



PARTNERSHIPS SCRUTINY COMMITTEE – 15TH SEPTEMBER 2016

SUBJECT: CO-OPTION AND MEMBERSHIP OF PARTNERSHIPS SCRUTINY COMMITTEE

REPORT BY: DIRECTOR CORPORATE SERVICES AND SECTION 151 OFFICER

1. PURPOSE OF REPORT

- 1.1 This report outlines the role and terms of reference of the Partnerships Scrutiny Committee in respect of its responsibilities to scrutinise the Public Services Board. The report suggests options for future co-option of members and/or invited representatives of partner organisations represented on the Public Services Board. The Scrutiny Committee is asked to consider these options and make recommendations to Council.

2. SUMMARY

- 2.1 At its meeting on 12th May 2016 Council endorsed changes to Policy and Resources Scrutiny Committee (P & R) in order to address changes required under the Wellbeing of Future Generations (Wales) Act 2015. P & R sitting as the Partnerships Scrutiny Committee (formerly Crime & Disorder Scrutiny Committee) will now include the function to scrutinise the Public Services Board alongside its duty to scrutinise the Safer Caerphilly Community Safety Partnership.
- 2.2 This report sets out options in respect of membership of the committee, to be considered for recommendation to Council.

3. LINKS TO STRATEGY

- 3.1 The operation of scrutiny is required by the Local Government Act 2000 and subsequent Assembly legislation.

4. THE REPORT

- 4.1 Following the implementation of the Wellbeing of Future Generations (Wales) Act 2015 ("the Act"), the Local Authority, Local Health Board, South Wales Fire and Rescue Authority and National Resources Wales are required under the Act to formally collaborate as a Public Services Board (PSB) for the geographical area of the Local Authority and use the sustainable development principle to meet the national well-being duty/goals under the Act. The statutory wellbeing goals/duty under the Act are:

- A resilient Wales
- A prosperous Wales
- A healthier Wales
- A more equal Wales

- A Wales of cohesive communication
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

4.2 The Act required the Council to designate a Scrutiny Committee to scrutinise the work of the PSB. The guidance states that one Scrutiny Committee should take on the overview of the effectiveness of the PSB on behalf of the constituents of the Local Authority area. The functions of the Scrutiny Committee include the following:-

- Scrutinising the decisions and actions taken by the PSB;
- Review or scrutinise the Board's governance arrangements;
- Make reports or recommendations relating to the Board regarding its functions or governance arrangements;
- Consider matters relating to the Board as the Welsh Ministers may refer to it and report to Welsh Ministers accordingly;
- Carry out other functions in relation to the Board that are imposed on it by the Act.

4.3 Therefore on 12th May 2016, Council endorsed changes to Policy and Resources Scrutiny Committee in order to address changes required under the Wellbeing of Future Generations (Wales) Act 2015. It was agreed that Policy and Resources Scrutiny Committee (sitting as the Crime and Disorder Scrutiny Committee) would be re-designated as the 'Partnerships Scrutiny Committee' and take on the additional responsibilities to scrutinise the Public Services Board (PSB). The Partnerships Scrutiny Committee will continue to scrutinise the work of the Safer Caerphilly Community Safety Partnership as required under the Police and Justice Act 2006.

4.4 The Public Services Board includes the following statutory partner agencies that are responsible for carrying out their wellbeing duties under the Act:

- Aneurin University Health Board (ABUHB).
- Caerphilly County Borough Council (CCBC).
- Natural Resources Wales (NRW).
- South Wales Fire & Rescue Service (SWFRS).

4.5 The PSB must also invite the following public bodies to be part of the board to support them:

- Community Rehabilitation Company (formerly Wales Probation Trust).
- Gwent Association of Voluntary Organisations representing the voluntary sector.
- Gwent Police.
- National Probation Service (formerly Wales Probation Trust).
- Police and Crime Commissioner for Gwent.
- Welsh Ministers.

4.6 The Partnerships Scrutiny Committee will be responsible for holding the PSB to account and in order to carry out this role effectively the membership of the committee should be considered. Welsh Government gave guidance following the Local Government (Wales) Measure 2011 on the benefits of co-option of members particularly as a means to develop partner relations, improve public connections and add value to the work of scrutiny committees.

4.7 The Council Constitution states that each overview and scrutiny committee or sub-committee shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees. Members are therefore asked to consider the following options in respect of ensuring partner representation on the Partnerships Scrutiny Committee:

Option 1

To invite the three statutory partner agencies, (ABUHB, SWFRS & NRW) to nominate a co-opted member to sit on the scrutiny committee. It should be noted those representatives should not be drawn from the "executives" of any of the organisations in order to ensure the

split of responsibilities between those who are the “executive” of the organisation and those who undertake a “scrutiny” function. Having representation from the organisations that form the PSB should also provide “buy-in” to the scrutiny process. This would give a membership of 16 Councillors plus 3 co-opted members.

Option 2

To invite the three statutory partner agencies, (ABUHB, SWFRS & NRW) to nominate a co-opted member to sit on the scrutiny committee (as set out in option 1). In addition issue a standing invitation to the following organisations seeking a representative from the invited members of the PSB (non-executive).

- Community Rehabilitation Company.
- Gwent Association of Voluntary Organisations representing the voluntary sector.
- Gwent Police.
- National Probation Service.
- Police and Crime Commissioner for Gwent.
- Welsh Ministers.

This would give a membership of 16 Councillors, 3 co-opted members, plus up to 6 invited representatives.

Option 3

To invite the three statutory partner agencies, plus the non-statutory partner organisations to nominate co-opted representatives to sit on the Partnerships Scrutiny Committee. This would give a membership of 16 Councillors plus 9 co-opted members if all organisations take up the invitation.

Option 4

To invite both statutory and non-statutory partners to nominate invited representatives, these would be given a standing invitation to attend but would not be required to attend all meetings.

Option 5

To not appoint co-opted members or issue standing invitations to representatives from the relevant partner organisations.

- 4.8 It should be noted that when the Crime and Disorder Scrutiny Committee was established, it was agreed that representatives of the partners on the Safer Caerphilly Community Safety Partnership (SCCSP) would be invited to all meetings. The invited partners are Gwent Police (Chair of the SCCSP), Police and Crime Commissioner, Aneurin Bevan University Health Board, South Wales Fire and Rescue Service and the Former Wales Probation Trust.
- 4.9 It is suggested that should the Partnerships Scrutiny Committee, and subsequently Council, agree to co-opt members they would be required to comply with the Councils Code of Conduct and participate in appropriate training. In addition each co-opted member is subject to a re-nomination every Council term or if the partner organisation seeks to change their nominated representative at any time.

5. EQUALITIES IMPLICATIONS

- 5.1 There are no specific equalities implications in respect of co-option and inviting representation from partner organisations. Nominees would be sought from the partner organisations, who would determine their suitability for the role based on the role description and function of the committee.

6. FINANCIAL IMPLICATIONS

- 6.1 Co-opted representatives would be entitled to claim travelling expenses to attend meetings of the scrutiny committee, which could be absorbed within existing budget provision.

7. PERSONNEL IMPLICATIONS

7.1 There are no personnel implications contained in this report.

8. CONSULTATIONS

8.1 There are no consultations that have not been included in the report

9. RECOMMENDATIONS

9.1 The Scrutiny Committee is asked to consider the options set out in 4.7 and make recommendations to Council.

9.2 Any nominated co-opted members to be subject to the code of conduct and to be re-nominated every council term (5 years).

10. REASONS FOR THE RECOMMENDATIONS

10.1 To agree membership arrangements for the Partnerships Scrutiny Committee.

11. STATUTORY POWER

11.1 Section 21 of the Local Government Act 2000.

11.2 Local Government (Wales) Measure 2011.

11.3 Wellbeing of Future Generations (Wales) Act 2015.

Author: Catherine Forbes-Thompson, Interim Head of Democratic Services
Consultees: Chris Burns Interim Chief Executive
Nicole Scammell, Acting Director Corporate Services & Section 151 Officer
Gail Williams, Interim Head of Legal Services & Monitoring Officer
Rob Hartshorn, Head of Public Protection
Kathryn Peters, Corporate Policy Manager
Councillor Christine Forehead, Cabinet Member HR & Governance/Business Manager
Councillor Ken James, Cabinet Member Regeneration Planning & Sustainable Development
Councillor Sean Morgan, Chair Partnerships Scrutiny Committee
Councillor Gez Kirby, Vice Chair Partnerships Scrutiny Committee

Background Papers:

Report Annual Council 12 May 2016 – Constitutional Matters.

Statutory Guidance from the Local Government Measure 2011 – June 2012