

Arrangements for the Scrutiny of the Public Service Board in Powys.

1. Background.

1.1 The Well-being of Future Generations (Wales) Act 2015 is aimed at improving the social, economic, environmental and cultural well-being of Wales. The Act became a requirement for public bodies from 1st April, 2016. It puts long term sustainability at the forefront of how public services are designed and delivered, and places emphasis on public bodies to work in partnership with each other and the public to prevent and tackle problems.

1.2 The Act sets seven national well-being goals:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

1.3 The Act establishes Public Services Boards (PSBs) for each local authority in Wales, consisting of representatives from local authorities, health boards, the Natural Resources Body for Wales and the Welsh Fire and Rescue Authority. It also places a requirement on councils to designate an overview and scrutiny committee to scrutinise the work of the PSB.

1.4 The functions of Powys PSB are:

- Assess the state of economic, social, environmental and cultural well-being in their area,
- Set local objectives designed to maximise the board's contribution to the achievement of the well-being goals,
- Publish local well-being plans setting out their local objectives and how members of the board (in exercising their collective function) intend to take all reasonable steps to meet local objectives.

1.5 The functions of the PSB Scrutiny Committee are:

- a) review or scrutinise the decisions made or actions taken by the public services board;
- b) review or scrutinise the board's governance arrangements;
- c) make reports or recommendations to the board regarding its

- functions or governance arrangements;
- d) consider matters relating to the board as the Welsh Ministers may refer to it and report to the Welsh Ministers accordingly; and
 - e) carry out other functions in relation to the board that are imposed on it by the Act.

The PSB must consult the PSB Scrutiny Committee regarding the preparation of both the assessment of local well-being and its local well-being plan.

1.6 Structure of the Powys PSB.

| STATUTORY MEMBERS | |
|---|--|
| DESIGNATION | ORGANISATION |
| Leader | Powys CC |
| Chief Executive Officer | Powys CC |
| Chair | Powys Teaching Health Board |
| Chief Executive Officer | Powys Teaching Health Board |
| Head of Operations Mid | Natural Resource Wales |
| Assistant Chief Officer | Mid and West Wales Fire and Rescue Service |
| INVITED MEMBERS | |
| Chair | Powys Association of Voluntary Organisations |
| Chief Executive Officer | Powys Association of Voluntary Organisations |
| Police & Crime Commissioner | Dyfed Powys OPCC |
| Superintendent | Dyfed Powys Police |
| Head of Dyfed Powys Local Delivery Unit | Wales Community Rehabilitation Company |
| Head of Energy, Water & Flood | Welsh Government |
| Chief Executive Officer | Brecon Beacons National Park Authority |

2. The PSB Scrutiny Committee in Powys.

- 2.1 It makes practical sense that any committee established should include representatives from each of the partner agencies, whilst recognising that those representatives could not be drawn from the “executives” of any of the organisations 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 who form the PSB should also provide “buy-in” to the scrutiny process.

3. Format of the Committee.

3.1 It is suggested that the Committee be composed as follows:

| Public Service Board Scrutiny Committee (from 1st April, 2016) |
|---|
| <ul style="list-style-type: none"> • 2 Elected Members of Powys County Council; • 2 independent Members of, of Powys teaching Local Health Board; • 1 non executive and non-County Councillor representative from the Mid and West Wales Fire and Rescue Authority; • 1 non-executive representative from the Natural Resources Wales Board. • 1 non-executive representative from PAVO and is not a representative on the LSB; • 1 representative of the Police and Crime Commissioner / Dyfed Powys Police; • 1 non-County Councillor representative from Wales Community Rehabilitation Company; • 1 non Powys County Council Member of the Brecon Beacons National Park Authority. <p><u>Substitutes:</u> Nominated substitutes will be allowed for the representatives listed above provided that the substitutes are not involved in and have not attended meetings of the PSB.</p> |

3.2 The Committee will be supported by a Scrutiny Officer from the County Council.

3.3 The Committee can invite and / or co-opt any other persons with a particular interest / expertise to support the Committee work on an ad-hoc basis.

3.4 The Committee should develop a forward work programme for a 12 month basis. As a minimum this should include:

- To scrutinise the evidence base that underpins the Well-being assessment for Powys;
- To scrutinise the arrangements for the preparation of the Powys Well-being Plan;
- To pre-scrutinise the draft Powys Well-being Plan;
- To pre-scrutinise the Annual Report of the PSB;
- To scrutinise the arrangements for the review and amendment of the Powys Well-being Plan

4 Terms of Reference of the Committee.

4.1 The Terms of Reference describe the purpose and structure of the Committee. The Terms of Reference should assist in developing a common understanding of the scope among stakeholders.

4.2 The Terms of Reference for the Scrutiny Committee are:

- To provide a 'critical friend' challenge to the Public Service Board;
- To scrutinise, evaluate and actively promote improvement in work carried out in line with Public Service Board priorities and its terms of reference and not that of those individual constituent organisations represented on the Public Service Board;
- To develop and deliver a forward work programme which seeks to contribute to the performance management and governance arrangements of the Public Service Board, and its projects;
- To commission Research & Evaluation Group investigations into areas identified on its forward work programme.
- To submit reports to the Public Service Board (as appropriate) and make recommendations for consideration and adoption;

5 Meetings of the Committee.

5.1 Election of Chair – The Committee will elect a Chair from the statutory membership of the Committee. Substitute Members will not be eligible for election as the Chair. The Chair will be appointed for an initial period of 12 month period but can be re-elected.

5.2 It is suggested that meetings of the Committee will be held on a quarterly cycle to mirror the cycle of the PSB. However a degree of flexibility should be incorporated in line with the wishes of the Committee e.g. members may wish to consider issues on an ad-hoc basis.

5.3 The nature of Scrutiny work is such that ad-hoc meetings are also held to consider issues as and when appropriate. For example, the investigative work of the Committee may require the holding of interview sessions, site visits or seminars to discuss individual issues.

5.4 Notes of meetings will usually be brief, containing a summary of discussions, action points and recommendations.

5.5 Persons invited to participate by the Committee pursuant to para 3.3 above, will be sent the notes of the meeting to ensure their accuracy.

5.6 The Committee may request any member of the PSB to attend a Committee meeting to assist with issues under consideration.

5.7 Initially meetings of the Committee will not be held in public but this will be kept under review as the work of the Committee develops. If meetings are held in public in future there may be occasions when the nature of the matters being discussed mean that the Committee will need to move into a private session at which point the press and the public will be excluded from the meeting.

5.8 The quorum of the Committee will be:

- 1 representative from Powys County Council;
- 1 representative from Powys Teaching Health Board;
- 2 representatives from any of the following organisations:
 - Natural Resources Wales
 - Mid and West Wales Fire and Rescue Service
 - Powys Association of Voluntary Organisations;

- Dyfed Powys Police / Dyfed Powys Police and Crime Commissioner;
 - Wales Community Rehabilitation Company;
 - Brecon Beacons National Park Authority;
- is present at a meeting.

6. Reports by the Committee.

- 6.1 The Committee itself will prepare recommendations based on work undertaken by the Committee as a whole, or by Research and Evaluation Groups who will submit their finalised recommendations to the full Committee for consideration.
- 6.2 Recommendations once approved by the Committee will be submitted to the PSB for action either by means of a letter from the Chair of Scrutiny or in a formal report. Where a formal report is submitted a copy will be sent to the Future Generations Commissioner for Wales, the Auditor General for Wales and the Cabinet Secretary for Finance and Local Government.
- 6.3 Draft recommendations will be circulated to relevant individuals for accuracy before being finalised.
- 6.4 The PSB will be required to consider the recommendations of the Committee and to provide a written response within 2 weeks of the next meeting of the PSB indicating whether the PSB:
- (a) accepts the recommendations and supplies an action plan; or
 - (b) does not accept the recommendations with detailed justification for this decision;
- 6.5 The Scrutiny Committee (or a Research and Evaluation Group as appropriate) will / may:
- (a) Where an action plan has been prepared, monitor progress in implementation of the action plan and request periodic updates from the PSB, until such time as the action plan has been completed;
 - (b) Where recommendations have not been accepted, call representatives of the PSB to discuss the reasons why the recommendations were not accepted with the Scrutiny Committee or a Research and Evaluation Group.

7. Research and Evaluation Groups.

- 7.1 The Scrutiny Committee can undertake a review of any matters within its functions as set out in paragraph 1.5. To do so it may establish Research and Evaluation Groups.
- 7.2 The Scrutiny Committee will establish and agree terms of reference for any reviews it undertakes or commissions as well as identifying the objectives of the review.
- 7.3 Arising from a review, the Group will produce a report that will be presented to the Scrutiny Committee for approval.
- 7.4 The Research and Evaluation Group will usually consist of between 3 and 5 members of the Committee with the membership being agreed by the Committee. The Chair of the Group will be agreed by the Committee.
- 7.5 The Chair of a Research and Evaluation Group can invite other persons with the relevant knowledge / expertise either as a co-opted member of the Group

for the duration of the investigation or on an ad-hoc basis. Otherwise such persons can be invited to give evidence to the Group. If the Group decides to co-opt additional members for a review, the numbers of those co-opted should not exceed one third of the membership of the Group established by the Scrutiny Committee (e.g. one third of 3 or 5 members)

- 7.6 Research and Evaluation Group meetings are confidential to allow for flexibility, openness and transparency.
- 7.7 A Research and Evaluation Group should where possible be comprised of representatives from individual organisations rather than multiple representatives from a single organisation.