



(Note original report submitted to Gwent PSB for 30<sup>th</sup> June Gwent PSB meeting)

**SUBJECT: Establishment of a Regional PSB Scrutiny Committee**

*Report written and submitted by: GSWAG Sub Group (led by Blaenau Gwent County Borough Council)*

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*Consultees: Gwent PSB Partners (following March 22 GPSB meeting), GSWAG Partners and Local Authority Scrutiny Officers)*

<b>1</b>	<b>Areas Affected</b>
1.1	The full regional PSB will be impacted by the establishment of a Regional Scrutiny Committee and all areas of Gwent represented.
<b>2</b>	<b>Purpose of Report</b>
2.1	The purpose of the report is to set out recommendations for the establishment of a Regional PSB Scrutiny Committee, supporting the Regional PSB.
<b>3</b>	<b>Background</b>
3.1	Following the establishment of the Regional PSB, and in keeping with the development of a Regional Well-being Assessment and Plan, the PSB has agreed to establish Regional Scrutiny arrangements to review and scrutinise the work of the Regional PSB. This was also agreed, in principle, by all Gwent Local Authorities within their reports to local Scrutiny Committees.
3.2	The considerations of this, and previous reports on the establishment of Regional Scrutiny Committee, have been taken into account alongside the already established arrangements of other joint committees such as: <ul style="list-style-type: none"> <li>• CCRCD / CJC;</li> <li>• Regional Partnership Board;</li> <li>• Cardiff and the Vale Partnership Board; and</li> <li>• Cwm Taf Public Services Board Joint Overview and Scrutiny Committee.</li> </ul>
<b>4</b>	<b>Setting up Regional Scrutiny Arrangements</b>
4.1	It has been agreed by the Regional PSB to have both a Regional PSB Scrutiny Committee and to also maintain local PSB / Partnership Scrutiny arrangements.
4.2	<u>Local Arrangements</u>  All local Scrutiny PSB (partnership) arrangements will be maintained, with Local PSB Scrutiny Committee Meetings being held until 2023 (in line with the

	development of the Well-being Plan). Discussion has taken place for these local arrangements to remain post 2023 to retain local accountability with arrangements for Local Authority discretion.
4.3	<p><u>Role of Local PSB/Partnership Committee</u></p> <ul style="list-style-type: none"> <li>• To consider items that relate to the individual Local Authority area only, with joint or partnership activity being considered by the Regional Committee.</li> <li>• Local Scrutiny Committees will remain accountable to their own local authorities.</li> <li>• Membership of local committees to be determined by local arrangements.</li> <li>• Members should only refer a matter to a Joint scrutiny committee if it falls clearly within the responsibilities and terms of reference of the Regional Scrutiny Committee and if there is no scrutiny of the issue in the local authority to which the member belongs.</li> <li>• All community safety responsibilities* are to be maintained by each local authority and their local scrutiny arrangements.</li> </ul> <p><i>* Under Section 19 of the Police and Justice Act 2006 every Council must ensure that it has a committee with the power to scrutinise decisions made, or other action taken, the work of the responsible authorities (in respect of their crime and disorder functions), and to make reports or recommendations to the local authority with respect to the discharge of those functions.</i></p>
4.4	<p><u>Regional Arrangements</u></p> <p>The PSB have agreed for a Regional PSB Scrutiny Committee to be operational from Autumn 2022 in order for the committee to effectively consult on the Well-being Plan. For this to be effective, and align to new local authority administrations, the Regional PSB Scrutiny Committee and membership should be approved at all Gwent Local Authority Council's following the PSB decisions.</p>
4.5	<p><u>Role of Regional PSB Scrutiny Committee</u></p> <ul style="list-style-type: none"> <li>• The role of the Regional PSB Scrutiny Committee would be to hold the Regional PSB to account;</li> <li>• The committee will feed comments / discussions / recommendations directly to the Gwent PSB;</li> <li>• The Regional PSB would be accountable to the Regional PSB Scrutiny Committee only; and</li> <li>• To scrutinise the overall effectiveness of the Gwent / Regional Public Services Board and exclude scrutiny of individual partner organisations.</li> </ul>
<b>5</b>	<b>Options for Recommendation to the PSB</b>
5.1	Following discussions across the Gwent Local Authorities, including GSWAG, the Governance Group, Policy Officers and Scrutiny Officers, the following recommendations for a Regional PSB Scrutiny Committee are being presented to the Regional PSB for approval.

	<p><b><u>Recommendation 1 – Membership</u></b>  Two Local Authority Elected Member representation including one representative from partner organisations (note these cannot be officers of the organisations). To include:</p> <ul style="list-style-type: none"> <li>• The Fire and Rescue Authority</li> <li>• Third Sector</li> <li>• Health Board Member</li> <li>• NRW</li> </ul> <p><i>Principles:</i></p> <ul style="list-style-type: none"> <li>• <i>The Committee should have an equal number of Elected Members from each appointing authority and no executive members.</i></li> <li>• <i>Each local authority will determine and nominate its Elected 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.</i></li> </ul>
	<p><b><u>Recommendation 2 - Voting</u></b>  One vote per organisation (regardless of number of members).</p> <p><i>This is the same as the current arrangements for the CCRC</i></p>
	<p><b><u>Recommendation 3 - Chairs and Vice Chairs</u></b>  Regional PSB Scrutiny Committee to identify its Chair at the first meeting of the Committee, and it will be reviewed and elected annually thereafter.</p>
	<p><b><u>Recommendation 4 - Meeting Cycle</u></b>  Hold the Scrutiny Meeting 4 weeks before each scheduled formal Regional PSB Meeting (quarterly).</p> <p><i>It will be essential to schedule the Scrutiny Meetings so that there is adequate time to feed into the Regional PSB and also receive information back.</i></p>
	<p><b><u>Recommendation 5 - Development of a Forward Work Programme</u></b>  Establish a scrutiny work programme that is directly aligns to the work programme of the Regional PSB. The Work Programme should be drafted before the cycle begins so that it can be agreed at the first Scrutiny Meeting and should also be considered at every meeting to determine what needs to be brought forward and when to ensure effective scrutiny and to hold the Regional PSB to account.</p>
	<p><b><u>Recommendation 6 - Meeting Arrangements</u></b></p> <ol style="list-style-type: none"> <li>a) Papers to be developed by the lead partner for each item</li> <li>b) Papers to be made available at least one week before the meeting using ‘modern.gov’ approach</li> <li>c) Offer all meetings as hybrid</li> <li>d) All meetings to be recorded and included on a central PSB website <a href="http://www.gwentpsb.org/">http://www.gwentpsb.org/</a> as well as on partner websites</li> <li>e) Hold pre-meetings 30 minutes before the meeting to agree a questioning strategy and consider possible recommendations</li> <li>f) Hold post evaluation meetings after each meeting to review and assess the meeting, including where improvements can be made in future meetings.</li> </ol>

	<p><b><u>Recommendation 7 - Meeting Quorum</u></b> Each Local Authority area to be represented, and one-third of the overall.</p>
	<p><b><u>Recommendation 8 - Resources</u></b> Each statutory partner provides a sum of money to support the scrutiny committee (recommended share of £15,000), and one Local Authority identified as Committee Support, with a review every year.</p> <p><i>To make this Committee work effectively and to provide adequate support and administration it is expected to be resource intensive. It should be noted the precedence set by the support for the Scrutiny Committee of the CCRCD that Rhondda Cynon Taff County Borough Council, as the host, receives £15,000 annually to support the operation of the Joint Scrutiny Committee.</i></p>
	<p><b><u>Recommended Terms of Reference</u></b> Agree the Terms of Reference for the Regional PSB Scrutiny Committee, incorporating the outlined recommendations above, and with the agreement that these can be reviewed on an annual basis to ensure they remain fit for purpose and assist in the effective operation of the Regional PSB Scrutiny Committee.</p> <p>Please see attached at Appendix 1.</p>

Report Date: 22<sup>nd</sup> June 2022

*Appendix 1 - Draft Terms of Reference – Regional PSB Scrutiny Committee***DRAFT Terms of Reference – Regional PSB Scrutiny Committee**

The Regional PSB Scrutiny Committee will have the strategic oversight of the PSB and will hold the Regional PSB and Partners to account for the delivery of the Well-being Plan and supporting projects.

The Regional PSB Scrutiny Committee will:

- Perform the Overview and Scrutiny function for the Regional PSB on behalf of the five local Authorities of Gwent.
- Develop a forward work programme reflecting its functions.
- Review, scrutinise and challenge the performance, decisions made or actions taken by the Board;
- Review and scrutinise the Board's governance arrangements and function;
- Review and scrutinise the performance of the PSB projects including delivery and outcomes
- Make reports or recommendations to the Board regarding its functions or governance arrangements;
- Promote public engagement and participation;
- Consider matters relating to the Board as Welsh Ministers may refer to it and report to the Welsh Ministers accordingly; and
- Carry out other functions in relation to the Board that are imposed on it by the Well-Being of Future Generations (Wales) Act 2015. c).
- Review or scrutinise the progress of any joint project.
- Refer any matter to the Regional Gwent PSB which is relevant to its functions:
  - The matter relates to one of the functions of the authority and is relevant to the functions of the Regional scrutiny committee; and
  - It effects the electoral area of the member or it effects any person who lives or works there.

When considering whether to refer a matter to the Regional Scrutiny Committee a member should first consider if it falls within the remit of a single overview and scrutiny committee within the member's local authority, and if that is the case the member should raise the matter there. ***Members should only refer a matter to a Joint scrutiny committee if it falls clearly within the responsibilities and terms of reference of the Regional Scrutiny Committee and if there is no scrutiny of the issue in the local authority to which the member belongs.***

It is acknowledged that the establishment of a Regional Scrutiny Committee shall not serve to exclude a local authority's right to carry out its own individual Scrutiny of any decision of the Regional Gwent PSB.

In addition to these functions the Regional Scrutiny Committee's lines of Inquiry can include (but not be limited to), the following:

- The effectiveness of the Wellbeing Assessment;
- The effectiveness of the Wellbeing Plan;

- The effectiveness of performance measurement arrangements;
- The level of commitment from individual partners to the work of the Regional Gwent Public Services Board;
- The effectiveness of the Regional Gwent Public Services Board in communicating its work, objectives and outcomes to its stakeholders; and,
- The effectiveness of the Regional Gwent Public Services Board in addressing the issue of pooled funding to tackle priorities

The WBFG act allows for scrutiny of the PSB as a 'collaborative body', not the individual partners comprising the PSB. Paragraph 180 of the Future Generations guidance states that; 'The committee can require any member of the board to give evidence, but only in respect of the exercise of joint functions conferred on them as a member of the board under this Act.' This includes any person that has accepted an invitation to participate in the activity of the Regional Gwent PSB. The Regional Scrutiny Committee will therefore scrutinise the work of the Regional Gwent PSB and **not** the individual activities of partners.