

# National Assembly for Wales

## Environment and Sustainability Committee

### WFG 02

#### Well-being of Future Generations (Wales) Bill

#### Response from Merthyr Tydfil Local Service Board (LSB)

### **Merthyr Tydfil Local Service Board Response to the Consultation on the Well-being of Future Generations (Wales) Bill**

The Merthyr Tydfil Local Service Board (LSB) welcomes the Committee's invitation to comment on the Well-being of Future Generations (Wales) Bill 2014 as part of the Assembly's scrutiny process.

#### ❖ Introduction / Key Concepts

- Merthyr Tydfil LSB is pleased to note the move to make Public Service Boards (PSBs) and Well-being Plans a statutory requirement. Merthyr Tydfil LSB understands Welsh Government aim to make LSBs/PSBs stronger by placing it on a statutory footing.
- We believe it's important the Bill recognises the progress made by LSBs to date and supports PSBs to build on progress made; rather than seeking to 'reinvent the wheel'. We believe PSB's should be an evolution of Local Service Boards, not a replacement.

#### ❖ Improving Well-being

- Part 2 of the Bill outlines that Welsh Ministers must publish national indicators that may be applied for the purpose of measuring progress towards the achievement of well-being goals; and lays a copy of these indicators before the National Assembly. Merthyr Tydfil LSB is keen to identify the timeline for the introduction of this raft of national indicators as this is not explicit within the Bill.
- Merthyr Tydfil LSB believes it is very important that there is a consistent and streamlined approach to the identification of the national indicators/outcome measures. Between the various public sector bodies there are already a plethora of reporting mechanisms, requirements and indicators, some of which will be relevant to the areas covered by the Bill. In particular, new indicators will need to be aligned with the recently published National Outcomes Framework for Social Services (linked to the Social Services and Wellbeing (Wales) Act); as well as the NHS outcomes and population measures which are shared and not duplicated.
- Merthyr Tydfil LSB would appreciate some clarity regarding any potential overlap between the sustainable development duty on public bodies; early adopters of the Well-being of future Generations Bill and the work required to prepare of one of the ten 'building blocks' linked to the development of a long term strategy up to 2050.

#### ❖ Public Service Boards

- Some LSB members expressed concerns regarding the prescriptive approach taken by Welsh Government re: the new membership structure for PSBs. A number of points were noted linked to this:
  - The Board notes the appointment of the Chief Executive of Natural Resources Wales and the Chief Fire Officer as statutory members of each Board. We note the aims behind this; however, we have some concerns regarding the practicalities of two persons being able to attend each PSB meeting across their geographical service area ie. South Wales or all Wales;

- Merthyr Tydfil LSB is not clear on whether the legislation will allow delegation of responsibilities but would make the point that if this were the case; substitutes **must** have clear decision-making capability. If this were not the case; the benefit of involvement will be lost or, at least could slow down action flowing from the Board meetings if there was a consistent need to revert to the most senior officers for final decisions;
- There is a need to sustain the current high-functioning LSB partnership within Merthyr Tydfil; this has been key to the progress made against actions and measures in the SIP. The restructuring of the LSB/PSB may increase the risk of partners placing PSB-related activities lower on their organisational agendas;
- In Section 9.1 (Point 193) of the Explanatory memorandum accompanying the Bill; reference is made to Fire & Rescue authorities playing a key role in improving general well-being by undertaking activities such as improving community safety etc. We agree the Fire and Rescue authorities contribute to this agenda; however, there appears to be no linear links to the delivery of the Crime & Disorder Act in Merthyr Tydfil where Police take the main lead – this may reflect a lack of awareness as to delivery ‘on the ground’ at a local authority level and could lead to ‘old ground being covered’;
- In Section 9.1 (Point 194 and 195) of the Explanatory memorandum accompanying the Bill; reference is made to National Resources Wales (NRW) becoming a statutory member of PSBs to understand sustainable development and to strengthen the environmental aspects of well-being plans supporting integration of these with social and economic objectives. Members of Merthyr Tydfil LSB noted this may be positive; however, there was a risk that without local knowledge the impact/support which could be offered by the NRW Chief Officer would be lessened. They also highlighted that clarity was required regarding how the introduction of NRW would offer direct benefits to the communities across Merthyr Tydfil;
- It was noted that there may be an opportunity for conflict to arise with the Chief Constable & the Police and Crime Commissioner being ‘invited participants’; it was noted this may not be the case for Merthyr Tydfil/Cwm Taf as positive working relationships are in existence between the agencies in this area; however, it could be an issue in other areas;
- Merthyr Tydfil LSB has benefitted greatly from having an independent Chair. We strongly feel this should be explicitly permitted within the legislation, subject to certain matters being agreed (e.g.) consultation with all members (statutory and non-statutory). Should the opportunity for the appointment of an independent Chair be lost; there could be a corresponding loss of independent oversight;
- No specific reference is made explicit in the Bill re: the inclusion of a young person’s representative on a PSB; bearing in mind this links to provision under the Well-being of Future Generations Bill, this would appear to be an oversight which should be addressed in the Bill. Membership of the Merthyr Tydfil LSB includes representation of young people through the Chair of our Youth Forum and our Youth Mayor. Children and young people’s right to participate in all matters affecting them is enshrined in Article 12 of the United Nations convention on the Rights of the Child (UNCRC). When given the opportunity to participate, young people are also given the opportunity to make change – personally in their lives, in their communities and globally. In Wales, the children and young people’s participation agenda has developed in a distinct and unique way; these developments are set within the framework of Welsh

Government's commitment to the UNCRC, now formally adopted as the basis of all its work regarding children and young people (Rights in Action – Welsh Government 2004).

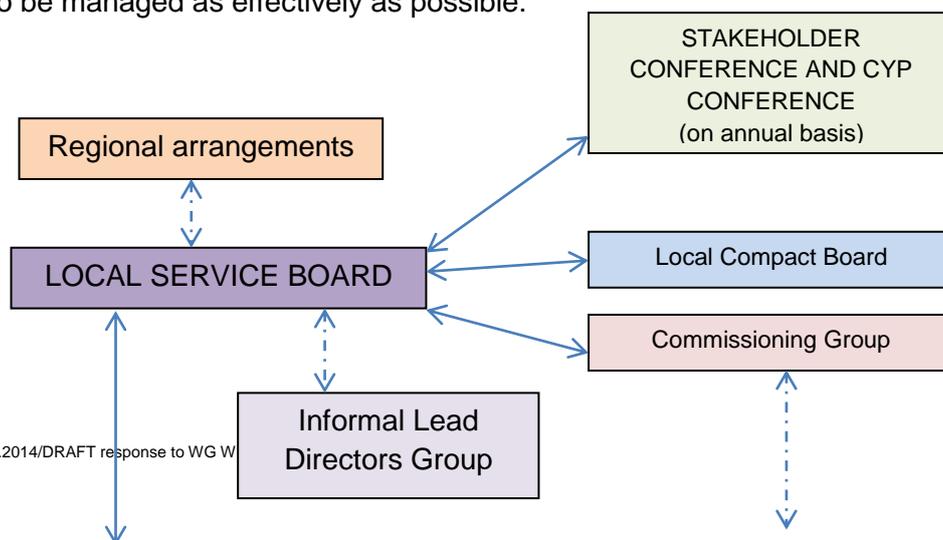
- In Section 49(1) of the Policy Intent document: ultimately the performance of Local Service Boards needs to be judged on change (improvement) in defined outcomes for local people. Evidence to demonstrate this (e.g.) indicators etc. are important and challenging. Merthyr Tydfil LSB feels there will be big challenges in measuring progress against goals consistently across Wales.

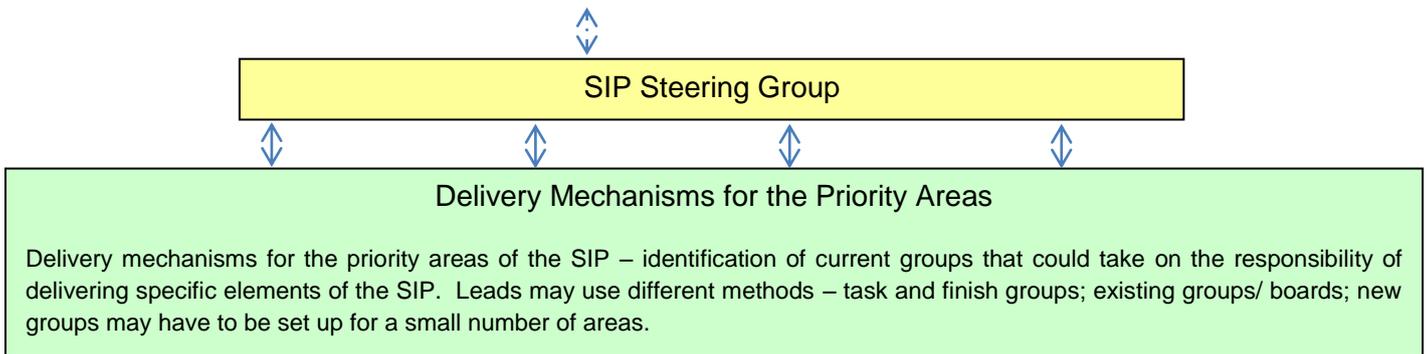
❖ Miscellaneous

- Some LSB members outlined the direction in Chapter 3 of the Bill under this heading referenced the following: “*Welsh Ministers may direct 2 or more PSBs to merge if the Welsh ministers consider it would be beneficial to the local aim of each Board*”. It was noted no final decisions had been made regarding the merger of local authority areas (who would merge with who). Additionally, members noted that discussions are taking place (within Welsh Labour) on a proposal that local authorities could merge across boundaries where a robust business case has been produced. Merthyr Tydfil LSB has requested clarification as to whether this has been considered when preparing the Well-being of Future Generations Bill.
- It is noted that reference is made in the Policy Intent document supporting the draft Bill to the examples of positive collaborative working across the Cwm Taf region. This reference to work in our area is welcomed as recognition of the good work already being done and the positive and flexible approach that has been adopted to tackle a number of issues and multi-agency service redesigns across the 2 local authority areas.
- LSB members highlighted the introduction of the Social Services and Well-being (Wales) Bill noting there were a number of areas where this linked in strongly with the introduction of the Well-being of Future Generations (Wales) Bill 2014. Risks of undertaking tasks which would be duplicated across differing sections of the Authority were noted.

❖ Schedule 3

- Under Schedule 3 Point 5 (administrative support); there's a statement outlining that the local authority must make administrative support available to the PSB. Clarification is sought as to whether the cost of this administrative support would need to be funded from the current local authority budget or should the costs of this administrative support be met by sharing it across the core members of the PSB;
- Under Schedule 3 Point 6 (sub-groups and delegation); the Bill states a PSB sub-group must include at least 1 PSB member. Does this regulation include 'Task and Finish' groups? We would not expect a Chief Officer to be available to attend an operational or task and finish group.
- Merthyr Tydfil LSB and its supporting network has been established to enable the significant areas of focus to be managed as effectively as possible:





- Merthyr Tydfil LSB updated its structure in July 2013 to ensure the developing requirements of SIP delivery were met and to include the most appropriate Operational Leads to report back on progress against their priority outcomes and areas. To facilitate this; Merthyr Tydfil LSB replaced its' former Partnership Board with a SIP Steering Group – this Steering Group is made up of operational/middle managers from across the partnership. The structure enables the LSB opportunities to provide challenge to the SIP Priority Leads on progress/performance made to date and offer observations/suggestions of service delivery etc. We are unclear as to whether this arrangement would need to be re-configured once again? Also, as this would be a sub-group of the LSB/PSB; would we require a PSB member to attend meetings of this group? This clarification would need to be received before Merthyr Tydfil LSB could look at the practicalities of delivering the SIP (and subsequently the Well-being Plan) so they might identify positive/negative impacts arising from introduction of the Bill.

❖ Other Areas

- Concerns about very tight timescales for the preparation of the responses to this consultation were raised; particularly as the consultation takes place over the prime summer holiday period;
- The general public are already feeling the impact of reduced services in some areas as a result of having to manage the ongoing austerity measures across public and third sector services. Although information on the introduction of the Well-being of Future Generations (Wales) Bill is circulating across professionals, the public at large are unaware of these changes and may not meet them positively. This coupled with the costs of any government re-organisation (which will run into millions of pounds) could add further pressures on public services. It is recommended Welsh Government review opportunities to deliver this message to the 'people on the street' and implement this publicity as soon as practicably possible.