee**

Remove Councillor D W Cole  
Add Councillor C R Doyle

215. **ADMISSION ARRANGEMENTS 2016/2017.**

The Cabinet Member for Education presented a report which sought to determine the Admission Arrangements for maintained schools for the academic year 2016/2017.

**RESOLVED** that:

- 1) the proposed Admission Arrangements for 2016/2017 for Nursery Classes as set out in Appendix A be approved;
- 2) the proposed Admission Arrangements for 2016/2017 for Primary Schools as set out in Appendix B of the report be approved;
- 3) the proposed Admission Arrangements for 2016/2017 for Secondary Schools is as set out in Appendix B of the report be approved;
- 4) the proposed Admission Arrangements/ Criteria for Entry for 2016/2017 for Sixth Forms set in Appendix B of the report be approved;
- 5) the Schedule of Events at Appendix C of the report be approved;
- 6) the Admission Numbers for primary and secondary schools be noted, as set out in Appendix D of the report.

216. **AMENDMENTS TO THE COUNCIL CONSTITUTION & COUNCIL DIARY 2015-2016.**

The Monitoring Officer presented the joint report of the Presiding Member, Monitoring Officer and Head of Democratic Services which sought to make amendments in order to outline the draft Council Diary 2015-2016 and to simplify, improve and/or add to the Council Constitution and to in relation to the following areas:-

- 1) Part 4 - "Council Procedure Rules";
- 2) Part 4 - "Access to Information Procedure Rules";
- 3) Part 4 - "Cabinet Procedure Rules".

The draft Council Diary 2015 - 2016 was attached as Appendix A.

An additional report was circulated with the following further amendments to the Council Diary 2015-2016:

4.2 Amendments to the cycle of meetings as follows:-

Communities CAC:	Amend from the 1 <sup>st</sup> Tuesday of every month to 2 <sup>nd</sup> Thursday of every month.
Democratic Services Committee:	Amend from the 2 <sup>nd</sup> Tuesday of every 3 <sup>rd</sup> month to 3 <sup>rd</sup> Tuesday of every 3 <sup>rd</sup> month.

**Appendix A - Council Diary 2015-2016**

The date of the Cabinet meeting shown as 14 May 2015 be amended to 12 May 2015.

The date of General Licensing Committee shown as 15 May 2015 be amended to 14 May 2015.

**RESOLVED** that:

- 1) the changes to the Council Constitution as outlined in paragraph 3 of the report together with any further consequential changes be adopted;
- 2) the Council Diary 2015-2016 be noted subject to the further amendments in the additional report and be resubmitted to the Annual Meeting of Council on 19 May 2015 for formal adoption.

217. **LOCAL DEVELOPMENT PLAN PETITIONS.**

The Monitoring Officer presented the report of the Constitution Working Group which sought to agree a mechanism for all petitioners to proposed Local Development Plan (LDP) allocations to be heard. Amended recommendations were circulated.

**RESOLVED** that:

- 1) the opportunity to present valid petitions be afforded to all petitioners objecting to proposed A and potential B-List LDP sites (including those sites subject of multiple letters of objection) and that site promoters be afforded the right to reply;
- 2) all Petitions relating to the LDP will be directed to and heard by the Planning Committee who will then make a recommendation in a report to Council for a final decision to be made. The report to Council will provide details of the representations made at Planning Committee in respect of each site;
- 3) consequential amendments be made to the Constitution and the Head of Legal, Democratic Services & Procurement be given authority to make those amendments.

218. **COUNCILLORS' QUESTIONS.**

1) **Part A 'Supplementary Questions'**

Eleven (11) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

Those supplementary questions requiring a written response are listed below:-

(i) Question 4 - Councillor M H Jones asked:-

In relation to revised figures verbal provided by the Cabinet Member do these include the staff who were on temporary contracts of under a year and had already been given notice? (Councillor M H Jones indicated that she would provide notes regarding this matter in the new term)

The Cabinet Member for Education indicated that she would provide a written response.

(ii) Question 4 – Councillor M H Jones further asked:-

As a result of the emphasis on Numeracy and Literacy in recent years, can the Cabinet Member indicate how schools were going to manage to help all children to be able to read at their chronological reading age when the staff schools are mainly losing Teaching Assistants that work with these children? How do you expect them to access the Curriculum when they get to Secondary School?

The Cabinet Member for Education indicated that she would provide a written response.

(iii) Question 10 (2) - Councillor P M Meara asked:

How does the table produced in respect of the number of liability orders issued in respect of the past financial years compared to the collection rate differ from that in other cities?

The Leader indicated that he would provide a written response.

(iv) Question 10 (4) - Councillor P M Meara asked:

What support do people get from the free debt advice organisations?

The Leader indicated that he would provide a written response.

**2) Part B 'Questions not requiring Supplementary Questions'**

One (1) Part B 'Question not requiring Supplementary Questions' was submitted.

219. **WRITTEN RESPONSES TO QUESTIONS ASKED AT THE LAST ORDINARY MEETING OF COUNCIL.**

The Head of Legal, Democratic Services and Procurement submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

The meeting ended at 7.25 p.m.

**CHAIR**

## Report of the Cabinet Member for Transformation & Performance

Council – 28 April 2015

### MEMBERSHIP OF COMMITTEES

<b>Purpose:</b>	Council approves the nominations / amendments to the Council Bodies.
<b>Policy Framework:</b>	None.
<b>Reason for Decision:</b>	To agree nominations for Committee Membership.
<b>Consultation:</b>	Political Groups.
<b>Recommendation:</b>	It is recommended that: -  1) the amendments to the Council Bodies in paragraph 4 be approved.
<b>Report Author:</b>	S Woon
<b>Legal Officer:</b>	T Meredith
<b>Finance Officer:</b>	C Billingsley
<b>Access to Services Officer:</b>	N/A

#### 1. Introduction

- 1.1 The Annual Meeting of Council on 8 May 2014, agreed membership of the various Committees/Boards as reflected in the lists submitted by the Political Groups.

#### 2. Changes to Council Body Membership

- 2.1 The Political Groups have indicated that they will have changes to various Council Bodies.

#### 3. Changes to Council Body Membership

- 3.1 This report has been included on the agenda to facilitate any possible changes.

#### 4. Financial Implications

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

## **5. Legal Implications**

5.1 There are no legal implications associated with this report.

**Background Papers:** Local Government & Housing Act 1989, the Local Government (Committees & Political Groups) Regulations 1990.

**Appendices:** None.

## Report of the Chief Executive

Council – 28 April 2015

### CONSULTATION ON THE WHITE PAPER 'REFORMING LOCAL GOVERNMENT – POWER TO LOCAL PEOPLE' – CITY & COUNTY OF SWANSEA RESPONSE

<b>Purpose:</b>	The purpose of this report is to agree a response to the consultation on the White Paper 'Reforming Local Government – Power to Local People'.
<b>Policy Framework:</b>	White Paper – Reforming Local Government.
<b>Reason for Decision:</b>	To provide the Council's response to the consultation.
<b>Consultation:</b>	Legal, Finance and Access to Services.
<b>Recommendation(s):</b>	It is recommended that:  1) The draft response to the consultation on the White Paper 'Reforming Local Government – Power to Local People' is agreed.
<b>Report Author:</b>	Dean Taylor
<b>Finance Officer:</b>	Mike Hawes
<b>Legal Officer:</b>	Patrick Arran
<b>Access to Services Officer:</b>	Euros Owen

#### 1.0 Introduction

- 1.1 The White Paper 'Reforming Local Government – Power to Local People' is the Welsh Government's statement of intent about the future of Local Government in Wales. A briefing paper on the proposals set out within the White Paper is attached at **Appendix A**.
- 1.2 The Welsh Government has issued a consultation on the White Paper and invited responses. This report sets out for agreement by Council the City & County of Swansea's response to the consultation.
- 1.3 The draft response contained within this report is an overall view of the issues set out within the White Paper. Council is advised not to respond to the detailed questions set out within the consultation document –



- many of the proposals are wrong in principle, unduly prescriptive and unworkable in practice.
- 1.4 The proposals relating to community governance and local decision making are premature until the future shape of unitary authorities is known.
- 1.5 The City & County of Swansea's response draws upon the Council's original response to the Williams Commission and comments on the role of Welsh Government and makes the case for wider public service change. The Council's response to the Williams Commission is attached at **Appendix B**.
- 1.6 A response by the Democratic Services Committee to relevant questions set out within the Welsh Government consultation document is attached at **Appendix C**.
- 1.6 It is also proposed that Council fully supports the WLGA response to the White Paper consultation; a summary of the WLGA response is attached at **Appendix D**.

## **2.0 Chapter 1 - Welsh Government Vision for Local Government**

### **2.1 Response**

- 2.1.1 The City & County of Swansea believes that it is vital that a clear vision for local government in Wales is set out.
- 2.1.2 A Welsh Public Sector of the size, complexity and culture that we have today is unsustainable both economically and in terms of its ability to improve outcomes for the people of Wales.
- 2.1.3 There has been a strong focus on the implications for structures recently, particularly in Local Government. The City & County of Swansea believes strongly that this is entirely the wrong debate. A review of the public sector in Wales must start with a strong vision of where we want to be in say ten or twenty years' time. This vision must be expressed in terms of outcomes for citizens, clients, service users etc.
- 2.1.4 The positioning of services in any structure should be based on an objective analysis of what is best in terms of firstly outcomes and the economy on a local, regional and national level. Higher cost and specialist services are increasingly being delivered at a regional or national level.
- 2.1.5 Supporting this strong vision and focus on outcomes must be a common set of values that cover the whole of the public sector and are endorsed and understood by the public.
- 2.1.6 The current focus on inputs and processes will not deliver the transformational change that is necessary to make Wales a top

performing devolved administration equipped to meet the challenges we face.

- 2.1.7 In order to deliver a step change in terms of outcomes the vision and values must promote innovation and empower communities. The review should recognise the old adage that 'form follow function' and indeed both follow foresight.
- 2.1.8 New policies are formulated by Welsh Government without a focus on outcome measures or costed proposals.
- 2.1.9 The policy framework and commitments at Welsh Government level are very strong; however they are often silent on the change strategy. An expectation that we provide all that we do now and deliver improvements in all areas creates an undeliverable aspiration based programme.
- 2.1.10 The City & County of Swansea supports a general power of competence for all Welsh Councils and believes that the Welsh Government should immediately seek to devolve more powers and autonomy to local government in Wales so that local government can respond flexibly and innovate in order to meet the priorities and needs of the people that they serve.
- 2.1.11 There should be a radical review of the funding system. The aim should be a single unhypothecated funding stream to local government in Wales backed by strong outcome management.
- 2.1.12 A single accountability agreement should be in place describing outcome not process. A single and proportionate inspection regime should be established.

### **3.0 Chapter 2 - Balancing the responsibilities of National and Local Government**

#### **3.1 Response**

- 3.1.1 The City & County of Swansea believes that an independent review is needed on Welsh Government and local government relations in Wales so that relationships are constructive and a clear distinction established between the Welsh Government as policy maker and the public sector delivery arm.
- 3.1.2 There should be a radical delayering of responsibilities and accountability, including partnerships. A revised system should ideally only have three parties:
  - a) Policy maker – Welsh Government.
  - b) Deliverer (there are a number of options).
  - c) An inspector focussed on service improvement.

- 3.1.3 There needs to be a simplification and alignment of the many different legislative and policy frameworks affecting local government in Wales.

## **4.0 Chapter 3 - Renewing Democracy**

### **4.1 Response**

- 4.1.1 The City & County of Swansea believes that the number of Councillors needs to be determined by the needs and characteristics of the local area and not be decided with reference to a 'one size fits all' number based upon the UK average.
- 4.1.2 The City & County of Swansea believes that the levels of remuneration of Councillors should continue to be reviewed annually by the Independent Remuneration Panel and that an additional review is unnecessary.
- 4.1.3 In terms of the proposal for term limits and the right of recall for Councillors, the City & County of Swansea supports the status quo based upon a lack of evidence to support any changes, particularly when the proposals would not be applied to other tiers of government. The City and County of Swansea does however support a 5 year fixed term electoral cycle.

## **5.0 Chapters 4 & 5 - Connecting with Communities and Empowerment**

### **5.1 Response**

- 5.1.1 We need a public sector committed to developing community capacity, managing and reducing demand, early intervention and customer focus.
- 5.1.2 The City and County of Swansea believes in direct public service provision through local government where this will deliver the best outcomes for our residents. However, in order to address the significant financial challenges facing the Council, we are already through our *Sustainable Swansea – Fit for the Future* programme looking at new and innovative models of delivery for services, focussing on preventative services and demand management and examining how communities can be enabled to help themselves, including co-operative forms of delivery.
- 5.1.3 The City and County of Swansea argues that any additions to the governance and partnership structures for local government in Wales should not be done without a fundamental review of the existing structures and a radical delaying exercise being undertaken aimed at reducing complexity.

## **6.0 Chapter 6 - Corporate Governance and Improvement**

### **6.1 Response**

- 6.1.1 The current regulatory regime attempts to bring together judgements of the WAO, Estyn and CSSIW, this is welcomed. But they still each promote excellence in their respective fields irrespective of the impact in other areas. A single inspection regime based on a small number of agreed outcome measures is needed.
- 6.1.2 Primary Care, Community Care and Social Care should be located in a single organisation with a common accountability framework and a single budget. There should be democratic accountability built into this system. These organisations should be co-terminus with Health Boards.
- 6.1.3 The language of accountability is negative focussed on intervention and blame; instead it should be centred upon learning and improvement. A single accountability agreement should be in place describing outcome not process.
- 6.1.4 The City & County of Swansea supports self-evaluation through the use of Peer Reviews. Peer Reviews have been used in 11 Councils in Wales, and follow the English LGA model. The WLGA wants to offer every council in Wales a peer review once every four years, which is a proportionate approach.
- 6.1.5 The WLGA provided a peer review for the City & County of Swansea at the Council's request during autumn 2014. Key reasons for requesting the peer review included: being keen to learn from elsewhere and to improve what we do; we have identified self-evaluation as one of our priorities as part of the new performance improvement framework; to support the overall objective of sector led self-regulation and improvement in Wales.

## **7.0 Chapter 7 - Performance in Local Government**

### **7.1 Response**

- 7.1.1 The City & County of Swansea is already working to the performance framework that is being proposed and many of the proposals in the White Paper are unnecessary and unduly prescriptive. Therefore general observations are made together with concluding comments:
- a) There is no common accountability agreement for public services in Wales. For example Health and Social Care are inextricably linked, but the NHS and Local Government have completely different accountability and performance regimes.
  - b) Even within the Local Authority context different approaches are taken between core services and the requirements of a myriad of grant funded initiatives

- c) There is an over reliance on comparisons within Wales. Policy divergence has led to even greater insularity which stifles learning and improvement. Welsh Government must seek to understand through accredited research why other countries have, for example, higher levels of literacy and numeracy and what interventions will lead to improved outcomes.
- d) Few if any performance measures truly focus on outcomes that matter to residents. Most performance data is focussed on process, inputs and what can be measured
- e) New policies are produced with ever increasing key performance indicators with outcomes equally absent, no new money is provided to deliver the transformation
- f) The use of outcome agreements and grant regimes in an attempt to control/influence performance distorts effort and priorities in pursuit of relatively small sums of money
- g) Too much interference and central direction from government and regulators on the content of Council's corporate plans and priorities, inhibiting local discretion and innovation.
- h) Performance indicators and data are too extensive and detailed to be of use to citizens in assessing performance
- i) A standard response to a crisis (for example in Children's Social Care) is to devise more and more performance data, none of which deals with the root causes of the problem and outcomes
- j) There is a need to involve the public directly in the debate on role and outcomes. However, there is much evidence to suggest that high public satisfaction ratings are achieved by relatively few services being perceived as good. These mainly relate to 'Streetscene', dog fouling, litter, potholes. Little credit is achieved from the most important public services that deal with safeguarding and protection of the vulnerable.
- k) There can be no doubt that collaboration is making performance management and accountability more complex.

7.1.2 For the future it is suggested:

- a) Welsh Government set the vision and values for the public sector in consultation.
- b) Welsh Government devises a small number of outcome agreements that cover the whole public sector.
- c) These outcome agreements are derived from evidence based research from across the world focussing on small countries in a devolved environment.
- d) Local deliverer's have freedom to determine how their priorities, plans and outcomes are set out and are delivered.
- e) Regulators adopt a similar outcome focused, proportionate and risk based approach to their work.

## **8.0 Chapter 8 - Strengthening the Role of Review**

### **8.1 Response**

8.1.1 Some key issues arise from the questions in this section:

- a) Without the vision, values and outcomes that we are identifying as necessary it is difficult to conclude, despite best efforts, positively in this area.
- b) A simplified, delayed Public Sector would facilitate scrutiny and increase accountability across organisational boundaries which can focus on outcomes.
- c) A proportionate and single inspection regime must be introduced based on a small number of agreed outcome measures.
- d) There are examples of excellent political scrutiny driving service improvement. In our own case Child & Family services is a pertinent example. However to be truly effective scrutiny needs to be pan-public sector and truly engage residents and service users.
- e) Scrutiny by Ministers is negatively focussed and invariably uses the language of intervention. Once the vision and values are in place scrutiny driving learning and improvement needs to become the model.

## **9.0 Chapter 9 - Reforming Local Government Finance**

### **9.1 Response**

9.1.1 As indicated there is an urgent need for delayering and simplification. Austerity is the key challenge facing local government and also determines that fewer organisations can be afforded.

9.1.2 Overhead savings can be achieved but it is demand management, prevention, service change and community capacity which is needed to deliver the level of savings currently needed.

9.1.3 The role of the citizen and communities in dealing with demand management, changed service models and the creation of community capacity cannot be overestimated. Personal responsibility for Health, Well Being, the Environment and much else is a key to managing and reducing demand.

9.1.4 Whilst wishing to avoid falling into the 'structure trap', once the vision, values and outcomes are set some obvious changes/questions are likely to arise:

- a) How can health/social care/well-being be delivered and funded unless through one organisation focussed on integrated pathways?

- b) Why have separate Fire Authorities, given that these simply comprise Local Authority members in a different guise?
- c) Wales must have a single economic regeneration strategy delivered via City Regions (where existing).
- d) Education improvement needs critical mass larger than the current individual Local Authority model.
- e) Back office services (property, ICT etc.) should be based on regions or hubs.

9.1.5 Funding and performance arrangements are, as indicated earlier, too numerous and too complex and grants need to be unhypothecated.

## **10.0 City & County of Swansea Summary Response**

10.1 Key points from the City & County of Swansea's response can be summarised as follows:

- a) Welsh Government needs to set out a vision, backed by values and outcomes; too much of the White Paper is detailed, prescriptive and backward looking.
- b) The public sector needs delayering and complexity needs to be reduced.
- c) Accountability agreements should be simple, consistent and based on evidence.
- d) We need a public sector committed to developing community capacity, managing and reducing demand, early intervention and customer focus.
- e) It is meaningless responding to many of the proposals, for example on community governance, without a definitive view on the future structure of local authorities in Wales.

## **11.0 Equality & Engagement Implications**

11.1 There are no equality and engagement implications associated with this report at the present time.

## **12.0 Financial Implications**

12.1 There are no immediate financial implications associated with this report at the present time. There is however longer-term issues and consequences set out within the White Paper. The wider proposals as they develop could have significant financial and operational consequences and risks for the City and County of Swansea, and for local government in Wales across the piece. At this stage it is too early to realistically assess with any certainty any additional specific costs, risks or opportunities for the City and County of Swansea.

## **13.0 Legal Implications**

13.1 There are no legal implications associated with this report at the present time.

### **Background Papers:**

White Paper – Reforming Local Government – Power to Local people.

### **Appendices:**

Appendix A – Corporate Briefing Report 24<sup>th</sup> March 2015 ‘Briefing on the White Paper Reforming Local Government – Power to Local people’.

Appendix B – Council Response to the Commission on Public Service Governance and Delivery.

Appendix C – Democratic Services Committee response to the Welsh Government consultation on the White Paper.

Appendix D – Summary extract from the WLGA response to the Welsh Government consultation on the White Paper.



## Report of the Director of Corporate Services

Corporate Briefing – 24 March 2015

### BRIEFING ON THE WHITE PAPER REFORMING LOCAL GOVERNMENT: POWER TO LOCAL PEOPLE

<b>Purpose:</b>	To report on the White Paper Reforming Local Government: Power to Local People.
<b>Policy Framework:</b>	White Paper Reforming Local Government: Power to Local People.
<b>Reason for Decision:</b>	To consider the implications of the White Paper and agree an appropriate response to submit to Welsh Government prior to the 28 <sup>th</sup> April 2015 deadline
<b>Consultation:</b>	Legal, Finance, Access to Services.
<b>Recommendation(s):</b>	It is recommended that: the implications are noted and an appropriate response is agreed.
<b>Report Author:</b>	Joanne Portwood
<b>Finance Officer:</b>	
<b>Legal Officer:</b>	
<b>Access to Services Officer:</b>	

#### Introduction

1. The purpose of this briefing paper is to summarise the key proposals in this White Paper published on the 3<sup>rd</sup> February 2015, which outlines the Welsh Government's vision for the future of Local Government in Wales. It follows on from a previous White Paper - Reforming Local Government issued on the 8<sup>th</sup> July 2014, which outlines proposals to re-organise Local Government in Wales, in response to the recommendations made by the Commission on Public Service Governance and Delivery (the Williams' report).

2. Although the White Paper is an extensive document and alludes to some of the potentially most significant reforms to Local Government in Wales in recent years, it contains a number of mixed messages with different levels of significance. It includes a mixture of specific directives, a reiteration of previous policy commitments (outlined in the previous White Paper – Reforming Local

Government) and a number of open ended questions seeking views about a range of policy options. Many of these open ended policy proposals contain little detail about how these proposals will be implemented. Although some of the proposals contained within the White Paper may not take effect until 2019/18, the main criticism of the Bill levied by WLGA, is the absence of a map of Local Authority structures and detail about the related costs of re-organisation, particularly against a backdrop of austerity and significant reductions funding for Local Government.

3. The White Paper includes a broad range of proposals covering many aspects of Local Government including; local democracy, the role and responsibilities of the Council Leader, Cabinet Members and other Elected Members, the Chief Executive and Senior Officers, community governance and Community Councils, community rights, corporate improvement, service performance, corporate planning, scrutiny, audit, inspection, regulation and finance.

### **Summary of Key Proposals within the White Paper Reforming Local Government: Power to the People**

The key proposals in the White Paper include;

#### **Balancing the Responsibilities of National and Local Government**

1. The Partnership Council for Wales and the Welsh Government's Local Government scheme will assess key national expectations and strategies for delivering them as a single public service.

2. New Authorities will be known as Principal Counties and all Councils will be known as 'County Councils' dropping the term County Borough.

3. Welsh Government will legislate to create a statutory Public Services Staff Commission to identify and propose practical solutions to issues arising from reform.

4. Welsh Government plan to introduce a general power of competence, which would allow Local Authorities and competent Community Councils to act in their communities financial interests and review the provisions of the Deregulation and Contracting Out Act 1994, which will enable Local Authorities to charge for discretionary services and trade.

5. Welsh Government are seeking views on changing the length and structure of Council Constitutions in order to help local people understand their Authority, its values and principles.

6. Welsh Government are seeking views on whether a fundamental review of the body of Local Government legislation is justified in the long term.

**Renewing Democracy**

7. Council Leaders will be required to publish a written manifesto and present it orally to Council and produce an annual statement of progress in delivering that manifesto.
8. Council Leaders will be required to set objectives for each Member of the Cabinet and hold them to account each year for their progress.
9. Council Leaders will be required to set objectives for the Chief Executive, assess their report annually and make a report each year to Council.
10. Council Leaders should have due regard to equality and diversity when selecting their Cabinet and where they are unable to select a balanced Cabinet, they should give serious consideration to co-opting additional non-voting Cabinet Members as advisors.
11. Welsh Government are seeking views on whether all Cabinet posts should be full time and whether the same level of remuneration is appropriate for all Members of the Cabinet.
12. Welsh Government plan to create a development programme led by Academi, for new and existing Council Leaders and for Councillors who could potentially become Cabinet Members.
13. Cabinet Members will be required to produce an annual report and outline what they have achieved over the year.
14. Group Leaders and Chief Executives, must ensure that there are anti-bullying and harassment policies in place not only for staff, but also in respect of other Councillors.
15. Council Leaders should have due regard to equality and diversity objectives and should give serious consideration to co-opting non voting Cabinet members where they cannot achieve a balanced Cabinet.
16. Chief Executives will be required to establish a Youth Council.
17. Councillors' remuneration in Wales will be reviewed in line with the amounts paid in similarly sized Authorities in England, Scotland and Northern Ireland.
18. Welsh Government are seeking views on whether devolved public service organisations should be required to release staff to undertake duties as an Elected Member.
19. Welsh Government are seeking views about whether there should be an overall reduction in the number of Elected Members in Local Authorities in line with Authorities in England, Scotland and Northern Ireland.

20. Welsh Government are seeking views on time limit Elected Members can serve; five terms for Elected Members and two terms for Leaders and Elected Mayors.

21. Welsh Government are seeking views on whether Local Authority Officers (other than those holding politically restricted posts) should be entitled to stand for election in their own Authority.

22. Chief Executives will be required to;

- make arrangements to prepare and publish a corporate plan,
- make arrangements to prepare and publish an annual self assessment of corporate improvement and service performance,
- commission a peer review every two years and prepare a report for Council on the actions to be taken following the recommendations of peer review,
- put in place a performance management system for all employees of the Local Authority,
- promote engagement and diversity in democracy.

23. The Chief Executive should act as the Electoral Registration Officer and Returning Officer for Local Authority Elections.

24. Welsh Government are seeking views on whether to set a limit on the length of an appointment of a Chief Executive, or to set a period to a review before re-appointment.

25. Welsh Government proposes that Local Authorities consult with the Independent Remuneration Panel (IRP) before deciding on any variation on any variation to the salary of all Chief Officers (earning above £60K a year) across all Local Authorities in Wales.

26. Welsh Government are proposing to establish a Public Sector Appointment Committee to manage all senior appointments to Local Government

### **Connecting with Communities**

27. The Well Being of Future Generations (Wales) Bill proposes to make Public Service Boards statutory partnerships, whose members share joint responsibility for preparing local Well Being assessments and local Well Being Plans.

28. Welsh Government propose that Local Authorities should develop, adopt and implement a neighbourhood management approach to engaging with local people to identify, prioritise and address, local, social, economic and environmental issues.

29. Welsh Government are proposing to develop a national framework which requires Local Authorities to put in place a community governance

system which will describe how 'operational' Area Boards will work with 'strategic' Public Service Boards.

30. Welsh Government plan to introduce legislation to ensure Local Authorities establish 'Area Boards' which reflect participatory principles with a guaranteed role for community bodies, including the Third Sector, Community Councils and other public services.
31. Welsh Government propose to give more extensive powers to Local Authorities in order to undertake a fundamental review of the structure, role and governance of Community Councils within their area.
32. Welsh Government propose introducing a number of 'competency tests' for Community Councils to ensure that there are high standards of governance, financial management, professional capacity and capability and democratic accountability.
33. Competent Community Councils<sup>1</sup> will acquire more rights and entitlements and will not be subject to capping of the precept.

#### **Power to Local Communities**

34. Welsh Government have a vision for Local Authorities in Wales to become activist Councils. Welsh Government intend to work with the Wales Co-operative centre and WCVA on innovative funding models.
35. Welsh Government propose that where a community body (voluntary sector organisations, co-operatives, mutuals, social enterprise and community councils) believes it could help improve a service, it will be able to make a request to the Local Authority setting out how it could help.
36. Welsh Government propose that communities in Wales will have the first right to buy properties in private ownership, or owned by another public body, which can contribute to the well being of a community e.g a village shop or pub and intend to consult further on the details of these proposals.

#### **Corporate Governance and Improvement**

37. Welsh Government intend to repeal the provisions in Part 1 of the Local Government (Wales) Measure 2009, putting specific responsibility on

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<sup>1</sup> At present fewer than 10% of Community Councils pass the proposed capacity budget (annual budget of £200,000)

The Chief Executive and Local Authorities' internal accountability processes. Welsh Government are also seeking views on whether any other aspects of Part 1 should be restated.

38. Welsh Government propose to amend the Local Government (Wales) Measure 2011 to clarify the role and responsibilities of Audit Committees, rename them Corporate Governance and Audit Committees and expand their independent membership.
39. The Chief Executive will be required to take an annual self assessment of the Authority's corporate governance and service improvement and produce a report highlighting matters of concern to the Leader.
40. Welsh Government are proposing that the Chief Executive should make arrangements for a peer assessment to take place every two years.
41. If the Local Government (Wales) Measure 2009 is repealed (as intended by Welsh Government), Welsh Government intend to legislate to ensure that Welsh Ministers have the power to intervene in Local Authorities in the event of corporate or service failure.

### **Performance in Local Government**

42. The Well-being of Future Generations (Wales) Bill will set out long term well-being goals for Wales and will include a number of national indicators to measure progress towards these.
43. Local Authorities will be required to prepare a corporate plan (in place of the improvement plan) and linking to the Well-being plan.
44. The Leader's manifesto will set out the Local Authority's Executive's political priorities and the Chief Executive must produce a corporate plan to put these actions into effect.
45. Welsh Government will work with Local Authorities and other stakeholders to develop guidance to inform the corporate plans which will include;
  - strategic population outcomes for the area as agreed in the local Well being plan,
  - corporate priorities for service delivery and improvement,
  - financial management plans,
  - work force plans,
  - the risk register,
  - existing service performance and benchmarking data,
  - public engagement and involvement strategy, including setting budget and council tax,
  - planned performance levels,
  - an annual report setting out achievements and performance outcomes

of the previous year.

46. Welsh Government will establish a single accessible portal to provide regularly, timely and comparable information. Local Authorities will be required to publish this data.
47. Corporate plans will include a standardised set of performance outcome and measures. Welsh Government are seeking views on the inclusion of minimum standards and the use of financial penalties for non compliance.
48. Welsh Government plan to work with Local Authorities to agree a common structure for the classification of procurement expenditure.
49. Welsh Government intends to legislate to ensure all full Council and executive meetings are broadcast on-line. It will be for Local Authorities to decide whether the public may film or record meetings.
50. Welsh Government intend to put a duty on Local Authorities to make provisions for the public to make their views known on any open agenda item of full council, the Executive or any Committee of a Local Authority
51. Welsh Government will require Local Authorities to establish a streamlined online complaints process and provide a regular report on complaints to the Authority's Audit Committee.
52. Welsh Government propose that there should be a requirement for the Head of Democratic Services to be a Chief Officer and remove the requirement that the Monitoring Officer should also not be the Head of Democratic Service
53. Welsh Government propose that Scrutiny Committees mirror the approach to planning proposed for the Chief Executive, establishing short, medium and long term plans linked to national plans and the Authority's corporate plan.
54. Scrutiny Committees should also be required to set out how they will engage with the public, service users and in particular with reference to under-represented groups.
55. Welsh Government propose that consideration should be given to permitting Councils to grant voting rights to co-opted members of scrutiny Committees.
56. Welsh Government are seeking views on whether a Public Accounts committees model (currently being piloted in Westminster and Kensington) could be introduced in Wales.

57. Welsh Government are proposing that Local Authorities improve opportunities for local community bodies to engage with scrutiny.
58. Welsh Government are seeking views about whether it is beneficial to simplify regional scrutiny arrangements.
59. Welsh Government propose that external review bodies such as audit, inspection and regulatory bodies share reports with relevant Audit or Scrutiny Committees.
60. Welsh Government propose that the Wales Audit Office, Estyn and CCSIW come together to produce a single 'whole system' assessment of each Authority (on a biennial basis, alternating with the peer assessment).
61. Welsh Government plan to continue reviewing the role of audit, inspection and regulation.
62. Welsh Government will review the mechanism for funding Local Authorities and the frameworks which underpin the management of their income and expenditure
63. Welsh Government will seek to simplify the current funding arrangements where practicable and ensure Local Government's funding and budgetary arrangements are more inclusive and transparent. This will be a critical component of the corporate plan.

For a full-list of proposals/options see the Welsh Government's 30 page consultation form <http://wales.gov.uk/docs/dsjlg/consultation/150203-power-to-local-people-response-en.docx>:

### **Balancing the Responsibilities of National and Local Government**

1. The Well Being of Future Generations (Wales) Bill underpins the public service reform agenda, setting out how public bodies including Welsh Minister and Local Government will set its local objectives, responsive to local need and subject to local accountability. The Bill strengthens the community leadership role of Local Government by requiring public services in a Local Authority are to work together through the Public Services Board to improve local well-being.
2. The Partnership Council for Wales and the Welsh Government's Local Government scheme will assess key national expectations and strategies for delivering them as a single public service and manage the development of collaborative practice between Local Authorities in Wales. Welsh Government has an expectation of collaboration in the provision of corporate services such as procurement, ICT, human resources and payroll.



3. During the process of Local Government re-organisation, new Authorities will be known as Principal Counties and all Councils will be known as 'County Councils' (and term County Borough Council should no longer be used).

4. Welsh Government will legislate to create a statutory Public Services Staff Commission. The purpose of the Public Services Staff Commission will be to identify and propose practical solutions to issues arising from reform. The Commission will require skills and experiences in relation to human resources, leadership and organisational change, finance and accountancy, employee relations, knowledge of Local Government and its major responsibilities, other public services, organisational development and Trade Union organisation.

5. The Local Government Act 2000 introduced the 'power of well-being' giving new powers to local Government to act in a way which improved the well-being of people in each area. However, in practice this power has been problematic to exercise. Therefore, the Welsh Government plan to introduce a general power of competence, which would allow Local Authorities and competent Community Councils to act in the their communities financial interests to generate efficiencies and secure value for money outcomes e.g the would be able to raise money by charging for discretionary services and trade. In addition to this, Welsh Government plan to review the provisions of the Deregulation and Contracting Out Act 1994 as they apply to Local Authorities in Wales. This would enable Local Authorities to generally make decisions on how they deliver local services, other than in prescribed services

6. The Welsh Government is seeking views on whether some of the procedures and processes of Local Government can be simplified, while at the same time improving transparency. Welsh Government are seeking views on changing the length and structure of Council Constitutions in order to help local people understand their Authority's decision making, its principles and values and relationship to the people its services (as in the case of the Co-operative Council Constitution of the London Borough of Lambeth).

7. Welsh Government are seeking views on whether a fundamental review of the body of Local Government legislation is justified in the long term. Much of the legislation relating to the operation of Local Government has accumulated over years and much of it has been amended.

### **Renewing Democracy**

8. The Welsh Government are seeking legislative competence to determine the running of Local Government Elections as part of a reformed devolution settlement views on both the length of Local Government election cycles and the appropriateness of phasing within a Local Authority area.

9. The White Paper suggests that Council Leaders should publish a written manifesto and present it orally to Council (before the election of Leader takes place) and produce an annual statement of progress in delivering that

manifesto. The annual statement should set out successes and challenges faced by the Council and steps the Leader has personally taken to eradicate poor performance. The White Paper also states that the Leader of a Local Authority should be given a statutory duty to set objectives for each Member of the Cabinet and hold them to account each year for their progress and for these documents to be published.

10. Welsh Government also propose that Leaders should be required to set objectives for the Chief Executive, assess their report annually and make a report each year to Council. The Leader should hold the Chief Executive to account for delivering the Executive Boards' priorities, including their political priorities and their proposed well-being objectives under the Well-being and future Generations Bill. (It is important to note that the Leader's manifesto and annual statement are separate and different from the Chief Executive's corporate plan and annual report – as the former sets out the Executive's priorities and the latter sets out how the Chief Executive will ensure the delivery of these priorities operationally).

11. The White Paper proposes that Leaders should have due regard to equality and diversity when selecting their Cabinet and where they are unable to select a balanced Cabinet they should give serious consideration to co-opting additional non-voting Cabinet Members as advisors.

12. Mechanisms need to be put in place to improve transparency and strengthen scrutiny and to clearly differentiate between the roles of the Executive and Senior Management Team.

13. A senior salary is payable to certain Elected Members whose work is considered full time e.g. the chair of scrutiny, or have some key legal responsibilities e.g. the Leader and Cabinet member for Social Services and Education. However it is questionable as to whether all Cabinet posts should be seen as full time and whether the same level of remuneration are appropriate for all Members of the Cabinet.

14. Welsh Government proposes the creation of a development programme led by our public service Academi, for new and existing Council Leaders and for Councillors with the potential to become Cabinet Members and for Leaders of the opposition.

15. Welsh Government proposes to clarify the expectations which an Elected member is expected to fulfil, including strengthening their roles as community advocates through Area Boards.

16. The responsibilities of Elected Members should increase in larger merged Local Authorities and Elected Members will need to commit to continuing personal development in order to develop high levels of expertise in finance, service and corporate matters. Some will wish to develop expertise in scrutiny, others in community engagement.

17. Welsh Government will introduce a new statutory requirement on Cabinet Members to produce an annual report, including information about their attendance, membership of committees and Area Boards, remuneration, training, case work, they should also focus on what they have achieved over the year and how people and communities are better off.

18. Welsh Government proposes placing a statutory duty on Group Leaders and Chief Executives to ensure diversity is respected. This will extend to ensure that there are coherent anti-bullying and harassment policies in place not only for staff but also in respect of other Councillors.

19. In addition, Welsh Government proposes that Leaders should have due regard to equality and diversity objectives when selecting their Cabinet and should give serious consideration to co-opting non voting Cabinet members where they cannot achieve a balanced Cabinet. Councils should aim to become places where an open culture thrives and people are made to feel welcome and respected, whatever their background. The Welsh Government believes it is time to implement the Councillor's Commission proposal, in terms of supporting a broadening civic participation.

20. The White Paper requires Chief Executive's to establish a Youth Council.

21. The salary of Cabinet Members is set by the Independent Remuneration Panel for Wales. The salary payable is determined by the size of the Council and being full time roles. Welsh Government intends to clarify how Councillors either intend to compensate Councillors for their time or pay them for the work they do. Welsh Government believes the system of remuneration for councillors – needs to be clearly spelt out in such a way the public can see how the levels payable are arrived at. Councillors remuneration in Wales should be more in line with the amounts paid in similarly sized Authorities in England, Scotland and Northern Ireland.

22. Welsh Government are seeking views on whether devolved public service organisations should be required to release staff to undertake duties as an Elected Member, in the same way as many organisations already release staff to undertake voluntary work. If this proposal is taken forward, Welsh Government would also encourage non-devolved service organisations, third sector and private organisations to release employees for Councillor duties as part of their corporate social responsibility.

23. Proposals to merge existing Local Authorities into a smaller number of new Authorities will have implications for the number of Elected Members in Wales. The Welsh Government suggest that there should be an overall reduction in the number of Elected Members in Local Authorities to approximate more closely to the number in England and Scotland.

24. Welsh Government also believe that overall there is merit in considering limiting the number of terms Elected Members, Leaders and Elected Mayors may service. Welsh Government are seeking views on the proposal that the

limit should be five terms for Elected Members, two terms for Leaders and Elected Mayors and for continuous service in a Council's Cabinet.

25. Welsh Government are seeking views on whether provisions for Recalling Members in Local Government should be introduced if certain conditions are breached e.g where sanctions have been imposed on a Councillor by a Standards Committee.

26. Welsh Government are seeking views on whether it should be easier for employees of a Local Authority to stand for election to the same Authority and whether there should be restrictions preventing Elected Members of Local Authorities also serving as either Assembly Members or Community Councils

27. We are seeking views on whether Elected Members of Local Authorities should be disqualified from serving on Community Councils.

28. Welsh Government are seeking views on whether Local Authority Officers – other than those holding politically restricted posts – should be entitled to stand for election in their own Authority. Only if elected should they be required to resign their paid employment with the Authority.

29. Welsh Government must have a Chief Executive a designated the Head of Paid Service. Welsh Government propose five specific duties on the Chief Executive;

- make arrangements to prepare and publish a corporate plan
- make arrangements to prepare and publish annual self assessment of corporate improvement and service performance
- commission a peer review every two years and prepare a report for Council on the actions to be taken following the recommendations of peer review
- put in place a performance management system for all employees of the Local Authority
- promote engagement and diversity in democracy

30. The Chief Executive should act as the Electoral Registration Officer and Returning Officer for Local Authority Elections.

31. Welsh Government are seeking views on whether to set a limit on the length of an appointment of a Chief Executive or to set a period to a review before re-appointment could be considered. The Public Services Staff Commission would best placed to take this work forward.

32. Welsh Government proposes that Local Authorities consult with the Independent Remuneration Panel (IRP) before deciding on any variation to the salary of all Chief Officers (earning above £60K a year) across all Local Authorities in Wales.

33. Welsh Governments suggest that a more structured approach to developing the skills and careers of public service leaders in Wales is needed (including

entrepreneurial skills to establish co-operative and social enterprise models of delivery). It might be possible to establish a Public Sector Appointment Committee to manage all senior appointments to Local Government in order to ensure appropriate competence and leadership skills and employed on a common basis so that they could move between roles and organisations in Wales

### **Connecting with Communities**

34. The Well Being of Future Generations (Wales) Bill proposes to make Public Service Boards, statutory partnerships whose members share joint responsibility for preparing local Well Being assessments and local Well Being Plans (this will replace Single Integrated Plans). The aim of this proposal is strengthen the integration of public services with a strategic focus on 'place'.

35. Community governance can be defined as the way in which people organise themselves to identify their priorities, manage assets and influence the decision of public services (e.g Area Committees, Community Councils, Partnerships between Local Authorities, voluntary groups and others, advocacy groups, Communities First and regeneration partnerships. This is a crowded landscape which makes it difficult for the views of the community to be expressed

36. The Welsh Government is proposing Elected Members should have a strengthened role in leading their communities and providing this conduit.

37. The Welsh Government propose that Local Authorities should develop, adopt and implement a neighbourhood management or similar approach to engaging with local people to identify, prioritise and address, local, social, economic and environmental issues. Neighbourhood or area management can take a number of different forms.

38. The Welsh Government are proposing a national framework which requires Local Authorities to put in place a community governance system meeting certain guidelines. This would include how the 'operational' Area Boards which aim to make an immediate and tangible difference in communities, will work with 'strategic' Public Service Boards proposed under the Well-being of Future Generations Bill whose focus is generally on the long term.

39. Welsh Government plan to introduce legislation to ensure Local Authorities establish 'Area Boards' which reflect participatory principles with a guaranteed role for community bodies, including the Third Sector, Community Councils and other public services. In areas where there are currently Area Committees, these should be replaced with a more inclusive approach. There is an opportunity for Area Boards to take on the current and future responsibilities for area based initiatives including those funded by the UK and Welsh Government programmes.

40. The Well-being of Future Generations (Wales) Bill makes provision for the Welsh Ministers to determine communities in each Local authority area. Local Authorities should take a pragmatic view, drawing on the practice of elsewhere.

41. Welsh Government propose that the Community Council sector is in need of reform and they should be merged or enlarged. Community Councils. One of the great strengths of Community Councils is that they are closer to local people than any other tier of government. Yet, in practice, the quality and openness of interaction with the public by Community Councils can vary. Community Councils are not required to submit reports or be subject to performance or improvement regimes and historically there has been a dearth of information about their activities and added value.

42. Welsh Government think that there should be fewer, larger Community Councils. Principal Local Authorities should delegate more responsibility to them, but only when they have appropriate capacity and capability.

43. Welsh Government propose that the reform of the Community Council sector should be led by Local Authorities (as they are best placed to do so, through their Community Leadership responsibilities).

44. Welsh Government plan to give more extensive powers to Local Authorities to review the structure, role and governance of Community Councils within their area (to be completed by 2022).

45. Welsh Government propose introducing a number of 'competency tests' for community Councils to ensure that there are high standards of governance, financial management, professional capacity and capability and democratic accountability. Tests might include a democracy test, a capability test, a capacity test and a governance test.

46. Competent Community Councils<sup>2</sup> will acquire a number of privileges over other Community Councils, including certain rights and entitlements and will not be subject to capping of the precept. Welsh Government would expect to see more extensive delegation of functions from Principal Local Authorities.

### **Power to Local Communities**

47. Welsh Government have a vision for Local Authorities in Wales to become activist Councils, taking action to support and improve the well-being and resilience of their communities

48. The Welsh Co-operative and Mutual Commission recently identified a range of new opportunities for social and community enterprise. The Welsh Government believes that there is significant untapped potential in the power of community enterprise. The Social Services and Well Being (Wales) Act will require Local Authorities to promote the development of co-operatives and mutuals in the field of social care. Welsh Government intend to work with the Wales Co-operative centre and WCVA on innovative funding models.

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<sup>2</sup> At present fewer than 10% of Community Councils pass the proposed capacity budget (annual budget of £200,000)

49. Welsh Government propose that where a community body (voluntary sector organisations, co-operatives, mutuals, social enterprise and community councils) believes it could help improve a service, it will be able to make a request to the Local Authority setting out how it could help. The Local Authority will be required to respond and engage with the community body, unless there is a valid reason not to do so.

50. Community bodies should use their power to open up a dialogue with their Local Authority and could take on the delivery of that service (subject to capability and capacity).

51. A best practice toolkit is being developed by the Welsh Government in relation to asset transfers in order to ensure that there is consistency with the transfer of community assets. Details of surplus public sector assets will also be made available through the SpaceCymru portal on the AssetsCymru website.

52. Welsh Government propose that communities in Wales have the 'first right to buy properties in private ownership, or owned by another public, which can contribute to the well being of a community e.g a village shop or pub. This may include purchases made at a market value and also instances where a nominal amount is paid. Welsh Government intend to consult further on the details of these proposals following discussions with representative organisations

53. Welsh Government broadly define community bodies as voluntary sector organisations, co-operatives, mutuals, social enterprise and Community Councils (assessed as being competent). Any community body wishing to take a more active role in delivering services would be required to meet certain standards and there would need to be appropriate standards of governance, financial management and transparency.

54. Welsh Government expect that Elected Members of Local Authorities to play a role in facilitating the use of these entitlements through their role on Area Boards.

### **Corporate Governance and Improvement**

55. Leaders must be capable of steering their organisations through some of the most profound changes since Local Government was established. This will require visionary leadership and sound corporate governance which is capable of innovating. A capable, adaptive and strategic corporate apparatus is essential for managing change and improving services.

56. As a minimum, effective corporate governance should focus on;

- how the organisation identifies and manages risk,
- whether there are appropriate controls in place in relation to corporate and work force planning, performance management, grants

- management, procurement, programme management, fraud and corruption
- whether the Authority is able to demonstrate compliance with equalities, Welsh language and other statutory duties
- whether there are finance systems in place to manage, monitor, review and plan the use of resources

57. A Welsh Government report *Learning to Improve* found that an evaluation of the impact of Outcome Agreements have broadly been effective in achieving better corporate focus on improvement and outcomes, although it was difficult to assess whether this has led to performance improvements

58. Welsh Government think that Improvement plans have not been used sufficiently by Scrutiny Committees and also question the effectiveness of the Welsh Audit Office's annual improvement assessments in supporting Local Authorities to improve.

59. The Welsh Government believe that a more risk based approach to improvement and innovation would permit Local Authorities to respond more effectively to challenges. Therefore, Welsh Government intend to repeal the provisions in Part 1 of the Local Government (Wales), putting specific duties on the Chief Executive and Local Authorities internal accountability processes

60. Welsh Government are seeking views on whether any aspects of Part 1 in the Local Government (Wales) Measure 2009 should be restated

61. Repealing Part 1 of the Local Government (Wales) measure 2009, would require the strengthening of Local Authorities corporate governance arrangements, including the role of Audit Committee.

62. Welsh Government propose to amend the Local Government (Wales) Measure 2011 to clarify the role and responsibilities of Audit Committees, rename them Corporate Governance and Audit Committees and expand their independent membership

63. Welsh Government are also proposing that that the Chief Executive is required to take an annual self assessment of the Authority's corporate governance and service improvement and produce a report highlighting matters of concern to the Leader. The report should outline how the Chief Executive has taken action to respond to the reports of the Audit Committee, self assessment and peer review and it to be published

64. Welsh Government are also proposing that the Chief Executive should make arrangements for a peer assessment to take place every two years.

65. Welsh Government will set out in legislation a requirement for Local Authorities to undertake self assessment and peer review and the specifics of the new arrangements would be set out in regulations and/or statutory guidance, rather in primary guidance.



66. Self Assessment and Peer Review will allow Authorities the freedom to determine the best arrangements to secure improvement, suited to their own circumstances. The Local Government Association have produced a number of guides and case studies which highlight some of the positive impact brought about as a result of peer reviews.

67. A peer review of a Local Authority is a 'reality check' and an essential part of encouraging organisations to become more ambitious and will help develop a wider culture of sharing and learning. Welsh Government propose that the results of the reviews and the Local Authority's response to them to be published as a matter of routine and considered by the Audit Committee.

68. If the Local Government (Wales) Measure 2009 is repealed (as intended by Welsh Government), Welsh Government intend to legislate to ensure that Welsh Ministers have the power to intervene in Local Authorities in the event of corporate or service failure. Welsh Government intend to have the power to commission an independent review of the corporate governance of a Local Authority, concerns around performance and if concerns are raised by the Authority itself, Members, auditors, inspectorates or a public concern.

69. The Commission for Public Service Governance and delivery identified performance management arrangements in the public services in Wales, including Local Government as an area of concern. The Commission drew attention to the complexity of performance management information, the multiplicity of indicators and fragmentary performance indicators

70. The Well-being of Future Generations (Wales) Bill will set out long term well-being goals for Wales. There will be national indicators to measure progress towards these. Local Authorities and other public services will be required to align their objectives to the achievement of national well being goals.

71. Welsh Government proposals for a new performance framework will start with these national goals and indicators. The Local well-being plan will set out the collective public service plan for an area, developed by the Public Services Board in conjunction with the people and communities who live there. The well-being plan will identify the outcomes which are priorities of all public services for achieving the long term well-being in their area. These will include the Local Authority's priorities for action in planning its service provision needs.

72. The Leader's manifesto will set out the Local Authority Executive's political priorities and the Chief Executive must produce a corporate plan to put these actions into effect. Welsh Government propose that Council no longer approve the corporate plan (to clarify the functions of Elected Members of the Council and the administrative management of the Authority. This will increase the responsibility on the Executive and Scrutiny Committees to hold the Chief Executive to account. The Council must approve the budget and its committees and the Executive will be required to scrutinise senior management team on the delivery of their objectives through the corporate plan

73. The corporate plan will set out how the authority intends to address the Executive's priorities in the short, medium and long term.

74. Welsh Government will work Local Authorities and other stake holders to develop guidance to inform their corporate plan which will include;

- strategic population outcomes for the area as agreed in the local Well-being plan,
- corporate priorities for service delivery and improvement,
- financial management plans,
- work force plans
- the risk register
- existing service performance and benchmarking data
- public engagement and involvement strategy, including setting budgets and council tax
- planned performance levels
- an annual report setting out achievements and performance outcomes of the previous year (which could be used to discharge the duty under the Well-being of Future Generations Bill to report on how they have delivered objectives in a manner consistent with sustainable development principles

75. Welsh Government propose that there will be a new duty on the Auditor General under the Well-being of Future Generations Bill that require him to assess the application of sustainable development principles in both setting and achieving objectives set by Local Authorities.

76. Welsh Government propose to establish a single, accessible portal to provide regularly, timely and comparable information to challenge variations in performance. Data from the UK and contextual information including reports from the Wales Audit Office, Inspectorates, self assessments and peer reviews could also be included. Local Authorities would be required to publish the information, using agreed definitions by a set date.

77. Corporate plans will include a standardised set of performance outcomes and measures and WG will also consider the inclusion of minimum standards and the use of financial penalties for non compliance. WG are seeking views on the use of financial penalties for non compliance.

78. Welsh Government plan to work with Local Authorities to agree a common structure for the classification of procurement expenditure.

79. In Reforming Local Government Whit Paper, WG set out the intention to legislate to require that all full Council and executive meetings are broadcast on-line. WG suggest that it should be for the discretion of Local Authorities to decide whether the public may file or record any proceedings

80. WG intend to put a duty on Local Authorities to make arrangements to enable the public to make their views known on any open agenda item of full Council, the Executive or any Committee of a Local Authority. This will require

that existing requirements to publish agendas and meeting papers in advance must be closely adhered to.

81. Welsh Government will require all Local Authorities to establish a streamlined online complaints process, provide an auditable trail and enable the Local Authority to build up a comprehensive picture of issues with service delivery, governance and the views of the public.

82. Welsh Government will require that the Local Authority provide a regular report on complaints to the Authority's Audit Committee.

### **Strengthening the Role of Review**

83. Internal Review by Elected Members, or scrutiny contributes to decision-making processes that are clear and accessible to the public, holding those who make decisions to account

84. Welsh Government believe that the relationship between the Executive and Scrutiny Committee is critical. In order for them to be effective, they need to be independent and have effective powers at their disposal.

85. Scrutiny must have appropriate and sufficient support in the form of skilled officers and its own budget. Welsh Government proposes that there should be a requirement for the Head of Democratic Services to be a Chief Officer and to remove the requirement that the Monitoring Officer should not also be the Head of Democratic Services.

86. Welsh Government are also seeking views on whether they should take further steps to protect the independence of the Democratic Services function

87. Reviewing a decision before it is made is more effective than looking at a decision after it is made. Generally only 'key decisions' made by Authorities in England are subject to call-in for consideration by a Scrutiny Committee. In Wales the concept of a key decision does not exist but could be introduced to support the more effective use of planning for pre-decision scrutiny.

88. Welsh Government intend that that Scrutiny Committees should mirror the approach to planning proposed for the Chief Executive; establishing short, medium and long term plans linked to national goals and their Authority's corporate plan, local well-being plan and key decisions.

89. Welsh Government propose that Scrutiny Committees should be required to set out in their forward plans how they will engage with service users and the public. Scrutiny Committees should make particular reference to under-represented groups and considering co-opting groups to contribute to the debate.

90. Welsh Government propose that consideration should be given to permitting Councils to grant voting rights to co-opted members of Scrutiny Committees in appropriate circumstances.

91. Public Accounts Committees (independent bodies with oversight over all public expenditure in a local area) are due to be piloted in Westminster and Kensington and Chelsea Councils. WG believe that these proposals could merit further consideration and are seeking view on the concept of introducing a model in Wales.

92. Welsh intend to improve opportunities for people to directly contribute to service improvement through local scrutiny, by requiring opportunities to be made available for local community based representative bodies to engage with scrutiny.

93. Welsh Government propose that the opportunity to question the Leader of all the Council should be offered in all Local Authorities in Wales

94. Welsh Government are seeking views on whether it would be beneficial to simplify regional scrutiny e.g legislation to require a Joint Overview and Scrutiny Committee made up of Elected Members of the commissioning Authorities.

95. The key bodies in Wales in relation Local Government are the Auditor for Wales and the Wales Audit Office, Estyn (education and children's services) and the Care and Social Services Inspectorate for Wales. Existing legislation defines the roles and duties of audit, inspection and regulation bodies and provides a framework for the way in which they operate.

96. Welsh Government intend to require external review bodies to share audit, inspection and regulatory reports with the relevant Audit or Scrutiny Committee. These committees would be required to review them and provide recommendations to the Authority

97. Welsh Government propose that the Wales Audit Office, Estyn and CSSIW come together drawing on existing reports to produce a single 'whole system' assessment of each Local Authority (on a biennial basis, alternating with the peer review cycle).

98. Welsh Government will also require Wales Audit Office, Estyn and CSSIW to produce a single annual assessment on the state of Local Government in Wales and present this to Welsh Ministers and the National Assembly for Wales.

99. As part of Welsh Government's intention to repeal Part 1 of the Local Government (Wales) Measure 2009, Welsh Government propose to continuing looking at the role of audit, inspection and regulation as part of the development of the new arrangements and the promotion of a more joined up approach.

100. The current system for funding local services is complex. Welsh Government propose to review the mechanisms for funding Local Authorities and the frameworks which underpin the management of their income and expenditure to ensure they are fit for purpose. In particular Welsh Government

want to review how we can develop stronger links between funding, performance and the delivery of strategic outcomes.

101. Welsh Government want to facilitate greater access to information about how each Authority proposes to use its funding, how effective it has been in using it and the extent to which it delivers better services. This will be a critical part of the corporate plan.

102. Welsh government aim to develop;

- an effective and efficient system for funding the new Authorities
- the framework for financial governance
- funding and financial regimes which supports the reforms of Local Government.

103. Welsh Government are proposing a phased approach to developing a Local Government system fit for the new Authorities which will include the necessary changes to effect mergers and the reforms proposed in the longer term. In the longer term, Welsh Government propose to develop a system which takes into account of wider changes to the powers and fiscal responsibilities of the National Assembly for Wales and allow Local Authorities to raise more finance themselves.

### **Consultation Process and Next Steps**

104. Welsh Government require responses to the White Paper by the 28<sup>th</sup> April (2015). The White Paper covers a large number of Local Government matters, with a subsequent broad range of potential stakeholders including;

- the Leader and Cabinet Members,
- Elected Members,
- the Audit Committee,
- the Scrutiny Committee,
- Community Councils,
- Political Parties,
- Executive Board,
- Senior Officers (including the Monitoring Officer, Head of Democratic Services, Head of Legal, Head of Finance)
- Corporate Performance and Planning (Performance and Delivery).
- Audit

Welsh Government have issued two questionnaires to assist with the consultation process; one covering all the issues included within the White Paper and a shorter version of the questionnaire which focuses on the main matters of public interest.

## **APPENDIX A**

Corporate Briefing are asked to consider the implications of the White Paper and agree an appropriate response to submit to Welsh Government prior to the 28<sup>th</sup> April 2015 deadline.

## **Response to the Commission on Public Service Governance and Delivery**

### **Background**

The Cabinet and Corporate Management Team of the City & County of Swansea have considered in detail your letter of the 14 June setting out your call for evidence.

Your Commission has established an ambitious review process and adopted a very demanding timetable, to report by the end of this year.

We believe that the Commission is addressing a vital issue which will affect citizens of Wales for generations to come. A Welsh Public Sector of the size, complexity and culture that we have today is unsustainable both economically and in terms of its ability to improve outcomes for the people of Wales.

Since the announcement of the Commission there has been a strong focus on the implications for structures, particularly in Local Government. We believe strongly that this is entirely the wrong debate. A review of the public sector in Wales must start with a strong vision of where we want to be in say ten or twenty years time. This vision must be expressed in terms of outcomes for citizens, clients, service users etc. The current focus on inputs and processes will not deliver the transformational change that is necessary to make Wales a top performing devolved administration equipped to meet the challenges we face. Supporting this strong vision and focus on outcomes must be a common set of values that cover the whole of the public sector and are endorsed and understood by the public.

In order to deliver a step change in terms of outcomes the vision and values must promote innovation and empower communities. The review should recognise the old adage that 'form follow function' and indeed both follow foresight.

You set out six main themes and a range of high level questions. This process is, in part, useful. However it seems to us that your final three questions are a much better place to start.

The remainder of this document will therefore respond to your final three questions and then to some extent expand on the themes. Where possible examples are given to illustrate a point, but in the interests of brevity these are not exhaustively described, so please read this in that context.

### **Concluding Questions**

#### **1. What are the greatest challenges in delivering public services in the future?**

Any discussion on key challenges would quickly identify:

- Demographics – ageing population etc
- The need to create jobs and wealth
- The need to adopt technology

But more specifically it is vital to consider and embed;

- Sustainability as a central organising principle
- The need to develop community capacity and resilience
- The need to address the widening gap in terms of inequality both in health and economic well being
- The need to manage (or reduce) demand across a range of core services, as current models are doomed to failure
- The impact of UK Government policies on Welfare and Economics which will restrain our ability to develop a uniquely Welsh offer to citizens
- The need to recognise the role of Wales as a region of the EU not an extension of England
- The need to invest in new service models
- The need to determine the balance between the role of the public sector and the citizen

## 2. How would you like to see public services delivered in the future?

It is vital when addressing this question not to fall straight into the debate on structure! In principle what is needed is:

- Welsh Government to facilitate the development of a vision for Wales upon which the public sector can be built. That vision to be backed by clear public sector values and a range of specific outcomes/indicators
- Welsh Government to determine its role, focussing on legislation, policy making, scrutiny and holding to account
- A clear distinction be established between the Welsh Government as policy maker and the public sector delivery arm
- There should be a radical delayering of responsibilities and accountability. Take education at the moment, we have:
  - a. Welsh Government
  - b. The Minister responsible
  - c. Local Authorities
  - d. Regional Consortia
  - e. Governing Bodies
  - f. The Head Teacher
  - g. An Inspection System

Each element has powers and duties, these are invariably framed in negative terms like 'intervention'.

A revised system should ideally only have three parties.

- (a) Policy maker – Welsh Government.
  - (b) Deliverer (there are a number of options).
  - (c) An inspector focussed on service improvement
- There should be a radical review of the funding system. The aim should be a single unhyphenated funding stream to the delivery unit backed by strong outcome management



- A single accountability agreement should be in place describing outcome not process. A single inspection regime should be established
- In pursuit of improved outcomes some key changes should occur:
  - a) Primary Care, Community Care and Social Care should be located in a single organisation with a common accountability framework and a single budget. There should be democratic accountability built into this system. These organisations should be co-terminus with Health Boards
  - b) Economic Development should be led at an all Wales level and delivered via the City Region structure where present
  - c) The positioning of services in any structure should be based on an objective analysis of what is best in terms of firstly outcomes and the economy on a local, regional and national level. Higher cost and specialist services increasingly being delivered at a regional or national level

### 3. Other evidence the Commission should be looking at?

A fundamental flaw in this review and indeed many previous ones, is a lack of rigour in terms of accredited research. In order to convince both the staff and public of the need to change some genuine research backed rigour is needed. We cannot simply pursue a uniquely Welsh approach unless there is evidence to suggest real improvements in outcomes which meet the distinctive needs of our population. For example we must understand why other countries have higher levels of literacy and numeracy and what interventions will lead to improved outcomes.

Turning to the core themes.

#### Theme 1 – Performance

A review of the approach to performance management in the public sector would be encyclopaedic. Therefore general observations are made together with concluding comments.

- There is no common accountability agreement for public services in Wales. For example Health and Social Care are inextricably linked, but the NHS and Local Government have completely different accountability and performance regimes
- Even within the Local Authority context different approaches are taken between core services and the requirements of a myriad of grant funded initiatives
- There is an over reliance on comparisons within Wales. Policy divergence has led to even greater insularity which stifles learning and improvement
- Few if any performance measures truly focus on outcomes that matter to residents. Most performance data is focussed on process, inputs and what can be measured
- New policies are produced with ever increasing key performance indicators with outcomes equally absent, no new money is provided to deliver the transformation

- The use of outcome agreements and grant regimes in an attempt to control/influence performance distorts effort and priorities in pursuit of relatively small sums of money
- Performance indicators and data are too extensive and detailed to be of use to citizens in assessing performance
- A standard response to a crisis (for example in Children's Social Care) is to devise more and more performance data, none of which deals with the root causes of the problem and outcomes
- There is a need to involve the public directly in the debate on role and outcomes. However, there is much evidence to suggest that high public satisfaction ratings are achieved by relatively few services being perceived as good. These mainly relate to 'Streetscene', dog fouling, litter, potholes. Little credit is achieved from the most important public services that deal with safeguarding and protection of the vulnerable

For the future it is suggested:

- Welsh Government set the vision and values for the public sector in consultation
- Welsh Government devises a small number of outcome agreements that cover the whole public sector
- These outcome agreements be derived from evidence based research from across the world focussing on small countries in a devolved environment
- Local deliverer's have freedom to determine how outcomes are delivered

### Theme 2 – Scale and Capability and Theme 3 – Complexity

There can be no doubt that the scale and complexity of the public sector in Wales is unsustainable. The role of the citizen and communities in dealing with demand management, changed service models and the creation of community capacity cannot be overestimated. Personal responsibility for Health, Well Being, the Environment and much else is a key to managing and reducing demand.

Again some general points:

- The starting point again should be outcomes. The question of local, regional, national is well documented and a number of models exist. The presumption should be local unless evidence exists of better outcomes or cost savings at a regional or national level. A simple measure is that as interventions become high cost and low volume the case for regional/national becomes increasingly made
- There is strong evidence that it is increasingly difficult to recruit and retain senior specialist staff in Wales, particularly in Social Services and Education. It is however at least arguable that policy divergence is also a major negative factor. In Swansea clear political priorities around poverty and social condition do allow a more informed debate on priorities
- Workforce planning and succession planning whilst essential are extremely difficult to deliver in a time of severe downsizing. The absence of standard pay and conditions leads to authorities competing for scarce resources, for example social workers. There is evidence that suggests as LA's hit

performance problems they simply outbid their neighbours for key personnel potentially transferring the problem and driving up salaries

- Inevitably size does impact on overhead distribution etc but almost certainly no more than the excessive performance and accountability regimes. There is no evidence that larger organisations deliver better outcomes (or vice versa!)
- Arguably you can be too big as well as too small. If we wish to improve citizen engagements and focus on outcomes organisations must be recognisable at a local level. Whilst there is a commitment to maintain the LHB configuration neither their size or their names lead to easy public association

As indicated in the introduction there is an urgent need for delayering and simplification. Austerity also determines that less organisations can be afforded. Overhead savings can be achieved but it is demand management, service change and community capacity which is needed to deliver the level of savings currently needed.

Whilst wishing to avoid falling into the 'structure trap', once the vision, values and outcomes are set some obvious changes/questions are likely to arise:

- How can health/social care/well being be delivered unless through one organisation focussed on integrated pathways
- Why have separate Fire Authorities, given that these simply comprise LA members in a different guise
- Wales must have a single economic regeneration strategy delivered via City Regions (where existing)
- Education improvement needs critical mass larger than the current individual LA model
- Back office services (property, ICT etc) should be based on regions or hubs

The collaborative agenda following the Simpson compact has been extensive and diverse. Major projects on Social Care and Education are underway. A range of smaller services have been reviewed. Collaborative effort has not just looked at the savings agenda but also resilience and service management. A separate report from the ODSI group will review progress and it is recommended that the commission review this report. There can be no doubt that collaboration is making performance management and accountability more complex. In this area alone:

- Education collaboration is over seven authorities with three hubs (in our case two authorities), the hub reflecting the real improvement focus
- Social care collaboration is over three authorities and one LHB
- Waste management is over five, seven or nine LA's
- The City Region is four or five LA's

Just taking the Education example the LA remains accountable but now has a Region, a Hub, Governing Bodies, the Minister and Headteachers all with differing expectations (!).

#### Theme 4 – Governance Delivery and Scrutiny

Some key issues arise from the questions in this section:

- Without the vision, values and outcomes that we are identifying as necessary it is difficult to conclude, despite best efforts, positively in this area
- A simplified, delayed Public Sector would facilitate scrutiny and increase accountability across organisational boundaries which can focus on outcomes
- The current regulatory regime attempts to bring together judgements of the WAO, Estyn and CSSIW, this is welcomed. But they still each promote excellence in their respective fields irrespective of the impact in other areas. A single inspection regime based on a small number of agreed outcome measures is needed
- There are examples of excellent political scrutiny driving service improvement. In our own case Child & Family services is a pertinent example. However to be truly effective scrutiny needs to be pan public sector and truly engage residents and service users
- Scrutiny by ministers is negatively focussed and invariably uses the language of intervention. Once the vision and values are in place scrutiny driving improvement needs to become the model

#### Theme 5 – Culture and Leadership

Our introduction emphasises the absence of a shared vision, values and culture across the public services in Wales.

In our case the political priorities of Council have been determined and publicly adopted by Council. These priorities are both long term and extremely challenging. Dealing with poverty and inequalities and targeting our efforts on those in greatest need has created a clear focus for all that we do. Establishment of cross cutting themes for Cabinet Members and Directors covering for example sustainability, opportunities for young people, poverty and target areas create strong cultural signals to the organisation and partners alike.

From these clear priorities are derived our overall single integrated plan, our strategic projects, our business plan and our appraisal system.

A focus on innovation and continuous improvement is as much a mindset as a set of procedures.

The key issue here is not what individual organisations can claim to do. If the public sector continues to be overly complex, consisting of multiple levels and varying accountability frameworks individual effort will be diluted.

#### Theme 6 – Welsh Government

- There is no clear vision, values and focus on outcomes. A clear foresighting exercise is needed and a focus on outcomes and added value not process
- The language of accountability is negative focussed on intervention not improvement

- New policies are formulated without a focus on outcome measures or costed proposals
- The policy framework and commitments at Government level are very strong however they are often silent on the change strategy. An expectation that we provide all that we do now and deliver improvements in all areas creates an undeliverable aspiration based programme
- Funding and performance arrangements are as indicated earlier too numerous and too complex. There needs to be a bias towards, and small number of, outcomes and less concern about process

Many of these comments keep taking us back to the introduction and can be summarised:

- WG needs to set out a vision, backed by values and outcomes
- The public sector needs delayering
- Accountability agreements should be simple, consistent and based on evidence
- We need a public sector committed to developing community capacity, managing and reducing demand, early intervention and customer focus



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Welsh Government

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Devolution,  
Democracy and  
Delivery

# Reforming Local Government: Power to Local People

## Consultation Survey (Full)

Date of issue: 3 February 2015  
Action required by: 23:59 on 28 April 2015

<b>Overview</b>	<p>The White Paper 'Reforming Local Government: Power to Local People' is the Welsh Government's statement of intent about the future of Local Government in Wales.</p> <p>The White Paper sets out the Welsh Government's proposals for reform in the following fields: local democracy, the roles and remuneration of Elected Members and senior officers, community governance and Community Councils, community rights, corporate improvement, service performance, scrutiny, audit, inspection and regulation, and finance.</p>
<b>How to respond or for further information</b>	<p>This consultation covers a large number of matters. Many are of interest to the general public but some are technical in nature and may only be of interest to Local Authorities. We have designed a web-based questionnaire in order to make both collecting and analysing responses easier.</p> <p>You may choose to address all the issues raised by this White Paper or to complete a shorter version of the questionnaire which focuses on the main matters of public interest. You will be able to choose your preferred option when you start the questionnaire. A word version is also available but we strongly encourage respondents to use the online questionnaire.</p> <p>To respond to the consultation please either complete the online form or request the accompanying questionnaire and return it</p> <p>either by email to <a href="mailto:RLGProgramme@Wales.gsi.gov.uk">RLGProgramme@Wales.gsi.gov.uk</a> or by post to</p> <p style="margin-left: 400px;">Reforming Local Government Welsh Government Cathays Park Cardiff CF10 3NQ</p>
<b>Further information and related documents</b>	<p>This document is also available in a shorter, plain English version and a youth friendly version on the Welsh Government website.</p> <p>Large print, Braille and alternative language versions of this document are available on request.</p>
<b>Data protection</b>	<p>How the views and information you give us will be used:</p> <p>Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.</p> <p>The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.</p> <p>Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.</p>

This is the consultation survey linked to the document *Reforming Local Government: Power to Local People*. It asks some initial questions to establish if you are an individual, a representative body or another type of organisation. It then goes on to ask questions related to themes within the White Paper. Some questions are yes/no, some ask you to express your agreement with a proposition along a 5-point scale, and some ask for your views and give a box in which to provide your thoughts.

### Initial Questions

I am replying on behalf of:							
1.1	<input type="checkbox"/> I am a member of the public, these are my individual views Please tick which age bracket you fall into: <input type="checkbox"/> Under 18 <input type="checkbox"/> 26-35 <input type="checkbox"/> 46-55 <input type="checkbox"/> 65+ <input type="checkbox"/> 18-25 <input type="checkbox"/> 36-45 <input type="checkbox"/> 56-65 <input type="checkbox"/> Prefer not to say Please tell us which Local Authority Area you reside in:						
1.2	<input type="checkbox"/> A Local Authority Please state which Local Authority you represent						
1.3	<input type="checkbox"/> A Community Council Please state which Community Council you represent						
1.4	<input type="checkbox"/> Political Group / Party Please state the name of the party you represent						
1.5	<input type="checkbox"/> Representative body, Professional Body or Association Please state the name of the body						
1.6	<input type="checkbox"/> Elected Member Please state which Local Authority or Community Council you sit on						
1.7	<input type="checkbox"/> Third Sector Please state the name of the organisation you represent						
1.8	<input type="checkbox"/> Trades Union Please state the name of the Trades Union you represent						
1.9	<input type="checkbox"/> Government Agency/ Other Public Sector Body Please state the name of the organisation you represent						
1.10	<input type="checkbox"/> Other Please provide additional information						
1.11	If responding on behalf of an organisation or representative group, how did you gather the views of your members or members of the public in responding to this consultation?						
1.12	Please tell us which document you have read: <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;"><input type="checkbox"/></td> <td>Reforming Local Government: Power to Local People (Full White Paper)</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Reforming Local Government: Power to Local People (Summary Version)</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Changing Local Government (Young people version of White Paper)</td> </tr> </table>	<input type="checkbox"/>	Reforming Local Government: Power to Local People (Full White Paper)	<input type="checkbox"/>	Reforming Local Government: Power to Local People (Summary Version)	<input type="checkbox"/>	Changing Local Government (Young people version of White Paper)
<input type="checkbox"/>	Reforming Local Government: Power to Local People (Full White Paper)						
<input type="checkbox"/>	Reforming Local Government: Power to Local People (Summary Version)						
<input type="checkbox"/>	Changing Local Government (Young people version of White Paper)						
Contact Details							
1.13	Name						
1.14	Postal address						
1.15	Telephone number						
1.16	Email address						
Declaration							
1.17	Consultations are likely to be made public, on the internet or in a report. <b>If you would prefer your response to remain anonymous, please tick here:</b>						
	<input type="checkbox"/>						



## Chapter 2: Balancing the Responsibilities of National and Local Government

Chapter 2 discusses the relationship between the different spheres of government in Wales and how this has developed since devolution in 1999. It clarifies the role of the Welsh Government as providing leadership, setting standards and defining a limited number of national expectations. It also examines the role of Local Government as an agent of change in their local areas, in their relationships with other public services and at the regional level, particularly city regions.

Status of Reformed Authorities					
	Yes	No	Don't Know		
2.1 Do you think all Local Authorities in Wales should be known as Counties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2.2 If no, what is your reasoning to allow other titles for reformed Authorities?					
	Yes	No	Don't Know		
2.3 Do you think Local Authorities should be able to nominate the chair of the Council as a Mayor?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
General Power of Competence					
	Yes	No	Don't Know		
2.4 Should Local Authorities in Wales be granted a general power of competence?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2.5 If yes, should there be any constraints on it? Yes, The Welsh Government should publish guidance for consultation on this.					
Deregulation and Contracting Out Act					
	Yes	No	Don't Know		
2.6 Should the provisions of the Deregulation and Contracting Out Act 1994, as they apply to Local Authorities, be reviewed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2.7 Do you have any issues you wish to raise with regards to Deregulation and Contracting Out?					
Local Authority Constitutions					
2.8 Can you identify any specific areas of official procedure which might be changed in order to make the operation of Local Authorities more agile, open and transparent?					
To what extent do you agree or disagree with the following statement:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
2.9 <i>Local Authorities should set out in plain language their values and the principles they will use to operate in their constitution</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.10 <i>Local Authorities should set out how they intend to build a relationship with their communities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Legislative burdens and review of Local Government Legislation					
To what extent do you agree or disagree with the following statement:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
2.11 <i>There is merit in reviewing the body of legislation relating to Local Government administration with a view to longer term consolidation and simplification</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.12 Do you have any other proposals for extending the powers or functions of Local Government which should be considered?					

### Chapter 3: Renewing Democracy

Chapter 3 sets out the need for greater clarity in the roles and responsibilities for the leader, Cabinet members, elected members and the chief executive officer. It also sets out the benefits of improving diversity of Councillors. We also discuss the need to reduce the cost of politics and management in Local Government and to bring more consistency to the appointment and remuneration of senior officers.

Local Government Elections						
		4 years	5 years	Don't Know		
3.1	What should be the cycle of elections to Local Authorities in Wales?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
		Yes	No	Don't Know		
3.2	Should Local Authorities elect Members on a rolling basis, for example by thirds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
3.3	If yes, how would this best operate in practice? Opinion from the Democratic Services Committee was divided on 3.2 above.					
Defining the Roles and Responsibilities of the Leader						
	To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
3.4	<i>Where a candidate is seeking to become the Leader of a Council they should produce a written manifesto setting out what they intend to achieve</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.5	<i>Where a candidate is seeking to become the Leader of a Council they should present this manifesto orally to the Council before the election takes place</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.6	<i>The Leader of a Council should produce an annual report setting out the achievements delivered against the manifesto</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				Yes	No	Don't Know
3.7	Should the roles, responsibilities and duties of Leaders/ Elected Mayors be defined in legislation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.8	Should the Leader be required to set objectives for Cabinet Members?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.9	Should the Leader be required to set objectives for the Chief Executive?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.10	Should these objectives be made public?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.11	Should the Leader be required to produce a report to full Council on the achievement of these objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.12	Are there any other generic duties that should be included in the role of the Leader?					
Defining the Roles and Responsibilities of Cabinet Members						
		Yes	No	Don't Know		
3.13	Should the generic roles, responsibilities and duties of Cabinet Members be defined in legislation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
3.14	What generic duties should be included in the role of a Cabinet Member?					

To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
3.15 <i>There should be greater consistency in the number of Cabinet posts in the reformed Local Authorities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.16 Should the maximum number of Cabinet Members serving on a Local Authority (currently 10) be reduced?	Yes	No	Don't Know		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3.17 What should be the maximum number of Cabinet Members?					
3.18 What is the reason for your suggestion?					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
3.19 <i>Some Cabinet posts should be considered as 'Deputy' or 'Junior' positions as an opportunity to develop a wider cadre of future political leaders</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.20 <i>'Deputy' or 'Junior' posts should be considered as part time positions to reflect a lower level of responsibility</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.21 Should the public service Academi be asked to look at a development programme to support future political leaders?	Yes	No	Don't Know		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3.22 What do you think the Public Service Academi development programme look like?					
Defining the Roles and Responsibilities of Elected Members					
3.23 Should the generic roles, responsibilities and duties of Elected Members be defined in legislation?	Yes	No	Don't Know		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
What do you think should be included in the role of the Elected Member?	Yes	No	Don't Know		
3.24 Regularly communicating with constituents	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
3.25 Regular surgeries	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
3.26 Participation in Community Governance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
3.27 Participation in committees	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
3.28 Attending core training skills sessions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
3.29 Are there any other aspects you think should be included in the role of the Elected Member?:					
3.30 Should all Elected Members be required to produce an Annual Report?	Yes	No	Don't Know		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

## Reforming Local Government: Power to Local People Consultation Survey (Full)

<b>Standards Committees</b>						
To what extent do you agree or disagree with the following statement:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
3.31 <i>The powers of Standards Committees should be enhanced to enable them to consider cases where there is an allegation of a Councillor failing to fulfil their duties satisfactorily</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.32 If you agree, how should their powers be enhanced? Subject to clarification of what the enhanced powers will be and what Councillors duties are set as.						
3.33 What sanctions might there be for Councillors failing to fulfil their duties satisfactorily? As per current legislation i.e. Maximum 6 month suspension or 5 year exclusion from standing).						
3.34 Where internal processes have failed to operate satisfactorily should there be a role for an independent body?				Yes	No	Don't Know
				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.35 If yes, in what circumstances should they be involved? Whenever public concern reaches a level that the issue can't be resolved locally.						
3.36 Who do you think would be best placed to undertake this role? It would depend on the issue.						
<b>Recall</b>						
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
3.37 <i>There should be a system by which the public could recall a councillor during their term of office and trigger a by election</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3.38 How might this work in practice?						
<b>Equality and Diversity</b>						
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
3.39 <i>Leaders should be placed under a duty to have regard to diversity when appointing their Cabinet</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.40 <i>Where it is not possible to put forward a diverse Cabinet, Leaders should consider co-opting members to provide advice and support decision making</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3.41 If you are supportive of co-opting on Cabinets how would this best work in practice? Whilst co-option is not supported, we seek clarity as to whether the question refers to co-option of a sitting Councillor within the Authority or does it mean co-opting anybody regardless of whether they are a Councillor or not.						
3.42 How should Group Leaders be required to consider diversity? The Committee were concerned that only Equality & Diversity are mentioned in the consultation when there are other things that should be considered, such as Poverty, age, disability, etc.						
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
3.43 <i>Local Authorities should be placed under a duty to promote engagement with democracy</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.44 <i>Local Authorities should be required to establish Youth Councils</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

3.45	<i>Devolved public service organisations should be required to release staff to serve as Local Authority Councillors</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.46	<i>Devolved public service organisations should be required to release staff to serve as Community Councillors</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.47	<i>All organisations (public, private and third sector) should be encouraged to release staff to serve as Councillors</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Remuneration of Elected Members

3.48 What issues should be taken into account when reviewing Councillors remuneration?  
The consultation meetings held by the Independent Remuneration Panel for Wales should continue however they should be held at a time which can influence each Annual Report due to be published.

### Number of Elected Members

		Yes	No	Don't Know
3.49	Do you agree the number of Elected Members in Wales should be reduced?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.50	What issues should be taken into account when considering the number of Elected Members? The one size fits all ration of 1:x number of Councillors does not work. One needs to consider geographical issues such as whether the area is Urban, Rural, Semi Urban, Semi Rural etc. Additionally, consideration must be given to the poverty and deprivation in the area as this also would require a different ratio.			

### Term Limits for Elected Members

Do you agree with the following proposals for term limits:	Yes	No	Alternative limit	Don't Know
3.51 Elected Members (5 consecutive terms)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Please specify	<input type="checkbox"/>
3.52 Cabinet Members (2 consecutive terms)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Please specify	<input type="checkbox"/>
3.53 Leaders/ Elected Mayors (2 consecutive terms)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Please specify	<input type="checkbox"/>

### Electoral Qualifications

To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
3.54 <i>Serving members of Local Authorities should <b>not</b> be able to serve as Assembly Members and continue their position in the Local Authority.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.55 <i>Local Government employees other than those in politically restricted posts should be able to stand for election to their own Authority and only resign if elected</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Role and Responsibilities of Chief Executive

		Yes	No	Don't Know
3.56	Should the role of Chief Executive Officer for a Local Authority be defined in legislation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Should the role of Chief Executive Officer include:				
3.57	Responsibility as Head of Paid Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.58	Responsibility as Electoral Registration Officer and Returning Officer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.59	Responsibility for performance and improvement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Should the role of Chief Executive Officer include a requirement to:						
3.60 Make arrangements to prepare a corporate plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
3.61 Make arrangements to prepare annual self-assessments of corporate and service performance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
3.62 Make arrangements for the promotion of democracy within a Local Authority Area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
3.63 Commission a peer review every two years and prepare a report for the Council on actions to be taken following the recommendations of the peer review?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
3.64 Put in place a performance management system for all employees of the Local Authority?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<b>Term Limits of Chief Executive</b>						
To what extent do you agree or disagree with the following statement:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
3.65 <i>Arrangements should be put in place to limit the length of time a Chief Executive can serve</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.66 <i>Arrangements should be put in place to set a term period which would lead to review before re-appointment of a Local Authority Chief Executive could be considered</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Should the Public Service Staff Commission be asked to explore:				Yes	No	Don't Know
3.67 Arrangements for appointing Chief Executive Officers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
3.68 The appropriateness of limiting the length of an appointment of a Chief Executive Officer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
3.69 The appropriateness of setting a term period which would lead to review before re-appointment could be considered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<b>Remuneration of Senior Managers</b>						
To what extent do you agree or disagree with the following statement:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
3.70 <i>There should be greater consistency in the number of senior officer posts in the reformed Local Authorities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.71 <i>There should be greater consistency in the salaries of senior officer posts (including Chief Executive Officer posts) in the reformed Local Authorities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.72 <i>There should be a national framework to guide salary scales for all chief officer posts</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.73 <i>Local Authorities should be required to consult an independent advisory body on the salaries of all chief officers</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.74 What would be an appropriate mechanism for Local Authorities to consult an independent advisory body on the salaries of all chief officers?						
<b>Senior Officer Appointments</b>						
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	

3.75 <i>There should be greater consistency in the appointment process of senior officer posts (including Chief Executive posts) in the reformed Local Authorities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In order of preference, which of the following do you believe to be most appropriate mechanism to support senior officer appointments:	1st	2nd	3rd	4th	
3.76 A Public Sector Appointments Commission would ensure all senior officers had the right leadership skills and competencies.  Senior officers would be employed on a common basis and posted to an organisation, individuals would be moved across the public service as demand required (similar to the New Zealand case study).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.77 A Public Sector Appointments Commission would ensure all senior officers had the right leadership skills and competencies.  Local Authorities would then make appointments from the pool of approved candidates.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.78 A Common Assessment Framework and process to establish a consistent approach to the appointment of senior officers.  Local Authorities would have responsibility for making appointments of senior staff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.79 Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.80 What other mechanism do you think should be used to support senior officer appointment?					



## Chapter 4: Connecting with Communities

Chapter 4 sets out our vision for a new relationship between local communities and Local Government in Wales, where larger Authorities are closer to their communities than is the case at present. This includes discussion of the role of Elected Members in leading this. We also discuss the need to raise the ambition of Community Councils so they are better placed to deliver important community services in the future. This means building their capacity and capability, as well as strengthening their governance and engagement with other services and the third sector.

<b>Member Led Community Governance</b>					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
4.1 <i>Local Authorities should develop, adopt and implement a neighbourhood management or similar approach to engaging with citizens to identify, prioritise and address particular local issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2 <i>An inclusive and participative neighbourhood or area approach, led by Elected Members, is a model of community governance which should be adopted by all Local Authorities in Wales</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.3 <i>Community bodies, the third sector or other public services should have an equal place in neighbourhood area approaches</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.4 <i>Local Authorities should have responsibility for how community governance is designed in their area</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.5 <i>Member-led community governance is an essential part of local democracy</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.6 <i>Communities which will be identified under the Well-being of Future Generations (Wales) Bill should form the basis for Local Authorities' Member-led Area Boards in the future</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.7 <i>Neighbourhood area approaches should be able to facilitate place based budgets</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.8 <i>Local Authorities should seek to rationalise the number of partnership arrangements that it works with</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.9 <i>A national framework which requires Local Authorities to put in place a community governance system meeting certain guidelines should be established</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.10 What should be included within a national framework?					
4.11 How best can Elected Members support their communities to do more?					

Review of Community Councils								
				Yes	No	Don't Know		
4.12	Should Local Authorities review the role, structure, scope and governance of Community Councils within their areas?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4.13	Should this review be completed by 2022?			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4.14	If no, what do you think the timescale should be for the implementation of community level reform?							
To what extent do you agree or disagree with the following statements:				Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
4.15	<i>Community Council areas should be merged or enlarged</i>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Competent Community Councils								
To what extent do you agree or disagree with the following statements:				Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
4.16	<i>Community Councils should be subject to competency tests in return for greater rights and responsibilities</i>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.17	<i>Only 'competent' Community Councils in Wales should be granted a general power of competence</i>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.18	If Community Councils in Wales are granted a general power of competence, what should be the constraints on it?							
To what extent do you agree or disagree with the following statements:				Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
<i>Community Councils should be subject to a</i>								
4.19	<i>Democracy test: at least two-thirds of the Councillors on a Community Council have been declared elected at either an ordinary election or a by-election</i>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.20	<i>Capability test: the Community Council must employ a clerk with relevant professional qualifications</i>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.21	<i>Capacity test: the Community Council has a minimum annual budget of at least £200,000</i>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.22	<i>Governance test: the Community Council has implemented a sound system of financial management and internal control in line with statutory requirements, and meets certain other criteria such as having a website on which it publishes agendas, minutes and accounts and being contactable by email.</i>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.23	Are there any other 'competency' tests that you believe would be relevant?							

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				Yes	No	Don't Know
4.24	Should competent Community Councils be required to pass a motion to this effect and notify their Local Authority?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4.25	Should competent Community Councils be required to be required to continue to demonstrate 'competence' to their Local Authority?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4.26	Should Local Authorities be able to revoke a competent Community Councils status if they are not satisfied?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
To what extent do you agree or disagree with the following statements:		Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
4.27	<i>Governance and transparency arrangements should apply to Community Councils</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.28	<i>The public should have a right to attend, speak at and record meetings of their Community Council</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.29	<i>The Chair of the Community Council should be required to publish an annual report, which could also incorporate the reporting requirement proposed in the Well-being of Future Generations (Wales) Bill</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.30	<i>The Chair of the Community Council should be required to set performance objectives for the clerk of the Community Council</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.31	<i>The legislative framework governing community polls should be reviewed</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Electoral Qualifications</b>						
To what extent do you agree or disagree with the following statements:		Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
4.32	<i>Serving members of Local Authorities should be able to become a member on a Community Council <u>and</u> continue their position in the Local Authority</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.33	<i>Serving members of a Community Council should only be able to be a member of <u>one</u> Community Council</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Chapter 5: Power to Local Communities

Chapter 5 sets out the way in which communities can engage Local Authorities in joint endeavour and how people can protect land and property of community value for the future. We intend to achieve this by giving community bodies a number of rights which they can exercise in relation to services and assets.

Community Bodies						
5.1 Do you agree Community Bodies should be subject to a competency test before they could take a more active role in delivering services or purchasing assets?				Yes	No	Don't Know
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To what extent do you agree or disagree with the following statements: <i>Community bodies would need to demonstrate:</i>		Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
5.2 <i>Appropriate standards of governance</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.3 <i>Appropriate standards of financial management</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.4 <i>Appropriate standards of openness and transparency</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.5 <i>Representative local membership</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.6 Are there any other 'competency' tests that you believe would be relevant?						
Community Participation						
To what extent do you agree or disagree with the following statements:		Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
5.7 <i>Community bodies should be able to request involvement in the development and delivery of local services</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.8 <i>Local Authority should be required to respond to these requests</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.9 What is the role of Elected Members in facilitating requests for community participation?						
Asset Transfer						
To what extent do you agree or disagree with the following statements:		Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
5.10 <i>Community bodies should be able to initiate the transfer of assets from a Local Authority</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.11 <i>Community bodies should have the right of 'first refusal' of community assets that are on the private market</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.12 What is the role of Elected Members in facilitating requests for community asset transfer?						
5.13 Local Authorities should be required to establish and maintain a register of community interests?				Yes	No	Don't Know
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Chapter 6: Corporate Governance and Improvement

Chapter 6 discusses how Local Authorities might be best supported to improve their corporate capability and capacity. We believe effective leadership is the most important driver for ensuring Local Authorities are able to provide sustainable outcomes for local areas.

Corporate Governance						
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
6.1 <i>The proportion of independent members sitting on a Local Authority's Audit Committee should be increased</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.2 <i>The Chair of a Local Authority's Audit Committee should be an independent member</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3 What proportion of the Audit Committee should be independent?	At least 2 people	1/4 of the Committee	1/3 of the Committee	Other	Don't Know	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Please specify	<input type="checkbox"/>	
6.4 What is the rationale for your answers?						
Self-Assessment and Peer Review						
6.5 Do you agree that responsibility for effective performance and delivery rests with the Local Authority, as does responsibility for service or corporate failure?				Yes	No	Don't Know
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
6.6 <i>Self-assessment is an appropriate mechanism for organisations to use to consider their current levels of capacity and capability</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.7 <i>Peer Review is an appropriate mechanism for organisations to use to challenge this self-assessment</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Self Assessment and peer review should consider:				Yes	No	Don't Know
6.8 Strategic Vision for the Authority				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.9 Corporate planning, including financial management				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.10 Governance arrangements				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.11 Quality and timeliness of management and service information				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.12 Leadership, recruitment, talent development and retention				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.13 Equality and diversity				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.14 Efficiency				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.15 Procurement and the value for money delivered to local communities through third party expenditure				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.16 Engagement with the public, workforce and partners				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.17 Responding to demographic, financial and demand pressures				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6.18 Service innovation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.19 Effective working arrangements with other Public Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	Don't Know
6.20 Should a self-assessment be undertaken each year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.21 Should a peer-review be undertaken biennially (every other year)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.22 Should the Chief Executive be required to provide a report to the Leader on matters of concern as a result of a self-assessment and peer review?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.23 Should these reports be considered by full Council?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.24 Should these reports be considered by the Local Authority's Audit Committee?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.25 Should these reports be made public?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.26 How should self-assessment and peer assessment be implemented most appropriately to support improvement?			
6.27 How should Local Authorities be supported to build expertise in self-assessment and peer review?			
6.28 How could Welsh Government best support Local Authorities to improve?			
<b>Power to Intervene</b>			
6.29 Do you agree that in some circumstances Ministers should intervene where a Local Authority is showing signs of failure?			
			Yes No Don't Know
To what extent do you agree or disagree with the following statements:			
	Strongly Agree	Agree	Neither Agree or Disagree
6.30 <i>Commissioning an independent review is the correct mechanism to establish if a Local Authority is in need of support</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Which of the following triggers should be used to establish an independent review:			Yes No Don't Know
6.31 The performance of an Authority lagging significantly, or for a sustained period, behind its peers in key areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.32 Where there are concerns raised by the Authority itself or its Members	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.33 Where information and intelligence provided by external review bodies identifies concerns	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.34 Where concerns are raised through whistleblowing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.35 Where there is significant public concern about an issue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.36 Are there any other issues which you consider to be triggers for a review?			
6.37 Do you agree that the findings from an independent review should be used to prompt Ministerial support and intervention?			Yes No Don't Know
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
6.38 How could the Local Government and Support and Intervention Protocol be revised to reflect these proposals?			

**Local Government (Wales) Measure 2009**

6.39 What elements of Part 1 of the 2009 Measure which should be restated within this new system?

6.40 Could these elements be built upon?

## Chapter 7: Performance in Local Government

Chapter 7 discusses the importance of information to deliver better outcomes for local areas. It does not discuss specific measures, but instead sets out how performance information can be used to best effect by the Local Authority, its scrutiny committees, the public, external review bodies and other interested stakeholders. Key to this is effective corporate planning which should use information and data to inform decisions and policy development.

Corporate Planning						
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
7.1 <i>Local Authorities should be required to produce a Corporate Plan</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Should the following categories be included within a Corporate Plan:				Yes	No	Don't Know
7.2 Strategic population outcomes for the area, as agreed in the local well-being plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3 Corporate priorities for service delivery and improvement, including the Welsh language standards, and the steps to achieve the objectives in the local well-being plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.4 Financial management plans, including medium-term financial planning, corporate procurement strategies and asset management plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.5 Workforce plans, including the strategic equalities plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.6 The risk register	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.7 Existing service performance and benchmarking data	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.8 Public engagement strategy, including in relation to setting of annual budgets and council tax	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.9 Planned performance levels for the short, medium and long term	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.10 An Annual Report setting out achievements and performance outcomes of the previous year, which could also be used discharge the Local Authority's proposed duty under the Well-being of Future Generations (Wales) Bill to report on how they have delivered their objectives in a manner consistent with the sustainability principle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.11 Are there any other categories that should be included within a Corporate Plan?						
Corporate Plans should include information that is :				Yes	No	Don't Know
7.12 short term				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.13 medium term				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.14 long term				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.15 How would the corporate plan be best presented and used in engaging with the public?						



<b>Single Information Portal</b>						
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
7.16 <i>Local Authorities should all produce information on performance levels and outcomes using the same data definitions.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.17 <i>Local Authorities should all produce information on performance levels and outcomes using a consistent format and at the same time to allow for comparison.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.18 <i>A single information portal would be a useful mechanism to provide regular, timely, and comparable information on a Local Authority area and Authorities across Wales to support and challenge performance in an area.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
A single information portal should include information on:				Yes	No	Don't Know
7.19 Standardised performance data	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.20 Complaints	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.21 Reports from audit, inspection and regulation bodies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.22 Self-assessment and peer review reports	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.23 Information on upcoming inspections and audits	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.24 Other (Please specify)						
7.25 In addition to information on performance, is there any other information that should be included on a single information portal?						
<b>Minimum Performance Outcomes</b>						
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	
7.26 <i>As part of a future performance regime the setting of minimum performance outcomes or standards should be considered</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.27 <i>There should be consequences for Local Authorities that fail to meet minimum Standards</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.28 If you agree, what consequences should there be for Local Authorities that fail to meet minimum standards?						
7.29 Should financial penalties be used as an incentive for performance outcomes or standards?				Yes	No	Don't Know
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Digital Councils</b>						
7.30 How should Local Authorities be encouraged to make greater use of digital channels and social media?						
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	

7.31 <i>Local Authorities should decide whether members of the public can record Council meetings</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.32 <i>The public have a right to report live from any Council proceedings, through written or electronic media</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.33 <i>Local Authorities should make arrangements to allow the public to make their views known on agendas of the full Council, the Executive of Committees in advance of meetings</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Complaints</b>					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
7.34 <i>Local Authorities should have an online, as well as paper based, complaints process</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.35 <i>Local Authorities are already required to report on complaints made with regards to social services, they should be required to report on all complaints made about their services</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.36 Is an Authority's Audit Committee best placed to consider reports on complaints (including data on number of complaints received, the timeliness of their resolution, etc)?	Yes	No	Don't Know		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
7.37 If no, who would be best placed to consider such a report?					

## Chapter 8: Strengthening the Role of Review

Chapter 8 discusses the important role of internal and external review in supporting Local Authorities to deliver better outcomes for local areas. We believe the internal and external review processes do not currently work together well enough. The Chapter discusses how we will strengthen internal scrutiny to ensure it has a greater impact on Local Authority decision making. We also discuss the benefits of sharing information between the different external review bodies and with internal scrutiny. The Chapter also discusses how external review bodies should work together more.

Democratic Services								
				Yes	No	Don't Know		
8.1	Do you agree that the Head of Democratic Services should be a Chief Officer role?			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
8.2	Should the requirement preventing the Monitoring Officer from also being the Head of Democratic Services be removed?			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
8.3	How might we strengthen the independence of the Democratic Services function from the leadership of the Local Authority?							
Planning for scrutiny								
				Yes	No	Don't Know		
8.4	Is it appropriate to put in place a system of "key decisions" in Wales?			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
8.5	If introduced, how far in advance should the Executive be required to set out "key decisions"?			3 months	4 months	6 months	Other	Don't Know
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	At the earliest opportunity	<input type="checkbox"/>
To what extent do you agree or disagree with the following statements:				Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
8.6	<i>Scrutiny Committees should be required to establish short, medium and long term scrutiny plans</i>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.7	<i>Scrutiny Committees should be required to set out who they will engage with as part of their scrutiny plans</i>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.8	<i>Scrutiny Committees should be required publish their scrutiny plans</i>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				Yes	No	Don't Know		
8.9	Should co-opted members on Scrutiny Committees be allowed to vote?			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
8.10	What is your reason for this answer? Co-opted Members as defined by the IRPW should be allowed to vote as they currently are. However, any other person Co-opted onto Scrutiny Committee should not get a vote as they are there to advise or share knowledge with the Cttee.							
8.11	If yes, what circumstances would voting take place? As above							

Local Public Accounts Committees					
	Yes	No	Don't Know		
8.12 Should Local Public Accounts Committees be established in Wales?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
8.13 How might a Local Public Accounts Committee operate in practice?					
Giving communities a voice in scrutiny					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
8.14 <i>Scrutiny Committees calls for evidence should be directed to relevant local community based representative bodies</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.15 <i>Individuals and representative bodies should be able to petition scrutiny committees</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.16 How should a scrutiny committee be required to consider and respond to petitions?					
8.17 Should Local Authorities establish a 'public question time' where members of the public would be given the opportunity to raise issues with the Leader of the Council?	Yes	No	Don't Know		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Regional scrutiny arrangements					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
8.18 <i>Where a regional delivery mechanism is established , for example through joint commissioning, a joint scrutiny committee must be established</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.19 How would this regional scrutiny committee model interact with local scrutiny? Carefully. Please ensure to legislate rules relating to Committee Proportionality should any Regional Scrutiny Arrangements emerge.					
Strengthening links between External and Internal review					
	Yes	No	Don't Know		
8.20 Should the audit, inspection and regulation bodies be required to share their reports with relevant Audit or Scrutiny Committees of a Local Authority?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
8.21 Should the relevant Audit or Scrutiny Committee of a Local Authority be required to scrutinise the findings from audit, inspection and regulation reports?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
8.22 Should the audit, inspection and regulation bodies be required to appear before relevant Audit or Scrutiny Committees of a Local Authority to present their finding when requested to do so?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
8.23 How else could links between external and internal review be strengthened?					
Strengthening links between external review					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
8.24 <i>The audit, inspection and regulation bodies should be required to come together to plan a joint timetable of work with regards to Local Authorities</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.25 <i>This joint timetable should be published on the single information portal when established</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Reforming Local Government: Power to Local People Consultation Survey (Full)

8.26 <i>The audit, inspection and regulation bodies should be required to come together to produce a 'whole system' assessment of each Local Authority</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.27 <i>The audit, inspection and regulation bodies should be required to come together to produce an assessment of the overall health of Local Government</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.28 If introduced, how often should a 'whole system' assessment of each Local Authority be undertaken?		Every year	Every 2 years	Other	Don't Know
	<input type="checkbox"/>	<input type="checkbox"/>	Please specify	<input checked="" type="checkbox"/>	
8.29 How should this 'whole system' assessment of Local Authorities be developed? Don't know					
8.30 If introduced, how often should an assessment of the health of Local Government be produced?		Every year	Every 2 years	Other	Don't Know
	<input type="checkbox"/>	<input type="checkbox"/>	Please specify	<input checked="" type="checkbox"/>	
8.31 How should this assessment of the health of Local Government be developed? Don't know					
<b>External Review Framework</b>					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
<i>The purpose of external review is:</i>					
8.32 <i>Protecting the interests of citizens by holding the use of public resources to account and by rigorously telling the story of how citizens experience services.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.33 <i>Contributing to the wider improvement framework, within organisations, the Welsh Government and wider public sector.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.34 Are there any other things you would consider to be part of the purpose of external review?					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
<i>The core functions of external review are:</i>					
8.35 <i>Assessing compliance with governance, financial stewardship and probity standards and regulations</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.36 <i>Assuring the quality and cost effectiveness of service provision</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.37 <i>Public reporting on the stewardship of public resources, service delivery against standards and the adherence to regulations</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.38 <i>Contributing to improvement including by encouraging self-improvement, acting upon critical reports and encouraging wider sectoral support</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.39 <i>Identifying, acting upon and reporting early signs of 'failure' within a service or an organisation</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8.40 <i>Informing policy and practice, beyond individual organisations.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.41 Are there any issues or barriers which would prevent external review bodies performing these functions?					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
<i>The key attributes of external review are:</i>					
8.42 <i>Proportionality: proportionate to the risk, potential for improvement, likely benefit and interests of citizens. It applies in terms of deciding whether to use external review and in deciding its nature, scope and duration</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.43 <i>Independence: it must not be constrained by any party in reaching its conclusions and publishing its findings. It must be free to make judgements about service delivery and report its findings into the public domain, and it must be able to decide how it discharges its responsibilities once its focus has been agreed</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.44 <i>Accountability: external review must demonstrate and report on the impact of its activities. Assessments and findings must be accurate, fair and capable of being defended</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.45 <i>Collaboration: external review must collaborate in the interests of greater local impact, greater cost effectiveness and to reduce the burden on those being reviewed</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.46 <i>Value for money: external review should be able to demonstrate it delivers benefits commensurate with its cost</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.47 <i>Transparency: external review must be transparent in all its activities, its focus, decision making criteria, business processes, assessments and reporting. Reports must be clear, independent and consistent</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.48 <i>Professionalism and competence: external review must be conducted in a way which demonstrates professional integrity and competence. It should be credible, consistent and impartial in all its activities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.49 Are there any issues or barriers which would prevent external review bodies demonstrating these attributes?					

## Chapter 9: Finance

Chapter 9 discusses the way Local Government is funded and how this will need to change to support the reforms outlined in the White Paper in the shorter term, and also the need for a more fundamental review of the system in the longer term.

Our vision					
9.1 What are your views on the proposed phased approach, where we intend to make the necessary changes needed to effect mergers and the reforms set out in this paper in the short term, and consider more fundamental changes to the system in the longer term?					
9.2 What specific features do you think a new financial framework for Local Government should exhibit?					
9.3 What specific aspects of the existing local taxation system could be simplified? (The existing local taxes are council tax and non-domestic rates.)					
General revenue funding – distribution					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
9.4 <i>The distribution of central funding should take account of the relative need of each Local Authority, based on the demographic, social and economic characteristics across Wales</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.5 <i>The distribution of central funding should take account of the ability of each Local Authority to raise income from local taxpayers</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.6 What would you change about the existing funding distribution mechanism to promote greater flexibility?					
9.7 What would you incorporate into a future funding distribution mechanism to promote greater flexibility?					
Financial Governance					
9.8 How do you think Local Authorities could engage more effectively with residents before determining their spending priorities?					
9.9 How do you think information about the results from engagement exercises could be made available to residents?					
9.10 How can we ensure financial plans are robust, strategic and sustainable?					
9.11 What financial information should Local Authorities publish?					
9.12 How can Local Authorities ensure the information is transparent and clear for people to understand?					
Any other comments					
9.13 Are there any other issues we should consider as part of our programme of Reforming Local Government in Wales, for example matters relating to policy, legislation or implementation?					

## 10 Impact Assessments

This section asks questions in relation to the impact assessments which will be undertaken and published in support of the Draft Bill which will be published later in 2015.

The questions are specifically seeking further evidence and information on the issues of Welsh Language, Children and Young People, and Equalities in relation to the proposals set out in the White Paper.

Welsh Language					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
10.1 <i>The proposals set out in this White Paper will generally support the Welsh Government's strategy for the Welsh Language – laith fyw: laith byw?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.2 <i>The proposals set out in Chapter 2 (Balancing the responsibilities of National and Local Government) will generally support laith fyw: laith byw?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.3 <i>The proposals set out in Chapter 3 (Renewing Democracy) will generally support laith fyw: laith byw?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.4 <i>The proposals set out in Chapter 4 (Connecting with Communities) will generally support laith fyw: laith byw?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.5 <i>The proposals set out in Chapter 5 (Power to Local Communities) will generally support laith fyw: laith byw?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.6 <i>The proposals set out in Chapter 6 (Corporate Governance and Improvement) will generally support laith fyw: laith byw?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.7 <i>The proposals set out in Chapter 7 (Performance in Local Government) will generally support laith fyw: laith byw?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.8 <i>The proposals set out in Chapter 8 (Strengthening the Role of Review) will generally support laith fyw: laith byw?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.9 <i>The proposals set out in Chapter 9 (Finance) will generally support laith fyw: laith byw?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.10 What do you see as the <b>positive</b> impacts/effects of the proposals set out in this White Paper for the Welsh Language?					
10.11 How might these be further developed?					
10.12 What do you see as the <b>negative</b> impacts/effects of the proposals set out in this White Paper for the Welsh Language?					
10.13 How might these be mitigated against?					



Children and Young People					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
10.14 <i>The proposals set out in this White Paper will generally have a positive impact on children, young people and their families</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.15 <i>The proposals set out in Chapter 2 (Balancing the responsibilities of National and Local Government) will generally have a positive impact on children, young people and their families</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.16 <i>The proposals set out in Chapter 3 (Renewing Democracy) will generally have a positive impact on children, young people and their families</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.17 <i>The proposals set out in Chapter 4 (Connecting with Communities) will generally have a positive impact on children, young people and their families</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.18 <i>The proposals set out in Chapter 5 (Power to Local Communities) will generally have a positive impact on children, young people and their families</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.19 <i>The proposals set out in Chapter 6 (Corporate Governance and Improvement) will generally have a positive impact on children, young people and their families</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.20 <i>The proposals set out in Chapter 7 (Performance in Local Government) will generally have a positive impact on children, young people and their families</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.21 <i>The proposals set out in Chapter 8 (Strengthening the Role of Review) will generally have a positive impact on children, young people and their families</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.22 <i>The proposals set out in Chapter 9 (Finance) will generally have a positive impact on children, young people and their families</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.23 What do you see as the <b>positive</b> impacts/effects of the proposals set out in this White Paper for children, young people and their families?					
10.24 How might these be further developed?					
10.25 What do you see as the <b>negative</b> impacts/effects of the proposals set out in this White Paper for children, young people and their families?					
10.26 How might these be mitigated against?					

Equalities					
Equalities in this context refers to groups with protected characteristics under the Equality Act 2010: Age; disability; gender reassignment; marriage or civil partnership (in employment only); pregnancy and maternity; race; religion or belief; sex; and sexual orientation.					
To what extent do you agree or disagree with the following statements:	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree
10.27 <i>The proposals set out in this White Paper will generally have a positive impact on equalities issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.28 <i>The proposals set out in Chapter 2 (Balancing the responsibilities of National and Local Government) will generally have a positive impact on equalities issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.29 <i>The proposals set out in Chapter 3 (Renewing Democracy) will generally have a positive impact on equalities issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.30 <i>The proposals set out in Chapter 4 (Connecting with Communities) will generally have a positive impact on equalities issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.31 <i>The proposals set out in Chapter 5 (Power to Local Communities) will generally have a positive impact on equalities issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.32 <i>The proposals set out in Chapter 6 (Corporate Governance and Improvement) will generally have a positive impact on equalities issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.33 <i>The proposals set out in Chapter 7 (Performance in Local Government) will generally have a positive impact on equalities issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.34 <i>The proposals set out in Chapter 8 (Strengthening the Role of Review) will generally have a positive impact on equalities issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.35 <i>The proposals set out in Chapter 9 (Finance) will generally have a positive impact on equalities issues</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.36 What do you see as the <b>positive</b> impacts/effects of the proposals set out in this White Paper on equalities issues?					
10.37 How might these be further developed?					
10.38 What do you see as the <b>negative</b> impacts/effects of the proposals set out in this White Paper on equalities issues?					
10.39 How might these be mitigated against?					

Other Issues
Are there any proposals set out in the White Paper that have particular issues with regards to the following areas:
10.40 Privacy <i>[how personal information, related to groups or individuals, is collected, stored, protected, shared and managed as a result of policy development and delivery]</i>
10.41 Rurality <i>[how the needs of the people who live, work, socialise and do business in rural areas are objectively considered in policy development and delivery]</i>
10.42 Health <i>[how the health and wellbeing of a population may be affected by a proposed action]</i>
10.43 Biodiversity and Habitat Regulations <i>[how biodiversity might be conserved and enhanced to halt the loss of habitats and species, and to take action to restore and enhance them by a proposed action]</i>
10.44 Climate Change <i>[how proposed actions will contribute to reducing emissions by 3% in devolved areas.]</i>
10.45 Environmental Impact Assessment <i>[how protection for land with special environmental, historic or cultural importance may be affected by a proposed action]</i>
10.46 Strategic Environmental Assessment <i>[how environmental issues are considered as part of proposed action]</i>

**To all Local Authority Leaders and Chief Executives, Chairs and Chief Officers of the Fire & Rescue Authorities, Chairs and Chief Executives of National Park Authorities in Wales**

Dear Colleague

**WLGA Draft Response to the Welsh Government's White Paper "Reforming Local Government: Power to Local People"**

Following unanimous agreement at the WLGA Coordinating Committee meeting on March 27<sup>th</sup> 2015, it was agreed to seek the views of all WLGA members across Wales on WLGA's draft response to the White Paper "Power to Local People".

It was the view of members that the draft response represents an excellent and detailed summation of potential local government positions to the many and varied proposals in the White Paper. The vision set out by Welsh Government and the debate this has generated has been fully embraced in local government. Indeed, it is the view of members that this approach based on the possible form and functions of local government should have commenced before the discussion on structures.

Members were keen to stress the elements in the White Paper which were positive and are to be welcomed. These include a power of general competence, the push for greater diversity in Councillor membership, and the commitment to have a full examination of local government finance.

There are other elements of the White Paper, however, which are hugely controversial and have generated an adverse response amongst councils. These fall into key categories:

**Communities** – WLGA leaders agreed that the debate on more powers to councils that is currently happening across the UK is not occurring to a sufficient degree in Wales. The principles of devolution of power to our communities through local government, a localist philosophy and the principle of subsidiarity need to be at the heart of Welsh public policy.

**Choice** – WLGA leaders agreed that key principles of local democratic choice are at stake. Leaders believe for example that it is for communities through the ballot box to determine the length of time politicians are in post. They also believe that it is a fundamental principle that councillors select and appoint their own senior managers. These and many other examples are at the core of a localist approach.

**Consistency** - Many of the proposals in the White Paper apply exclusively to the local government sector. It is the view of WLGA leaders that for any debates on these matters to have credibility, and for councils to properly engage in a meaningful way, the potential reforms must apply to all levels of government in Wales.

**Complexity** – The White Paper adds more complexity into an already crowded public services landscape. The White Paper highlights reforms to community councils, a new system of area boards, new requirements around LSBs, the development of City Regions and a raft of other legislative proposals. These proposals appear to contradict the recommendations of the Williams Report, which sought greater clarity and significant reform. The proposals on a new improvement review framework also fall into this category.

**Clarity** – To properly answer some of the key issues in the White Paper this must be predicated on the need for a resolution to the debate on local government reorganization, for example, determining what is the appropriate number of councillors in Wales. The LGR debate has stalled and a further map is awaited. WLGA leaders repeat their call to be fully involved in the determination of the future shape of Welsh councils.

**Commissioning** – The White Paper proposes an accelerated model of local authorities commissioning services through mutuals, the third sector, social enterprises etc. The WLGA recognises that this is but one of many mechanisms to transform services and has severe limitations. It is the view of WLGA that the default model of direct public services, democratically accountable to local politicians and infused with a public sector ethos is the preferred operating model.

**Councillors and Democracy** - WLGA leaders want the debate on the future of local government to be based on the principles of respect, full engagement and partnership. WLGA is eager for Welsh councils to fully reflect the diversity of our communities. But we also want to ensure the contribution of all who stand for election in these difficult times is fully recognised and valued. They should be applauded for their dedication and commitment to serve communities across Wales often to the detriment of their family life and careers.

The WLGA draft response comes in the form of both an Executive Summary and a more detailed document setting out views on the many proposals in the White Paper. This is a long response but the debate generated by the White Paper is fundamental and it is important that WLGA, as the representative body of councils in Wales, seeks to address the issues contained therein. We are consulting councils on the contents of this and asking key questions:

1. Do you broadly support the approach taken and the contents of the response?
2. Do you think that the response sets the right tone and its recommendations can be fully supported?
3. Do you think there are issues or ideas that should be included in the response, which are currently missing?

Following our discussion at the last weeks Coordinating Committee we are using this period between now and the end of the Welsh Government consultation to seek authorities views on this draft. We would like to get a firm view on the direction of travel from each authority across Wales and all parts of the WLGA membership. It is hoped that this draft will in addition, assist councils in their formulation of views to the White Paper. Therefore we need your comments by **Tuesday 14<sup>th</sup> April 2015** to report back to our Management & Audit Sub Committee.

We would also urge those councils who are supportive of this response and thus not intending to submit an individual council submission to write to Welsh Government indicating their endorsement.

Yours sincerely **Councillor Bob Wellington CBE** Leader

# Draft response to the Welsh Government's White Paper "Reforming Local Government: Power to Local People"

## 31st March 2015

### INTRODUCTION

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales. The three fire and rescue authorities and the three national park authorities are associate members.

2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.

3. A draft Executive Summary is set out in pages (i) to (vii).

4. A full draft response to the White Paper is set out in pages 1 to 37.

5. WLGA would be grateful to receive any comments from the membership on the draft response to the White Paper and a response by 14<sup>th</sup> April 2015 would be appreciated.

### For further information please contact:

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## Executive Summary - WLGA Draft Response

### Chapter 1 - Welsh Government Vision for Local Government in Wales

The Welsh Government vision for local government sets out the concept of an “activist” council which has derived from “the best international experience, and drawn on the experiences of the co-operative councils movement in the UK”. There is a welcome proposal of a power of general competence for all Welsh Councils. However many of the proposals to underpin this vision are qualified and conditional on creating larger reorganised councils.

#### Response

- WLGA welcomes the debate that has started on developing a vision for the future of local democracy in Wales and is committed to taking this forward in an open and constructive manner.
- WLGA members believe that the “activist” council model has real attractions but that it would require greater autonomy for local authorities than is afforded currently by central government and recognition that a public service ethos is fundamental.
- WLGA members are firmly of the view that the principles of localism and subsidiarity need to be embraced by all levels of government in Wales.
- WLGA and our colleagues across the UK support the concept of a Constitutional Convention following the general election with every nation and region in the country engaged in a dialogue with our communities about how power needs to be dispersed and how sub-national devolution can be strengthened.
- WLGA members believe that the Welsh Government should rapidly move forward to de-hypothecate all specific grants following the approaches in England and Scotland.

### Chapter 2 - Balancing the responsibilities of National and Local Government

This chapter recognises that a new approach is needed to underpin central local relations in Wales and will be achieved by a review of the body of local government legislation. It also highlights that Welsh Government remains firmly of the view that both structural and organisational reform of Local Government is necessary.

#### Central local relations

#### Response

- WLGA repeats its call for clarity from Welsh Government on how local government reorganisation is to be funded and for an end to the current ambiguity on structures.
- WLGA calls for an independent review of central local relations in Wales aimed at producing clearer accountabilities and ensuring that the interface between devolved and local government drives priorities.

- WLGA calls for an annual meeting between all Welsh Government Cabinet Members and the 22 leaders to exchange ideas, plan implementation of legislation and test strategic direction of key policies. This can also be used as an opportunity to discuss new approaches.
- WLGA supports the review of the body of local government legislation and the recasting of local authority constitutions

## Chapter 3 – Renewing Democracy

The proposals in this section deal with suggested reforms aimed at renewed democracy. These include reducing the number of councillors across Wales, term limits, right of recall, possible election by thirds etc. This chapter has proved the most controversial to date in the discussion around the White Paper. The tenor of discussions thus far has failed to recognise the time, commitment and service of existing councillors in relation to working in their communities and improving councils.

### Councillor Numbers

#### Response

- WLGA proposes that a definitive view on council structures needs to be reached before the question of councillor numbers can be answered.
- WLGA advocates that any proposals must examine the optimum level of representation for a locality rather than focusing on averages across the UK.
- WLGA calls for the immediate formation of a Commission between Welsh Government, the Boundary Commission and WLGA to make progress on the way forward on levels of representation.

### Remuneration

#### Response

- WLGA calls on Welsh Government to undertake a national review of comparative levels of remuneration beyond local government across the public sector, including non-elected bodies in Wales.
- WLGA does not feel that the case has been made for reducing allowances at a time when the size of authorities and the scale of responsibilities are increasing.
- WLGA believes that the work of the Independent Review Panel needs to be examined to understand why a system of allowances subject to objective evaluation and accumulated benchmarking since 2007 is now deemed not fit for purpose.



## Term Limits

### Response

- WLGA does not support the concept of term limits. While WLGA members are fully prepared to engage in a national debate on term limits this must be on the condition that it covers all levels of political representation in Wales.

## Right of Recall

### Response

- WLGA does not support the concept of right of recall. While WLGA members are fully prepared to engage in a national debate on the right to recall this must be on the condition that it covers all levels of political representation in Wales.

## Diversity

### Response

- WLGA fully supports the promotion of more diversity in Welsh Local Government and the provisions of the report “On Balance”
- WLGA believes that the promotion of diversity in local government must start with the selection processes of the political parties.

## Electoral Cycles

### Response

- WLGA fully supports a five year fixed term electoral cycle
- WLGA rejects the proposals for 3 year electoral cycles for the reasons highlighted in our response.

## Senior Officers

### Response

- WLGA believes that consideration should be given to initial fixed term contracts for Chief Executives so as to avoid the need to legislate in this area.
- WLGA is not persuaded by the case for a public services appointments commission and believes that it denies the key principle of local democratic choice in senior appointments.
- WLGA supports the idea of the Staff Commission having a role in commenting upon and reconciling salary levels for senior managers within a more consistent national framework across all public services.
- WLGA does not support lifting the electoral qualification for officers to stand as councillors in their own authorities.

## Chapters 4 & 5 - Connecting with Communities and Empowerment

This section examines the potential role of area boards and reforms to town and community councils. It stresses the importance of member led community governance, however some of the proposals also add to the complexity of local governance frameworks which actually confuse and diminish the accountability of members at the local level.

### Response

- WLGA supports fully the concept of member led community governance.
- WLGA believes that in some cases Area Boards can add value but only when there is local demand and not when imposed through national frameworks.
- WLGA calls on Welsh Government to implement the Williams Report recommendations on reducing complexity before any new localized structures are put in place.
- WLGA supports the proposal to give the new principal councils the power to lead reform of town and community councils.
- WLGA does not believe that a full review of governance and structures of Community councils can be completed by 2022
- WLGA is committed to public service provision through local government and, while accepting that alternative models of service delivery must be explored and considered, believes that the future sustainability of public services will rely on direct provision by councils.

## Chapter 6 - Corporate Governance and Improvement

The White Paper outlines continued commitment to the concept of self-improvement, where councils themselves remain responsible for identifying their own improvement priorities, identifying and mitigating improvement challenges and risks and managing service performance. The White Paper therefore proposes a repeal of the more general improvement provisions in Part 1 of the Local Government (Wales) Measure 2009 and reaffirms an intention to retain Ministerial intervention powers, including a new power to commission an independent governance review of an authority in certain circumstances.

### Response

- WLGA welcomes the Welsh Government's continued commitment to and strengthening of an improvement regime based on self-assessment and self-improvement.
- WLGA supports the general proposals to strengthen the role of Audit Committees, but the Welsh Government should also seek to clarify the distinct remit and roles of audit and scrutiny

- WLGA does not support the proposed reforms to ensure that the chair of Audit is an independent member or that Audit Committees should include a greater proportion of independent members.
- WLGA welcomes the White Paper's recognition of the value of peer review, but believes it should remain a sector-led, sector-owned and sector-commissioned model and should not be statutory or prescribed.

## Chapter 7 - Performance in local Government

The White Paper further explores the key components of effective governance and self-improvement and outlines proposals for a requirement for councils to publish a corporate plan that covers the short, medium and long term, annual reporting arrangements covering performance for the previous year. The White Paper also clarifies Welsh Government intention to streamline the performance measurement regime in line with the Williams Commission recommendations and proposes the establishment of an online information portal including councils' performance information and performance documentation and reports.

### Response

- WLGA supports many of the aims of the White Paper around seeking to streamline and more effectively and transparently measure, manage and report council performance.
- WLGA and Data Unit welcome the Welsh Government commitment to working with partners in developing the proposed new, streamlined approach.
- WLGA does not support proposals for 'financial penalties' and thinks it will unfairly undermine performance and attainment of standards. The White Paper does not explore the potential of minimum standards in detail.
- WLGA supports the proposal that councils should produce a comprehensive corporate plan, but is not convinced it will lead to clearer demarcation of the respective roles of councillors and senior managers and, given its comprehensiveness and complexity, it will not support or promote public engagement or accountability.
- WLGA supports the White Paper proposals around openness and transparency of council business and recognises the potential for increased service provision and customer contact through digital channels.

## Chapter 8 - Strengthening the Role of Review

The White Paper outlines the Welsh Government's plans continued commitment to the concept of local democratic oversight and scrutiny of local government and, potentially, partner organisations. The White Paper outlines proposals to further clarify, support and strengthen local scrutiny, the relationship of scrutiny with external inspectorates and regulators and improved coordination of information and activities of such external bodies.

## Response

- WLGA supports many of the principles and objectives that underpin the chapter on strengthening the role of review, many of the individual proposals are also endorsed.
- WLGA supports the introduction of 'Key Decisions' to clarify the key issues which scrutiny should consider and may be subject to call-in when appropriate. Similarly scrutiny forward work planning could be strengthened, but prescription should be proportionate.
- WLGA recognises the contribution and value of co-optees but it should be a matter for local determination regarding the role and voting rights of co-optees.
- WLGA does not support the proposal to legislate to ensure that collaborative or jointly commissioned services have a joint scrutiny committee. Local accountability arrangements should be left to the discretion of constituent authorities.
- WLGA supports the proposals around strengthening the links between external inspection and regulatory bodies.
- WLGA supports in principle the proposed joint 'whole system assessment' of authorities, but a biennial assessment does not appear to be proportionate and could place a significant burden on authorities.

## Chapter 9 - Reforming Local Government Finance

This chapter highlights longer term proposals for reform of the finance system in Wales supported by changes to the way local services are funded and the mechanisms for distributing, raising, managing and accounting for the funding.

## Response

- WLGA would argue that as the arena of local government finance is the key issue facing local government, reform should be given greater prominence within the White Paper.
- WLGA fully supports the White Paper proposals on council tax revaluation, reform of the local government funding formula and new approaches to local taxation.
- WLGA has commissioned an Independent Commission on Local Government funding to examine the crisis in local government funding and the Welsh Government is invited to participate in this work.

# Agenda Item 10.

Council – 28 April 2015

## COUNCILLORS' QUESTIONS

### PART A – SUPPLEMENTARIES

1.	<p><b>Councillors E W Fitzgerald, D G Sullivan, L James, S M Jones, K M Marsh, I M Richard &amp; G D Walker</b></p> <p>There were 244.5 more children in Swansea schools at year end 2014/15 than anticipated. In view of the impact on school budgets could the Cabinet Member clarify the following:</p> <ol style="list-style-type: none"><li>How many children were in the system in April 2014 and September 2014?</li><li>How many children were in the system at the end of January 2015?</li><li>Where have all these additional children come from?</li></ol> <p><b>Response by the Cabinet Member for Education</b></p> <p>In April 2014, there were 35,888 pupils attending Swansea schools.</p> <p>In September 2014, there were 34,758 pupils attending Swansea schools.</p> <p>As of 31 January 2015, 35,602 pupils were attending Swansea schools.</p> <p>At 31 March 2015, an estimated 36,003 pupils were in Swansea schools. This figure can only be an estimate at this moment in time as end-of-term data is still being processed and, as such, this figure is currently unverified.</p> <p>We are unable to determine exactly where pupils have come from.</p>
2.	<p><b>Councillors C A Holley, M H Jones, J Newbury</b></p> <p>In a written response (Council Summons 31st March) to a question asked at the Council meeting on the 3<sup>rd</sup> March 2015 the Leader responded that “general building maintenance is undertaken on a prioritised basis” he further states that “there is no programme for non-essential planned maintenance such as painting and decorating” Can the Leader explain to Council how our assets are going to be maintained given the amount of money that has been spent especially on the Guildhall in recent years or are they going to be left to deteriorate as has happened previously?</p> <p><b>Response by The Leader</b></p> <p>As previously stated, all works are based on a prioritised basis with an emphasis on H&amp;S, business continuity and statutory compliance. This work in itself means that the building is maintained and all essential elements and services are maintained and are fit for purpose. The reference in the response relates to the original question and the example of painting and decorating, for which there is no essential need and given the stark choices the Council faces in difficult economic times, it is an element that would not figure in the programme of works. The actual reduction in the backlog maintenance figure since 2012 is £36m.</p>

3. **Councillors E W Fitzgerald, D G Sullivan, L James, S M Jones, K M Marsh, I M Richard & G D Walker**

School governors across Swansea are alarmed that the projected reductions in delegated funding for 2015/16 onwards is unsustainable and will have a significant adverse effect on the delivery of education to children in Swansea and also impact on staff. What advice can the Cabinet Member give to reassure governors?

**Response of the Cabinet Member for Education**

Swansea Council is committed to giving relative prioritisation to school budgets. We have to achieve at least £81m of cuts over the next few years and other areas of the Council are seeing much greater budget reductions so that we can minimise pressure on school budgets as much as possible.

School delegated budgets are being reduced by 5% in real terms this year while other services will see planned reductions of up to 50% in the next few years. Delegated cash budgets under the school funding formula will see an average 3.2% reduction.

It is important to remember that school budgets are facing a range of pressures beyond the Council's control, including teachers' pay and pensions, future National Insurance changes, changes in pupil numbers and a 12% reduction in Welsh Government grants. These additional cost pressures have been estimated and included in the Medium term Financial Plan going forward and as such are currently proposed to be funded within the savings targets currently identified.

To help ease the pressure on schools, Swansea's Education Department has also cut almost £2m from its own budget in savings in 2014-15 and a further £1.4m in 2015-16. Delegated cash budgets to schools have grown to more than 86% so that schools can take more responsibility for managing services they wish to provide based on local need and expectation. It is the responsibility of individual governing bodies to set a budget for their schools.

Our commitment to education as a top priority remains clear. Should additional funding or resources become available over the coming months or years, these will be directed towards education.

Earlier this month, we established an Education Strategic Group to act as an innovation and ideas forum, drawing together schools and local authority Members and officers. This group, which includes a number of headteacher and governing body representatives, will advise on the development of coherent financial strategies for education in the City and County of Swansea.

4. **Councillors M H Jones, J W Jones, A M Day**

With all the cuts that are being made to Budgets can the Cabinet Member for Anti -Poverty tell Council what effect he thinks these cuts will have on:

- a. The Third sector being able to deliver their Anti- Poverty work and;

b. The 5% cut to the schools Delegated Budget will have on opportunities for Children and Young People as a large number of schools will be losing experienced and valuable staff?

**Response by Cabinet Member for Anti-Poverty**

**Response A**

As you aware the Council has to save from its budget £81m over the next three years. This figure is also likely to rise. With this enormous and unprecedented challenge in mind the Council has focussed its resources on achieving five clear priorities. One of which is Tackling Poverty. To continue our commitment we have safeguarded the Poverty & Prevention budget through the recent budget setting process with the smallest reduction possible, with reductions that have not and will not affect our ability to deliver this vital agenda. We have also committed across our Medium Term Financial plan a potential increase in the budget for tackling poverty by 5%.

The Council is continuing to commission and grant fund the third sector through multiple departments as they provide a vital often frontline service to many of our vulnerable people. This is not exclusive to the Poverty & Prevention service, but across the City & County's departments and services.

**Response B**

We will continue to liaise with schools to ensure all pupils receive the best possible education and support to provide our young people with an exciting 21st Century curriculum that best meets their needs. We will be working closely with schools to ensure the impact of any budget change is minimised. Officers, especially through Hub and regional working arrangements, will support schools to ensure the impact on pupils is minimised.

We are currently investigating how decreasing budgets might impact on schools in the medium and longer term. There will be implications, but a different way of organising schools and delivering teaching and learning could help to mitigate the effects of a reduction in funding. The Education Strategic Group, which includes a number of headteacher and governing body representatives, will advise on the development of coherent financial strategies to minimise the impact of decreasing budgets on learning opportunities.

Our commitment to education as a top priority remains clear. Should additional funding or resources become available over the coming months or years, these will be directed towards education.

5. **Councillors E W Fitzgerald, D G Sullivan, L James, S M Jones, K M Marsh, I M Richard & G D Walker**

Will the Cabinet Member for Education explain why the details of the cuts in payments for school breakfast clubs, applicable from 1<sup>st</sup> April 2015, were only supplied to schools on the 20<sup>th</sup> March 2015? This was just as the schools broke up for a two week break, giving them no opportunity to plan any changes or consult with parents. Is the Council prepared to reimburse schools to cover their losses until they are able to put into place reduced operating times or charge parents for the additional half hour?

### **Response by the Cabinet Member for Education**

We recognise that this communication was distributed later than when we would have liked. Unusual operational difficulties within the Education Department during the period January to March 2015 have caused some regrettable delays in issuing certain notifications to schools, for which we can only apologise. This situation has now been largely remedied.

In light of the compressed timescale given to schools in respect of funding for breakfast club provision, we issued further advice to schools providing additional funding to cover the period up 1 June 2015 (i.e. Summer Half-Term Holiday). This will provide schools with over six weeks to notify parents/carers of the change in arrangements.

We also advised schools that funding would be allocated from 1 June 2015 for supervision staff for 30 minutes per day (the cook and food costs will continue to be met centrally) based on the required pupil to adult ratios. We have agreed additional funding for very large schools with daily pupil numbers exceeding 200 and to those with a split site.

Members will be aware that the Council is required to provide a free Breakfast Club where a Governing Body requests to run such a club. However, the only mandatory element is the breakfast provision itself. In order to support schools, we are also investigating sponsorship opportunities to support the cost of Breakfast Clubs in Swansea and we will contact schools again when we have further information.

6. **Councillors E W Fitzgerald, D G Sullivan, L James, S M Jones, K M Marsh, I M Richard & G D Walker**

“Educated Otherwise Than At School (EOTAS) Consultation Proposals” were not included on the Council’s website. This lack of consultation also affected schools and governing bodies even though the proposals will impact upon main stream schools. Additionally, Councillors were not notified of the proposals or asked for comments, although many Councillors are also school governors. Parents of children receiving EOTAS were only informed of the consultation meeting just three days prior to it being held. Therefore, is the Leader and the Cabinet Member for Education satisfied that this consultation process was adequate or fair to the children of this city who are in need of additional help with their education?

### **Response by the Leader/Cabinet Member for Education**

As a council, we are committed to ensuring all of the children living in our city have the opportunity to make the most of their education and school years. The support we give is designed to help overcome barriers to learning so children have the opportunity to achieve educational, social, emotional and behavioural goals of which they can be proud and to support them to prepare for adult life.

A review of the EOTAS provision was commissioned by the Executive Board following the Estyn report published in September 2013. The review made three recommendations:



	<p>R1. Increase the number of pupils receiving effective support in mainstream schools and reduce the demand for EOTAS;  R2. Reduce places and reconfigure EOTAS provision;  R3. Improve standards and quality in remaining EOTAS provision.</p> <p>The recent consultation that closed 27 March 2015 related to addressing Recommendation 2 above. The consultation was not on the Council website as there is no mandatory requirement to do so.</p> <p>All schools have been sent the proposals which should have been shared with Governing Bodies. Secondary and Primary Head Teacher representatives were invited to formal consultation meetings and many have responded formally.</p> <p>All parents have been given the consultation paperwork and had an opportunity to respond in writing to the proposals. The questionnaires were designed to address the changes as they specifically impact on the various groups in the PRU portfolio in different ways.</p> <p>The pupil questionnaires weren't sent out at the beginning of the consultation period. However, the consultation period was extended to enable all pupils to respond. A large number of pupils have responded formally to the consultation.</p> <p>The views expressed by staff, parents, pupils and the trade unions will now be analysed before any decisions are taken.</p>
7.	<p><b>Councillors C A Holley, J Newbury, J W Jones</b></p> <p>Will the Leader/Cabinet Member tell Council if there are any plans to have one site for a Council depot?</p> <p><b>Response of The Leader</b></p> <p>A key strand of "Sustainable Swansea Fit for the Future Programme" relates to the overall asset management and the potential reduction and rationalisation in the total number of asset held by the Council. A project is currently underway as part of this strand and options for the future rationalisation of depots is due to be considered during 2015/16 financial year. This programme is considering all the options including a single location and this will need to take into account capital and revenue implications of all options being considered.</p>
8.	<p><b>Councillors E W Fitzgerald, D G Sullivan, L James, S M Jones, K M Marsh, I M Richard &amp; G D Walker</b></p> <p>Swansea Council has a monopoly on the provision of many services, such as crossovers, but provides no time frames for the delivery of such services, sometimes leaving its customers waiting for six months after payment for the service to be delivered. Will the Cabinet Member for Place consider setting Service Agreements with time frames to ensure the provision of an acceptable level of service to the public?</p>

**Response of the Cabinet Member for Environment and Transportation**

The policy of allowing householders to construct crossings was changed several years ago due to:

1. The poor quality of workmanship with the resultant safety and maintenance issues.
2. Crossings were being constructed illegally.
3. The work was being undertaken by people/companies without a licence to open the highway.
4. The present system regulates the procedure, ensures quality of product and eliminates the additional safety and maintenance issues.

The process is that householders apply in writing for a crossing and following authorisation the work is priced and an estimate forwarded. Upon payment the details are passed to the operational unit who generally commence within 6 weeks.

It is stipulated that any internal works are completed prior to the crossing being constructed to avoid damage to the new crossing. This can delay the construction but this is clearly stated in the documentation forwarded and has proved to be a prudent measure.

There have, regrettably, been longer delays in the last two to three months due to requirement to complete externally funded works before the end of the financial year. These works have enabled high profile projects such as safe routes in communities (e.g. Townhill scheme) to be undertaken. Constructing crossings has now been prioritised and the current backlog will be cleared as soon as possible and officers will make contact with all affected residents to confirm a timescales for completion

However I will request that officers review the service performance over the coming months to see if it is necessary to implement Service Level agreements and the Head of Service has given assurances that he will investigate any specific examples which are causing/have caused concern.

9. **Councillors E W Fitzgerald, D G Sullivan, L James, S M Jones, K M Marsh, I M Richard & G D Walker**

Can the Cabinet Member inform Members what action is being taken to reduce the nuisance of pink bags put out for collection being blown around whenever there is a wind, resulting in unsightly litter spillages on roads, verges and pavements?

**Response by the Cabinet Member for Environment and Transportation**

The Council is due to start a re-useable pink bag trial in April. These bags will be woven fabric, similar to the garden waste bags, but will include a recycled rubber mat weight sewn into the base to mitigate against the effects of high winds. The impact of high winds on the bags will be monitored through the trial.

10.	<b>PART B – NO SUPPLEMENTRIES</b>
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## Report of the Head of Legal, Democratic Services & Procurement

Council – 28 April 2015

### WRITTEN RESPONSES TO QUESTIONS ASKED AT THE LAST ORDINARY MEETING OF COUNCIL

The report provides an update on the responses to Questions asked during the last Ordinary Meeting of Council on 31 March 2015.

#### FOR INFORMATION

#### 1. INTRODUCTION

- 1.1 It was agreed at Council on 8 April 2010 that a standing item be added to the Council Summons entitled “Written Responses to Questions Asked at the Last Ordinary Meeting of Council”.
- 1.2 A “For Information” report will be compiled by the Democratic Services Team collating all written responses from the last Ordinary Meeting of Council and placed in the Agenda Pack;
- 1.3 Any consequential amendments be made to the Council Constitution.

#### 2. RESPONSES

- 2.1 Responses to questions asked during the last ordinary meeting of Council are included as Appendix A.

**Background Papers:** None

**Appendices:** Appendix A (Questions & Responses)

**Providing Council with Written Responses to Questions at Council –  
31 March 2015**

**1. Councillor M H Jones**

**Question**

In relation to revised figures verbal provided by the Cabinet Member do these include the staff who were on temporary contracts of under a year and had already been given notice? (Councillor M H Jones indicated that she would provide notes regarding this matter in the new term).

**Response of the Cabinet Member for Education**

The notes you were asked to produce do not evidence the claims you made in Council. Both the email and the Spending Restrictions paper contain sensible and prudent advice. Both documents offer advice to schools. School Governing Bodies are responsible for the management of their own delegated budgets. Information on staff on temporary contracts is held by schools.

At the present time I have no information on temporary contract staff.

**2. Councillor M H Jones**

As a result of the emphasis on Numeracy and Literacy in recent years, can the Cabinet Member indicate how schools were going to manage to help all children to be able to read at their chronological reading age when the staff schools are mainly losing Teaching Assistants that work with these children? How do you expect them to access the Curriculum when they get to Secondary School.

**Response of the Cabinet Member for Education**

The recommended ratios of teaching assistants to pupils will be preserved through the Education Improvement Grant. Older children, who are still learning to read will receive differentiated support from their class teachers, in the first instance, as well as a level of enhanced support to improve their basic skills. However, it must be acknowledged that as budgets become tighter, the expectations of class teachers will increase in terms of the level of differentiated support required.

This will be a challenge for schools but it must also be recognised that short term interventions using teaching assistants is not the most effective way of improving reading skills. Good quality teaching of early reading skills by qualified teachers is key here. The most effective teachers are successful in meeting the needs of a wide range of learners and this is not wholly dependent on teaching assistants.

Children who have poor literacy skills on transition to secondary schools will continue to benefit from additional support and differentiation to ensure that the curriculum is appropriate to their ability.

Secondary schools are working effectively with cluster primary schools in Swansea to ensure that there is an early recognition of pupils with low reading

ages. Support is planned for at a much earlier stage so that provision can be adapted in good time.

Again, research tells us that teacher assistant intervention is not always appropriate, sustainable or useful to a learner. In times of tighter budgets schools will be required to make the best use of the resources they have and this may mean adapting teaching to ensure that learners continue to access the curriculum appropriately.

### 3. Councillor P M Meara

How does the table produced in respect of the number of liability orders issued in respect of the past financial years compared to the collection rate differ from that in other cities?

#### Response of the Leader

There are no comparative figures published for all Welsh Authorities that state the number of liability orders obtained individually each year.

We are part of the CIPFA Benchmarking Club for Council Tax. This has members from both Welsh and English Authorities and the annual reports do contain average figures as follows:

Year	In Year Collection Swansea	Group Average	Number of Liability Orders per 1000 dwellings Swansea	Group Average Liability Orders Per 1000 dwellings
2011/12	96.2%	96.8%	74.60	94.48
2012/13	96.7%	96.7%	93.83	94.87
2013/14	96.8%	96.4%*	87.21	118.33

\* Reduced figure for 13/14 reflects the removal of 100% Council Tax Reduction in England.

### 4. Councillor P M Meara

What support do people get from the free debt advice organisations?

#### Response from the Leader

The organisations I referred to last time provide various types of free, practical support to people with debt:

#### National Debtline

National Debtline is a free, confidential, debt advice service for people in England, Wales and Scotland, run by the charity the Money Advice Trust. They offer website and telephone advisory help. Their website offering includes guides, fact sheets, budget tools, sample letters to help people write to their creditors, and an option to email questions to advisors.

### **Citizens Advice Bureau**

The Citizens Advice service helps people to resolve their problems. They offer to deal with any issue, from anyone, spanning debt and employment to consumer and housing plus everything in between.

They offer online website advice, a now fully operational national telephone advice service in Wales, and access to local Citizens Advice Bureau. Citizens Advice Bureau offer free, confidential, impartial and independent advice from over 3,500 locations. Their advice helps people resolve their problems with debt, benefits, employment, housing, discrimination, and many more issues. It is available to everyone. Advice may be given face-to-face or by phone. Most bureaux can arrange home visits and some also provide email advice. A growing number are piloting the use of text, online chat and webcams.

### **Step Change**

This charity deals with clients with a range of debt problems. They offer free expert debt advice, based on people's personal circumstances, including specific advice and support on various debt repayment plans and options. They offer guides and tool online including a Debt Remedy online advice tool which gives a debt solution tailored to personal circumstances on an anonymous and free of charge basis. Alternatively they offer a debt telephone helpline and advice on how best to deal with debts.

### **Money Advice Service**

The Money Advice Service helps people manage all aspects of their money, not just debt. They do this directly through their own free and impartial advice service but also work in partnership with other organisations, and this is especially true of their debt advice work, predominantly signposting to other services and providing direct funding to partners to provide debt advice, including Citizens Advice. They offer a website presence with online tools, calculators and factsheets, a national telephone helpline and a web chat service.