

To: Members of the Partnerships
Scrutiny Committee

Date: 22 June 2018

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Dear Councillor

You are invited to attend a meeting of the **PARTNERSHIPS SCRUTINY COMMITTEE** to be held at **10.00 am** on **THURSDAY, 28 JUNE 2018** in **CONFERENCE ROOM 1A, COUNTY HALL, RUTHIN.**

Yours sincerely

G. Williams
Head of Legal, HR and Democratic Services

PLEASE NOTE THAT THERE IS A BRIEFING FOR ALL ELECTED MEMBERS AT 9.15 A.M. IMMEDIATELY PRIOR TO THE MEETING

AGENDA

PART 1 - THE PRESS AND PUBLIC ARE INVITED TO ATTEND THIS PART OF THE MEETING

1 APOLOGIES

2 DECLARATION OF INTERESTS (Pages 5 - 6)

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

3 APPOINTMENT OF VICE-CHAIR (Pages 7 - 8)

To elect the Committee's Vice-Chair for the municipal year 2018/19 (see attached copy of the role description for Scrutiny Member and Chair/Vice-Chair)

10am

4 URGENT MATTERS AS AGREED BY THE CHAIR

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972.

5 MINUTES OF THE LAST MEETING (Pages 9 - 28)

To receive the minutes of the following Partnerships Scrutiny Committee meetings (copies attached):

- (i) 13 April 2018
- (ii) 3 May 2018

10.05am – 10.10am

6 POOLED BUDGETS (HEALTH AND SOCIAL CARE) (Pages 29 - 40)

To consider a report by the Head of Finance (copy enclosed) which updates the Committee on the progress achieved to date with the development and establishment of pooled budgets across North Wales as per the requirements of Part 9 of the Social Services and Well-Being (Wales) Act 2014

10.10am – 10.45am

~~~~~ BREAK 10.45am - 11am ~~~~~

7 A JOINT SCRUTINY COMMITTEE FOR THE PUBLIC SERVICES BOARD
(Pages 41 - 90)

To consider a report by the Democratic Services Manager (copy attached) which updates members on the progress made towards establishing a formal a joint scrutiny committee for Conwy and Denbighshire Councils to scrutinise the joint Public Services Board (PSB). The Committee is also asked to consider the draft terms of reference and rules of procedure for the joint committee

11am – 11.30am

8 SCRUTINY WORK PROGRAMME (Pages 91 - 108)

To consider a report by the Scrutiny Coordinator (copy enclosed) seeking a review of the committee's forward work programme and updating members on relevant issues.

11.30am – 11.45am

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

To receive any updates from Committee representatives on various Council Boards and Groups

11.45am – 12pm

MEMBERSHIP

Councillors

Councillor Jeanette Chamberlain-
Jones (Chair)

Joan Butterfield
Gareth Davies
Hugh Irving
Pat Jones
Christine Marston

Melvyn Mile
Andrew Thomas
Rhys Thomas
David Williams
Emrys Wynne

COPIES TO:

All Councillors for information
Press and Libraries
Town and Community Councils

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LOCAL GOVERNMENT ACT 2000

Code of Conduct for Members

DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a *member/co-opted member of

*(*please delete as appropriate)*

Denbighshire County Council

CONFIRM that I have declared a ***personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-

*(*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)**

Signed

Date

*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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- (vi) **Role:** **Scrutiny Member/Chair**
Salary: Band 3 (Chair only)

Please note: items highlighted are specific to the role of Chair

1. PRINCIPAL ACCOUNTABILITIES

- To Full Council

2. PURPOSE OF ROLE

- **Providing leadership and direction**
- To participate fully in the activities of the Scrutiny Committee, the development and delivery of its work programme and any associated task and finish groups.
- To assist in the development and monitor impact of Council policy
- To hold the executive to account, monitoring performance and service delivery and challenge decisions through the call in arrangements where appropriate.
- To develop a forward work programme of the committee.
- To report on progress against the work programme to Council, and others as appropriate
- **To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making ensuring that meeting objectives are met, and the code of conduct, standing orders and other constitutional requirements are adhered to.**
- **To act as a focus for liaison between the council, community and external bodies in relation to the scrutiny function.**
- **To encourage effective contributions from all committee members in both committee and task and finish groups**
- **To assess individual and collective performance within the committee and liaise with the relevant Group Leader to progress training and development opportunities.**
- Fulfil the accountabilities of the elected member role.

3. VALUES and EXPECTATIONS

- To be committed to the values of Denbighshire County Council and the following values in public office:
 - Pride
 - Integrity
 - Respect
 - Unity
 - Attend all relevant meetings
 - Carry out business electronically i.e. meetings and communication, wherever possible
 - To attend mandatory training as specified in the code of conduct and the constitution.
 - To participate in an annual development review to continually improve the performance of the member and the Council.

- To explain and account for personal performance as a County Councillor on a regular basis, particularly through the publication of an Annual Report on the Council's web site.

PARTNERSHIPS SCRUTINY COMMITTEE

Minutes of a meeting of the Partnerships Scrutiny Committee held in Conference Room 1A, County Hall, Ruthin on Friday, 13 April 2018 at 10.00 am.

PRESENT

Councillors Joan Butterfield, Gareth Davies, Hugh Irving, Christine Marston, Melvyn Mile, Rhys Thomas and Emrys Wynne (Vice-Chair)

ALSO PRESENT

Corporate Director: Communities (NS), Scrutiny Co-ordinator (RE) and Democratic Services Officer (KE)

Representing Betsi Cadwaladr University Health Board (BCUHB) at the meeting were: Area Director: Central Area (BJ), Assistant Area Director of Primary Care and Commissioning (CD), Director Clinical Services Therapies (GE) and the Assistant Area Director of Community Services – Central (AK)

1 APOLOGIES

Apologies were received from Councillors Jeanette Chamberlain-Jones (Chair), Pat Jones and David Williams.

Prior to the commencement of business the Vice-Chair and Committee members requested that their best wishes for a fully and speedy recovery be sent to the Chair.

2 DECLARATION OF INTERESTS

Councillor Gareth Davies declared a personal interest for items 5, 6 & 7 as an employee of Betsi Cadwaladr University Health Board.

3 URGENT MATTERS AS AGREED BY THE CHAIR

There were no urgent matters.

4 MINUTES OF THE LAST MEETING

The minutes of the Partnerships Scrutiny Committee held on 14 December 2017 were submitted.

Referring to the Denbighshire Homelessness Strategy and Denbighshire Supporting People / Homelessness Prevention Plan Councillor Butterfield asked whether the Authority had a policy defining residency. The Corporate Director: Communities responded that 'residency' sat across a number of legislative frameworks and applications had to be considered on a case by case basis.

Members might want to consider the complexity by referring it to the Scrutiny Chairs and Vice-chairs Group.

RESOLVED that subject to the above, the minutes of the meeting held on 14 December 2017 be received and approved as a correct record.

The Chair of the meeting welcomed the Area Director: Central Area; Assistant Area Director of Primary Care and Commissioning; Director Clinical Services Therapies; and the Assistant Area Director of Community Services – Central; from the Betsi Cadwaladr University Health Board (BCUHB) to the meeting to update members on the progress made to date in relation to the business items relating to health establishments and services.

5 HEALTHY PRESTATYN

The Health Board's Assistant Area Director of Primary Care and Commissioning briefed the Committee on the background to the establishment of the Healthy Prestatyn Iach initiative. During her introduction she advised that:

- General Practitioner (GP) practices were private entities, they ranged in patient caseload size. The smallest GP practice in Denbighshire had circa 2K patients registered with it, whilst the average GP practice size in the county had in the region of 7K patients;
- the Healthy Prestatyn Iach model, which served patients registered with surgeries in Prestatyn, Rhuddlan, Meliden and Ffynnongroyw was a new way of delivering primary medical care, intervention and well-being, which was managed directly by the Health Board. It comprised of four teams within the surgery which dealt with the management of chronic cases, a fifth team which undertook home visits along with another team that delivered acute medical services for patients using the walk-in service;
- the Health Board managed service had been established to deliver primary medical care services in the area following a number of GPs in the area notifying the Board that they would be retiring or terminating their contracts for delivering GP services. In establishing this innovative new model for delivering primary services the Board had also incorporated into the new model a more holistic approach towards the delivery of primary medical services and the general well-being of the population;
- the Service currently received was contacted by the public circa 100K a year, dealt with an average of 420 patients a day of whom around a 100 were seen on the day of contact. The number of patients seen on a daily basis exceed the daily average for the Emergency Department (ED) at Ysbyty Glan Clwyd;
- the Tŷ Nant facility, which the Health Board rented from the Council was a fantastic facility which supported the service-delivery model well;
- a new patient IT system had recently been installed which was working well:

- Health Inspectorate Wales (HIW) had inspected the Healthy Prestatyn Iach service during 2017 and had concluded that it was overall providing safe and effective care;
- there were challenges ahead, particularly in relation to the recruitment of clinical staff, training provision to the private provider sector and a continual increase in the demand on its services. Between January and March 2018 there had been an increase of 6% in appointments and a 15% increase in home visits undertaken by the service;
- moving forward the focus would be on recruiting an additional GP and an advanced nurse practitioner. It was pleasing that a GP had indicated an interest in joining the service and that a nurse was currently training to qualify as an advanced nurse practitioner. The Service was also planning to recruit a paramedic to complement the range of services it could offer and to appoint a Head of Service Manager – an operational manager to co-ordinate the work and back office functions for all sites operating under the auspices of Healthy Prestatyn Iach;
- the establishment of this innovative service had been a learning journey, particularly in relation to the different demands on the Service when delivering primary and secondary care. Consideration was currently being given to linking into a study being undertaken by Bangor University on training and mentoring requirements for delivering primary care;
- the Health Board acknowledged that more work was needed with the third sector in the Prestatyn area in relation to understanding the types of services required in the area and how public sector organisations such as the Health Board, the local authority and third sector partners could work effectively together to deliver these services in the community to enhance health and well-being, promote independence, mitigate against social isolation and consequently reduce the demand on primary intervention medical services.

Responding to members' questions Health Board officials:

- confirmed that they did not envisage money being diverted from frontline primary care services to fund the Head of Service Manager post. This was a much needed post that should help co-ordinate and streamline back office administration work and reduce duplication with a view to delivering seamless frontline services;
- acknowledged that whilst it would have been advantageous to have the Head of Service Manager in post earlier during the establishment of the Service, there were other more pressing deadlines and requirements to be met, including sufficient number of GPs and other medical staff in post to deal with patient caseload, work relating to bringing together 5 GP practices into 3 whilst also amalgamating administration and working practices to ensure that the new service met patients' needs and was effective and efficient. All this work was taking place against the backdrop on a national crisis in the National Health Service (NHS);

- advised that as this was a new model for delivering primary medical care services it involved some considerable amount of work to educate both staff and patients on how the model worked and that patients may not always need to see a GP, an appointment with another medical specialist e.g. nurse, physiotherapist etc. may be more appropriate and beneficial;
- confirmed that the Healthy Prestatyn Iach Service at present had a full complement of staff, apart from GP staff. A recruitment exercise to fill vacant GP posts was currently underway. GP shortages across the country were exacerbated by a change in GP working practices with an increasing number of GPs opting to work part-time, some for work life balance purposes whilst others wished to devote part of their time to secondary specialisms;
- informed the Committee that the Nurse Consultant post was a new post. This individual would work at a higher level and therefore help ease the pressure on GPs;
- advised that whilst the British Medical Association (BMA) guidelines may suggest a GP to patient ratio of 3 GPs per 1,000 patients there was no GP practice in North Wales with 3 GPs to 1,000 patients. Healthy Prestatyn Iach's aim was 1 GP per 2,000 patient;
- confirmed that the Health Board was confident with the model in operation at Prestatyn. It had been challenging to establish as they only had 6 months to set it up and get it ready to operate to serve 22K patients. They acknowledged that they had underestimated the level of training and support required for staff transferring into a different service model setting. These lessons had been learnt for similar projects in future;
- the Health Board was ambitious for the Service's future. Securing the use of Tŷ Nant building had been key towards the future development and consolidation of the Service, as the upper levels of the building lent themselves well for the co-location of specialist teams which would improve communication and interaction between all care providers;
- confirmed that the Service operated a walk-in 'same day service' where a patient would not be turned away. However, they would need to be prepared to wait, perhaps an extended period of time, dependent upon the urgency of their ailment to be seen by the relevant practitioner. Bookable appointments were also available. Consideration was currently being given to introducing a triage system;
- advised that as part of the holistic well-being approach being taken by the Healthy Prestatyn Iach initiative work was currently underway to review diabetes care. The aim was to enhance the service to include educating patients which were prone or at risk of developing diabetes about the healthy options and choices available to them in a bid to avoid medical intervention at a later stage; and

- informed the Committee that the Health Board wanted to work with the Council's Education Service to draw pupils' attention to careers available to them locally within the health and care services.

6 NORTH DENBIGHSHIRE COMMUNITY HOSPITAL PROJECT

BCUHB's Director Clinical Services Therapies informed the Committee that the Health Board was currently working on the second stage of the Welsh Government's (WG) 3 stage business case process for the developing the site of the former Royal Alexandra Hospital in Rhyl into a community hospital for North Denbighshire. By means of a PowerPoint presentation he displayed an illustration of the proposed new building emphasising that the new community hospital would be far more than just a hospital:

- the proposed service model to be developed on the site would include a multi-agency multi-disciplinary team which would design their services around the needs of the service user, supporting the ethos of reablement to empower service users to live independently by collaborating with social care and third sector partners to improve prevention and enhance well-being;
- it would support more integrated working between primary and community based health care with a focus on older people with a view to ease the pressure on Ysbyty Glan Clwyd, deliver integrated physical and mental health service for older people, provide urgent same day health care services and a range of ambulatory and outpatient services closer to the patient's home; and
- the development would take the form of a Healthcare Campus which would make use of the Grade II listed former Royal Alexandra hospital building in conjunction with the proposed new hospital building. The campus would include same day minor illness and minor injuries provision, outpatients clinics, integrated older persons' mental health outpatient services, a 28 bed inpatient ward with a multi-disciplinary assessment unit, an intravenous (IV) therapy suite, diagnostic services, therapy services, extended community dental services, extended sexual health services, a community hub which would include a café and third sector meeting rooms. It would also accommodate an integrated working base for the Single Point of Access (SPoA) Services, Child and Adolescent Mental Health Services (CAMHS) and offices for integrated support teams.

The Committee was informed that:

- the Health Board had approved and submitted the Outline Business Case (OBC) for the North Denbighshire Community Hospital Project to WG in January 2017. Included in the OBC was the case for capital investment in the new build and the provision of new services on the site, along with the rationale for additional investment in the Grade II listed building;
- subsequent to the OBC's submission to WG Board representatives had met with WG officials in July and September 2017 to discuss the proposals. The Project Team had regrouped to respond to challenges identified as part of

the OBC approval process and an independent Gateway Review of the business case and process had been commissioned. The findings of the Gateway Review had proved extremely useful with a view to moving the project forward;

- the WG wanted assurances in relation to how the OBC would support the delivery of the Health Board's Living Healthier Staying Well strategic plan, a redefined workforce strategy and greater clarity on the benefits realisation of the plan. The latter related to the use of the existing listed building, by utilising this mainly as office accommodation, the Health Board was confident that it could secure the building's future and provide additional healthcare services within the new building. Workforce related issues were not unique to this project they were
- work was currently underway to re-draft the annex to the OBC which detailed the estates' proposals, this would include a clear statement on the function of the Grade II listed building following a proposed investment of circa £200K. More detail would be included in the OBC, prior to its re-submission to WG, on the revenue sources for the provision of new services on the site;
- as part of the preparatory work for the redevelopment of the site the Outpatients Department had relocated to the former Glan Traeth building in December 2017, the demolition of the 1960's extension should be completed by the end of April 2018. Following this work the area occupied by the former Outpatients Department would be resurfaced to provide an additional 44 parking spaces, further resurfacing work would be undertaken on the main car park and pathways would be clearly defined with improved lighting installed for the protection of patients and staff; and
- once the project team were satisfied that all the challenges raised by WG had been sufficiently address the OBC would be presented to the Health Board for approval for re-submission to WG. No definite timescale had been set for this as yet as the Project Team wanted to make sure that all queries had been addressed.

Responding to Committee members' questions the Health Board's Area Director:
Central Area:

- confirmed that they felt the same frustrations as members in relation to the extensive length of time the project was taking to come to fruition. The Business Case process was a WG process. It was protracted as it was a three stage process. However, significant discussions had taken place between the Health Board's Chief Executive and the WG. In addition, there was significant political support for the project;
- the Health Board had experienced a similar delay previously when developing the Ysbyty Alltwen project, which was now open and operational;
- the Health Board was fully committed to the project's delivery despite continuing to be under special measures and facing severe financial pressures;

- the WG had given assurances that it would provide £40m towards the capital cost of the project, with the Health Board to provide £2.3m revenue funding towards the project (whilst £2.3m may seem a considerable amount BCUHB was a £1.4bn organisation therefore the revenue funding it was required to provide was not excessive);
- confirmed that the Health Board was firmly of the view that the scheme should include a Health and Well-being Hub considering Rhyl's deprivation profile; and
- advised that due to the poor condition of the Grade II listed building and fire safety concerns, on patient safety grounds in-patient beds could not be placed within the building;

In response to the Committee's questions BCUHB officials advised that:

- the current business case was a public document, however this business case was currently being reviewed. Once the reviewed business case was submitted to the Health Board for approval that would also become a public document;
- the Gateway Review had been commissioned by the WG from an independent organisation to provide a critical friend review of the business case with a view to strengthening it. They undertook to make enquiries on whether or not the final report was available to the public;
- they fully understood the importance to local residents of the Grade II listed building, hence the reasons they were attempting to incorporate it into the project for the new North Denbighshire Community Hospital. Due to the constraints associated with its listed status it would not lend itself well to deliver 21st Century in-patient care. Consequently, the Board were proposing to use it, following an extensive programme of refurbishment as office accommodation for the new facility, with some clinical services being delivered on the ground floor. The Single Point of Access (SPoA) Service and other community based teams would be located on other floors; and
- with the advances made in medical science and care in recent years, along with the proposed range of community based services built into the project and the availability of suitable housing, that a 28 bed in-patient facility was sufficient to meet future NHS needs in the north Denbighshire area.

At the conclusion of the discussion Health Board representatives stated that they were confident that they now had a robust business case present to the WG. They re-iterated that both they and the Health Board were fully committed to the project's delivery.

Prior to briefing the Committee on the latest position with respect of the temporary closure of beds at Denbigh Infirmary Health Board officials gave members an overview of current and proposed developments to the Health Board's Community

Services in central and south Denbighshire. Members were advised that with respect of:

Corwen: work was about to start to redevelop the Health Centre. This work, scheduled to be completed by the autumn, formed part of a £1.5m investment in the Centre. It would include the provision of two additional consulting rooms for the town's GPs, two new dental surgeries and a multi-purpose treatment room. Whilst the work was underway services would be provided from temporary accommodation, with dental services being provided from their current location. Car parking facilities would be allocated to patients attending the surgery close to the temporary building, this would include an hour's free parking.

Ruthin: WG had recently announced that £1.7m had been earmarked for health services in the area, subject to the development of a business case. The aim of this investment was to enable the relocation of services currently provided at The Clinic to Ruthin Community Hospital. It would facilitate an extension to be built at the hospital and some refurbishment work to the hospital itself. It would further develop the range of services available at the hospital to enable joint working between primary, community and secondary care to be maximised, as well as provide opportunities for better integration of services with statutory and third sector partners. It was anticipated that a draft single Business Justification Case would be completed by the end of 2018. If the project was approved it would facilitate the relocation of GP services, Community Dental Service, Health Visitors, School Nurses, Community Mental Health Services and the Ambulance Service. Looking forward the Health Board was considering wider opportunities within the south Denbighshire area to improve care closer to people's home through joint working. Initial discussions had taken place between the Board and the local authority to explore potential opportunities for integrated working which could form a future phase of the development in Ruthin.

7 DENBIGH INFIRMARY

The Assistant Area Director of Community Services – Central briefed members on the reasons that led to the Health Board's decision to close 10 beds on the upstairs ward in the Infirmary in the wake of the Grenfell Tower disaster. The Infirmary was built in the early 1800s and accommodated 40 inpatient beds, 23 beds on the ground floor with 17 beds on the first floor. Following the Grenfell Tower disaster the Health Board undertook an extensive fire safety assessment of all its buildings. That assessment highlighted fire risk concerns at both the Infirmary and Mold Community Hospital. The specific concerns with respect of the Infirmary related to the fact that the floor of the upstairs Llewini Ward, part of which was situated immediately above the hospital's kitchen, was supported by wooden joists. The risk was exacerbated further as this part of the building was not compartmented which would help to reduce or at least slow down the spread of fire. When the extent of the risk became apparent the Health Board considered a number of options for addressing the risk, ensuring patient and staff safety whilst causing the minimum amount of disruption to all concerned.

However, due to the need to ensure that all patients could be safely evacuated in the event of a fire the least disruptive safe option that could temporarily be put in

place was to reduce the number of beds on Lleweni Ward from 17 to 7 - with the caveat that the remaining beds had to be occupied by patients who would not need mechanical support for their mobility needs in the event of evacuation.

The WG's Estates Department who had undertaken the fire risk assessment had made a number of recommendations in relation to improving the fire safety measures as the building. A number of these recommendations had been implemented, including compartmentation work. In addition the Health Board had commissioned a second, more intrusive survey, from consultants Mott McDonald. Whilst the findings of this survey were initially expected to be available during April, due to the need to take all necessary precautions to safeguard engineers, patients and staff, in case asbestos was present in the building and disturbed during the surveying work there had been a slight slippage. However, the consultant's report should be available in May 2018.

In a bid to manage the impact of the temporary loss of 10 beds at the Infirmary the Health Board had opened 5 temporary beds at Ruthin Community Hospital, with other work being undertaken within the community to care and support for people in their own homes. The Health Board had proactively engaged with staff in relation to changes to work patterns, however it had experienced staffing pressures relating to the additional beds at Ruthin Hospital which had led to the need to use agency and bank nursing staff to provide care. Ruthin GP practices had been extremely supportive and had increased their availability to cover the additional in-patient beds at the hospital.

Despite fewer beds being available in Denbigh Infirmary at present the Health Board advised that between both Denbigh and Ruthin hospitals there were community hospital in-patient beds available on the majority of days for patients to be either admitted directly there or to be transferred from the district general hospitals. Health Board officers confirmed that GP practices in Denbigh were very supportive of the Infirmary and the services provided there.

The Health Board was providing on-going support and advice to staff at the Infirmary, with regular monthly briefings being held for them. Regular training sessions were also being held for staff on the management of action plans, risk assessments, fire safety and evacuation procedures. In relation to stakeholder engagement Board officials had met with the Infirmary's League of Friends, local councillors and others, all of whom were very supportive of the Board's efforts to find solutions to the risks identified and to see the establishment operating at full capacity as soon as possible

Responding to members' questions Health Board representatives:

- confirmed that Denbigh Infirmary had 40 in-patient beds, prior to the temporary closure of 10 on fire safety grounds. Of the 40 beds 6 were for respiratory care, 12 were for Care of the Elderly, with the remainder being managed by Denbigh's GP practices. The total did include the beds on the Macmillan Ward which were not always needed for palliative care and were consequently available for other types of care. Beech House Surgery who did not use the Infirmary for GP-led medical care did utilise the beds on the Macmillan Ward;

- advised that the option of closing the kitchen and having food delivered to the Infirmary had been considered as a potential solution to the risks identified rather than having to temporarily close beds. However, this was not a viable option as white goods such as fridges and freezers would still be required on site therefore the risk of fire would not be sufficiently reduced to enable the beds to stay open;
- advised that it would be highly unlikely that the Infirmary would have 17 sufficiently mobile patients at any one time to enable them all to be located on the first floor ward;
- confirmed that staffing pressure were a persistent problem at the Infirmary, but this was not unique to the Infirmary it was a problem experienced across the NHS;
- confirmed that in total four members of staff had left Denbigh Infirmary since Christmas, 2 had indicated their intention to leave before the beds had been temporarily closed. The other two had left due to future uncertainties, although one had transferred to another similar hospital nearby. Naturally a number of staff were concerned about the future due to having encountered similar situations at the Royal Alexandra Hospital, Rhyl and the former North Wales Hospital at Denbigh. However, the Health Board was currently actively recruiting for both Denbigh and Ruthin hospitals and there was a 'Community Hospital Recruitment Day' scheduled for 28 April 2018;
- informed the Committee that Denbigh Infirmary was at the forefront of the 'Pyjama Paralysis Campaign' which focussed on the importance of getting people out of their nightwear and dressed as part of their recovery and reablement;
- confirmed that there were no shortage of community beds in the Health Board's Central Area, covering the counties of Conwy and Denbighshire, it was Ysbyty Glan Clwyd and other acute hospitals which had bed shortages;
- confirmed that the Health Board had no plans at present not to re-open the 10 beds closed temporarily at the Infirmary, if and when the time was right. It was aware that it needed to be open about the future of Denbigh Infirmary, and required to engage with citizens and with the Council on the future medical needs for the Denbigh area;
- advised that the WG Estates fire risk assessment report had been shared with the Council. Health Board officials did not foresee any problems relating to sharing the consultants' report with the Council once available. However, they did advise that this report would be a very technical report;
- confirmed that all hospitals were at present operating at high bed occupancy rate, which sometimes made it difficult to transfer patients from the acute hospitals to community hospitals;

- advised that there were times due to staff shortages when the Matron would be called upon to work on the wards, this was usually at times of high staff sickness levels;
- confirmed that the Infirmary did still operate a midwifery-led maternity unit. Whilst this was not widely used it was important as it had a legacy attached to it whereby a young person born at the Infirmary may be eligible to apply for a scholarship if attending university;
- that GPs in Denbigh were aligned to the Health Board's South and Central GP cluster. The Health Board's strategy was to provide services as close as possible to the patient's home, consequently a range of services were provided at Denbigh Infirmary;
- confirmed that the Health Board was currently working on its Community Strategy which would include shaping community hospitals for the future. The Council would have an opportunity to contribute towards the strategy through the Public Services Board (PSB); and
- advised that the Health Board was keen to discuss with the Council's Chief Executive how both the Board and the Council could jointly engage with local communities.

At the conclusion of the discussion the Committee:

Resolved: - ***subject to the above observations to request that the Health Board be invited to a future Council Briefing session to discuss with elected members its Community Strategy on shaping community hospitals in the county in future.***

8 SCRUTINY WORK PROGRAMME

The Scrutiny Co-ordinator (SC) submitted a report (previously circulated) seeking members' review of the Committee's work programme and provided an update on relevant issues. She reminded the Committee that the next meeting was scheduled to be held in Rhyl to visit the Single Point of Access unit (SPOA) in Russell House.

The SC highlighted the three items on the agenda for May's Partnership Scrutiny Committee:

- Homelessness Strategy and Prevention Plan
- Pooled Budgets (Health and Social Care) and
- Support Budgets for People Eligible for a Care and Support Plan.

The Corporate Director: Communities advised that the items on homelessness and support budgets were both substantial, therefore the Committee may wish to defer the item on pooled budgets to June's meeting.

Councillor Butterfield requested that the £1million homelessness grant from Welsh Government be covered by homelessness report.

The Corporate Director: Communities informed the Committee that the Betsi Cadwaladr University Health Board was expecting one of the reports on the lessons learned in respect of the Tawelfan Ward to be published on 3rd May 2018. The Committee agreed to convene a special Partnerships Scrutiny Committee meeting within a week of its publication in order to consider the report fully. It was also agreed that the special meeting should be held in Rhyl in order to facilitate a visit to the site of the proposed North Denbighshire community hospital.

Referring back to the report the Scrutiny Coordinator highlighted that:

- appendix 3 – Cabinet Forward Work Plan - was for information purposes and
- appendix 4 provided an update on Committee's resolutions.

The Chair of the Partnerships Scrutiny Committee had requested that September's meeting be moved from 13th to 20th in order for her to be able to attend. The Committee agreed to the deferment.

RESOLVED subject to the above to:

- (i) Confirm the Committee's forward work programme;***
- (ii) Convene a special meeting for week commencing 10th May 2018 to review the Tawelfan report and***
- (iii) Change the date of September's Partnerships Scrutiny Committee to 20th September.***

9 FEEDBACK FROM COMMITTEE REPRESENTATIVES

Councillor Hugh Irving reported that he had a meeting the following week for the preparatory agenda for a lines of enquiry for Service Challenge.

Meeting closed at 13:04

PARTNERSHIPS SCRUTINY COMMITTEE

Minutes of a meeting of the Partnerships Scrutiny Committee held in the Council Chamber, Russell House, Rhyl on Thursday, 3 May 2018 at 10.00 am.

PRESENT

Councillors Joan Butterfield, Gareth Davies, Pat Jones, Christine Marston, Melvyn Mile, Andrew Thomas, Rhys Thomas and Emrys Wynne (Vice-Chair, in the Chair)

Cabinet Lead Member – Councillor Bobby Feeley attended for agenda item nos. 4 & 5

Observers – Councillors Brian Blakeley, Meirick Davies, Glenn Swingle, Tony Thomas and Cheryl Williams

ALSO PRESENT

Chief Executive (JG), Head of Community Support Services (PG), Homelessness Prevention Commissioning Officer (LD), Team Manager – Housing Solutions and Supporting People (CO), Principal Manager: Community Support Services (CCN), Scrutiny Coordinator (RE) and Committee Administrator (KEJ)

POINTS OF NOTICE

- (i) in the absence of the Chair – Councillor Jeanette Chamberlain-Jones, the Vice-Chair – Councillor Emrys Wynne took the Chair for the meeting
- (ii) the Scrutiny Coordinator conveyed Councillor Chamberlain-Jones' thanks for all the messages of support and good wishes she had received over the last few weeks and the Committee wished her well and a speedy recovery
- (iii) a warm welcome was extended to all present and special mention was made to Judith Greenhalgh, Chief Executive who was attending her first meeting of the Committee.

1 APOLOGIES

Councillors Jeanette Chamberlain-Jones (Chair), Hugh Irving and David Williams and Nicola Stubbins (Corporate Director: Communities)

2 DECLARATION OF INTERESTS

No declaration of personal or prejudicial interest had been raised.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No urgent matters had been raised.

4 HOMELESSNESS PREVENTION ACTION PLAN UPDATE

Councillor Bobby Feeley, Lead Member for Well-being and Independence introduced the report (previously circulated) updating members on progress in implementing the Homelessness Prevention Action Plan as requested by the Committee at its meeting in November 2017. She reminded members of the major changes introduced by the Social Services and Well-Being (Wales) Act 2014 and focus on the prevention and intervention measures to homelessness, highlighting that the problem had been compounded by continuing austerity and welfare changes including Universal Credit.

Members' attention was drawn to the update and key actions over the next two years as detailed in the appendix to the report which incorporated actions required by the Denbighshire Homelessness Prevention Strategy and Denbighshire Supporting People/Homelessness Prevention Annual Plan with a focus on priority areas as recommended by the Wales Audit Office. The need for the Council to work in partnership with both internal and external organisations in order to achieve those aims was emphasised.

Responding to members' questions the Lead Member, Head of Community Support Services, Team Manager Housing Solutions and Supporting People and the Homelessness Prevention Commissioning Officer –

- confirmed that Supporting People (SP) grant funding to address homelessness was secured for 2018/19 and would continue beyond that – however as part of the proposed future funding changes more emphasis on intervention was being prescribed by the Welsh Government and there was uncertainty about who would distribute the proposed 'super grant' and how it would be allocated
- acknowledged there were issues with other organisations setting up as homeless charities and the Council and partners were working with them in order to offer training on how best to deal with the issues raised and complement the Homelessness Strategy, highlighting the clear pathway for those in need of support – SP projects were well monitored by the Welsh Government and managed within a pathway to determine the best provider for an individual/family
- advised that homelessness prevention services commissioned by SP were based in both rural and town areas and it was agreed to circulate a copy of the Directory of Services to Committee members; reference was also made to the Regional Providers' Forum and work ongoing to establish a multi-agency Homelessness Forum which members would be welcome to attend
- clarified the role of 'Community Navigator' linked to different areas with one Community Navigator part allocated to homelessness with a focus on Universal Credit – offering early intervention advice and support with a presence in Rhyl job centre to signpost individuals where necessary, ensuring issues were dealt with at an early stage to prevent homelessness
- explained that given the number of those precariously housed it was difficult to determine specific figures for homelessness with some individuals not traditionally living on the streets but 'sofa surfing'/staying with friends – there were approximately 60 cases a week presenting to the Council as homeless/at risk of homelessness

- elaborated upon work being undertaken to identify those individuals/families who would be affected by Universal Credit at an early stage and targeting support to prevent homelessness – all homelessness prevention staff, including those in commissioned services, had received Universal Credit awareness training in order to effectively support people in those circumstances and the Council had worked closely with Citizens Advice in that regard
- acknowledged that, in terms of Universal Credit, particular groups may not have the necessary skills or access to IT required and work was ongoing to support those individuals; it was also noted that more working families and young people were being affected and feedback highlighted their preference to use digital and social media for accessing services and managing benefits
- provided assurances regarding the use of particular temporary accommodation but highlighted the difficulties in finding suitable temporary quality accommodation to meet the needs of individuals and there were plans to undertake a feasibility study on temporary accommodation; work continued with providers/landlords to improve the quality of accommodation and prevent evictions
- highlighted the difficulties of engaging with young people to prevent youth homelessness and reported upon a joint feasibility study with Conwy County Borough Council to provide quality accommodation for approximately five youths in each county area subject to Welsh Government funding which would reduce the need for Bed & Breakfast accommodation
- reiterated that individuals could present themselves to the Council as at risk or homeless and would be referred to the SP service and individuals were also referred via other agencies such as Citizens Advice – following the merger of the Supporting People and Housing Solutions Teams the Council's response was far quicker and the service was regularly advertised via Talking Points
- clarified the use of issuing bus passes to individuals which was a reciprocal agreement across neighbouring authority areas.

At the conclusion of the discussion members were keen to receive a further progress report in approximately six months' time in order to continue to monitor progress on implementation of the Plan. Members also felt it would be useful for future reports to include more detail on the specific number of individuals/families identified as homeless or at risk of homelessness. It was also hoped that further detail regarding the proposed future funding changes would be available from the Welsh Government. Consequently the Committee –

RESOLVED, *subject to the above observations to –*

- support the delivery of the Homelessness Prevention Action Plan, to ensure that everyone is supported to live in homes that meet their needs;*
- note assurances that plans are being developed to mitigate any risks associated with the potential future withdrawal of the protection currently afforded to Supporting People funding for homelessness prevention work, and*

- (c) *requests that a further progress report on delivery of the Homelessness Prevention Action Plan be presented to the Committee at its meeting in November 2018.*

At this juncture (11.00 a.m.) the meeting adjourned for a refreshment break.

5 SUPPORT BUDGETS FOR PEOPLE WITH ELIGIBLE CARE AND SUPPORT NEEDS

Councillor Bobby Feeley, Lead Member for Well-being and Independence, the Head of Community and Support Services and the Principal Manager: Community Support Services presented the report (previously circulated) regarding changes made to the allocation of funding to individuals eligible for a managed care and support plan in Denbighshire. The changes in processes and approach to the allocation of money had been made in line with the Social Services and Well-Being (Wales) Act 2014 in order to increase the choice, voice and control of the individual supported.

The report signalled a move to a new approach with staff having different conversations with citizens usually described as 'what matters' conversations – asking what mattered to them and how they wished to achieve their desired outcomes, rather than what was the matter with them, to determine if they were eligible for care and support by applying the resource wheel. Where total care outcomes could not be achieved support budgets would be provided in one of three ways (1) a self-managed budget (direct payment), (2) a third party managed budget (brokerage), and (3) a local authority managed budget, and it was recognised that many older people would still want a traditional domiciliary care package managed by the local authority. However, where money was allocated via direct payment to individuals it could be used creatively providing the agreed and desired outcome was achieved, e.g. buying in-house services, employing family members, and paying for an air/season ticket for a family member to provide respite care. If direct budgets were effectively used outcomes could be achieved in a better way and could result in cost reductions in some cases. Finally reference was made to system changes required which would affect social care staff, finance officers and other support services and providers which needed to be appropriately managed.

In response to members' questions and comments the Lead Member and officers –

- referred to the potential for a Welsh Language care brokerage system to connect with carers and acknowledged the number of Welsh speakers across the whole county with demand in large towns as well as rural areas
- reported upon safeguards to protect against money mismanagement with a managed account service in-house for direct payments paid on a monthly basis – the Social Services and Well-Being (Wales) Act stated that budgets should be reviewed in the first six months; the care and support plan detailed specific outcomes which would be assessed through the review process and expectations would be explained to individuals and rigorous contract monitoring undertaken. If money was found to be misused there was a mechanism for clawback

- confirmed that direct payments had not been promoted well to date with approximately 90 out of 1500 individuals receiving direct payments; the majority of those receiving direct payments had been younger adults with complex disabilities but there were examples where the needs of older people could be met at home with family support and social care instead of in a residential care home setting thereby providing greater choice for the individual
- advised that options to raise awareness of direct payments were currently being explored and direct payment would be the default position at the outset (if appropriate) for those eligible following assessment and assurance could be taken from the early implementation of suitable systems and procedures in place
- explained the use of the resource wheel as a tool to ensure an asset based approach maximising the contribution of people's own strengths and the support which might be available from within their family and community; isolation was a key issue and Single Point of Access and Talking Point were key to connecting people who were isolated which was also a focus for the Community Navigator
- clarified that if an individual was not eligible for social care and a managed care and support plan it may still be possible in particular circumstances to offer a direct payment for equipment as a preventative measure
- reiterated that there were three support budget options to meet the needs of eligible individuals – if an individual did not have the necessary skills or mental capacity to manage direct payment a third party brokerage system would provide a level of support to that individual and a degree of independence. The third option provided for local authority managed accounts. The most appropriate option for the individual would form part of the initial 'what matters' conversation – all options included a care and support plan with clearly identified outcomes
- agreed to provide an information report on Disabled Facilities Grant/Adaptations Service outlining the Council's process for dealing with grant applications and its performance in processing and delivering grant associated home adaptations (to include information on the Care and Repair Service, uptake for its services and details of the Council's financial contribution towards the service).

Members were keen to review the impact of the changes and progress made in developing, promoting and rolling-out support budgets for eligible people in approximately twelve months' time. It was also suggested that it would be useful to include a service user satisfaction survey and case studies as illustrative examples.

RESOLVED that the Committee –

- confirmed that it had read and understood the changes to be made;*
- has read, understood and taken account of the Well-being Impact Assessment (Appendix 1 to the report) as part of its consideration;*
- requests that a progress report on Support Budgets for People with Eligible Care and Support Needs be presented to the Committee at its meeting in May 2019, and*

- (d) *requests that an information report on Disabled Facilities Grant/ Adaptations Service be provided to the Committee prior to the next meeting in June 2018.*

6 SCRUTINY WORK PROGRAMME

The Scrutiny Coordinator submitted a report (previously circulated) seeking members' review of the Committee's work programme and provided an update on relevant issues.

During the ensuing discussion –

- it was confirmed that reports requested by the Committee under the previous agenda items would be added to the work programme
- members agreed that the special meeting scheduled for 11 May to discuss the findings of the HASCAS report on the Tawelfan Ward at Ysbyty Glan Clwyd be cancelled due to the Health Board not being in a position to send representatives. Due to the size and nature of the report members felt it would be more appropriate to meet on an informal basis to review it and formulate questions in readiness for a future meeting with Health Board representatives. It was agreed to convene the review meeting at 10.00 a.m. on Wednesday 16 May 2018 in County Hall, Ruthin and whilst it would not be a public meeting all councillors would be invited to attend. Members also noted that the Health Board would be discussing the report's findings on 12 July 2018 and therefore was not expected to be in a position to send representatives to meet with the Committee until after that date
- items on the work programme for the June meeting were reaffirmed but it was noted that sufficient progress may not have been made on the CCTV Partnership in order to provide a meaningful report at that time – the Scrutiny Coordinator would make further enquires and report back to members in that regard
- it was noted that the Scrutiny Chairs and Vice-Chairs Group had not directed any matters to the Committee during their meeting the previous week, and
- in the absence of the Chair, who was the Committee's representative on the Strategic Investment Group, expressions of interest were sought for a temporary replacement. Councillors Joan Butterfield and Emrys Wynne both expressed an interest and following a tied vote Councillor Wynne waived his interest in favour of Councillor Butterfield.

RESOLVED that –

- (a) *subject to the addition of the items agreed during the meeting, the work programme as detailed in Appendix 1 to the report be approved, and*
- (b) *Councillor Joan Butterfield be appointed as the Committee's temporary representative on the Strategic Investment Group pending the Chair's return.*

7 FEEDBACK FROM COMMITTEE REPRESENTATIVES

The Chair reported upon his recent attendance at a meeting of the Welsh in Education Strategic Group at which it was noted that the only representatives

present were from Welsh Medium schools. The need for wider representation from those schools offering Welsh as a second language was highlighted given that they had a special role to play in helping to meet the target increase in Welsh speakers. The success of Ysgol Emmanuel, amongst others, was given particular mention.

RESOLVED that the verbal report be received and noted.

The meeting concluded at 12.15 p.m.

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Report to: Partnerships Scrutiny Committee

Date of Meeting: 28th June 2018

Lead Member / Officer: Councillor Bobby Feeley/Nicola Stubbins

Report Author: Richard Weigh, Head of Finance

Title: Health & Social Care – Pooled Budget Update

1. What is the report about?

To provide a further update to members of the Partnerships Scrutiny Committee on work that is developing to establish pooled budgets across North Wales as required for certain functions within Part 9 of the Social Services and Well-Being (Wales) Act 2014, including the 'exercise of care home accommodation functions'.

2. What is the reason for making this report?

As above and in response to the Committee's request last November to receive an update on pooled budgets.

3. What are the Recommendations?

- 3.1 That the Committee confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 1) as part of its consideration.
- 3.2 That the Committee notes the latest update and the work being developed to produce regional financial information (a non-risk sharing pool).

4. Report details

- 4.1 The previous report to the Committee (2nd November 2017) noted number of outcomes or developments within the region with regard to the social care and health integration agenda. Key agreements reported included:
 - *The development of a regional integration agreement which signifies the commitment of all partners to work collaboratively and to integrate services where appropriate.*
 - *The development of a partnership agreement for the Integrated Care Fund*
- 4.2 The Social Services and Wellbeing Act (Wales) requires certain functions to be supported by the creation of pooled budgets between local authorities and health. It is included within the legislation to promote integration as a means of strengthening service delivery. The evidence to support this is limited and reservations have been expressed previously at a regional level and to elected members locally, however it remains a requirement of the legislation. The Act is not specific about the scale of a 'pool' – e.g. one council with one health board, or one pool across all councils in the region with the health board. However, direction from the Minister received earlier in

the year makes clear the expectation is that the pool should be regional and not sub-regional.

- 4.2 A pooled budget covering care home accommodation functions across the region would be significant. The gross value of local authority contributions was estimated as being approximately £73m in 2016, with a further £20m estimated as the health contribution for nursing and funded nursing care (FNC). These figures are currently being updated to the end of 2017/18. The potential scale is therefore of any regional pool is significant.
- 4.3 It was reported in November that a number of pilot projects were being developed with a view to informing future integration (and therefore possibly pooled budgets). However, since then, there has been a clearer steer from Welsh Government about the expectation to have a full pooled budget in place before April 2019.
- 4.4 In common with other regions in Wales, a 'non-risk sharing' pool is currently being developed. This is not a formal pooled budget, where funds transfer between partners and are administered in one place, rather it is an exercise to consolidate relevant information to allow analysis and reporting on expenditure within the region. It could form the basis of a formal pool in future if all partners were supportive of that approach.
- 4.5 The scope of the no-risk sharing pool has been agreed among partners to include all commissioned residential and nursing care gross expenditure, including Health expenditure on Funded Nursing Care. The detail and format of data required to be provided by partners has been agreed and is in the process of being collected and collated within Denbighshire, as the lead body for the exercise. It is hoped that this will result in a consolidated picture of expenditure across the region but will also allow for more detailed analysis of the data making up the regional total to be completed. It would also allow, in the first year, each partner organisation and indeed the region, to be able to assess their expenditure position relative to their budget ahead of any formal pooling. This would highlight the scale of notional under or over spends relative to partner contributions and allow the region to explore how these might be dealt with in a formal pooled arrangement.
- 4.6 Additional or changed requirements under the new General Data Protection Regulations are being checked currently and subject to the appropriate data sharing agreements being in place, detailed data for 2017/18 will be collated. This will allow a consolidated reported to for 2017/18 to be presented to the regional board and thereafter, the intention is to produce a quarterly report. Holding the detailed information will also permit more detailed analysis that may help inform future commissioning strategy and medium term care and financial planning.

5. How does the decision contribute to the Corporate Priorities?

Better integration should help to support the 'resilient communities' priority by ensuring people who need health and social care support in Denbighshire will experience a seamless service.

6. What will it cost and how will it affect other services?

Specific funding has been allocated via the former Delivering Transformation Grant to support this. The grant was transferred into the Revenue Support Grant in 2017/18 and is now pooled regionally.

7. What are the main conclusions of the Well-being Impact Assessment?

Attached is a copy of the second impact assessment undertaken and whilst the project remains at a relatively early stage, significant progress has taken shape in the form of an integration agreement which sets out the framework for partners across the region to take integration and pooling of budgets forward. The impact assessment will need to be continually reviewed and revised as the project develops

8. What consultations have been carried out with Scrutiny and others?

Members will be aware of the Social Services and Well-Being (Wales) Act 2014 and will have received information about Part 9 of the Social Services Act and the development of the Regional Partnership Boards. Formal consultations will be conducted in relation to any specific areas of pooling of budgets should they progress.

9. Chief Finance Officer Statement

The actions being developed do not constitute a pooled budget in the formal sense and as such probably do not fulfil the requirements of the Act. However, it does begin to build a foundation upon which future pooled budgets could be based, while also not exposing the seven partner organisations in the region to the risks and costs associated with creating a pool of such scale. The proposed actions in the medium term also allow issues or problems to be highlighted and tested in a notional pool, without incurring financial risk or having to engage in any dispute resolution processes.

10. What risks are there and is there anything we can do to reduce them?

The main risk is non-compliance with the Social Services & Wellbeing Act and recent ministerial direction requiring formal pooled budgets to be in place by next financial year. However, the action proposed will help to mitigate risk and cost for partners, allow a period of learning and development and help partners to consider in an informed way, the actions that will best support better, seamless services – which could include more integration and pooled budgets, if appropriate.

11. Power to make the Decision

Social Services and Well-being Act 2014, Part 9.
Scrutiny's powers with respect of this particular area of work are outlined in Sections 7.3, 7.4.1 and 7.15.2 of the Council's Constitution.

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Pooled Budgets for Health and Social Care

Wellbeing Impact Assessment Report

This report summarises the likely impact of a proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number:	304
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Brief description:	<p>A Regional Pooled Budgets group has been established and is Chaired by Nicola Stubbins, Director of Social Services on behalf of partners. This group has been meeting since the beginning of the year and it is the view of this group and Directors of Social Services that integration and pooled budgets should not be finance-led and that social care and health leaders need to propose areas for integration. In its highlight report in January 2017 the group highlighted areas that could be explored further in relation to integration and pooled budgets which were: - IFSS - Delivering Transformation funding - ICF - Children with complex needs - Carers grant - Regional Safeguarding - Disability equipment stores (essentially developing what's already in place) - Funded Nursing care element of care homes budget There was also a suggestion that some localities may be able to pilot the pooling of care home budgets where services were already integrated such as Ffordd Gwynedd. 4.2 Further work undertaken by the Regional Pooled Budgets group and in its report to the NWRPB in June 2017 it was reported that the group were developing a regional Integration Agreement which would be signed by the 6 Local Authorities and the Health Board with individual schedules developed for each area of integration and pooled budgets which would sit beneath this agreement. The areas confirmed as those to be developed as pooled budgets would be: - Intermediate Care Fund (ICF) – It has been a requirement of the grant to have a Memorandum of Understanding in place however, a Partnership Agreement would strengthen the arrangements in place (and this is what WG is specifying in the Part 9 Guidance) - Carer's grant/services – to initially start with putting a Partnership Agreement around the grant and then look to incorporate other carer's services from April 2018 - Children with complex needs – this area has already been identified as a priority area for integration by the NWRPB - Integrated Family Support Services – this is a requirement in the Act - Community services – Care homes and Domiciliary care – Ffordd Gwynedd</p>
Date Completed:	19/10/2017 10:43:35 Version: 1
Completed by:	Nicola Stubbins
Responsible Service:	Community Support Services
Localities affected by the proposal:	Whole County,

IMPACT ASSESSMENT SUMMARY AND CONCLUSION

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

Score for the sustainability of the approach

Could some small changes in your thinking produce a better result?

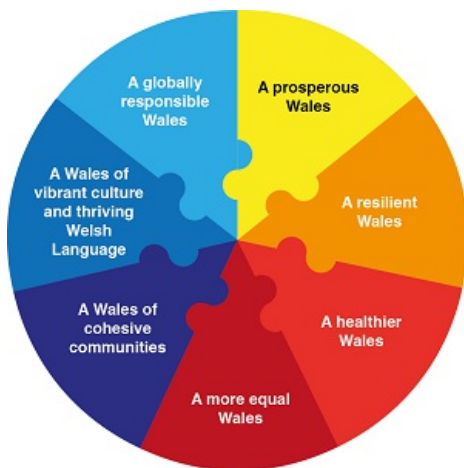


(3 out of 4 stars)

Actual score : 20 / 24.

Summary of impact

Wellbeing Goals



A prosperous Denbighshire	Neutral
A resilient Denbighshire	Neutral
A healthier Denbighshire	Positive
A more equal Denbighshire	Positive
A Denbighshire of cohesive communities	Positive
A Denbighshire of vibrant culture and thriving Welsh language	Positive
A globally responsible Denbighshire	Positive

Main conclusions

This is the second impact assessment undertaken and whilst the project remains at an early stage, significant progress has taken shape in the form of an integration agreement which sets out the framework for partners across the region to take integration and pooling of budgets forward. The impact assessment will need to be continually reviewed and revised as the project develops but consideration will also need to be given to completing individual impact assessments for each integration / pooled budgets pilot flowing from the integration agreement itself.

THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

A prosperous Denbighshire

Overall Impact	Neutral
Justification for impact	A vision is set out in our Integration Agreement stating our intentions to integrate services and improve outcomes for individuals across the region, however the pilots for pooled budgets that will sit under this agreement have not progressed sufficiently to evaluate the overall impact at this time. The learning from these will shape further development around integration of services and pooled budgets.

Positive consequences identified:

Until the pilots for pooled budgets have progressed further this is unknown at present

Development may result in opportunities for community resilience initiatives

It is unclear as the development of integration and pooled budgets is at an early stage. There will be some pilot developments in localities across North Wales and learning from these will provide a clearer understanding.

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Until the pilots for pooled budgets have progressed further this is unknown at present

Until the pilots for pooled budgets have progressed further this is unknown at present

Unintended negative consequences identified:

Until the pilots for pooled budgets have progressed further this is unknown at present

Integrating services across Health and Social Care could result in negative impact on current employee terms and conditions

Mitigating actions:

Once the pooled budget pilots have progressed further this impact assessment will be revisited

A resilient Denbighshire

Overall Impact	Neutral
Justification for impact	Currently we are not clear about the impact in relation to resilience however we would strive to ensure that any integration and pooling of budgets strengthens community resilience

Positive consequences identified:

It is unclear as the development of integration and pooled budgets remains at an early stage. The pilot developments in localities across North Wales will inform learning and provide a clearer understanding

Unintended negative consequences identified:

Regional working may incur longer travelling times

Mitigating actions:

Unknown at present time

A healthier Denbighshire

Overall Impact	Positive
Justification for impact	To improve outcomes and health and well-being and provide person centred care and support

Positive consequences identified:

The focus of the Social Services and Well-being Act is improving outcomes for citizens to include integration of services for all parts of the populations which includes social and physical environments
Community resilience / early intervention initiatives could include luncheon clubs for the elderly and provision of meals for vulnerable people, however it will depend on which services are agreed to fall within scope

Community resilience / early intervention initiatives could include accessing leisure facilities for different groups in the population - however it will depend on which services are agreed to fall within scope

Improve care and support, ensuring older people with more complex needs and long term conditions, and that citizens who are in need of care and support have voice, choice and control

Integration of health and social care services including the pooling of budgets will provide a mechanism for delivering this

Unintended negative consequences identified:

Mitigating actions:

Having agreed to enter into an Integration Agreement the partners have expressed commitment to regional integrated working including the pooling of budgets as mandated by law and where it will benefit service users. Consultation with service users and staff so that we deliver the outcome that is right for them.

A more equal Denbighshire

Overall Impact	Positive
Justification for impact	To improve care and support, ensuring people have more say and control by providing co-ordinated, person centred care and support

Positive consequences identified:

We deliver integrated services for Children with complex needs, Older people with complex needs, people with learning disabilities and carers. There may be further opportunities to integrate services and pool budgets to improve the well-being of a wider group of people with protected characteristics however they are not currently in scope

As this is integration of health and social care services, health inequalities for areas within scope

should be improved

Using the What Matters within service delivery across Health and Social Care should improve this aspect for individuals

Unintended negative consequences identified:

Mitigating actions:

Ensuring equity of service position across the region

A Denbighshire of cohesive communities

Overall Impact	Positive
Justification for impact	Integration should only be undertaken with citizens at the heart of service delivery and integration of services should only be undertaken where there is evidence of better outcomes for citizens.

Positive consequences identified:

Within health and social care services the safeguarding of individuals remains the paramount concern regardless of integration of pooling of budgets

This is a fundamental aspect in providing services within the spirit and ethos of the Act

Unintended negative consequences identified:

Mitigating actions:

An options appraisal toolkit has been developed regionally to ensure that integration has citizens at the heart of service delivery.

A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact	Positive
Justification for impact	People who prefer to receive services in Welsh will do so

Positive consequences identified:

Mwy Na Geiriau requires health and social care services to be delivered in the service users language of choice

Services will be promoted on a bilingual basis, some of the regions business language is Welsh

Utilise events across the region to promote the Welsh culture within health and social care services

Unintended negative consequences identified:

Mitigating actions:

This may cause issues for staff that are not currently Welsh speakers

A globally responsible Denbighshire

Overall Impact	Positive
Justification for impact	Utilise local businesses so that they continue to thrive within communities

Positive consequences identified:

There are a number of independent third sector providers locally based within the region who need support to continue to thrive

This is managed within contractual and employment terms and conditions

Providers may have to revisit objectives when we move to a region based approach

Unintended negative consequences identified:

Mitigating actions:

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Report To: Partnerships Scrutiny Committee
Date of Meeting: 28th June 2018
Lead Officer: Steve Price, Democratic Services Manager
Report Author: Steve Price, Democratic Services Manager
Title: A Joint Scrutiny Committee for the Public Services Board

1. What is the report about?

This report is about the proposed future arrangements to scrutinise the work of the Conwy and Denbighshire Public Services Board.

2. What is the reason for making this report?

This report provides information on the progress made towards establishing a formal joint Scrutiny committee for Denbighshire and Conwy Councils to scrutinise the Public Services Board (PSB).

3. What are the Recommendations?

- 3.1 That the Committee supports establishing a formal joint Scrutiny Committee to scrutinise the Conwy and Denbighshire Public Services Board;
- 3.2 That the Committee endorses the draft terms of reference and rules of procedure for the joint Scrutiny committee.

4. Report details

Background

- 4.1 Section 35 of the Well-being of Future Generations (Wales) Act 2015 requires that a local government scrutiny committee is designated to scrutinise the work of the PSB for that area. The intention is to place responsibility for challenge and accountability locally rather than on Welsh ministers.

- 4.2 The Act says that:

Each Local Authority must ensure its overview and scrutiny committee has the power to:

- 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.

4.3 In early 2016 the Welsh Government published guidance on the Well-being of Future Generations (Wales) Act 2015, the Act that established PSBs. In terms of the scrutiny arrangements for the PSBs the guidance states:

“In order to assure democratic accountability there is a requirement for a designated local government scrutiny committee of the relevant local authority to scrutinise the work of the public services board. It will be for each local authority to determine its own scrutiny arrangements for the public services board of which it is a member. For example, existing legislative powers can be used to put in place joint arrangements, such as ‘co-opting’ persons who are not members of the authority to sit on the committee, and where appropriate to appoint joint committees across more than one local authority area.

While it will continue to be entirely legitimate for a subject scrutiny committee (such as a children and young people’s scrutiny committee) to scrutinise the public services board’s work in relation to a specific issue, it is important that one committee takes an overview of the overall effectiveness of the board. This is the reason one committee must be designated to undertake this work.”¹

- 4.4 Compliant with the legislative requirements, Conwy and Denbighshire councils have each selected one of their Scrutiny committees to be their designated PSB Scrutiny committee. For Denbighshire this is the Partnerships Scrutiny Committee.
- 4.5 By August 2017 the Welsh Government had published guidance on the scrutiny of PSBs (attached as appendix 1).

Establishing a Joint Scrutiny Committee

- 4.6 It was the view of the PSB in September 2017 that a formal joint Scrutiny committee would be the most appropriate vehicle to effectively scrutinise a strategic cross-county / county borough board like the PSB. Proposals to establish such a joint committee had been considered by the local authorities in 2016 and elected members at that time decided against using a joint committee.
- 4.7 The Scrutiny co-ordinating groups and Democratic Services Committees in both Conwy and Denbighshire councils have now considered and agreed with the views put forward by the PSB to establish a joint committee and have endorsed a draft terms of reference for further consultation. This document is attached as Appendix 2.
- 4.8 The views of the PSB on the draft terms of reference will be sought at a meeting of the PSB on the 19th June and will be relayed to the committee. It is anticipated that a final draft terms of reference will be put before both councils in October and, if approved, a joint Scrutiny committee formally established.

¹ <http://gov.wales/docs/desh/publications/160225-spsf-3-collective-role-en.pdf> Shared Purpose: Shared Future Statutory guidance on the Well-being of Future Generations (Wales) Act 2015, SPSF3: Collective role (public services boards) Welsh Government, 2016

5. How does the decision contribute to the Corporate Priorities?

The recommendations do not directly contribute to the Corporate Priorities but the Council's Corporate Plan was developed in consultation with partner organisations, including the PSB partners. The PSB's Well-being Plan and the Council's Corporate Plan have complementary aims and activities.

6. What will it cost and how will it affect other services?

The main costs are the staffing resources that would be required by the new joint committee in respect of committee and scrutiny function support. These are referred to in the draft terms of reference which outlines that this support would be drawn from existing resources within Denbighshire and Conwy Councils. Both local authorities also provide support for the PSB.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1 An impact assessment is not required because this report is part of a consultation process on proposals to establish a Scrutiny committee. However, introducing a more effective Scrutiny model for the PSB will contribute to the PSB's delivery of its statutory role under the Well-being of Future Generations (Wales) Act 2015.

7.2 A local authority's Scrutiny arrangements are expected to:

- Formally receive the Wellbeing Assessment and Wellbeing Plan from the Public Services Board
- Act as a statutory consultee for the Wellbeing Assessment and Wellbeing Plan
- Review the Wellbeing Plan if directed to by the Welsh Minister (who has the power of referral but not approval)

8. What consultations have been carried out with Scrutiny and others?

8.1 Consultations have been undertaken with the Scrutiny Chairs and Vice Chairs Group and the Democratic Services Committee who have endorsed the creation of a formal joint Scrutiny committee. Conwy Council's Scrutiny co-ordinating group, its Democratic Services Committee and the Public Services Board have given their support too.

8.2 The PSB is being consulted on the draft terms of reference on the 19th June 2018 and further consultation is planned with Denbighshire's Scrutiny Chairs and Vice Chairs Group and Democratic Services Committee prior to a decision by full Council.

9. Chief Finance Officer Statement

Not required for this report.

10. What risks are there and is there anything we can do to reduce them?

The resources to support the proposed joint Scrutiny committee would be drawn from existing resources in Denbighshire and Conwy Councils. Such collaborations can suffer if there is a lack of clarity on roles and expectations or if the contributing partners are not committed to the collaboration. To address these risks, a detailed terms of reference and rules of procedure has been drafted and elected members with prominent roles in Scrutiny from both councils and the PSB have been involved in developing the proposals and the terms of reference.

11. Power to make the Decision

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

Section 58 of the Local Government (Wales) Measure 2011

Regulation 3 of the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013



Llywodraeth Cymru
Welsh Government

Appendix 1

Guidance for Local Authority Scrutiny Committees on the scrutiny of Public Services Boards

August 2017



We have been delighted to have produced the Guidance to Local Authorities on Scrutiny of Public Service Boards on behalf of Welsh Government and would like to thank all those that have been involved in its production, particularly the Welsh Scrutiny Officers' Network for their input, analysis and refinement.

Ministerial Foreword




I am pleased to introduce this Guidance for Local Authority Scrutiny Committees on the scrutiny of Public Services Boards.

The key message of the Well-being of Future Generations Act 2015 is for public bodies to come together to deliver improvements in the well-being of people and communities in Wales. An important part of this is for public bodies to account for their contribution to achieving the well-being goals.

This guidance is intended to help local authority scrutiny committees both to provide this accountability and support the development and improvement of Public Services Boards through the sharing of learning and experiences.

This new collaborative way of working is challenging for us all but the rewards, in the form of taking collective responsibility for improving and enhancing the lives of the citizens in Wales are immense.

I would like to thank Rebecca David Knight for her diligent and thorough work on this guidance and I hope it provides a useful and instructive guide for the scrutiny community.

A handwritten signature in black ink that reads "Mark Drakeford". The signature is written in a cursive, slightly slanted style.

Professor Mark Drakeford

Cabinet Secretary for Finance and Local Government



Ariennir gan
Lywodraeth Cymru
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Introduction

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 law on 29th April 2015 and became a requirement for public bodies in Wales 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.

The Act defines public bodies doing something “in accordance with the sustainable development principle” as the body needing to act in a manner which seeks to ensure that the “needs of the present are met without compromising the ability of future generations to meet their own needs”. It is a notable piece of legislation in placing emphasis on organisational behaviour in the context of partnership working as a key driver of longer-term change in localities.

The Act sets seven national well-being goals which are to be achieved by public bodies acting in accordance with the sustainable development principle. The goals represent the shared vision for the public bodies listed in the Act to work towards. Moreover, the Act makes it clear the listed public bodies must work to achieve **all** of the goals, not just one or two.

The Welsh Government has issued comprehensive statutory guidance on the Act “Shared Purpose: Shared Future” which describes in detail the well-being duties on public bodies. This guidance may be found [here](#).

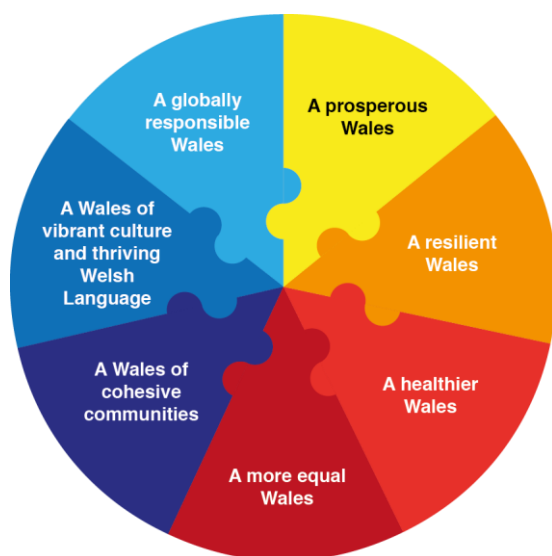
In wishing to support models of local government scrutiny that facilitate effective collaborative working, the Welsh Government has commissioned Centre for Public Scrutiny (CfPS) to develop guidance detailing the contribution scrutiny may make to Public Services Board governance and delivery arrangements.

Public Services Boards

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. Each PSB must undertake a local well-being assessment to inform a local well-being plan, detailing how their area will achieve the sustainable development principle in working towards the seven national well-being goals. Furthermore, PSBs must invite relevant voluntary organisations along with Welsh Ministers, the local Police and Crime Commissioner and the local Chief Constable to participate on the board.

To ensure PSBs are democratically accountable, the Act places a requirement on councils to designate an overview and scrutiny committee to scrutinise the work of the PSB. Under the provisions contained in the Act, overview and scrutiny committees have extensive powers to review the PSB's governance arrangements as well as any decisions made or actions taken by the PSB. In addition, overview and scrutiny committees are provided with considerable reporting powers as they are required to share copies of any reports or recommendations made in connection with the board's functions or governance arrangements with the Welsh Ministers, the Future Generations Commissioner for Wales and the Auditor General for Wales.

A pre-requisite to effective local government scrutiny is a deep understanding of the legal definition of the goals and the sustainable development principle (sometimes described as "the five ways of working"). The well-being goals are reproduced below.. A discussion of the sustainable development principle as it relates to the practical work of overview and scrutiny committees is provided later on in the document.



What is the purpose of the guidance? Who is it for?

The guidance sets out practical advice for overview and scrutiny practitioners based on evaluations of previous local service board (LSB) accountability mechanisms, emerging practice of public services board overview and scrutiny arrangements, and research on partnership governance more generally.

It also aims to provide practitioners with an understanding of the purpose of strategic partnership scrutiny more generally by suggesting a series of outcomes it should work towards. It can be the case that elected members, council officers or partners may not understand the utility or validity of local authority led accountability which is why efforts have been made to identify what positive

impact local government scrutiny in particular can result in. To be effective, it is important that everyone involved understands and welcomes the value of scrutiny.

It is important therefore, to highlight that each local authority should develop arrangements that best meet local circumstance. This is important given the Act's focus on utilising **place**-based resources in achieving **place**-based change.

This guidance is not statutory guidance. However, failure to consider principles informed by good practice is likely to result in scrutiny mechanisms which lack impact and inadequately supports the PSB as a strategic partnership. The risks associated with poor collaborative governance arrangements include weakened decision making, additional complexity, fragmented accountability, lack of transparency and poorer well-being outcomes.

Clarifying the strategic function of public services board scrutiny

The statutory guidance "Shared Purpose: Shared Future 3 – Collective role (public services boards)" identifies that the Well-being Act relies predominantly on local government overview and scrutiny committees to secure **continuous improvement** in local integrated planning¹. It specifies that local authority overview and scrutiny is the means by which the Act assures democratic accountability for partnership working in a locality².

As such the purpose of PSB overview and scrutiny is to take an overview of the board's overall effectiveness through the provision of democratic challenge. However, to assist councils in the development of individual arrangements, it is important to provide some explanation regarding how local government overview and scrutiny can add value to collaborative working to better understand the factors underpinning effective practice.

What is the purpose of PSB overview and scrutiny? What is it meant to achieve?

Research into different forms of partnership governance and area based change programmes identify that capitalising on the representational value of elected members' community leadership role can result in the following beneficial effects for partnerships:

- 1. Provision of a supportive space for reflection and self-analysis:** In exploring the extent to which PSB activity may be said to result in 'collaborative advantage' as it relates to the seven well-being goals and five ways of working, local government overview and scrutiny arrangements can provide a supportive space in which attention can be paid to partnership relationships. Impartial, evidence based scrutiny can encourage reflexivity and reflection on the impact of different behaviours upon the PSB's overall performance, encouraging feedback and open discussion at all levels.

¹ "Shared Purpose: Shared Future 3 – Collective role (public services boards)" paragraph 173.

² "Shared Purpose: Shared Future 3 – Collective role (public services boards)" Paragraph 174.

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- 2. Enhanced democratic accountability and improved transparency:** Councils derive their 'Local Authority' from the democratic legitimacy of elected members. The closer accountability gets to citizens, the more credible and valid it becomes in seeking public account from those with power. Partnership scrutiny provides a grounded check and balance to collective decision making by testing assumptions, examining risks and challenging how resources are prioritized. Improving transparency in this way can help the PSB identify how to better align resources, services and institutions around the needs of people and places.
 - 3. A stronger focus on improving local citizen's lives:** In clarifying different contributions to delivery and seeking to improve services from the citizen's perspective, overview and scrutiny can help PSBs stay focused on joint outcomes. Local challenge can help determine whether PSBs are facilitating whole-system approaches to shared problems or whether partners experience constraints that are counterproductive to working as one Welsh public service. A deeper understanding of these issues can assist the development of more 'networked' forms of accountability at local and national level which better supports implementation of the Act.
 - 4. Place based transformation through deeper public engagement:** Elected members are able to channel a wide range of community intelligence into decision making processes. Through their role they are able to invite, authorise and legitimise stakeholder contributions as a horizontal rather than vertical form of accountability. This can help refocus the balance of power between services and the citizens they serve. Not only is this able to help the PSB ensure services are more responsive to local need and aspiration but, in enabling shifts in perspective to occur, so too can new assets and resources be identified.

Research tells us that accountability within partnership environments is complex and that failure to properly understand how different accountability agents work together may lead to situations which hamper effective collaboration³. Conversely, 'softer' forms of accountability such as local overview and scrutiny which are grounded in local context and which seek to use exploratory challenge to strengthen partnership working, can help PSBs embed a 'culture of responsibility' in its activities and ways of working.

What are public services boards accountable to overview and scrutiny for?

Public services boards (PSB) are accountable to overview and scrutiny committees in respect of how they work jointly to improve the economic, social, environmental and cultural well-being of their area by contributing to the achievement of the well-being goals in accordance with the sustainable development principle.

In developing PSB overview and scrutiny arrangements however, it is important to acknowledge the overlaps that exist between the functions of board members as public bodies under the provisions contained in Part 2 of the Act, and the functions public bodies carry out jointly as members of the

³ Office for Public Management, [Total Place – Lessons Learnt](#), 2009, p 3.

public services board contained in Part 4 of the Act. This is unsurprising given the requirement placed on public bodies and PSBs to act in accordance with the sustainable development principle which regards deeper collaboration and integration as central to the achievement of local well-being goals.

This is most clearly demonstrated within the Act in section 7(2) which provides that the well-being objectives of a public body that is also a member of a public services board may be included in that board's local well-being plan. In determining what overview and scrutiny committees can hold the PSB to account against, however, important questions are raised regarding who has ownership of 'joint' well-being objectives and who is ultimately responsible for delivery. Partners have multiple responsibilities but these shared responsibilities should not mean diminished accountability.

In considering the roles of the Auditor General in Wales and the Future Generations Commissioner for Wales as they relate to ensuring the statutory duties of public bodies are being met, it is crucial that local government overview and scrutiny form part of an 'accountability eco-system' that offers a mutually supportive approach to governance. These issues will be discussed in more detail when we consider the powers overview and scrutiny committees have in examining the performance of PSBs and the methodological implications of determining the 'added value' brought about by the PSB as a statutory partnership.

Functions and responsibilities of public services boards

Chapter 2, section 36 of the Act sets out the functions of public services boards which are to;

- 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.

Section 36 (3) specifies that public services boards are required to carry out its functions in accordance with the sustainable development principle sometimes referred to as the which is defined in section 5 of the Act and summarised in the following table:

The sustainable development principle

1. The importance of balancing short term needs with the need to **safeguard the ability to meet long term needs**, especially where things done to meet short term needs may have detrimental long term effect;
2. The need to take an **integrated** approach, by considering how—
 - (i) the body’s well-being objectives may impact upon each of the well-being goals;
 - (ii) the body’s well-being objectives impact upon each other or upon **other public bodies’** objectives, in particular where steps taken by the body may contribute to meeting one objective but may be detrimental to meeting another;
3. The importance of **involving other persons** with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population;
4. How acting in **collaboration** with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist **another body** to meet its objectives;
5. How deploying resources to prevent problems occurring or getting worse may contribute to meeting the body’s well-being objectives, or **another body’s** objectives.

From an accountability perspective, the Act is unique in emphasising that the process of partnership working via the sustainable development principle is **central** to the PSB’s progress in working towards well-being goals. The actions partners take as ‘public bodies’ under the requirements of the Act have a direct bearing on the PSB’s effectiveness as a corporate body. This may make it difficult at times for overview and scrutiny committees to determine the added value brought about by collaborative working.

As such, in discharging its accountability functions, committees should not lose sight of the need to explore the contribution of individual PSB members as it relates to the overall performance of the PSB itself. This approach will take into account levels of partnership commitment to working in accordance with the sustainable development principle and necessitate co-ordinating activities with evidence from the Future Generations Commissioner’s office.

Examining the powers of local government overview and scrutiny committees

The Act provides the legislative basis by which local government overview and scrutiny committees can act as a powerful driver of place-based collaborative working. It places a requirement on local authorities to ensure a designated overview and scrutiny committee has power to;

- 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.

In exercising its powers, overview and scrutiny committees can **require** members of the PSB (or a designated representative) to attend committee meetings to provide explanation in response to committee lines of inquiry.

Whilst committees can require any statutory member of the board to give evidence, the capacity in which they do so must relate to the exercise of joint functions conferred on them as a statutory member of the board. This does not preclude overview and scrutiny committees interviewing individual partners to assess their contribution to collaborative delivery. This power includes any person that has accepted an invitation to participate in the activity of the PSB.

Furthermore, the Act stipulates that an overview and scrutiny committee **must** send a copy of any report or recommendation made in connection to its functions to the Welsh Ministers, the Future Generations Commissioner and the Auditor General for Wales.

Roles for overview and scrutiny committees

There are three main roles overview and scrutiny committees may engage in providing democratic accountability to the PSB.

1. Reviewing the PSBs governance arrangements;
2. Acting as statutory consultees on the well-being assessment and well-being plan;
3. Monitoring progress on the PSBs implementation of the well-being plan and engagement in the PSB planning cycle;

Overview and scrutiny committees have a variety of methods at their disposal in carrying out these roles ranging from consideration of issues at full committee, to undertaking investigation via a sub-committee or task and finish group.

(i) Reviewing the PSBs governance arrangements

In providing committees with the power to review the board's governance arrangements, elected members have the means to examine the systems and processes by which the PSB functions, as well as the ability to review its activities and outputs. In this way, committees are empowered to develop a more rounded analysis of how the quality of partnership working affects the economic, social, environmental and cultural well-being of their area.

A review of the PSBs governance arrangements may include examination of the PSBs terms of reference (as described in statutory guidance), and may consider:

Decision making and forward work planning

- The board's terms of reference and how it plans and manages its forward work programme.
- How the board makes decisions as a strategic partnership.

Membership and Engagement

- What change needs to happen within the PSB and wider partnership framework to embed the sustainable development principle?
- How the board involves people who are interested in the improvement of well-being in an area and how it is ensured that those persons reflect the diversity of the population of the area served by the board.
- The procedure for resolving disagreements between members relating to the board's functions.
- How the board manages its membership to include examination of statutory member representatives, invited participants and the extent to which designated representatives have the authority to make decisions on behalf of the organisation they represent.
- How the board seeks to engage in a purposeful relationship with the people and communities in the area, including children and young people, Welsh-speakers and those with protected characteristics, in all aspects of its work.

Performance management arrangements

- How the board monitors and reports progress, to include consideration of performance indicators and standards for public service boards (where they have been set).
- The functions and performance of any sub-groups established by the board.
- How the board identifies and manages risk.
- How the board interrelates with the Auditor General in Wales, the Future Generations Commissioner and the Welsh Ministers with regard to discharging its statutory functions.
- How the PSB assesses and learns from its own performance.

Resources and relationship building

- How the board resources the functions it must undertake which are a responsibility of all the statutory members equally. For example, the undertaking of the local well-being assessment and the development of the local well-being plan.
- The level of investment the PSB think necessary to make in strengthening relationships between different members to help the board function effectively as a team.

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- The level of resource the PSB thinks necessary to support effective governance practices including preparation of evidence for overview and scrutiny.

In addition to reviewing the PSB's governance arrangements, overview and scrutiny committees have wide-ranging powers to review or scrutinise the decisions made or actions taken by the public services board.

These investigative powers serve to enable overview and scrutiny fulfil two additional roles; firstly, as a statutory consultee regarding the draft well-being assessment and well-being plan, and secondly to monitor how effective the PSB performs collectively in implementing the well-being plan and reflecting on performance to better contribute to the PSB's planning cycle.

(ii) Scrutiny as statutory consultee

The Act identifies that the public services board must consult with overview and scrutiny committees (in addition to other named consultees) regarding the preparation of both its assessment of local well-being and its local well-being plan.

- Well-being Assessment

In being consulted upon the PSBs draft well-being assessment, overview and scrutiny committees may wish to explore the following as a means to help strengthen its process and content:

1. Whether locally determined outcomes have been developed. If so, what is their relationship to the well-being goals?
2. The extent to which the process of developing the assessment has been undertaken according to the sustainable development principle. For example, how have different organisations worked together using the five ways of working to develop a comprehensive assessment of economic, social, environmental and cultural well-being of the area?
3. The way in which information from the population assessment required under the 2014 Social Services and Well-being Act has been triangulated with the well-being assessment. Does the assessment provide some analysis as to how identified needs correspond to conditions of well-being and place?
4. Does the assessment include in its analysis the well-being of categories of persons such as people considered to be vulnerable, people possessing a protected characteristic, children (including looked after children, those in foster care and care leavers), carers and people who may have need for care and support?
5. How well have the enablers and barriers to well-being been identified over the short, medium and long term?
6. The extent to which the assessment has identified the area's strengths and assets and how these might be utilised to help prevent problems occurring or getting worse in future.

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7. How robust is the evidence base underpinning the assessment? Do different types of evidence contradict each other? What gaps in evidence have been identified as a result of the assessment and how these are intended to be addressed?
 8. Whether attempts have been made to identify what improvement would look like as it relates to economic, social, environmental and cultural well-being in the area. What would indicate that improvements were being made or not?
 9. Have attempts been made to provide some comparison of well-being within Wales and with other high performing areas across the UK?
 10. Does collaborative working encourage deeper integration across public bodies and organisations, and is this likely to result in better experiences for citizens when undergoing transition between service providers?

- **Well-being Plan**

In being consulted upon the PSBs draft well-being plan (or any changes made to an amended well-being plan), overview and scrutiny committees may wish to divide their consideration into two components:

- How local objectives have been set,
- the steps the board proposes to take to meet identified objectives.

Setting objectives

In considering how the PSB has set collective objectives, an important role for overview and scrutiny is to determine the relationship between the **individual** well-being objectives that have been set by PSB Members as public bodies, and the well-being objectives that have been **collaboratively** identified by the PSB.

To assist them to strengthen the overall quality of the plan, overview and scrutiny committees will have access to the advice the Future Generations Commissioner will have provided to the PSB. This will provide information on how the PSB may take steps to meet their local objectives in a manner which is consistent with the sustainable development principle.

It is also important to highlight that the Act provides for the Welsh Ministers to refer a PSB's well-being plan to the relevant local authority scrutiny committee if it is not considered sufficient; for example, due to an adverse report by the Future Generations Commissioner for Wales or a Ministerial concern that statutory duties are not being met.

In evaluating the quality of the plan, overview and scrutiny committees may wish to explore the following issues with members of the PSB:

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1. How has the well-being assessment been used to identify well-being objectives?
 2. How responsive are the objectives to addressing the issues arising from analysis of the well-being assessment? What evidence is there to show this?
 3. What is the 'theory of change' behind the formulation of well-being objectives? Is the PSB able to describe and illustrate how and why a desired change is expected to happen **over time** within the local context.
 4. How do the objectives link to the well-being goals, and how do the objectives relate to one another?
 5. How is it possible to see the extent to which the objectives have been set in accordance with the sustainable development principle?
 6. Can it be said that the well-being plan reflects where the board has decided that collective action can be taken to have a positive impact on well-being in the area?
 7. How do the PSB's well-being objectives correspond to the individual well-being objectives of the partners constituting the PSB? To what extent have they been reproduced in the well-being plan?
 8. What evidence is there to show that the PSB have set objectives that maximise the 'collaborative advantage' that can be brought about by partnerships? How is the PSB able to show it is aiming to create new value through its well-being objectives?
 9. How far do the objectives reflect the PSB's level of ambition for improving the well-being of people and place?
 10. How far has advice from the Future Generations Commissioner and other Welsh Government Commissioners been taken into account when developing the plan?

Action planning

Paragraph 97 of the statutory guidance identifies that the board must take all **reasonable** steps to meet the local objectives they have set, to deliver on collectively. However, the guidance specifies that it is for the board to:

"...form its own judgement of what steps it would be reasonable to take, on the basis of its own knowledge and consideration of the circumstances and characteristics of its area."

As statutory consultees, overview and scrutiny committees can help strengthen the quality of the overall well-being plan by exploring how identified actions⁴ relate to ownership, the sustainable development principles, time-frames and their likely impact on delivery. Committees may wish to consider the following questions:

1. How likely is it that the actions identified relate to the achievement of the well-being objectives?
2. How can it be evidenced that the actions identified represent the maximum agency and influence able to be committed by the PSB working collectively?
3. How well are the time frames in which actions are intended to take place specified? Does the plan provide for opportunities to review and reflect on whether actions are resulting in desired impact, or whether a change in approach is needed?
4. Who is responsible for delivering on the actions leading to the achievement of objectives?
5. How do the actions identified in the plan link to the actions of partners that are engaged in the work of the PSB?
6. How has advice and guidance provided by the Future Generations Commissioner been used to enhance the quality of the action plan?
7. How will the PSB be able to assess whether identified actions are resulting in measurable change in the short, medium and longer term?
8. To what extent will user experience be used to determine the impact actions are having upon different aspects of well-being in different parts of the area?
9. What flexibility does the PSB have in changing actions contributing to local well-being objectives if needed?

Assessing delivery of the Well-being Plan

A PSB is required to prepare and publish a report detailing the progress made towards meeting local well-being objectives no later than 14 months after the publication of its first local well-being plan. This is intended to enable the board to report on the full year's activity. Subsequently, an annual report must be published no later than one year after the publication of each previous report. The PSB must send a copy of its annual report to overview and scrutiny.

⁴ The actions referred to in the questions may be interpreted as the 'steps' taken by the PSB to meet local objectives.

An important role for overview and scrutiny is to monitor and assess how well the PSB has delivered as a collaborative partnership on the actions intended to achieve local well-being objectives. It may wish to explore the following issues with members of the PSB:

1. To what extent have intended actions been delivered within the timescales specified? How much progress has been made towards meeting the well-being objectives? How far have the PSB's expectations been met?
2. What lessons has the PSB learnt as a result of progress to date? How will these lessons be incorporated into the PSBs planning cycle and how the PSB operates as a partnership?
3. What have been the resource implications of delivering on the well-being plan?
4. How has delivering as a collective impacted on the delivery of individual well-being objectives in accordance with the sustainable development principles?
5. What unintended consequences have arisen from delivering against the well-being plan? What are the main factors that have impacted upon delivery?
6. What gaps in data have been identified as a result of delivery? How have these gaps been identified?
7. To what extent has service user experience been used to assess collaborative performance delivery? What other methods have been used to evaluate effectiveness and impact?

Exploring what makes for 'effective' PSB overview and scrutiny practice

An important role for overview and scrutiny committees in providing democratic accountability is its ability to monitor and scrutinise the performance of the PSB both in terms of how it operates as a board, and how it delivers on its strategic requirements. However, research on partnership scrutiny identifies that whilst local government models can be effective in helping deepen integration, failure to develop good quality relationships with partners at the outset can be counterproductive to the delivery of shared outcomes.

In developing PSB accountability arrangements, it is worth highlighting that the language associated with scrutiny has the potential to be unhelpful in creating an environment in which challenge is welcomed as an opportunity for enhanced learning and self-reflection. For example, the term 'holding to account' may suggest an uneven and oppositional relationship between PSB partners and overview and scrutiny committees.

This can have the effect of creating unnecessary tension and misunderstanding about the aims and intent of elected members involved in reviewing the PSB's collective performance. As the style of scrutiny and methods adopted by committees have a direct effect on the quality of interaction between themselves and PSBs, care should be taken to develop partnership scrutiny in a way that

shows commitment to the sustainable development principle. For scrutiny to be effective, it needs to lead by example.

Research into the practice of collaborative or joint scrutiny in England and Wales identifies that arrangements are effective when they demonstrate the following characteristics:

Characteristics of effective partnership scrutiny

- Scrutiny regards itself as a form of ‘critical friendship with positive intent’ in which scrutiny practitioners act as advocates for the success of joint working.
- Collaborative performance is evaluated from the citizen’s perspective.
- Strong efforts are made to understand the complexity of partnership arrangements and to facilitate learning about the culture and assumptions of different organizations.
- Scrutiny creates positive expectations by focussing on issues regarded as useful to the partnership or where there is consensus that ‘things need to change’.
- Scrutiny demonstrates intellectual independence and investigative rigour in all of its activities.
- Scrutiny demonstrates a positive impact by developing clear, timely, evidence-based recommendations aimed at enhancing collaborative performance.
- Scrutiny critically evaluates its own performance utilising partnership perspectives.

The above characteristics are complementary to the ‘Characteristics of Effective Scrutiny’ framework developed by the Welsh Scrutiny Officers’ Network and referenced within the William’s report on Public Service Governance and Delivery in Wales. In recognition of their utility, it is worth highlighting that the Williams report advocated the framework be developed further to ensure a ‘best practice approach to scrutiny, not least required’ was embedded in Welsh public service delivery⁵.

Developing effective relationships with the PSB

Given that the performance of democratic accountability rests on effective working relationships with the PSB, it is important that councils give thought to the nature of scrutiny’s interaction with partners when establishing scrutiny arrangements.

Working in partnership with the PSB, local government scrutiny functions may wish to co-produce a shared vision for PSB scrutiny arrangements which provides clear direction on the outcomes scrutiny are meant to achieve and the guiding principles that shape its work.

⁵ The Williams report can be found here: <http://wales.gov.uk/topics/improvingservices/public-service-governance-and-delivery/report/?lang=en>. References to the ‘Characteristics of Effective Scrutiny’ may be found on page 133.

The main levers by which relationships can be influenced include approaches to co-option and the methods by which scrutiny interacts and communicates with the PSB, namely how it handles partner invitations to scrutiny meetings, requests for information and reporting arrangements for scrutiny's reports and recommendations.

As a means to clarify responsibilities, expectations and behaviours, councils may wish to consider developing a guide or protocol for the benefits of the PSB membership. This might provide a useful opportunity for communicating to the PSB a positivist approach demonstrating how scrutiny contributes to local place-based leadership. Wrexham County Borough Council has used its previous Local Service Board scrutiny protocol as the basis of a new protocol for governing its relationships with the Public Services Board.

The protocol is notable for detailing PSB partner's 'commitment to co-operate' with the Council's scrutiny committees. For example, it provides that:

- PSB Partners are provided with information on how to access the Scrutiny process, for example they may request that an issue is presented for scrutiny and have access to relevant information on the Scrutiny Committee timetables and work programmes.

And,

- Explains how the committee's views/recommendations will be communicated following scrutiny and how the PSBs views will be fed back to scrutiny.

In support of the protocol's application, the Council's scrutiny facilitators adopt a pro-active approach to working with the PSBs support officer in co-ordinating the PSB and scrutiny's forward work programmes.

A copy of the protocol may be found at Appendix 1.

- **Overview and scrutiny structures**

Whilst it is a requirement of the Act that councils must designate an overview and scrutiny committee to scrutinise the work of the public services board, it is up to each local authority to determine its own arrangements. Emerging practice of PSB scrutiny arrangements identify distinct models which include:

1. Utilising an existing overview and scrutiny committee to comply with the requirements of the Act. Usually this committee also undertakes scrutiny of local Community Safety Partnerships under the provisions made in the 1998 Crime and Disorder Act. Examples include Caerphilly County Borough Council's [Partnerships Scrutiny Committee](#)
2. Establishing a dedicated committee specifically for scrutinising the work of the local PSB such as Monmouthshire County Council's [Public Services Board Select Committee](#)

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3. Establishing a dedicated scrutiny panel as a sub-committee of the council's designated public services board overview and scrutiny committee. For example, see Swansea City Council's [Public Services Board Performance Panel](#)
 4. Establishing a dedicated joint overview and scrutiny committee to undertake collaborative scrutiny of a merged public services board. For example, the [Cwm Taf Public Services Board Joint Overview and Scrutiny Committee](#) has recently been established by Merthyr Tydfil and Rhondda Cynon Taf County Borough Councils, representing the first formal joint overview and scrutiny committee in Wales. The joint committee comprises equal membership of councillors from each participating council and was established in accordance with requirements of the Well-being of Future Generations (Wales) Act, 2015 taking into consideration the requirements of Section 58 of the Local Government (Wales) Measure, 2011 and associated statutory guidance. Further details may be found [here](#).

Although the structures might look dissimilar, the activities intended to be undertaken are broadly the same. However, regarding the membership of PSB scrutiny arrangements, research from previous joint scrutiny models identifies that co-option can make a big difference to the positive contribution able to be made to partnership governance arrangements.

Co-option and collaborative working

"The partnership approach to the scrutiny of the work of the LSB has brought great value to the outcomes. Partners bring differing perspectives that broaden the constructive challenge, and also lead to scrutiny being informed and truly probing.

I do believe that the LSB's partnership delivery of services around domestic abuse will improve as a result of our work."

(Co-opted Member, Rhondda Cynon Taff's LSB Scrutiny Working Group, April 2011).

The evidence from overview and scrutiny committees in Wales is that the contribution of co-opted members on committees can significantly strengthen their effectiveness. In thinking about how scrutiny arrangements may seek to work in accordance with the sustainable development principles, co-option offers opportunities to enhance collaborative working.

Existing statutory provision under section 76 of the 2011 Local Government (Wales) Measure enables the co-option of persons that are not members of local authorities onto overview and scrutiny committees in accordance with section 21 of the Local Government Act 2000. **Statutory guidance accompanying the 2011 Measure provides additional advice and detailed case studies.**

Evidence from those councils utilising multi-agency approaches to Local Service Board scrutiny identified the following four benefits from adopting an integrated approach to partnership working. These have been summarised as follows:

Findings from multi-agency scrutiny arrangements

- The inclusion of partner representatives into democratic scrutiny processes was found to break down organisational fragmentation when analysing joint delivery of cross-cutting themes.
- Greater democratic influence within partner organisations was considered as helping reduce the 'democratic deficit' within public organisations.
- Reports and recommendations from scrutiny were considered to be more palatable to local strategic partnerships due to integration of partners within the scrutiny process. This was considered important in reinforcing scrutiny's credibility and integrity and allaying partnership concerns regarding undue 'political interference'.
- Greater innovation and engagement: a strong culture of accountability was considered supportive of transformational change and improvement in promoting wider dialogue from which creative solutions may be found. It was found that embracing different points of view enabled shifts in perspective to occur as demonstrated by Rhondda Cynon Taff's use of 'experts by experience' when considering joint approaches to the reduction of domestic violence.

In wishing to work collaboratively with the PSB, Swansea City Council's Public Services Board's Performance Panel sought to invite (rather than co-opt) non-executive members of partner organisations comprising the PSB. This included the following:

Public Services Board Statutory Members / Invited Participants	PSB Performance Panel Invitee
Abertawe Bro Morgannwg University Health Board (Statutory Member)	Non-executive Board Member
Mid and West Wales Fire and Rescue Service (Statutory Member)	Member of the Performance, Audit and Scrutiny Committee , Mid and West Wales Fire Authority
Natural Resources Wales (Statutory Member)	Non-executive Board Member
The Chief Constable of South Wales Police (Invited Participant)	Member of the South Wales Police and Crime Panel
The South Wales Police and Crime Commissioner (Invited Participant)	
Probation Service Representative (Invited Participant)	Non-executive

Swansea Council of Voluntary Services (Invited Participant)	Non-executive management Committee Member
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The PSB Performance Panel also identified its ability to co-opt additional members on a temporary basis the length of which to be determined by the Panel. The Panel further stipulated that co-optees should not be acting in an executive capacity for any of the Public Services Board partner agencies and may only be invited to join the Panel with the unanimous agreement of Panel members.

The important point to highlight is the ability of local government overview and scrutiny arrangements to pro-actively engage partners more deeply in its work. In doing so elected members can send powerful messages to the PSB regarding its commitment to effective partnership working through their own structures and practice. This can lead to the creation of enhanced trust and mutual respect in creating accountability relationships that promote dialogue and learning as the key drivers underpinning performance improvement.

However, approaches to partner engagement in the work of scrutiny is **specific to each local authority** and that what “works” for one Council may not directly transfer to another. The crucial issue here is the degree of commitment scrutiny shows in ensuring partners can influence and inform its investigative work.

In evaluating the added value brought about by strategic partnership working, scrutiny can boost its credibility in leading by example.

Reports and Recommendations

Section 35 (2) of the Act requires overview and scrutiny committees to send a copy of any report or recommendation with respect to the board’s functions or governance arrangements to the Welsh Ministers, the Future Generations Commissioner (FGC) for Wales and the Auditor General for Wales.

This requirement has been regarded by some as detracting from scrutiny’s ability to develop ‘softer’ styles of accountability where power relies on its ability to persuade, advise and influence. This can give rise to anxiety that widespread reporting of partnership performance by scrutiny, particularly given the long-term timescales associated with achieving improved well-being, can place unhelpful pressure on PSBs to skew activity towards what is immediately measurable rather than foster more innovative and creative behaviour.

An alternative point of view is that the provision compels local government overview and scrutiny to more proactively correspond with other accountability agents such as the Auditor General in Wales and the Future Generations Commissioner as part of a networked model of accountability. In sharing intelligence about different aspects of partnership performance, scrutiny can add to a wider body of knowledge aimed at better understanding and supporting drivers of collaborative performance. In addition, regarding the role of the Future Generations Commissioner in guiding and advising PSBs to work in accordance with the sustainable development principle, analysis and recommendations arising from local scrutiny may help better focus support and assistance.

Consequently, local government scrutiny arrangements may wish to give thought to how to match the most appropriate method of communication with the degree of intended formality best suited to local circumstance. For example, some councils may wish to utilise Chair’s letters rather than formal reports in providing the PSB with spontaneous feedback as opposed to ‘escalating’ formative

observations to national level. Adoption of a more flexible approach has been reported as having the effect of partners perceiving scrutiny's formal reporting mechanisms as influential 'backstop powers' which in turn has encouraged greater co-operation and a more collegiate relationship with local government scrutiny.

In thinking about how scrutiny wishes to engage the PSB in developing lines of inquiry, requesting evidence, scoping future work items and establishing ways of working it might be the case that the use of Chair's letters or presentations at meetings of the PSB may be most appropriate methods of communication. Similarly, less prescriptive ways of exchanging information may be more suitable when communicating with the PSB informal feedback regarding scrutiny's initial analysis, findings and draft conclusions relating to collaborative performance.

Regarding utilising more formal powers of reporting, it is suggested that scrutiny take appropriate steps to ensuring reports and recommendations are evidence based and describe a suggested course of action to be taken to solve a shared problem. Moreover, to have impact and credibility, recommendations to the PSB should have a clear rationale and be written as statements indicating a directional change of action. In thinking about the validity of conclusions made about the PSB's performance by scrutiny, these should clearly link to scrutiny's original research focus and methods of inquiry in accordance with practice detailed in the 'Characteristics of effective scrutiny' framework.

In accordance with the Act, copies of reports and recommendations should be sent to the Future Generations Commissioner, the Auditor General in Wales and the Welsh Ministers. Given that the minister with lead responsibility for PSBs is currently the Cabinet Secretary for Finance and Local Government, copies of formal reports and recommendations should be sent to the Local Government Partnership team who may arrange that any additional ministers are briefed according to their areas of responsibility.

References

Centre for Public Scrutiny (2012) *Sub-regional and Supra-local Scrutiny*, Centre for Public Scrutiny.

Downe, J. and Ashworth, R. (2013) *Developing a Culture of Collaborative Scrutiny? An Evaluation of Practice and Potential*, Welsh Government.

Downe, J. and Ashworth, R. (2015) *Step by Step to Joint Scrutiny: A Handbook for Scrutineers*, Welsh Government.

Horton, K. (2013) *Establishing a Baseline for Local Service Board (LSB) Scrutiny in Wales*, Welsh Government.

Office for Public Management (2009) *Total Place – Lessons Learnt*.

Wales Audit Office (2014) *Good Scrutiny? Good Question! Auditor General for Wales Improvement Study: Scrutiny in Local Government*, Wales Audit Office.

Welsh Government (2014) *The report of the Commission on Public Service Governance and Delivery*.

Welsh Local Government Association (2014) *Overview and Scrutiny Member and Chair Specifications*, WLGA.

WLGA and CfPS (2010) *Scrutiny of Multi-Agency Partnerships*, WLGA.

Appendix 2



Terms of Reference and Rules of Procedure

Conwy and Denbighshire Public Services Board Joint Overview and Scrutiny Committee

1. Statutory Provisions

1.1 The Joint Overview and Scrutiny Committee (JOSC) has been established in accordance with the following legislation:

- Section 58, Local Government (Wales) Measure 2011
- Regulation 3 of The Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013
- Section 35 of the Well-being of Future Generations (Wales) Act 2015

1.2 The conduct of the JOSC and the arrangements for joint scrutiny shall be subject to the legislative provisions in 1.1 above, and any regulations or guidance made in accordance with the legislation; and in the event of any conflict between the Act and/or Regulations and any joint arrangements, the requirements of legislation will prevail.

2. Name of the Overview and Scrutiny Committee

2.1 The appointing authorities are Conwy County Borough Council and Denbighshire County Council

2.2 The title of the JOSC between both authorities shall be the “Conwy and Denbighshire Public Services Board Joint Overview and Scrutiny Committee” (*referred to as the JOSC for the purpose of this document*)

3. Purpose of the Joint Overview and Scrutiny Committee (JOSC)

3.1 To ensure Public Services Boards (PSBs) are democratically accountable the Well-being of Future Generations (Wales) Act 2015 places a requirement on councils to designate an overview and scrutiny committee to scrutinise the work of the PSB. Under the provisions of the Act the scrutiny committee has extensive powers to review the PSB’s governance arrangements as well as any decisions made or actions taken by the PSB. In addition, the scrutiny committee is provided with considerable reporting powers as it is required to share copies of any reports or recommendations made in connection with the PSB’s functions or governance arrangements with the Welsh Ministers, the Future Generations Commissioner for Wales and the Auditor General for Wales.

3.2 The key statutory functions of the JOSC are:

- To review or scrutinise the decisions made or actions taken by the Board;
- To review or scrutinise the Board’s governance arrangements;
- To make reports or recommendations to the Board regarding its functions or governance arrangements;
- To consider matters relating to the Board as the Welsh Ministers may refer to it and report to the Welsh Ministers accordingly; and

- To carry out other functions in relation to the Board as are imposed on it by the Well-Being of Future Generations (Wales) Act 2015

3.3 For the purpose of supporting the work of the JOSC the PSB must:

- Consult with the JOSC during its preparation of both the Well-being Assessment and the Well-being Plan and on any proposed amendments to the Plan;
- Send a copy of both the Well-being Assessment and the Well-being Plan to the JOSC; and
- Send a copy of its Annual Report to the JOSC.

3.4 In addition to 3.2 and 3.3 above the JOSC may consider other areas of the PSB's work such as:

- The effectiveness of the Well-being Assessment
- The effectiveness of the Well-being Plan
- The effectiveness of performance measurement arrangements
- The level of commitment from individual partners to the work of the PSB
- The effectiveness of the PSB in communicating its work objectives and outcomes to its stakeholders and residents
- The effectiveness of the PSB in addressing the issue of pooled funding to tackle priorities

3.5 In accordance with the Well-being and Future Generations (Wales) Act 2015 the JOSC may require one or more of the statutory PSB members to attend a scrutiny meeting to provide it with explanations of matters outlined to them as part of the invitation to attend. **Scrutiny of the PSB partner is limited only to its contribution to the activity of the PSB and does not include scrutiny of policies or decisions made by an organisation as an individual entity.**

3.6 Existing legislation excludes any matter which could be considered by a local authority's designated Crime and Disorder Overview and Scrutiny Committee (as per Sections 19 and 20 of the Police and Justice Act 2006) from the work programmes of all other scrutiny committees, sub-committees and JOSCs

4. Membership and Political Balance

4.1 There will be an equal number of elected members from each appointing authority and no executive (Cabinet) members may be on the JOSC.

4.2 The JOSC will comprise 12 elected members; that is 6 non-executive elected members from Conwy County Borough Council and 6 non-executive elected members from Denbighshire County Council.

4.3 Both local authorities will determine and nominate its elected committee members in accordance with its own arrangements. The term of office of the nominated elected members shall be a matter for each nominating local authority subject to a minimum planned term of one municipal year.

4.4 In accordance with the Local Authorities (Joint Overview and Scrutiny Committees)(Wales) Regulations 2013 the duty to allocate seats to political groups does not apply to the JOSC. However, each appointing authority must ensure that, as far as practicable, the members of the JOSC reflect the balance of political groups for the time being prevailing among the members of the appointing authority.

5. Duration of the JOSC and procedure for withdrawal

5.1 The duration of the JOSC will be until such time as there is a decision taken by the full Council of either of the two participating local authorities to withdraw from the JOSC arrangements.

5.2 Written notification will be given to the Chief Executive and the Leader of the other local authority advising of the decision to withdraw from the JOSC arrangements. A copy of the written notification shall also be sent to the Chair of the PSB.

6. Co-opted Members

6.1 The JOSC, or a sub-committee of the JOSC, may resolve to co-opt additional members to serve on the JOSC or sub-committee, subject to paragraphs 7.2 to 7.3

6.2 A person may not be appointed as a co-opted member of the JOSC, or of a sub-committee of the JOSC, unless the appointment is approved by a majority of the members of the JOSC or sub-committee.

6.3 A person co-opted to serve on the JOSC, or on a sub-committee of the JOSC, is not entitled to vote at any meeting of the JOSC or sub-committee on any question which falls to be decided at that meeting.

6.4 The JOSC, or a sub-committee of the JOSC, may not co-opt a person who is a member of a local authority, whether that authority is one of the appointing authorities or otherwise.

6.5 The membership of a person co-opted to serve on the JOSC, or on a sub-committee of the JOSC, may be withdrawn by a majority vote at any time by the JOSC or JOSC sub-committee.

7. Termination of membership on ceasing to be a member of the authority/suspension from membership

- 7.1 If an elected member appointed to the JOSC ceases to be a member of the appointing authority, then that person also immediately ceases to be a member of the JOSC.
- 7.2 If a person appointed as a member of a JOSC is suspended from being a member or a co-opted member of one of the appointing authorities, that person may not serve as a member of the JOSC for the duration of the suspension.
- 7.3 If a co-opted member appointed to the JOSC ceases to be an employee or representative of the organisation he/she was appointed from, then that person immediately ceases to be a member of the JOSC.

8. Voting Rights

- 8.1 All elected members who are members of the JOSC may vote on any question that falls to be decided at that meeting
- 8.2 Where there is an equality of votes at a meeting of a JOSC or sub-committee, the chair has a second or casting vote.
- 8.3 A person co-opted to serve on the JOSC or on a sub-committee is not entitled to vote at any meeting of the JOSC or sub-committee on any question which falls to be decided at that meeting (see also co-opted members section, Section 7, above).

9. Sub Committees of the JOSC

- 9.1 The JOSC may establish sub-committees from amongst the JOSC members to undertake its statutory functions.
- 9.2 Any sub-committees appointed by the JOSC will comprise at least 4 elected members, together with any co-opted members as agreed when establishing the sub-committee.
- 9.3 A sub-committee is to comprise an equal number of elected members of each of the appointing authorities.
- 9.4 Any report or recommendation made by a sub-committee of the JOSC is subject to approval by a resolution of the JOSC.
- 9.5 Any sub-committee can only exercise the functions conferred upon it by the JOSC.

10. Appointment of Chair and Vice-Chair

- 10.1 A JOSC must appoint a chair of the committee from within its elected member membership
- 10.2 A JOSC may appoint a vice-chair and this must be from within its elected member membership.
- 10.3 The appointment of the Chair will normally be for the municipal year and take place at the first meeting of the JOSC following the Annual Meeting of both Councils in May. The post of Chair of the JOSC will alternate annually between the elected membership of Denbighshire and Conwy councils. The allocation of the vice-chair (if appointed) will be given to a member of the Authority which is next scheduled to hold the position of Chair.

[DISCUSSION NOTE ON THE DRAFT: Section 15 states that the JOSC will meet at least twice a year. With few meetings would the changing of the chair after every two meetings hinder the JOSC?]

- 10.4 Any sub-committee must appoint a chair, and may appoint a vice-chair, from amongst its elected member membership.

11. Remuneration

- 11.1 The determinations of the Independent Remuneration Panel for Wales will apply to any payments made to JOSC members.
- 11.2 Payments for chairing duties of the JOSC or a sub-committee of the JOSC will only be made if both Denbighshire and Conwy councils agree that payments should be available.
- 11.3 The reimbursement of travel and subsistence costs incurred by elected or co-opted members of the JOSC when on official JOSC business will be in accordance with the determinations of the Independent Remuneration Panel for Wales.
- 11.4 Elected members will claim their travel and subsistence costs from their own local authority i.e. Conwy councillors will claim from Conwy County Borough Council and Denbighshire councillors will claim from Denbighshire County Council. Co-opted members will claim from the lead authority providing committee support to the JOSC.

12. Access to meetings and documentation etc.

- 12.1 The JOSC, or sub-committee, is to be treated as a committee or sub-committee of a principal council for the purposes of Part VA of the Local Government Act 1972(1)(access to meetings and documents of certain authorities, committee and sub-committees).

13. DISPUTE RESOLUTION PROCEDURE

- 13.1 If at any time any dispute or difference shall arise between the participating local authorities in respect of any matters arising out of this agreement or the meaning or effect of this agreement or anything herein contained or the rights or liabilities of any of the local authorities the same shall be referred to the Monitoring Officer of Denbighshire and Conwy councils. Each Monitoring Officer shall undertake and agree to pursue a positive approach towards the dispute resolution which avoids legal proceedings and maintains strong working relationships between the parties. There shall be a commitment to resolving the matter within 10 working days.
- 13.2 In the event that the dispute is not settled at Monitoring Officer level, and the context so requires, it shall be referred to the respective Chief Executives who shall use their best endeavours to reach a resolution within a further 10 working days.
- 13.3 In the event that any dispute or difference between the Councils relating to this agreement which it has not been possible to resolve through the decision making process of the Joint Committee or otherwise, the Authorities may either agree to refer the matter to arbitration or utilise the withdrawal procedures at section 5.

14. Referral of matters to individual local authorities' scrutiny committees

- 14.1 If it becomes evident during a discussion at a JOSC meeting that an issue or a matter has a greater or a more adverse impact on one of the local authorities or within one of the local authority's area, the JOSC can refer the matter to either Denbighshire's or Conwy's locally designated PSB scrutiny committee for consideration. The JOSC, if it deems appropriate, can ask the individual local authority scrutiny committee to report its conclusion back to the JOSC.

15. Schedule of Meetings of the JOSC

- 15.1 The JOSC will meet at least twice during each municipal year. Additional meetings of the JOSC may be arranged with the agreement of the Chair of the JOSC in consultation with the Head of Democratic Services of the authority providing the JOSC's committee support.
- 15.2 The schedule of planned JOSC meetings will be drafted by the host authority providing committee support to the JOSC and will be agreed in consultation with the other local authority.

16. Forward Work Programme (see also Section 27)

- 16.1 The JOSC should draw-up a forward work programme to identify the main issues it intends to focus upon during the course of the year
- 16.2 The forward work programme should provide a clear rationale as to the purpose of considering a particular topic, the desired outcomes of its consideration, and the methods by which it will be investigated
- 16.3 Elected members of both local authorities (whether or not the member is appointed to the JOSC), officers or members of the public who wish the JOSC to consider a specific matter or topic should complete the appropriate 'scrutiny proposal form' to enable the JOSC to consider the topic's suitability for inclusion on its forward work programme. The JOSC will consider the proposals when it reviews its forward work programme at the next available meeting of the JOSC.
- 16.4 Where there is a co-ordinating committee or panel within Denbighshire or Conwy councils for allocating topics to their Scrutiny committee, those committees or panels can allocate topics to the JOSC. It will be for the JOSC (or the Chair of the JOSC if it is impractical for the JOSC to meet in the time available) to allocate the topics to a particular JOSC meeting. The JOSC may refer topics to the committee or panel responsible for co-ordinating Scrutiny items for one or both of the local authorities.

17. Invitations to the Conwy and Denbighshire Public Services Board

- 17.1 The JOSC shall review and scrutinise the performance of the PSB, and in exercising its powers, may invite members of the PSB to attend a meeting of the JOSC. This includes any person that has accepted an invitation to participate in the activity of the PSB.
- 17.2 The JOSC shall review and scrutinise the performance of the PSB, and in exercising its powers, may invite or require officers and Cabinet members of either local authority to attend its meeting when appropriate.
- 17.3 The JOSC may request invitees to give account for their activities and their performance on matters within the JOSC's remit, particularly relating to:
- Any particular decision
 - The performance of partners in delivering shared objectives
 - The level of commitment from individual partners to the work of the PSB
 - Governance arrangements
 - The effectiveness of the Well-being Assessment and Plan
 - The effectiveness of performance measurement arrangements
 - The effectiveness of communication with stakeholders on the PSB's objectives and outcomes

- The effectiveness of the PSB in addressing the issue of pooled funding to tackle priorities

17.4 When the JOSC wishes to invite members of the PSB, officers, Cabinet members or another individual to a meeting, it will:

- Where possible give a minimum of 4 weeks' notice;
- Clearly outline the reason and likely areas for questioning;
- Identify what information is being requested and in what format

17.5 Where individuals attend before a JOSC, the Chair shall ensure that they are treated with courtesy and respect. Following the meeting, attendees will be provided with feedback and clarification as to whether further information is required as part of the Scrutiny process

17.6 As a matter of courtesy the JOSC may wish to invite the Chair of the PSB to attend JOSC meetings, unless there is a specific reason why it would not be appropriate for the Chair to be in attendance.

18. Rules of procedure

18.1 Members of the JOSC and the public must have regard for the Chair who will have the authority to adjudicate on any rules of procedure during meetings of the JOSC.

18.2 The Chair and the JOSC will adhere to the rules of procedure attached to these terms of reference as Appendix A.

19. Declarations of interests

19.1 All elected members shall observe the Code of Conduct in force for their respective authorities, whilst co-opted members shall observe the Code of Conduct of the host Authority providing committee support to the JOSC.

19.2 Members and co-opted members of the JOSC must declare any personal or personal and prejudicial interest in any business being considered at a meeting of the JOSC in accordance with the Code of Conduct.

20. Confidentiality of Information

20.1 In accordance with Members' respective Authority's Code of Conduct, members (elected and co-opted members) of the JOSC must not disclose any information considered 'exempt' in accordance with Section 100A (4) of the Local Government Act 1972.

21. Administrative arrangements

21.1 The Secretariat will be provided by the local authorities in rotation from the start of each municipal year (i.e. after the Annual Meetings of both

authorities) unless the local authorities agree to different arrangements for administrative support. The function includes:

- Arranging regular or extraordinary meetings of the JOSC
- Preparing agendas and co-ordinating reports/documents for the meeting
- Timely electronic publication and despatch of the agenda and associated meeting papers
- Inviting participants
- Managing attendance
- Minute taking
- Webcasting arrangements if required
- Preparing evidence for scrutiny

22 Scrutiny Support

22.1 Dedicated Scrutiny Support will be available to the JOSC from the Denbighshire and Conwy Scrutiny Officers. The Scrutiny Officers will co-ordinate their support activities.

23. JOSC meeting procedures (including sub-committees)

23.1 Main agenda items will be identified at the previous meeting in line with the agreed work programme. At this point potential witnesses and broad themes should be considered

23.2 With a view to securing effective scrutiny all JOSC meeting agendas will be limited to a maximum of 4 reports plus the JOSC's forward work programme report, unless an urgent or unforeseen item of business necessitates discussion at that particular meeting.

23.3 A pre-meeting for all JOSC members will be held for 30 minutes immediately before each JOSC meeting. The purpose is to ensure that members are fully prepared for the JOSC meeting and that the questioning strategy is clear.

23.4 Prior to the date of a meeting of the JOSC all JOSC members may be engaged in raising and discussing possible questions or lines of enquiry by e-mail. The Chair of the JOSC or the Scrutiny Officers will facilitate this process.

23.5 During the meeting, the Chair of the JOSC will be responsible for ensuring that questioning is effective and that the JOSC achieves its objectives

23.6 Those invited to attend for a particular agenda item shall not be expected to remain at the meeting following the conclusion of the discussion on that item.

23.7 Any conclusions and recommendations from a JOSC meeting will be reported to the PSB, individual PSB partners and relevant Cabinet member(s) as appropriate. Where the conclusions and recommendations are feedback and views which are intended to be relatively informal, these would be reported in the form of a 'Chair's Letter'¹. Where the JOSC's recommendations or views relate to more formal observations and activities with respect to the PSB's functions or governance, the JOSC will send a copy of any report or recommendation to the Welsh Ministers, the Future Generations Commissioner and the Auditor General for Wales.²

24. Responding to the JOSC recommendations

24.1 Where recommendations have been made to the PSB, a PSB partner or the local authority Cabinet member(s), a written response would be expected within one month or following the next meeting of the PSB (where a response from the PSB as a whole is required) indicating whether the recommendation is to be accepted and what action (if any) will be taken in response.

24.2 Where the JOSC makes a report or recommendations to any of the PSB appointing authorities or their executives the JOSC:

- May publish the report or recommendations
- May require the appointing authority or authorities, or the executive or executives –
 - To consider and respond to the report or recommendations indicating what (if any) steps it proposes, or they propose, to take; and
 - If the JOSC has published a report or recommendations, to publish the response
- Where the JOSC has provided a copy of the report or recommendations to a member of an appointing authority who has referred a matter to the JOSC or sub-committee, it must provide the member with a copy of the response.

25. Call-in arrangements

25.1 Decisions of the PSB may be called-in for consideration by the JOSC using the procedure attached as Appendix B.

¹ A 'Chair's Letter' is a letter agreed by and in the name of the Chair of the JOSC. A Chair's Letter will normally be issued by a Scrutiny Officer on behalf of the Chair of the JOSC.

² Under Section 35(2) of the Well-being and Future Generations (Wales) Act 2015

25.2 Where the decision maker for a PSB decision is the local authority the call-in will be heard either by the JOSC or by the local authority's designated PSB Scrutiny Committee. The Monitoring Officers of the two authorities will determine which Scrutiny committee will undertake the call-in.

25.3 Decisions implemented by PSB partners other than the local authorities are not subject to the formal call-in procedures,

26. Evidence gathering

26.1 The JOSC is entitled to gather evidence in connection with any review or inquiry it undertakes as part of their agreed work programme.

26.2 The JOSC shall adopt methods of gathering evidence to inform its deliberations. These include, but are not limited to, task and finish groups, holding inquiries, undertaking site visits, conducting public surveys, holding public meetings, commissioning research, hearing from witnesses and appointing advisors and assessors. JOSC evidence gathering will be supported by the Scrutiny Officers.

27. Reference of matters to the Joint Overview and Scrutiny Committee (JOSC) (see also section 16)

27.1 Any member of the JOSC, officer of the local authorities or a body represented on the PSB, or a member of the public may refer to the committee any matter which is relevant to its functions. This will be done via the completion of a 'Scrutiny Proposal Form'.

27.2 Any member of a sub-committee of the JOSC can refer to the sub-committee any matter which is relevant to its functions, via the completion of a 'Scrutiny Proposal Form'.

27.3 The merits of including any referrals received as per 29.1 & 29.2 above on a future JOSC, or sub-committee, agenda will be considered as part of the JOSC/sub-committee's discussion on its Forward Work Programme at every meeting

27.4 Where the JOSC, or sub-committee, makes a report or recommendations in relation to the matter referred to it by a member, it must provide the member with a copy of the report or recommendations.

28. Setting the agenda

28.1 Individual agenda items, other than standing items, are to be determined in the first instance by the Forward Work Programme which is to be established and agreed by the JOSC at each meeting. The decision to consider additional items or defer planned items will be a matter for the discretion of the Chair.

29. Public engagement

- 29.1 Meetings of the JOSC and sub-committees are open to the public and all reports are available to the public unless exempt or confidential matters are being considered, when the press and public would be excluded from the meeting.
- 29.2 All persons who live or work in the two local authority areas can bring to the attention of the JOSC their views on any matter under consideration by the JOSC, and the JOSC must take into account these views.
- 29.3 The JOSC will seek to gather evidence from the public as an ongoing aspect of its work
- 29.4 Agenda packs and any appropriate formal letters from or too the JOSC will be published via the two Authority's agenda publication pages on their websites.
- 29.5 Members of the public may request the JOSC to examine areas or matters of concern relating to the PSB, which are within the JOSC powers to scrutinise, via the completion of a 'Scrutiny Request' form. Completed 'Scrutiny Request' forms will be considered by the JOSC when it considers its forward work programme at each meeting, and the individual who submitted the request will be notified of the JOSC's decision in relation to the request and the outcomes of the examination of the topic, if the matter is accepted for scrutiny.

30. Training and Development

- 30.1 Training will be provided to members of the JOSC according to the requirements of the JOSC and its members. The Heads of Democratic Services of the local authorities will liaise to agree the training and development provision.

RULES OF PROCEDURE FOR THE JOSCS

1. Notice of Meetings

- 1.1 A summons and agenda to attend a meeting of the JOSCS shall be published and circulated at least 3 clear working days before a meeting of the JOSCS by the host authority providing committee support to the JOSCS. Both local authorities shall display the agenda and public meeting documents on their public websites.
- 1.2 The summons and agenda for a JOSCS meeting shall be sent electronically to all members of the JOSCS and to the appropriate officers of each Authority.

2. Venue and Time of JOSCS Meetings

- 2.1 The JOSCS may from time to time, dependent upon the items selected for discussion, webcast a meeting of the JOSCS, or a sub-committee subject to webcasting resources being available.
- 2.2 Unless otherwise agreed by the JOSCS, the JOSCS shall meet in rotation between the offices of Denbighshire and Conwy councils or at a location mutually agreed by the JOSCS and which is easily accessible to the public and compliant with the requirements of the Disability Discrimination Act 2005.
- 2.3 Meetings of the JOSCS will be scheduled by the host authority providing committee support for the JOSCS in consultation with the other local authority. Meetings of a sub-committee of the JOSCS will be agreed by the JOSCS.

3. Quorum

- 3.1 The quorum of a JOSCS meeting will be 50% of the whole number of Members, rounded down. For the avoidance of doubt, the whole number of members does not include vacancies. During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.
- 3.2 The quorum for a JOSCS sub-committee meeting will be 50% of the whole number of members of the sub-committee, rounded down, providing that at all times there shall be a minimum of 3 members present. At least 1 elected member from both of the local authorities shall be present at any sub-committee of the JOSCS.

3.3 A sub-committee of the JOSC is to comprise an equal number of elected members of each of the appointing authorities.

4. Order of Business

4.1 At every meeting of the JOSC the order of business shall be to select a person to preside if the Chair or Vice Chair are absent and thereafter shall be in accordance with the order specified in the notice of the meeting except that such order may be varied either by the Chair at his or her discretion or on a request agreed to by the Joint Committee.

5. Welsh Language

5.1 The Welsh Language Standards for the host authority providing committee support shall be applied to the documents and meetings of the JOSC and any sub-committees of the JOSC.

6. Rules of Debate

6.1 The rules of debate at meetings of the JOSC or a sub-committee of the JOSC shall normally be informal but the Chair may apply the rules of debate from the Constitution of the host authority providing committee support.

7. Rights to Address Meetings

7.1 There should be no automatic right for observers to speak on any issue. The right of someone who is not a JOSC member to speak is solely at the discretion of the chair of the meeting.

JOINT SCRUTINY OVERVIEW AND SCRUTINY COMMITTEE (JOSC)

CALL-IN PROCEDURE – GUIDANCE NOTE

Introduction

The Procedure Rules allow for any 5 non-Executive members (councillors who are not members of the Cabinet) of either Conwy County Borough Council or Denbighshire County Council (at least one of who has to be a member of a different authority to the other signatories) to initiate a call-in of a decision of the Public Services Board (PSB). To facilitate this process a 'Notice of Call-in of Decision' form has been produced which is signed by the 5 members and submitted to the Monitoring Officer of either Conwy County Borough Council or Denbighshire County Council. Five days are allowed for a decision to be called-in following its publication on the PSB and both councils' websites and emailed to all members of both local authorities. A decision taken will not be implemented by officers until the expiry of this period.

Members who have a prejudicial interest in the decision may not be a signatory to a Notice of Call-In.

Decisions implemented by PSB partners other than the local authorities are not subject to the formal call-in procedures.

Publication of Decisions

The 5 working day period will not begin until the decision has been published on the PSB and the Councils' websites and e-mailed to all members of both councils. Decisions must be publicised within 2 working days of the decision being taken in accordance with the PSBs and the Councils' Constitutions. This could be in the form of draft minutes of the meeting, a summary of decisions or a record of a delegated decision taken.

Implementation of Decisions

Decisions may be implemented from the sixth working day following their publication unless a valid Call-in has been received by either Monitoring Officer.

Urgent Decisions

Urgent decisions may proceed despite a call-in if the decision-maker has the agreement of:

- (i) the Chair of the Public Services Board's (PSB) Joint Overview and Scrutiny Committee (JOSC); or

- (ii) if there is no such person or that person is unable to act, the Chairs of both Conwy County Borough Council and Denbighshire County Council; or
- (iii) If there is no chair of the JOSC or Chairs of the Councils, the Vice-Chairs of both councils.

In exceptional circumstances there may be urgent decisions that must be implemented immediately upon the decision being taken and a call-in is therefore not possible. These must be identified by the PSB/decision-maker at the time the decision is taken and the reasons behind their urgency explained and reported in the record of decision.

The Procedure

A duly completed 'Notice of Call-In of Decision' must be submitted to either of the Monitoring Officers. The notice must contain the signatures of the 5 non-Executive members calling in the decision along with the reasons for the call-in.

Where the decision maker for a PSB decision is the local authority the call-in will be heard either by the JOSC or by the local authority's designated PSB Scrutiny Committee. The Monitoring Officers of the two authorities will determine which Scrutiny committee will undertake the call-in.

The Monitoring Officer will notify the Chair of the PSB, Leaders of both Councils, the delegated decision taker (if relevant), the Chief Executives of both Councils and the other Monitoring Officer of the receipt of the Notice of Call-In and confirm with them that the decision may not be implemented until further notice from the Monitoring Officer.

For a call-in allocated to the JOSC the Monitoring Officer will liaise with the Chair of the JOSC seeking a meeting of the JOSC to be convened to consider the Call-In within 10 working days of the receipt of the Notice of Call-In of Decision unless the JOSC has a scheduled meeting within that period, or if an extension to the time period is agreed between the decision maker and the Chair of the JOSC.

All members of the PSB and both local authorities will be notified of the call-in and the details of the meeting being held to consider it.

Signatories to attend

The signatories to the call-in will normally be expected to attend the meeting of the JOSC and justify the reasons for the call-in of the decision.

What happens if the JOSC does not meet in time?

Should the JOSC not convene within the 10 working days of the receipt of the Notice of Call-In, and without an extension to the time period being agreed, the Monitoring Officer will inform the Chair of the PSB, the Leaders and Chief

Executives of both Councils, the other Monitoring Officer and (if appropriate) the delegated decision taker, that the call-in has ceased.

No case to answer?

Should the JOSOC upon meeting to consider the call-in, decide that the decision should not be referred back to the decision maker (e.g. PSB, local authority or delegated decision taker) for reconsideration, the Monitoring Officer will advise the Chair of the PSB, the Leaders and Chief Executives of both Councils and the other Monitoring Officer (if appropriate) the delegated decision taker, that the decision may be implemented.

Recommendations from Scrutiny

If the JOSOC agrees that there is a case for the decision to be reviewed, the JOSOC's recommendations will be considered by the PSB or appropriate Cabinet(s) at its next available meeting, or in the case of a delegated decision by the decision-maker within 10 working days.

What if the original decision is re-confirmed?

Should the decision maker confirm the original decision, the decision may be implemented immediately and may not be subject to a further call-in. The decision maker should demonstrate that appropriate consideration has been given to the recommendations from the JOSOC.

Conwy and Denbighshire Public Services Board



NOTICE OF CALL-IN OF DECISION

To: The Monitoring Officer

Conwy County Borough Council/Denbighshire County Council (*delete as appropriate*)

We, the undersigned, wish to call in the following decision (**see note 1**)

Decision taken by (*see note 2*):

Date decision was taken:

Report Title:

Decision (*see note 3*):

Reason for Call-In:

We (**see note 4**) request that according to the Joint Overview and Scrutiny Committee for the Public Service Board's approved 'call-in' procedure rules (**see note 5**) a meeting of the Joint Overview and Scrutiny Committee be held within 10 working days (**see note 6**) of the date of your receipt of this notice.

1. _____ (print) _____ (signature) _____
_____ (Council)

2. _____ (print) _____ (signature) _____
_____ (Council)

3. _____ (print) _____ (signature) _____
_____ (Council)

4. _____ (print) _____ (signature) _____
_____ (Council)

5. _____ (print) _____ (signature) _____
_____ (Council)

Dated: _____

Guidance Notes

1. Five working days are allowed for a decision to be called-in following its publication on the Public Services Board (PSB) and both Councils' websites and notification to Members of the PSB and both Councils. Urgent decisions may proceed despite a call-in if the decision-maker had the agreement of:
 - (i) The chair of the Joint Overview and Scrutiny Committee (JOSC), or
 - (ii) If there is no such person or that person is unable to act, the Chairs of both Conwy County Borough Council and Denbighshire County Council;
or

- (iii) If there is no chair of the JOSC or Chairs of both Councils, the Vice-Chairs of both Councils.
- 2. Please state the name of the decision maker e.g. PSB, or delegated decision maker for.....
- 3. If the decision contains more than one part, please state which are to be called-in, e.g. parts (a), (b), and (c) of the Resolution.
- 4. Signatories must be non-Executive members, with at least one signatory being a member of a different local authority to the remaining signatories. Councillors with a prejudicial interest in the decision may not be a signatory to the Notice of Call-In.
- 5. The JOSC's Call-In Procedure Rules appear in Appendix A of the JOSC's Terms of Reference.
- 6. Timescales may be extended in exceptional circumstances with the agreement of the decision-maker and the chair of the JOSC.

For office use only

Received by: _____

Date: _____

Date decision was published:

Notification sent to the Chair of the PSB and Leaders of Conwy and Denbighshire Councils and the Decision Taker (date):

Notification sent to the Chief Executives of Conwy and Denbighshire Councils (date):

Referred to the JOSC:

Date: _____ Time: _____ Venue:

DRAFT

Report to:	Partnerships Scrutiny Committee
Date of Meeting:	28 June 2018
Lead Officer:	Scrutiny Co-ordinator
Report Author:	Scrutiny Co-ordinator
Title:	Scrutiny Work Programme

1. What is the report about?

The report presents Partnerships Scrutiny Committee with its draft forward work programme for members' consideration.

2. What is the reason for making this report?

To seek the Committee to review and agree on its programme of future work, and to update members on relevant issues.

3. What are the Recommendations?

That the Committee considers the information provided and approves, revises or amends its forward work programme as it deems appropriate.

4. Report details

- 4.1 Section 7 of Denbighshire County Council's Constitution sets out each Scrutiny Committee's terms of reference, functions and membership, as well as the rules of procedure and debate.
- 4.2 The Constitution stipulates that the Council's scrutiny committees must set, and regularly review, a programme for their future work. By reviewing and prioritising issues, members are able to ensure that the work programme delivers a member-led agenda.
- 4.3 For a number of years it has been an adopted practice in Denbighshire for scrutiny committees to limit the number of reports considered at any one meeting to a maximum of four plus the Committee's own work programme report. The aim of this approach is to facilitate detailed and effective debate on each topic.
- 4.4 In recent years the Welsh Government (WG) and the Wales Audit Office (WAO) have highlighted the need to strengthen scrutiny's role across local government and public services in Wales, including utilising scrutiny as a means of engaging with residents and service-users. From now on scrutiny will be expected to engage better and more frequently with the public with a view to securing better decisions which ultimately lead to better outcomes for citizens. The WAO will measure scrutiny's effectiveness in fulfilling these expectations.

- 4.5 Having regard to the national vision for scrutiny whilst at the same time focussing on local priorities, the Scrutiny Chairs and Vice-Chairs Group (SCVCG) recommended that the Council's scrutiny committees should, when deciding on their work programmes, focus on the following key areas:
- budget savings;
 - achievement of the Corporate Plan objectives (with particular emphasis on the their deliverability during a period of financial austerity);
 - any other items agreed by the Scrutiny Committee (or the SCVCG) as high priority (based on the PAPER test criteria – see reverse side of the 'Member Proposal Form' at Appendix 2) and;
 - Urgent, unforeseen or high priority issues

4.6 Scrutiny Proposal Forms

As mentioned in paragraph 4.2 above the Council's Constitution requires scrutiny committees to prepare and keep under review a programme for their future work. To assist the process of prioritising reports, if officers are of the view that a subject merits time for discussion on the Committee's business agenda they have to formally request the Committee to consider receiving a report on that topic. This is done via the submission of a 'proposal form' which clarifies the purpose, importance and potential outcomes of suggested subjects. No officer proposal form has been received for consideration at the current meeting.

- 4.7 With a view to making better use of scrutiny's time by focussing committees' resources on detailed examination of subjects, adding value through the decision-making process and securing better outcomes for residents, the SCVCG decided that members, as well as officers, should complete 'scrutiny proposal forms' outlining the reasons why they think a particular subject would benefit from scrutiny's input. A copy of the 'member's proposal form' can be seen at Appendix 2. The reverse side of this form contains a flowchart listing questions which members should consider when proposing an item for scrutiny, and which committees should ask when determining a topic's suitability for inclusion on a scrutiny forward work programme. If, having followed this process, a topic is not deemed suitable for formal examination by a scrutiny committee, alternative channels for sharing the information or examining the matter can be considered e.g. the provision of an 'information report', or if the matter is of a very local nature examination by the relevant Member Area Group (MAG). No items should be included on a forward work programme without a 'scrutiny proposal form' being completed and accepted for inclusion by the Committee or the SCVCG. Assistance with their completion is available from the Scrutiny Co-ordinator.

CCTV Partnership

- 4.8 A progress report on the Partnership Board's work in delivering a CCTV service whilst developing and entering into a service level agreement with Cheshire West and Chester Council for the future management of the Service was initially scheduled for presentation to the Committee at the current meeting. However, as the new service was not due to become operational until June 2018 it is too early at present to examine its effectiveness. Consequently the presentation of the report has been rescheduled for January 2019 (see Appendix 1). With a view to ensuring that members are informed about the latest developments an 'information report', along

with a copy of a recent Internal Audit report, on the partnership has been circulated to Committee members.

Cabinet Forward Work Programme

- 4.9 When determining their programme of future work it is useful for scrutiny committees to have regard to Cabinet's scheduled programme of work. For this purpose a copy of the Cabinet's forward work programme is attached at Appendix 3.

Progress on Committee Resolutions

- 4.10 A table summarising recent Committee resolutions and advising members on progress with their implementation is attached at Appendix 4 to this report.

5. Scrutiny Chairs and Vice-Chairs Group

Under the Council's scrutiny arrangements the Scrutiny Chairs and Vice-Chairs Group (SCVCG) performs the role of a coordinating committee. The Group is scheduled to hold its next meeting on the afternoon of 28 June 2018.

6. How does the decision contribute to the Corporate Priorities?

Effective scrutiny will assist the Council to deliver its corporate priorities in line with community needs and residents' wishes. Continual development and review of a coordinated work programme will assist the Council to deliver its corporate priorities, improve outcomes for residents whilst also managing austere budget cuts.

7. What will it cost and how will it affect other services?

Services may need to allocate officer time to assist the Committee with the activities identified in the forward work programme, and with any actions that may result following consideration of those items.

8. What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the [website](#) and should be attached as an appendix to the report

A Well-being Impact Assessment has not been undertaken in relation to the purpose or contents of this report. However, Scrutiny's through its work in examining service delivery, policies, procedures and proposals will consider their impact or potential impact on the sustainable development principle and the well-being goals stipulated in the Well-being of Future Generations (Wales) Act 2015.

9. What consultations have been carried out with Scrutiny and others?

None required for this report. However, the report itself and the consideration of the forward work programme represent a consultation process with the Committee with respect to its programme of future work.

10. What risks are there and is there anything we can do to reduce them?

No risks have been identified with respect to the consideration of the Committee's forward work programme. However, by regularly reviewing its forward work programme the Committee can ensure that areas of risk are considered and

examined as and when they are identified, and recommendations are made with a view to addressing those risks.

11. Power to make the decision

Section 7.11 of the Council's Constitution stipulates that scrutiny committees and/or the Scrutiny Chairs and Vice-Chairs Group will be responsible for setting their own work programmes, taking into account the wishes of Members of the Committee who are not members of the largest political group on the Council.

Contact Officer:

Scrutiny Coordinator

Tel No: (01824) 712554

e-mail: rhian.evans@denbighshire.gov.uk

Note: Items entered in italics have not been approved for submission by the Committee. Such reports are listed here for information, pending formal approval.

Meeting	Lead Member(s)	Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered
20 September	Cllr. Bobby Feeley	1. Protection of Vulnerable Adults Annual Report 2017/18	To consider the POVA annual report, and information in place to meet the statutory requirements of the Social Services and Well-being Act 2014 and an evaluation of the financial and resource impact of the Supreme Court's 2014 Judgement on deprivation of liberty on the Service and its work	An evaluation of whether the Authority is meeting its statutory duty with respect to adult safeguarding and has sufficient resources to undertake this work along with the additional work in the wake of the Supreme Court's judgement	Phil Gilroy/Alaw Pierce/Nerys Tompsett	September 2017
	Cllr. Bobby Feeley	2. <i>Tawelfan (tbc)</i>	<i>To consider the findings of the HASCAS report (and any subsequent reports) with respect to the failings in care and treatment of patients on the ward</i>	<i>The identification of lessons learnt from what happened at Tawelfan for the purpose of safeguarding the Council and residents against such failings in care in future</i>	<i>HASCAS/BCUHB/Nicola Stubbins</i>	<i>By SCVCG October 2015</i>
	Cllr. Mark Young	3. Community Safety Partnership	To detail the Partnership's achievement in delivering	Effective monitoring of the CSP's	Alan Smith/Nicola Kneale/Sian Taylor	September 2017

Meeting	Lead Member(s)	Item (description / title)		Purpose of report	Expected Outcomes	Author	Date Entered
			[Crime and Disorder Scrutiny Committee]	its 2017/18 action plan and its progress to date in delivering its action plan for 2018/19. The report to include financial sources and the progress made in spending the allocated funding.	delivery of its action plan for 2017/18 and its progress to date in delivering its plan for 2018/19 will ensure that the CSP delivers the services which the Council and local residents require		
8 November	Cllr. Bobby Feeley	1	Homelessness Prevention Action Plan Update	To detail the progress made with the delivery of the action plan and in mitigating future actions in the plan against the risks posed by any potential withdrawal of protected Supporting People funding for homelessness prevention work	Identification of actions and solutions to ensure that the Council and its partners can deliver the action plan and the Authority's corporate priorities relating to Housing, Resilient Communities and Young People	Phil Gilroy/Liana Duffy/Catherine Owen/Abbe Harvey	May 2018
20 December							
14 February 2019	Cllr Mark Young	1.	CCTV Partnership	To report on the progress made in establishing new arrangements between the	Securing effective arrangements which deliver a	Emlyn Jones	June 2017 (rescheduled May 2018)

Meeting	Lead Member(s)	Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered	
			Denbighshire CCTV Partnership and Cheshire West and Chester Council and their effectiveness in delivering a CCTV service for the north Denbighshire area and any potential options for extending the service to other areas of the county	viable CCTV service that supports the delivery of the Council's Resilient Communities priority			
4 April							
23 May 2019	Cllr. Bobby Feeley	1.	Support Budgets for People with Eligible Care and Support Needs	To report on the progress made in developing, promoting and rolling-out support budgets for people eligible to receive them (the report to include case studies, anticipated and unanticipated problems with their development, solutions implemented, associated costs and lessons learnt from the process)	Delivery of the Council's corporate priority relating to building resilient communities and fulfilment of the objectives of the SSWB (Wales) Act 2014	Phil Gilroy	May 2018
11 July							
12 September							

Meeting	Lead Member(s)	Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered
7 November						
19 December						

Future Issues

Item (description / title)	Purpose of report	Expected Outcomes	Author	Date Entered
Update following conclusion of inquiry undertaken by the National Crime Agency in to historic abuse in North Wales Children's' Care Homes	To update the Committee of the outcome of the National Crime Agency (NCA) investigation in to the abuse of children in the care of the former Clwyd County Council, and to determine whether any procedures require revision.	Determination of whether any of the Council's safeguarding policies and procedures need to be revised in light of the NCA's findings	Nicola Stubbins	November 2012

For future years

Information/Consultation Reports

Information / Consultation	Item (description / title)	Purpose of report	Author	Date Entered
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Information (for circulation ahead of the meeting on 28 June 2018)	Disabled Facilities Grant/Adaptations Service	To outline the Council's process for dealing with grant applications and its performance in processing and delivering grant associated home adaptations (to include information on the Care and Repair Service, uptake for its services and details of the Council's financial contribution towards the service)	Community Support Services and Building Services	May 2018
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19/06/18 - RhE

Note for officers – Committee Report Deadlines

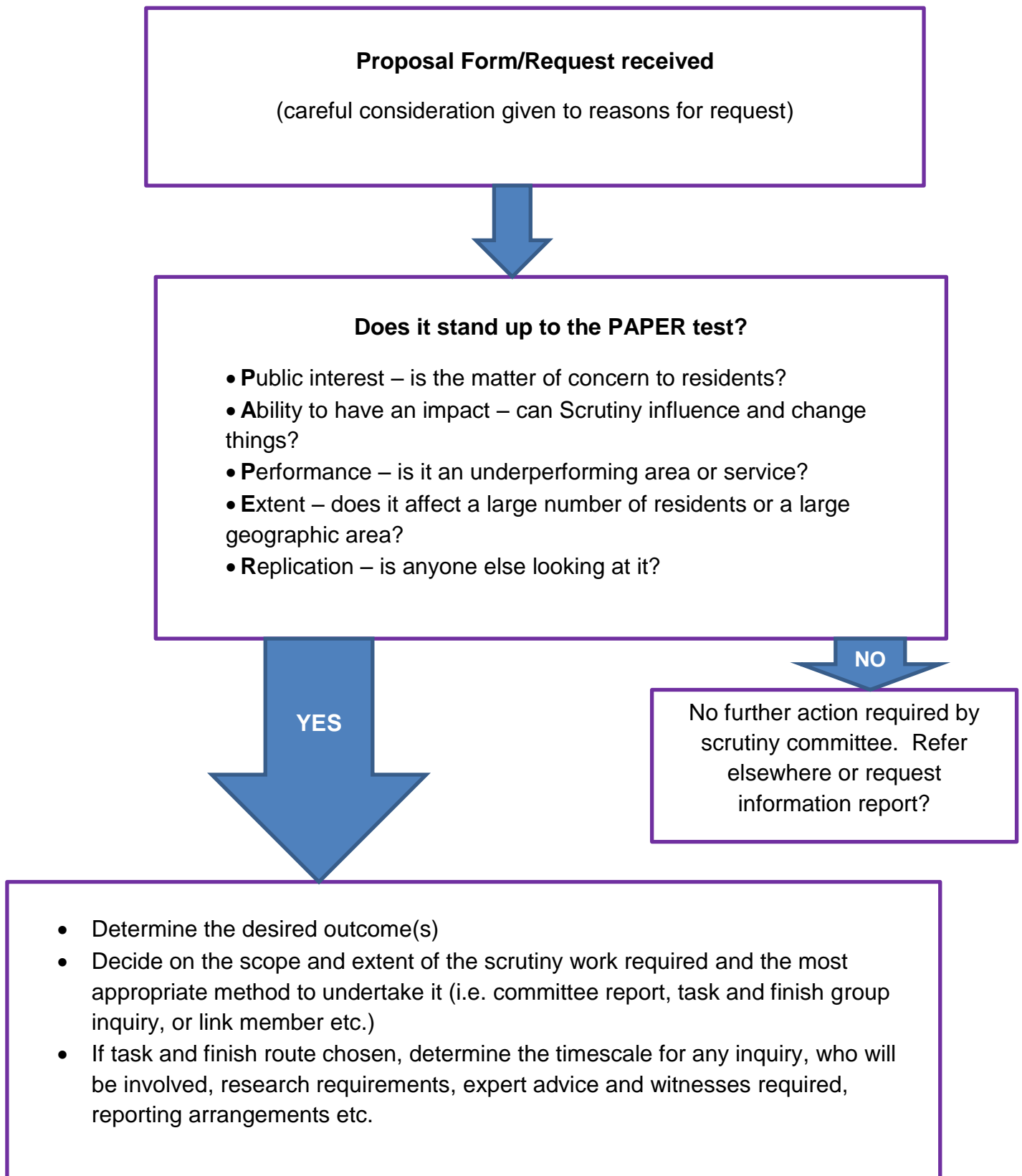
Meeting	Deadline	Meeting	Deadline	Meeting	Deadline
20 September	6 September	8 November	25 October	20 December	6 December

Partnerships Scrutiny Work Programme.doc

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Member Proposal Form for Scrutiny Forward Work Programme	
NAME OF SCRUTINY COMMITTEE	
TIMESCALE FOR CONSIDERATION	
TOPIC	
What needs to be scrutinised (and why)?	
Is the matter one of concern to residents/local businesses?	YES/NO
Can Scrutiny influence and change things? (if 'yes' please state how you think scrutiny can influence or change things)	YES/NO
Does the matter relate to an underperforming service or area?	YES/NO
Does the matter affect a large number of residents or a large geographical area of the County (if 'yes' please give an indication of the size of the affected group or area)	YES/NO
Is the matter linked to the Council's Corporate priorities (if 'yes' please state which priority/priorities)	YES/NO
To your knowledge is anyone else looking at this matter? (If 'yes', please say who is looking at it)	YES/NO
If the topic is accepted for scrutiny who would you want to invite to attend e.g. Lead Member, officers, external experts, service-users?	
Name of Councillor/Co-opted Member	
Date	

Consideration of a topic's suitability for scrutiny



Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
26 June	1	Corporate Plan 2017-2022 (Q4)	To review progress against the performance management framework	Tbc	Councillor Julian Thompson-Hill / Nicola Kneale
	2	Insurance Contract Award	Following a tender process to award the contract to the preferred bidder for insurance services	Yes	Councillor Julian Thompson-Hill / Richard Weigh / Chris Jones
	3	Financial Outturn Report	To approve the final position and resulting recommendations	Yes	Councillor Julian Thompson-Hill / Richard Weigh
	4	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	5	Regional Growth Bid	Tbc	Tbc	Graham Boase / Gary Williams
	6	The establishment of a Voids Maintenance Framework	To approve a Voids Works Framework	Yes	Councillor Tony Thomas / David Lorey / Mark Cassidy
	7	Dynamic Purchasing System for Passenger Transport Services	To approve commencement of a procurement to establish a transport dynamic purchasing system	Yes	Councillor Brian Jones / Tony Ward / Helen Makin / Peter Daniels
	8	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
31 July	1	Business Improvement Districts	To inform members of progress made on developing Business Improvement Districts and to make a recommendation in respect of the Business Plan	Tbc	Councillor Hugh Evans / Mike Horrocks
	2	Contract Variation for DCC Household Waste Recycling Centres	To request Cabinet approval for a contract variation for DCC Household Waste Recycling Centres	Yes	Councillor Brian Jones / Tony Ward / Tara Dumas
	3	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	4	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
25 Sept	1	Implementation of Welsh Government free childcare offer in Denbighshire	To consider the proposed implementation of the Welsh Government free childcare offer in Denbighshire	Tbc	Cllr Huw Hilditch-Roberts / James Wood / Karen Evans
	2	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
	3	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
30 Oct	1	Collaborative Procurement Unit	To consider an extension of the collaborative arrangements with Flintshire County Council	Yes	Councillor Julian Thompson-Hill / Lisa Jones / Helen Makin
	2	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	3	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator
20 Nov	1	Corporate Plan 2017-2022 (Q2)	To review progress against the performance management framework	Tbc	Councillor Julian Thompson-Hill / Nicola Kneale
	2	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	3	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator

Cabinet Forward Work Plan

Meeting	Item (description / title)		Purpose of report	Cabinet Decision required (yes/no)	Author – Lead member and contact officer
18 Dec	1	Finance Report	To update Cabinet on the current financial position of the Council	Tbc	Councillor Julian Thompson-Hill / Richard Weigh
	2	Items from Scrutiny Committees	To consider any issues raised by Scrutiny for Cabinet's attention	Tbc	Scrutiny Coordinator

Note for officers – Cabinet Report Deadlines

<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>	<i>Meeting</i>	<i>Deadline</i>
<i>June</i>	12 June	<i>July</i>	17 July	<i>September</i>	11 September

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Cabinet Forward Work Programme.doc

Progress with Committee Resolutions

Date of Meeting	Item number and title	Resolution	Progress
13 April 2018	7. Denbigh Infirmary	<i>Resolved:</i> - subject to the above observations to request that the Health Board be invited to a future Council Briefing session to discuss with elected members its Community Strategy on shaping community hospitals in the county in future	Invitation issued to Health Board representatives to attend the Council Briefing session on 5 November
3 May 2018	5. Homelessness Prevention Action Plan Update	<i>RESOLVED,</i> subject to the above observations to – (a) support the delivery of the Homelessness Prevention Action Plan, to ensure that everyone is supported to live in homes that meet their needs; (b) note assurances that plans are being developed to mitigate any risks associated with the potential future withdrawal of the protection currently afforded to Supporting People funding for homelessness prevention work, and (c) requests that a further progress report on delivery of the Homelessness Prevention Action Plan be presented to the Committee at its meeting in November 2018	Lead Member and officers have been informed of the Committee's resolution and a progress report on the Action Plan's delivery has been scheduled into the Committee's forward work programme for 8 November 2018 (see Appendix 1)

	<p>6. Support Budgets for People with Eligible Care and Support Needs</p>	<p>RESOLVED that the Committee –</p> <p>(a) <i>confirmed that it had read and understood the changes to be made;</i></p> <p>(b) <i>has read, understood and taken account of the Well-being Impact Assessment (Appendix 1 to the report) as part of its consideration;</i></p> <p>(c) <i>requests that a progress report on Support Budgets for People with Eligible Care and Support Needs be presented to the Committee at its meeting in May 2019, and</i></p> <p>(d) <i>requests that an information report on Disabled Facilities Grant/ Adaptations Service be provided to the Committee prior to the next meeting in June 2018</i></p>	<p>Lead Member and officers informed of the Committee's resolution. A progress report has been scheduled into the Committee's forward work programme for its meeting on 23 May 2019. The 'information report' on Disabled Facilities Grant/Adaptations Service is due to be circulated to members imminently</p>
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