

Equality and Social Justice Committee Well-being of Future Generations (Wales) Act 2015: Post-legislative scrutiny

Names if Appropriate

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Senedd Cymru | Welsh Parliament

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Ymateb gan: Cymdeithas Llywodraeth Leol Cymru | Evidence from: Welsh Local Government Association

Introduction to the WLGA

the Welsh Local Government Association (WLGA) is a politically led cross-party organisation that seeks to give local government a strong voice at a national level. We represent the interests of local government and promote local democracy in Wales.

The 22 councils in Wales are our members and the three fire and rescue authorities and three national park authorities are associate members.

We believe that the ideas that change people's lives, happen locally.

Communities are at their best when they feel connected to their council through local democracy. By championing, facilitating, and achieving these connections, we can build a vibrant local democracy that allows communities to thrive.

Our ultimate goal is to promote, protect, support and develop democratic local government and the interests of councils in Wales.

We'll achieve our vision by

- Promoting the role and prominence of councillors and council leaders
- Ensuring maximum local discretion in legislation or statutory guidance
- Championing and securing long-term and sustainable funding for councils
- Promoting sector-led improvement



- Encouraging a vibrant local democracy, promoting greater diversity
- Supporting councils to effectively manage their workforce.

As the Employers organisation for local government in Wales, we work to ensure the vital contribution made by local government employees to improving the social and economic health of their communities is protected, and to maintain positive industrial relations within our workforce.

Well-being of Future Generations (Wales) Act 2015: Post-legislative scrutiny

Background

- The WLGA welcomes the Committee's decision to undertake post-legislative scrutiny into the Well-being of Future Generations (Wales) Act 2015 ("the Act").
- The Act embraces all 22 local authorities, making it a statutory duty for Welsh Councils to ensure that their actions meet the needs of the present, without compromising the ability of future generations to meet their own needs.
- Reaching a ten-year milestone since Royal Assent provides a positive opportunity for the WLGA to engage with the Senedd's post-legislative scrutiny, and also to engage with the landmark report issued this year by the Future Generations Commissioner.
- In developing this response for the Equality and Social Justice Committee we have issued a call for information to our Members and received a range of responses. Five local authorities provided a response, and the evidence also reflects the experience of the WLGA itself in engaging with the Act directly and through our Cabinet Member and policy networks. Several local authorities have indicated that they will respond individually, and this collective WLGA response seeks to draw out common themes and present the view of the Association as a whole.
- We have allocated our evidence to six headings set out by the Committee in its Terms of Reference.

1. How far has the intended objective of the Act been achieved?

- 1.1. Realising the seven well-being goals that sit at the heart of the act requires a co-ordinated effort by all of the public bodies covered by the legislation, and depends also on national, UK and global factors. Wales' 22 local



- authorities are working towards the achievement of the goals and welcome the framework that the Act provides in that regard.
- 1.2. But attaining these bold and aspirational goals will ultimately be impossible without fair and sustainable funding for Welsh councils. Moving towards sustainable development, prevention and long-term planning requires up-front investment. The current financial situation facing local government does not reflect the spirit of the Act at all and at the local authority level all resources are directed to responding to immediate service pressures.
 - 1.3. The Welsh Government publishes its 'Wellbeing of Wales' report which aims to assess progress towards a set of national indicators and milestones associated with the Act's well-being goals. The analysis published by the government makes clear that the economic impacts caused by the Covid-19 pandemic and the war in Ukraine continue to influence measuring progress made towards the goals. It remains too early to judge whether the legislation has made a significant difference to actual outcomes from public service delivery.
 - 1.4. Positively, Welsh Councils report conclusively that the Act has brought about changes in the way they work, and that these changes are welcome and useful. The statutory duties the Act places on councils mean that officials have engaged with the seven well-being goals and five ways of working and have integrated them into decision-making and corporate planning.
 - 1.5. There is evidence across local government of a sincere engagement with the Act and its principles, utilising the well-being goals as a framework for adopting a more collaborative approach to decisions, with one responding authority stating that it utilises the Act in this way on a daily basis.
 - 1.6. At Denbighshire Council, for example, Well-being Impact Assessments are used as a way of ensuring that major decisions comply with the Act. Major decisions are assessed on implications for equalities, socio-economic disadvantage, Welsh language, biodiversity, and carbon impact—ensuring a balanced approach to decision-making that reflects the five ways of working.
 - 1.7. However, all Councils have indicated to the WLGA that the underfunding of local government has undermined the potential effectiveness of the Act.
 - 1.8. Specific problems include that a lack of dedicated funding for Public Service Boards (PSBs) and prescription around the Wellbeing Assessments and associated Plan mean that PSBs could have achieved more if there had been greater freedom and fewer constraints.
 - 1.9. Focussing on the five ways of working that are intended to realise the Act's goals, **collaboration** now represents a complex web of partnerships, which have varying degrees of effectiveness and some of which exist only because there is a statutory requirement, rather than because they are leading to improved outcomes. Collaboration can be restricted by short-term grant allocations and statutory obligations that require significant bureaucracy. There is support for the Future Generations Commissioner's



- recommendation on streamlining partnership structures across Wales to improve efficiency,
- 1.10. The commitment to **involvement** is crucial but expanding upon existing mechanisms is difficult with limited capacity and funding. The financial reality imposed on local government means that most involvement is around how services will be amalgamated or closed, or how fees and charges will be increased in order to make the services financially sustainable. The budgetary situation means that there is little scope for community involvement that is ambitious and is around expanding services or creating new initiatives.
 - 1.11. Councils welcome the emphasis on **prevention** but this requires an 'invest-to-save' approach. For example, the flooding coastal defence scheme at Colwyn Bay, led by Conwy Council, represents a preventative approach to climate change adaptation but also delivered urban renewal and biodiversity benefits through its design. By providing funding to Conwy Council's project from outside of the local government financial settlement, the Welsh Government enabled a better preventative approach to be delivered by the council. The WLGA notes the Wales Audit Office finding 'accelerating progress under the Act starts with prioritising prevention' and that this requires a systematic shift at all levels of government.
 - 1.12. On **long-term**, councils struggle to balance the need for long-term sustainability with the urgent need to meet statutory duties and critical short-term pressures.
 - 1.13. Councils believe that more needs to be done on **integration**. Progress has been made on including other public sector within the statutory obligation, but there is a need to approach the well-being goals through a collective public sector lens.

2. Views on any action which should be taken to improve the effectiveness of the Act and its implementation, including any specific drafting issues

- 2.1. We received substantial suggestions from councils in favour of reviewing the requirements around PSBs, and around Well-being Assessments and Plans. One council believed that the requirements seem dated as significant progress has been made at the PSB since the Act came into force, with the level of prescription now feeling unnecessary and a hindrance to PSBs being more dynamic and innovative. Another council was more critical and stated that PSBs add no significant value to what is an already over-crowded partnership landscape. Even a less critical view from another council which valued the concept of PSBs still maintained that without "teeth or proper funding", the Boards have little ability to influence decisions compared to local government, Corporate Joint Committees and Regional Partnership Boards.
- 2.2. The requirements of the legislation for Well-being Assessments to be completed every five years are not proving as effective for councils as they might be. In light of the wider macro-economic challenges outlined above,



councils are not seeing significant change over the five year period, meaning that the assessments are likely to be repetitive – while also representing a large commitment of resources. Councils would welcome less-onerous ways for the assessment to be completed, or for the PSB to be better resourced to do so.

- 2.3. The scope of public bodies covered by the Act could also be reviewed and strengthened. There are numerous third sector organisations and bodies that fall outside the scope of the Act and are not required to comply, often relying on voluntary participation. This can affect the collaboration between the public bodies listed in the Act and these external organisations, particularly in areas such as service commissioning.
- 2.4. In terms of the Office of the Future Generations Commissioner and how it supports implementation of the Act, councils are turning their focus to responding to the commissioner's five-year report. The 50 recommendations are seen as relevant and having the potential to drive change (where they are not recommendations which reflect activity already being pursued), but the WLGA would underline that the financial constraints facing councils will make their implementation extremely difficult.
- 2.5. The WLGA and its member councils will thoroughly examine the recommendations and will work with the Commissioner to drive further progress towards the goals of the Act. But we continue to emphasise that only with greater resources can councils contribute fully to the well-being of Wales. Councils know that simply requesting more funding is also not sustainable, so advocate for preventative investment, to make better use of existing resources, and to reduce costs where programmes and initiatives are not contributing to the goals of the Act.

3. Views on whether the reporting requirements under the Act are being met

- 3.1. All councils contributing to this evidence were clear that the reporting requirements are being met and that this aspect of the legislation is uncomplicated.
- 3.2. The Well-being Objectives element is seen as working well because it aligns with Corporate Plans and annual reports. Councils have ensured that these strategic objectives are understood across organisations and that policy decisions align with the objectives and the wider aims of the legislation.
- 3.3. PSBs remain an area of weakness in terms of reporting. While the reporting requirements are being met, Councils again underline the lack of engagement with PSB well-being plans and annual reports, and note that the work of PSBs is often not referenced in other strategic documents.
- 3.4. Councils noted that meeting the reporting requirements is not challenging but would appreciate better linkages between the reports and assessing the overall impact of the legislation. Measuring the performance of local



services is difficult due to the lack of timely, comparable data at a local level, limited national survey data and the absence of consistent data reporting requirements for public bodies. This undermines the effectiveness of the National Indicators in driving change. The WLGA is deepening its support for councils through integrating Data Cymru into our organisation.

4. Views on the effectiveness of guidance made under the Act

- 4.1. Guidance under the Act has provided useful clarification, but is also seen as overly prescriptive. The usefulness of the guidance is in how it sets out the statutory requirements for setting objectives and reporting on them, and on the need to integrate the Act with existing performance processes.
- 4.2. The guidance successfully clarified the nature of the seven Well-being goals, which in an example from one council had initially caused some confusion, with officers being unclear on whether a Resilient Wales related mainly to community resilience or climate resilience.
- 4.3. But the prescription in the guidance is specifically seen as unhelpful regarding the process of preparing the Well-being assessments. Councils and PSBs should be given greater flexibility in agreeing how this exercise is undertaken.
- 4.4. Ongoing support from the office of the Future Generations Commissioner complements the statutory guidance and has been welcomed in the form of a national training series and an offer of tailored support on key pieces of work. There is a sense that this support is slightly overdue and can be built upon in the near-term.
- 4.5. Overall, councils feel that all guidance around the Act should be reviewed to reflect how public bodies operate in reality, and to place more trust in local government and other bodies on how the aims of the Act can be delivered. Guidance needs to reflect how councils can move towards prevention and long-term thinking/planning, rather than prescribing specific procedural steps that should be taken to fulfil the Act.

5. Views on how far the Act has been legally binding and enforceable

- 5.1. The extent to which the Act has been legally binding and enforceable remains unclear, as does its actual impact on decisions and outcomes when compared to direct factors such as public spending levels and the local impact of global events.
- 5.2. Local authorities have consistently complied with the statutory and reporting requirements of the Act and as already evidenced, have adhered to the spirit of the legislation. As evidenced, the Act plays a genuine and established role at all councils as a framework for decision-making and policy-making.
- 5.3. However, the Act contains no obvious tools to test whether policy decisions made in Wales (across all levels of government) are actually



advancing the well-being goals or not, and does not spell out any consequences for this not to happen. Similarly, the Act doesn't provide any resources that would enable Welsh Councils to fund greater prevention activities without impacting day-to-day services – further weakening enforcement of the Act's provisions.

6. Views on how far the Act has represented, and will continue to represent, value for money

- 6.1. There are two broad considerations around whether the Act represents value for money. Firstly, whether implementation costs are worthwhile compared to not having the Act. And secondly whether activity pursued as a result of the Act delivers financial savings, service improvements or social-economic and environmental value.
- 6.2. Welsh Councils have successfully integrated and mainstreamed the Act's ways of working, as indicated by our evidence and by the Wales Audit Office's April 2025 report 'No Time to Lose'. Implementing this culture change includes some corporate costs but is aligned with Corporate Planning activity that would have happened in any case, and doesn't feature as a significant cost pressure for local authorities.
- 6.3. However, there are administrative and capacity costs associated with the PSBs that are not consistently seen by Welsh Councils as representing value for money. At least one council believes that the annual support grant for PSBs offered by the Welsh Government created an additional administrative burden and contained prescriptive criteria; while noting that councils have still engaged meaningfully with applying for the grant across Wales. We would support reviewing the effectiveness of PSBs as a whole, examining potential funding streams, and unlocking maximum flexibility in how they are operated. Given the existence of a crowded regional landscape, it would make sense to review regional partnerships in the round or as a whole, and the WLGA believes this could be a matter for the next Senedd term.
- 6.4. In terms of whether the Act has changed the delivery of public services or the nature of local government decisions in a way that either saves money or creates better value for the same amount of money, this remains difficult to detect. The Act exists within a public services landscape where the cost of delivering key services around social care, cared-for-children, and ALN reform has outstripped increases in local government funding. Over the past decade up to 2023-24, local authorities' core revenue funding decreased in real-terms.
- 6.5. This means that an 'invest-to-save' approach to prevention is difficult to achieve. The opportunities in prevention are difficult to overstate, and future financial and social savings could be unlocked in homelessness prevention, community resilience, children's services and especially in public health (supported by non-statutory but at-risk local government services). The WLGA calls strongly for a systemic emphasis on long-term



prevention to be set by the Welsh Government, supported by meaningful resources and where decisions can be linked to the Act and the prospect of future savings.