



PARTNERSHIPS SCRUTINY COMMITTEE – 30TH JANUARY 2020

SUBJECT: CAERPHILLY PUBLIC SERVICES BOARD’S CONSIDERATION OF THE WALES AUDIT OFFICE REVIEW OF PUBLIC SERVICES BOARDS

REPORT BY: CORPORATE DIRECTOR – EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 To inform Partnerships Scrutiny Committee of a recent report by the Wales Audit Office (WAO) reviewing Public Services Boards in Wales (October 2019) and the consideration of that report by the Caerphilly Public Services Board at its meeting of the 10th of December 2020.

2. SUMMARY

- 2.1 This report is a covering report to introduce the report provided to the Caerphilly Public Services Board (PSB) on the WAO review.

3. RECOMMENDATIONS

- 3.1 That Partnerships Scrutiny Committee note the contents of the report to the PSB and the chosen actions to deal with the national recommendations of the WAO.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To allow Partnerships Scrutiny Committee to discharge its duties under Section 35 of the Well-being of Future Generations (Wales) Act 2015.

5. THE REPORT

- 5.1 This report is a covering report to allow Partnerships Scrutiny Committee to be aware of the response of the Caerphilly PSB to the recent WAO national review.
- 5.2 The WAO review was a national study and so it applies to all 19 PSBs in Wales. The report to the PSB considered the points made by the WAO and how they applied to the Caerphilly PSB. It made a number of recommendations for actions to be taken to the ‘Recommendations for Improvement’ as they applied to the PSB. As a national WAO report not all of the recommendations it makes apply to the Caerphilly PSB. Those that do are subject to suggested actions for improvement.
- 5.3 The PSB accepted all the recommendations at paragraph 9.1 of the report on the 10th December 2020. These are currently being worked through by partnership officers.

5.4 Committee will be interested to note that the way in which is scrutinises PSB performance has been regarded as best practice by the Wales Audit Office, paragraph 2.6 of the WAO report, hyperlinked at Background Papers.

5.5 **Conclusion**

The PSB has accepted all of the actions to be taken. This report is for the information of Partnerships Scrutiny Committee Members.

6. **ASSUMPTIONS**

6.1 No assumptions have been made in this report..

7. **LINKS TO RELEVANT COUNCIL POLICIES**

7.1 Partnerships Scrutiny Committee are the local authority committee with responsibility for scrutinising the work of the PSB.

8. **WELL-BEING OF FUTURE GENERATIONS**

8.1 This report is consistent with the five ways of working as set out in the sustainable development principle in the Act, since it allows Partnership Scrutiny Committee to consider how the actions of the Public Services Board are:

- Long Term – Balancing short-term needs with the needs to safeguard the ability to also meet long-term needs
 - Prevention - Acting to prevent problems occurring or getting worse to help public bodies meet their objectives
 - Integration – Considering how the well-being objectives may impact upon each of the well-being goals, or on the objectives of other public bodies
- Collaboration – Acting in collaboration with any other person that could help the board to meet its well-being objectives
- Involvement – Involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves.

9. **EQUALITIES IMPLICATIONS**

9.1 This report is for information purposes only and so the Council's full Equalities Impact Assessment process does not need to be applied. The impetus of the legislation, in respect of a 'More Equal Wales', does however support equalities issues and so the work of the PSB considers equalities requirements throughout.

9.2 One of the recommendations of the WAO related to assessing the impact of the PSB's actions for equalities issues. The PSB, as a partnership organisation, is not caught by the Equality Act 2010. However, one of its chosen actions is to develop a cross-organisation impact assessment process in response to the WAO national recommendation.

10. **FINANCIAL IMPLICATIONS**

10.1 There are no financial implications in relation to this report.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications in this report.

12. CONSULTATIONS

12.1 This report has been sent to the consultees listed below and all comments received are reflected in this report.

13. STATUTORY POWER

13.1 Section 35 of the Well-being of Future Generations (Wales) Act 2015.

Author: Kathryn Peters, Corporate Policy Manager and Public Services Board Coordinator
Consultees: Councillor Philippa Marsden, Leader of the Council and Chair of the PSB
Christina HARRY, Interim Chief Executive
Councillor Jamie Pritchard, Chair of Partnerships Scrutiny Committee
Councillor Gez Kirby, Vice Chair of Partnerships Scrutiny Committee
Richard Edmunds, Corporate Director, Education and Corporate Services
Stephen Harris, Interim Head of Business Improvement
David Roberts, Principal Accountant
Anwen Cullinane, Senior Policy Officer (Equalities and Welsh Language)
Shaun Watkins, Principal HR Officer

Background Papers: Wales Audit Office Review of Public Services Boards- October 2019

<http://www.audit.wales/system/files/publications/review-of-public-service-boards-english.pdf>

Appendices:
Appendix 1 Report to Caerphilly PSB 10th December 2019- Wales Audit Office Review of Public Services Boards October 2019



PUBLIC SERVICES BOARD – DATE 10TH DECEMBER 2019

**SUBJECT: WALES AUDIT OFFICE- REVIEW OF PUBLIC SERVICES BOARDS
OCTOBER 2019**

REPORT BY: KATHRYN PETERS- CORPORATE POLICY MANAGER, CCBC

1. PURPOSE OF REPORT

- 1.1.1 To discuss the findings and recommendations of the recent Wales Audit Office report into the effectiveness of Public Services Boards. The report is hyperlinked at Background Papers, below.
- 1.2 To consider whether the PSB wants to submit a response to the recommendations and provide a copy to Welsh Government and the Welsh Local Government Association.

2. SUMMARY

- 2.1 The Wales Audit Office (WAO) conducted a review on the effectiveness of Public Services Boards (PSBs) in Wales following the implementation of the statutory responsibilities in the Well-being of Future Generations (Wales) Act 2015. The review was part of the WAO national studies series and gathered evidence from PSB member organisations, coordinators and from PSB websites and published information.
- 2.2 The WAO report makes a number of recommendations for PSB's (Appendix 1). This report considers where the Caerphilly PSB is in its development in the light of the recommendations and suggests options for the PSB to consider, including a suggested formal response to the WAO.

3. LINKS TO STRATEGY

- 3.1 The aim of the PSB is to maximise its contribution to the Well-being Goals within the Well-being of Future Generations Act (Wales) 2015. The PSB became a statutory board on the 1st April 2016. Since when it has conducted a formal well-being assessment on the state of the economic, social, environmental and cultural well-being of the Caerphilly county borough area and provided a 5 year well-being plan, 'The Caerphilly We Want 2018-2023', to drive collaborative activity to improve the well-being of future generations. The plan uses the information in the assessment and qualitative information gathered from an extensive programme of local stakeholder engagement.
- 3.2 The well-being plan has been in operation since the 4th of May 2018. It identifies 4 well-being

objectives:

- Positive Change - A shared commitment to improving the way we work together
- Positive Start - Giving our future generations the best start in life
- Positive People - Empowering and enabling all our residents to achieve their own potential
- Positive Places - Enabling our communities to be resilient and sustainable

These are delivered through 4 Enablers and 5 Actions Areas that have been the focus of activity among the PSB partners. Boards champions take responsibility for delivery against actions, lead officer arrangements are in place and regular update reports are provided to the PSB and the local authority designated scrutiny committee. The well-being assessment, well-being plan, progress update reports and all PSB papers are publically available on the PSB website.

4. THE REPORT

- 4.1 Over the early part of this calendar year the WAO gathered evidence on the effectiveness of all 19 PSBs in Wales; this included a Welsh Government Committee Inquiry, a direct survey with PSB members and coordinators, and an assessment of all published information from PSB's including:

- Meeting reports, agendas and papers
- PSB websites
- PSB financial information
- Comparing well-being assessments with chosen objectives
- Recording who attended PSBs and their attendance record
- Assessing integration with other partnerships
- Considering the use of advice from the Future Generations Commissioner
- Reviewing all local authority PSB Scrutiny Committees
- Other research and guidance for public sector partnerships

The WAO intend their review to support the combined Welsh Government and Welsh Local Government Association Review of Strategic Partnerships. Their conclusion was that:

Public Services Boards are unlikely to realise their potential unless they are given the freedom to work more flexibly and think and act differently

This statement is further qualified:

- Public bodies have not taken the opportunity to effectively organise resources and integrate the work of PSBs
- PSBs are not being consistently scrutinised or held to account
- Despite public bodies valuing PSBs, there is no agreement on how their role should operate in the future

- 4.2 The Service Improvement and Partnerships Unit of Caerphilly County Borough Council have shared the report with Lead Officers and Policy Officers. An assessment of where we believe the Caerphilly PSB to be in its development journey, where further improvements can be made, and what actions should be taken is provided below.
- 4.3 The WAO made a series of 4 recommendations (Appendix 1). A WAO recommendation is a strong suggestion for changed practice. Ordinarily they are provided to audited organisations and the WAO follow up on implementation plans. This a generic national report, however, it is reasonable for the PSB to consider the report and respond as it sees fit. The WAO have not indicated any follow-up audit plan. Should WAO wish to examine the PSB in the future it is

likely that the national study will be used as an advisory document. There is a secondary part of the national review, on partnership work to tackle rough sleeping, however Caerphilly is not a study site for this element

- 4.4 Caerphilly PSB is specifically mentioned at two points in the report; for its engagement through questionnaires with the public as part of well-being assessment, and as a point of good practice in the way in which performance reports are shared prior to Partnerships Scrutiny Committee to inform the questioning of local elected members. It is worth noting that WAO received the PSBs digital annual report and provided positive comments back, sharing the report among the audit team as another point of good practice. Annual reports did not form part of the evidence studied for this review, falling out of scope due to timing.
- 4.5. Taking the recommendations at Appendix 1 in turn. The following comments are the views of the Policy support officers:
- WAO recommend that PSBs conduct formal equality impact assessments (EIAs) for any planned actions and that they review existing actions for equalities implications. The statutory guidance for PSBs was unclear on this point, in that it expected PSBs to review all EIAs written by partners, this approach would not inform a specific PSB action. Welsh Government are currently reviewing the guidance to make it clearer. PSB's are not a body caught by the Equality Act 2010. However, like the PSB's adopted approach to the Welsh Language Measure 2011 i.e. an undertaking to abide by the spirit of the legislation even though not directly caught by it, it would seem logical to apply the same principle to the Equality Act 2010.
 - The Caerphilly PSB is more transparent than many others, all papers are available on the PSB website one week in advance of meetings, meetings are now open to the public and the public is encouraged to ask questions of the PSB. A subsequent contact was made to WAO querying why the Caerphilly PSB website had not been listed as a point of good practice, the response was that all 19 had been examined and that it was not possible to list all those that were of a higher standard.
 - The Communications and Engagement Group already recognise the National Principles for Public Engagement in Wales and these are reflected in the group's Strategy document.
 - The Caerphilly PSB undertook extensive engagement with communities as part of well-being assessment and planning. This was recognised positively by the Future Generations Commissioner in her feedback to PSB's over 2017 and 2018. This included specific focused work with protected characteristic groups. However, as part of well-being planning many individuals and community groups offered their assistance in delivering the PSBs well-being objectives and plan. Some action areas and lead officers have been very good at capitalising on these offers of help and action group membership includes members of voluntary and community organisations. However, it would be a worthwhile exercise to revisit these offers of help, which are recorded in the engagement write ups, and ensure that all those members of the community that wanted to be involved have been given the opportunity to be so.
 - Caerphilly PSB, and its interaction with Partnerships Scrutiny Committee, was regarded as best practice by WAO. All committee members are trained and will receive further training in January using the Future Generation Commissioner's Framework for Scrutiny.
 - The Committee has co-opted on members of the Youth Forum and Menter Iaith to sit in scrutiny alongside elected members.
 - The PSB discharges responsibility for statutory Community Safety planning through the well-being plan via its Safer Caerphilly Action Area. No other statutory plans are wholly discharged through the well-being plan. The statutory guidance for PSBs (hyperlink in background papers) lists, at Annex A, the other statutory plans that may be discharged via a well-being plan. For information and how they are currently discharged:
 - **Substance Misuse Plan**- via the Gwent Substance Misuse Area Planning Board
 - **Promotion of the Well-being of Children**- via the PSB 'Best Start in Life' Action Area combined with the Regional Partnership Boards Area Plan
 - **Eradication of Child Poverty**- as for the Promotion of the Well-being of Children

- **Primary Mental Health Support-** Not known, clarification needed, see recommendation.
- **Social Services and Well-being Act Area Plan-** Regional Partnership Board Area Plan
- **Violence Against Women, Domestic Abuse and Sexual Violence Strategy-** through the Gwent VAWDASV Board, with annual reporting to the PSB
- Welsh Government has not easily enabled flexible models of working due to the complexity of the legislative framework around well-being plans, community safety plans, substance misuse plans, VAWDASV plans, area plans etc.

Some of these are statutorily at regional level, some are dictated by Welsh Government guidance, some are statutorily at a local level, some have associated funding that has been amalgamated up to regional level, some have purely regional funding but an expectation on local partners to deliver regionally, others have no associated funding but an expectation that partners will work collaboratively to deliver statutory duties. Many, with the exception of local PSB work, are sitting a potential 'governance gap' with no local elected member democratic oversight. Regional partners, in particular, are serving any number of boards in their area, often with different priorities for what would seem to be for very similar populations. Local authority staff are expected to deliver regional priorities but to translate them to local needs.

The PSB is concerned with the wider population including preventative activity to secure the well-being of future generations. The Regional Partnership Board (RPB), by legislation, is concerned with the well-being of those needing care and support, but not the wider population. However, significant funding has been allocated to the RPB with none of the considerations around wider preventative activity and where that should best sit. PSB activity is supported by a very small regional grant of around £50k per year.

The local authority disproportionately carries the responsibility of administering and facilitating the PSB. This goes beyond arranging meetings and includes all coordination or lead officers and policy support, performance reporting and liaison with Scrutiny, the local authority also has more lead delivery areas and more senior staff involved in delivery.

There may be scope to rationalise the partnership landscape in Gwent and the Gwent Strategic Well-being Assessment Group is working on a proposal for the G10 group for consideration.

There is a current Welsh Government, with Welsh Local Government Association, review of the strategic partnership landscape. The WAO report requests that the findings of their review form part of that.

4.6 Where improvements for the Caerphilly PSB can be made these are set out in the Recommendations section below.

4.7 The PSB may wish to echo the concerns raised in the WAO Recommendations 3 and 4 and write directly to the WAO, Welsh Government, the WLGA and the Future Generations Commissioner.

5. WELL-BEING OF FUTURE GENERATIONS

5.1 Please see Links to Strategy above.

6. EQUALITIES IMPLICATIONS

6.1 The Caerphilly Public Services Board, while not directly caught by the Equality Act 2010, may wish to abide by its principles and consider impact assessing its actions for detrimental effect on persons with protected characteristics and to see how equality of opportunity is encouraged through its activity, see recommendation above.

7. FINANCIAL IMPLICATIONS

7.1 None identified specifically as result of the report. However, the PSB may wish to take the opportunity to communicate its view on partnership funding.

8. PERSONNEL IMPLICATIONS

8.1 None.

9. RECOMMENDATIONS

9.1 That the PSB considers the following recommendations:

- Review and impact assess all action plan activity to consider whether any protected characteristic group is adversely affected and if so put in place mitigating actions
ACTION- Leads and Policy Support
- Instigate an EIA type process for all new actions- draft a simplified check list to allow this to happen in a way which can be understood across organisations **ACTION- Service Improvement and Partnerships Unit CCBC**
- Review all write up reports for engagement and planning and ensure that all individual and groups are aware of how they can be involved in PSB activity **ACTION- Leads and Policy Support**
- Establish how the Primary Mental Health Plan required under the Mental Health (Wales) Measure 2010 is being discharged. **ACTION- ABUHB and CCBC**
- Consider the views of the PSB in relation to the WAO Recommendations 3 and 4 and whether these should be communicated to the WAO, Welsh Government and the Welsh Local Government Association to inform their review. **ACTION- PSB decision**
- Consider what support can be given to the proposal being made to the G10 group on rationalisation of partnerships. **ACTION- PSB decision**

9.2 A further update report will be provided to the PSB on any actions agreed.

10. STATUTORY POWER

10.1 The Well-being of Future Generations Act 2015 and associated statutory guidance.

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Background Papers: Wales Audit Office Review of Public Services Boards- October 2019

<http://www.audit.wales/system/files/publications/review-of-public-service-boards-english.pdf>

Shared Purpose: Shared Future 3- statutory guidance for PSBs
<https://gov.wales/sites/default/files/publications/2019-02/spsf-3-collective-role-public-services-boards.pdf>

Appendix 1: Wales Audit Office Recommendations for PSBs

RECOMMENDATION 1

In Part 1 of the report we set out that understanding the impact of choices and decisions requires public bodies to fully involve citizens and stakeholders and undertake comprehensive Impact Assessments. However, we found that current practice is insufficient to provide assurance that the needs of people with protected characteristics are fully considered when reviewing choices and the voice of citizens is not sufficiently influencing decisions.

We recommend that PSBs:

- **conduct formal assessments to identify the potential impact on people with protected characteristics and the Welsh language and review agreed actions to ensure any adverse impacts are addressed;**
- **improve transparency and accountability by making PSB meetings, agendas, papers and minutes accessible and available to the public;**
- **strengthen involvement by working to the guidance in the National Principles for Public Engagement in Wales;**

and

- **feedback the outcome of involvement activity identifying where changes are made as a result of the input of citizens and stakeholders.**

RECOMMENDATION 2

In Part 2 of the report we review arrangements for PSB scrutiny and conclude that there are shortcomings and weaknesses in current performance and practice.

To improve scrutiny, we recommend that:

- **PSBs and public bodies use the findings of the Auditor General for Wales' Discussion Paper: Six themes to help make scrutiny 'Fit for the Future' to review their current performance and identify where they need to strengthen oversight arrangements and activity;**

and

- **PSBs ensure scrutiny committees have adequate engagement with a wider range of relevant stakeholders who can help hold PSBs to account.**

RECOMMENDATION 3

In Part 3 of the report we summarise the difficulty of developing, implementing and resourcing PSBs and the challenges of managing multiple partnerships that can often have overlap and duplication.

To help build capacity, consistency and resourcing of activity we recommend that:

- **PSBs take the opportunity to discharge other plan and strategy obligations through the Local Wellbeing Plan;**
- **the Welsh Government enables PSBs to develop flexible models of working including: –**

merging, reducing and integrating their work with other forums such as Regional Partnership Boards; and – giving PSBs flexibility to receive, manage and spend grant monies subject to PSBs ensuring they have adequate safeguards and appropriate systems in place for management of funding; effective budget and grant programme controls; and public reporting, scrutiny and oversight systems to manage expenditure.

RECOMMENDATION 4

To help build capacity, consistency and resourcing of activity we recommend that the Welsh Government and Welsh Local Government Association in their review of strategic partnerships take account of, and explore, the findings of this review.