

DLG 02

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol

Communities, Equality and Local Government Committee

Bil Llywodraeth Leol (Cymru) Drafft/ Local Government Draft (Wales) Bill

Ymateb gan: Comisiynydd Pobl Hŷn Cymru

Response From: Older People's Commissioner for Wales



Christine Chapman AM
Chair
Communities, Equality and Local Government Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Cambrian Buildings
Mount Stuart Square
Cardiff CF10 5FL

Adeiladau Cambrian
Sgwâr Mount Stuart
Caerdydd CF10 5FL

21 January 2016

Dear Christine,

Re: Draft Local Government Bill

Thank you for the opportunity to provide comment as part of your pre-legislative scrutiny of the draft Local Government Bill.

I have enclosed a copy of the letter I have sent to the Minister for Public Services outlining my thoughts and opinions on the draft Bill as it stands.

The first priority of my Framework for Action 2013-17¹ is embedding the wellbeing of older people at the heart of public services; I believe that we have an opportunity with the proposed reforms to local government to achieve this important outcome for older people.

I have three priorities that must be addressed as part of this proposed legislation:

- securing a commitment that the quality of services provided to older people would not be diminished with any restructuring of local government;
- enabling the voices of older people to be heard by their Local Authorities, through effective consultation and strong community councils; and
- ensuring that the make-up of local representatives better reflects their constituents by encouraging older women and older people

¹ http://www.olderpeoplewales.com/Libraries/Uploads/Framework_for_Action.sflb.ashx

with protected characteristics to engage with Local Authorities and run for elected office.

I hope that my comments will be of use to your committee during your consideration of the draft Bill. If you have any further questions, please do not hesitate to contact my office.

Yours sincerely,

A handwritten signature in black ink that reads "Sarah Rochira". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Sarah Rochira
Older People's Commissioner for Wales



Leighton Andrews AM
Minister for Public Services
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Cambrian Buildings
Mount Stuart Square
Cardiff CF10 5FL

Adeiladau Cambrian
Sqwâr Mount Stuart
Caerdydd CF10 5FL

21 January 2016

Dear Minister,

Re: Draft Local Government (Wales) Bill

In my previous responses to your consultations on local government reform, I alluded to three areas of particular importance to older people:

- a commitment that the quality of service provided to older people would not be diminished with any restructuring of local government;
- enabling the voices of older people to be heard by their Local Authorities, through effective consultation and strong community councils; and
- ensuring that the make-up of local representatives better reflects their constituents by encouraging older women and older people with protected characteristics to engage with Local Authorities and run for elected office.

In my response to 'Devolution, Democracy and Delivery White Paper – Reforming Local Government: Power to Local People', I made clear that any reform of local government must focus on the quality of services for the end user, including older people². Older people are one of the largest groups of service users for Local Authorities and many rely on these services to live healthy, independent lives. It is crucial that the future local government landscape addresses the key findings in the Wales Audit

² http://www.olderpeoplewales.com/Libraries/Consultation_Responses_150422/150427_-_Devolution_Democracy_and_Delivery_-_Reforming_Local_Government_Power_to_Local_People_Eng.sflb.ashx

Office report on ‘Supporting the Independence of Older People: Are Councils Doing Enough?’³, and aligns with key legislative drivers such as the Well-being of Future Generations (Wales) Act to develop a preventative and outcomes-focussed approach and recognise older people as economic and societal assets.

What is clear to me is that the way in which community services are delivered must be flexible. With such tight budgets, local people and other organisations must be empowered and supported to deliver local services. It should not matter whether they are run by a Local Authority or others, what matters is that services are there for the people that need them, especially older people. Community services, such as public buses, toilets, libraries and community/day centres, are viewed as ‘lifeline’ services by older people and are essential in maintaining their health, independence and wellbeing.

Part 3, Chapter 2 of the draft Bill places a duty upon local government to consult with “local people” on the decisions that they make. Whilst I welcome this duty, I would wish to see further detail on how older people specifically will be consulted. The draft Bill also notes that the Welsh Ministers may issue guidance on this consultation. In July 2014, I published best practice guidance for engagement and consultation with older people on changes to community services⁴ and I would welcome the opportunity to work with you and your colleagues in developing thorough guidance to assist local government in conducting effective engagement with older people.

There is already a duty placed upon Local Authorities, under the Equality Act 2010, to consult with those people who have the protected characteristics as defined in the Act. I will soon be publishing guidance on the Equality and Human Rights Impact Assessments that public authorities use to meet their duties under the Equality Act. I would like to see the conclusions from this guidance form part of the guidance issued by the Welsh Ministers under Section 41 of the draft Bill.

³ <http://www.audit.wales/system/files/publications/Independence-Older-People-2015-English.pdf>

⁴ <http://www.olderpeoplewales.com/en/Publications/pub-story/14-07-01/Best-Practice-Guidance-for-Engagement-and-Consultation-with-Older-People-on-Changes-to-Community-Services-in-Wales.aspx>

I welcome the provisions in Part 6 of the draft Bill, relating to community council arrangements and training. As Local Authorities are set to increase in size, community councils can be a vital forum for older people to express their views. Town and Community Councils often have a lot of older members and they should be utilised to provide feedback from local people on decisions made by the Local Authority. Community Councils are the closest form of democracy to local people and they are valued by communities and effective engagement with them increases satisfaction.

As well as effectively engaging with members of their communities, local government representatives must better reflect the diversity of their communities. The Bill and subsequent legislation should place a duty on Council Leaders, Group Leaders and Chief Executives to ensure that diversity is respected. Older women and older people with protected characteristics should be encouraged to put themselves forward as candidates for local elections and should form a greater role in the leadership of Local Authorities. It is of great concern that only one-in-five cabinet members across Wales are women, with only one of the 22 Local Authorities being led by a woman. This imbalance must be addressed to ensure that the make-up of Local Authorities and their cabinets reflects the diversity of the people they represent.

I look forward to working with you further on the best way forward to improve public services in Wales, so that they truly deliver for older people.

Yours sincerely,

A handwritten signature in black ink that reads "Sarah Rochira". The signature is written in a cursive, flowing style.

Sarah Rochira
Older People's Commissioner for Wales

CC: Communities, Equality and Local Government Committee, National Assembly for Wales