



**CWM TAF PUBLIC SERVICES BOARD JOINT OVERVIEW & SCRUTINY COMMITTEE  
20<sup>TH</sup> FEBRUARY, 2017**

**WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015  
SCRUTINY OF THE CWM TAF PUBLIC SERVICES BOARD**

**JOINT REPORT OF THE HEAD OF DEMOCRATIC SERVICES (RHONDDA CYNON TAF  
COUNTY BOROUGH COUNCIL) AND THE SCRUTINY MANAGER (MERTHYR TYDFIL  
COUNTY BOROUGH COUNCIL)**

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**1. PURPOSE OF THE REPORT**

To seek Members' endorsement of the Draft Terms of Reference of the Cwm Taf Public Services Board Joint Overview and Scrutiny Committee ("Cwm Taf PSB JOSC) and to give consideration to the co-option of the PSB Statutory members (non executive) and `invited participants`.

**2. RECOMMENDATIONS**

- 2.1 To endorse the Draft Terms of Reference of the Cwm Taf Public Services Board Joint Overview & Scrutiny Committee, as set out in Appendix 1, and to make any further comments as felt appropriate;
- 2.2 To determine the PSB Statutory members (non executive) and `invited participants` to serve as co-opted members on the Cwm Taf PSB JOSC;
- 2.3 To agree that elected Members of the Cwm Taf PSB JOSC be provided with training to assist them in undertaking their new role at the first meeting of the JOSC following the County Borough elections.

**3. BACKGROUND**

3.1 Members will recall that at the following respective meetings of Rhondda Cynon Taf County Borough Council and Merthyr Tydfil County Borough Council both Councils agreed to the creation of a Joint Overview and Scrutiny Committee comprising elected Members of both Authorities to scrutinise the Cwm Taf Public Services Board:-

- Overview & Scrutiny Committee (Rhondda Cynon Taf) – 26<sup>th</sup> September, 2016
- Council (Rhondda Cynon Taf) – 28<sup>th</sup> September, 2016
- Governance, Performance, Business Change & Corporate Services Scrutiny Committee (Merthyr Tydfil) – 4<sup>th</sup> October, 2016
- Council (Merthyr Tydfil) – 5<sup>th</sup> October, 2016

- 3.2 Prior to the establishment of the Cwm Taf PSB JOSC and in accordance with the statutory requirement of the Well-being of Future Generations (Wales) Act, 2015 and associated statutory guidance for a designated Local Government Scrutiny Committee of the relevant Authority to scrutinise the work of the PSB, Rhondda Cynon Taf County Borough Council designated its Overview and Scrutiny Committee as the Authority's Scrutiny Committee and Merthyr Tydfil County Borough Council designated its Governance, Performance, Business Change and Corporate Services Scrutiny Committee as the Authority's Scrutiny Committee for the Cwm Taf Public Service Board.
- 3.3 To date, the respective Scrutiny Committees of both Councils have not undertaken any scrutiny of the Cwm Taf PSB but have been afforded the opportunity, as statutory consultees to make comment on the draft Cwm Taf Wellbeing Assessment, as part of the formal consultation required by the Well-being of Future Generations (Wales) Act, 2015 prior to the Assessment being taken to the Cwm Taf Public Services Board for approval (14<sup>th</sup> February, 2017).
- 3.4 In the absence of any statutory guidance in the Future Generations (Wales) Act, 2015 or statutory guidance to establish a Joint Scrutiny Committee of Public Service Boards, the Cwm Taf PSB JOSC was established in accordance with the requirements of Section 58 of the Local Government (Wales) Measure, 2011 and associated statutory guidance. However, Officers have recently been informed that `Scrutiny Guidance` will be available after the County Borough elections in May of this year.

#### **4. NEXT STEPS**

##### **4.1 Terms of Reference**

- 4.1.1 Delegated authority was given by both Councils to the appropriate Officers in consultation with the respective Members to agree the draft Terms of Reference of the Cwm Taf PSB JOSC and following the meetings held in September and October of last year revisions have been made to the draft Terms of Reference and are attached at Appendix 1 for endorsement, and for any further changes to be made, where felt appropriate.

##### **4.2 Co-option of Members**

- 4.2.1 Paragraphs 9(b) and (c) of the Terms of Reference states that the Cwm Taf PSB JOSC may invite PSB Statutory Members (non executive) from the following organisations to serve as co-opted members:-

- Cwm Taf University Health Board
- South Wales Fire and Rescue Service
- Natural Resources Wales; and

may also invite `invited participants` as defined in the Act to serve as co-opted members. The `invited participants` would include representatives from the following six bodies:-

- Third Sector
- South Wales Police
- Police & Crime Commissioner
- Probation
- Community Rehabilitation Company; and
- Public Health Wales

4.2.2 In accordance with paragraph 8.3.3(1) of the Statutory Guidance of the Local Government (Wales) Measure, 2011, the number of co-opted members on the JOSC should not exceed the number of elected Members. It is therefore suggested that one PSB Statutory Member (non executive) be invited to serve as co-opted members from each of the three organisations; and that as and when felt appropriate `invited participants` from one or more of the six bodies as listed above be invited to attend meetings of the JOSC, thereby avoiding the excess in numbers of co-opted members to elected members of the JOSC.

4.2.3 Further, Ms.Sophie Howe, the Future Generations Commissioner was in attendance at the meeting of the Cwm Taf PSB held on the 26<sup>th</sup> January, 2017 and during the discussion on the scrutiny arrangements for the PSB she indicated that it could be beneficial to Scrutiny Committees to have citizen representation within its co-option and Members consideration is therefore sought on this suggestion but at the same time being mindful of the comments made in paragraph 4.2.2 above.

#### 4.3 **Training Requirements**

4.3.1 As can be seen from paragraph 32 of the Terms of Reference (attached), training will be provided to Members of the JOSC as and when required/appropriate. It is therefore suggested that in view of the fact that the `Scrutiny Guidance` is to be made available following the County Borough elections in May of this year that Members receive training on understanding their respective roles and workstreams together with the role of the PSB itself at the first meeting of the JOSC following the Councils respective AGMs.

#### 4.4 **Work Programme**

4.4.1 Recent research has shown that meetings of the PSBs are not open to the public and whilst a portal is being developed for the Cwm Taf PSB the agendas and minutes are not published on any of the Councils websites. In the absence of such documents, Members may wish to request copies of the minutes and the Work Programme of the Cwm Taf PSB to inform the JOSC's future Work Programme.

### 5. **CONCLUSION**

5.1 As stated in the previous reports presented to both Councils, this is a new joint approach of its kind and will need time to embed. However, with the relevant training and support, Members will work together with shared responsibility for improved outcomes across partner organisations which will

avoid duplication of time and resources of the Councils respective Scrutiny Committees.