Shared Purpose: Shared Future

SPSF3 – Collective role (public services boards)
Further information and related documents

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This statutory guidance is issued under Section 51(1) of the Well-being of Future Generations (Wales) Act 2015.

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Introduction

1. The Well-being of Future Generations (Wales) Act is about “sustainable development” which is the process of improving the economic, social, environmental and cultural well-being of Wales, by taking action in accordance with the sustainable development principle aimed at achieving well-being goals (see below, and at SPSF 1 - chapter 1.9).

2. The Act sets out a “sustainable development principle” which is about how the listed public bodies should go about meeting their well-being duty under the Act. In the Act, any reference to a public body doing something “in accordance with the sustainable development principle” means that the body 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.

3. The Act sets seven well-being goals and gives a description of each:

<table>
<thead>
<tr>
<th>Well-being goal</th>
<th>Description</th>
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<tbody>
<tr>
<td>A more prosperous Wales</td>
<td>An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</td>
</tr>
<tr>
<td>A resilient Wales</td>
<td>A nation which maintains and enhances a biodiverse natural environment with health functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</td>
</tr>
<tr>
<td>A healthier Wales</td>
<td>A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</td>
</tr>
<tr>
<td>A more equal Wales</td>
<td>A society that enables people to</td>
</tr>
</tbody>
</table>
fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).

| A Wales of cohesive communities | Attractive, viable, safe and well-connected communities. |
| A Wales of vibrant culture and thriving Welsh language | A society that promotes and protects culture, heritage, and the Welsh language, and which encourages people to participate in the arts, and sports and recreation. |
| A globally responsible Wales | A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being. |

4. The seven well-being goals (the goals) show the kind of Wales we want to see. Together they provide a shared vision for the public bodies listed in the Act to work towards. They are a set of goals; the Act makes it clear the listed public bodies must work to achieve all of the goals, not just one or two.

5. In addition to the well-being duty put on specified individual public bodies (covered in SPSF 2), the Act also puts a well-being duty on specified public bodies to act jointly via public services boards to improve the economic, social, environmental and cultural well-being of their area by contributing to the achievement of the well-being goals.

6. This document addresses the requirements relating to public services boards set out in Part 4 of the Act.

7. Public services boards’ contribution to the achievement of the goals must include:

   (a) assessing the state of economic, social, environmental and cultural well-being in their areas;
   (b) setting local objectives that are designed to maximise their contribution within their areas to achieving those goals;
   (c) the taking of all reasonable steps by members of boards (in exercising their functions) to meet those objectives.
8. Public services boards’ planning cycle:
Chapter 1 - Operating a public services board

9. The Act establishes a statutory board, known as a public services board, in each local authority area in Wales.

10. The four statutory members of each board are the Local Authority, the Local Health Board, the fire and rescue authority for an area and Natural Resources Wales.

11. A reference to a public services board is a reference to the members of that board acting jointly, and any function of a public services board is a function of each member and can only be exercised jointly. This means unanimous agreement is needed in order for public services boards to publish assessments of local well-being and local well-being plans.

12. All the members must be in attendance at a meeting of a public services board for the decisions made during that meeting to be considered valid.

13. A public services board must hold a meeting, chaired by the Local Authority, no later than 60 days after the date on which the board is established. The board must also hold a “mandatory meeting” chaired by the Local Authority, no later than 60 days after each subsequent ordinary election of councillors. Ordinary elections are where all seats on a council are up for election or re-election.

14. Subsequently the board can determine when and how often it meets.

15. The Local Authority must chair the first meeting of a public services board but members can then appoint another statutory member or an invited participant to chair.

Participation and Roles

Invited Participants

16. Public services boards must invite specified statutory invitees to participate in the board’s activity. These invitees are not required to accept the invitation. If they accept the invitation they do not become members of the board.

17. Bodies or persons which accept invitations from the board will become invited participants, and will be entitled to make representations to the board about the assessments of local well-being and local well-being plan, take part in its meetings and provide other advice and assistance. Providing assistance does not include being required to provide financial assistance.
18. The Board will also have powers to invite other individuals or bodies to participate in its activity as it deems appropriate, so long as they exercise functions of a public nature. Whether or not a body exercises functions of a public nature is a legal issue on which boards need to seek legal advice but the factors taken into account include, in particular, the extent to which in carrying out a function the body is publically funded, is exercising statutory powers, is taking the place of central government or local authorities or is providing a public service.

19. An invited participant may participate in the activity of a board from the day which the board receives its acceptance of the invitation.

20. An invitation must be issued as soon as is reasonably practicable following the first meeting of a board and each meeting held after the date of each ordinary local authority election.

21. An invitation can take any form the board decides but has to specify the person to whom a response is to be sent.

22. A board must invite the following to participate in the activity of the board;

- The Welsh Ministers
- The chief constable of the police force for a police area, any part of which falls within the local authority area
- The police and crime commissioner for a police area any part of which falls within the local authority area
- A person required by arrangements under section 3(2) of the Offender Management Act 2007 to provide probation services to the local authority area
- At least one body representing relevant voluntary organisations (whether or not the body is known as a County Voluntary Council).

23. The board could work with the County Voluntary Council to determine who the most appropriate representative(s) of relevant voluntary organisations would be.

Involving other partners

24. The public services board will be required to engage with key partners in the area who have a material interest in the well-being of the area, or who deliver important public services, in the preparation, implementation and delivery of the work of the board.

25. They are named in the Act as 'other partners' and are:
26. The public services board could invite any of these partners to participate more fully in its activity as an invited participant.

27. It is for each board to consider what other bodies, if any, it wishes to invite to participate in its work and to what extent. The only condition is that they must exercise functions of a public nature.
Terms of Reference

28. At the first meeting, a board must agree its Terms of Reference, which must include:

- The procedure for subsequent meetings*
- The schedule for subsequent meetings
- How the board will involve people who are interested in the improvement of well-being in an area
- Proposals for establishing sub-groups

Terms of Reference:

- Procedure for inviting persons to participate in the activity of the board*
- How the board intends to involve those invited participants (and other partners)
- The procedure for resolving disagreements between members relating to the board’s functions
- Any other terms the board considers need setting

* in so far as not specified by the Act

A public services board must review its terms of reference at each meeting held after the date of each ordinary local government election. However the board may review, and agree to amend it at any time.

Subgroups

29. The board is able to establish sub-groups to support it in undertaking its functions and the board can authorise sub-groups to exercise a limited number of functions.

30. A sub-group of a public services board must include at least one member of the board, and can include any invited participant or other partner.

31. The sub-group’s functions will be guided by the board’s terms of reference.

32. Those terms of reference can not authorise a sub-group—
   (a) to invite persons to participate in the board’s activity;
   (b) to set, review or revise the board’s local objectives;
   (c) to prepare or publish an assessment of well-being;
(d) to consult on an assessment of well-being or to prepare a draft of an assessment for the purposes of consulting;
(e) to prepare or publish a local well-being plan;
(f) to consult on a local well-being plan or to prepare a draft of a local well-being plan for the purposes of consulting;
(g) to review or amend a local well-being plan or to publish an amended local wellbeing plan;
(h) to consult on an amendment to a local well-being plan;
(i) to agree that the board merges or collaborates with another public services board.

33. The matters above require all members to act jointly and so must be taken by the public services board itself.

Representation

34. The Act specifies the individuals who represent each member of the board:

<table>
<thead>
<tr>
<th>Member</th>
<th>Representative</th>
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<tbody>
<tr>
<td>Local Authority</td>
<td>The directly elected mayor of the authority or the councillor elected as</td>
</tr>
<tr>
<td></td>
<td>executive leader of the authority, and the head of the authority's paid service designated under section 4 of the Local Government and Housing Act 1989 (c.42).</td>
</tr>
<tr>
<td>Local Health Board</td>
<td>Whichever of the following the board Designates:</td>
</tr>
<tr>
<td></td>
<td>(a) the chairman;</td>
</tr>
<tr>
<td></td>
<td>(b) the chief officer;</td>
</tr>
<tr>
<td></td>
<td>(c) both.</td>
</tr>
<tr>
<td>Welsh fire and rescue authority</td>
<td>Whichever of the following the authority designates;</td>
</tr>
<tr>
<td></td>
<td>(a) the chairman;</td>
</tr>
<tr>
<td></td>
<td>(b) the chief officer;</td>
</tr>
<tr>
<td></td>
<td>(c) both.</td>
</tr>
<tr>
<td>The Natural Resources Body for Wales</td>
<td>The chief executive</td>
</tr>
</tbody>
</table>

35. However a member, and invited participant of a board is able to designate an individual from their organisation to represent them. The only restriction is that a directly elected mayor or executive leader of a local authority may only designate another member of the authority’s executive.

36. The person designated should have the authority to make decisions on behalf of the organisation.
37. The board can also invite any of its “other partners”, or anyone else it wishes, to attend a meeting or any part of a meeting.

**Resourcing the work of the Public Services Board**

38. The Local Authority must make administrative support available to the public services board. The Welsh Ministers consider administrative support would include ensuring the public services board is established and meets regularly; preparing the agenda and commissioning papers for meetings; inviting participants and managing attendance; work on the annual report and preparation of evidence for scrutiny.

39. However it is for the board to determine how it will resource the functions it has to undertake, and this is a responsibility of all the members equally. There is nothing to prevent invited participants or other partners providing advice, assistance, and resources to the board for instance in the form of analytical or professional expertise.

**Wider Participation**

40. The public services board’s citizen focus means it will 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. It is vital that the board takes account of the importance of involving people with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of the area the board serves.

41. For example it is recognised that activities of major local private sector employers can have a big impact on an area’s well-being. There is nothing to stop a board from inviting such employers to attend a board’s meetings to raise concerns and make suggestions about what boards should do and what employers and the private sector could contribute to achievement of the board’s objectives. The board would, however, have to be clear about the capacity in which the employer was attending (not to participate in the board’s activity as an invited participant but to make representations and express views). Similarly there is nothing to stop a board from inviting groups representing other interests, such as trade unions or campaign groups active in the board’s area, from attending meetings of the board for similar purposes.

42. Boards should take care to ensure the propriety and impartiality of the board’s processes and be alive to the risks of any perception arising that a particular group is being afforded excessive access to, or influence over a board’s deliberations.
Chapter 2 - Assessing the state of well-being in the area

43. A public services board must prepare and publish an assessment of the state of economic, social, environmental and cultural well-being in its area a year before it publishes its local well-being plan (see para 50).

44. It is vital that this assessment provides an accurate analysis of the state of well-being in each community and in the area as a whole. There is significant weight placed on the validity of this assessment due to the impact the findings and analysis will have in choosing the objectives to be set out in the local well-being plan.

45. The board must explain in their local well-being plan how their local objectives and any steps they propose to take have been set with regard to any matters mentioned in the assessment, and should be reassured that those objectives are sufficiently robust to stand up to local scrutiny. Therefore it will be expected that the board uses an extensive range of sources from which to assess the state of well-being, for example census and statistical data; academic research; and qualitative evidence which captures people’s opinions and perceptions as well as giving context to quantitative data (the story behind the data). These comparisons could take place at a national, regional or local level.

46. There is a broad spectrum of economic, social, environmental and cultural expertise available for them to draw on, such as youth forums, community groups, older people’s forums, Welsh language organisations (such as Mentrau Iaith), environmental bodies and public health experts.

47. In preparing its assessment of local well-being, a board will have the opportunity to capture the strengths and assets of the people and their communities. In recognising those strengths, they should tailor services accordingly to help improve the social, environmental, economic and cultural well-being of the area.

48. Acting in accordance with the sustainable development principle is integral to the assessment process and doing a deeper examination of the information and data from sources like these will help the board prepare a more rigorous product. They will have to look at the long term, consider what the evidence tells them about how to prevent problems from happening or getting worse, and involve other people with an interest in the well-being of the area.

49. Boards should expect to be scrutinised on the process of how they agreed their priorities. To ensure objectivity and robustness of their decisions, it will be essential to collect and analyse good evidence in the preparation of assessments to feel satisfied that their priorities accurately reflect the diversity and variety of issues in the area.
50. Each board must publish its assessment at least 12 months before it publishes its local well-being plan. Since the Act provides that the local well-being plan must be published no later than one year after an ordinary election, as defined in section 26 of the Local Government Act 1972, in practice this means the assessment of local wellbeing would be published within the 12 months preceding each ordinary local government election.

51. In light of this, it will be important to consider that in line with the Code of Recommended Practice on Local Authority Publicity in Wales, publicity in the pre-election period should not deal with controversial issues or report views, proposals or recommendations in such a way which identifies them with individual members or groups of members.

**What the assessment must cover**

52. An assessment must:

- Set out the communities that comprise the area
- Analyse the state of well-being in each community and the whole area
- Analyse the state of well-being of the people in the area
- Include any further analysis that the board carries out for assessing the well-being of the area
- Include predictions of future likely trends of the area
- Refer to the National Indicators
- Include any other related analytical data and information the board considers appropriate
- Include any other related analytical data and information the board considers appropriate

53. Provided the assessment complies with the requirements described above, it will be for the board to determine what it includes in its assessment of local well-being and how it is structured.
Community areas

54. The assessment must identify the geographic community areas within the board’s overall area. It is intended that these ‘communities’ are localities within the board’s area which are large enough to show differences between them and have a sense of identity but not as small as electoral wards.

55. Since official statistics are generally resolved down to the recognised ONS LSOA (Lower Layer Super Output) areas it would make sense for the community areas identified to correspond with multiple LSOAs rather than cut across them.

56. Assessing the well-being of each community is intended to ensure that the differences between the various communities within a board’s area are analysed. The board will have the principles of sustainable development (see SPSF 1) in mind when analysing these differences.

57. Whilst the board may consider aligning these community areas with existing community networks such as a local authority’s ‘neighbourhoods’, primary care clusters or clusters of community councils, the community areas identified for the purpose of the assessment will not necessarily correspond with the community councils within the board’s area.

Analysing the state of well-being of in each community area and in the area as a whole

58. The board will need to look at the state of well-being both at this community area level and for the area as a whole – drawing together this community level analysis with other evidence and analysis to form a view on the overall well-being of the local authority area.

59. For example, the board may consider the well-being of sustainable communities. In doing so the extent to which a community is in poverty, or the position of the Welsh language in these communities, would need to be a consideration.

60. The extent of health inequalities in the area, including households and communities which are living in poverty would also be a consideration.

Analysing the state of well-being of the people in the area

61. In addition to looking at the general economic, social, environmental and cultural well-being of the area the assessment will need to look specifically at the well-being of the people in the area.

62. The Act provides that a board may include in its analysis of well-being analysis of the well-being of particular categories of persons, including:
(a) People who are considered **vulnerable or disadvantaged**, for example of those who are regarded as financially excluded or experiencing domestic abuse; as well as tackling income inequality and environmental problems.

(b) **People possessing a protected characteristic.** The nine protected characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership pregnancy and maternity, race, religion and belief, sex and sexual orientation.

(c) **Children**, including those living in poverty and the impact this is having on their lives and overall well-being; children who are homeless, asylum seekers, Gypsies and Travellers or children experiencing or witnessing domestic abuse. Boards might also benefit from taking into account children’s rights impact assessments (and consider the extent to which poverty is a barrier to the realisation of children’s rights), when assessing needs.¹

(d) Young people who have been **looked after, accommodated or fostered** and are entitled to support under sections 105 to 115 of the Social Services and Well-being Act.

(e) People who may have need for **care and support** as described in Part 3 of the Social Services and Well-being (Wales) Act 2014; or people who provide or intend to provide care and support.

63. There may be categories of person **other than those listed above** which the board may wish to analyse in assessing the well-being of the area.

64. Undertaking analyses will assist in understanding better the needs and barriers to participation of these groups referred to in para 62, many of whom will be marginalised.

65. Relevant policy frameworks such as well-being indicators², Welsh Government’s revised Child Poverty Strategy³ and the Tackling Poverty Action Plan⁴ may help Boards assess the needs of children in poverty. Similarly, the Welsh Language Strategy⁵ may help boards assess the needs of Welsh-speakers and Welsh-speaking communities.

Predictions of likely future trends

66. The assessment must include predictions of likely future trends in the economic, social, environmental and cultural well-being of the area.

67. The analysis must refer to a future trends report published by the Welsh Ministers under section 11 to the extent that it is relevant to the assessment of well-being in the area.

68. This will enable the board to ensure it is taking account of the long term needs of the area as well as the short term.

National Indicators

69. The assessment of local well-being must refer to any national indicators published under section 10 of the Act. The national indicators will measure progress towards the achievement of the goals. They will be published by the Welsh Ministers.

Further analysis by the board

70. The assessment can include any other evidence relating to the well-being of the area that the board considers appropriate.

71. The assessment must include any further analysis that the board carries out for the purpose of assessing economic, social, environmental and cultural well-being in the area or in any community situated in the area. It is for the board to determine what criteria it wishes to set for this analysis.

72. This analysis could include any study or information bearing on the well-being of the area; for example case studies of where organisations have shared data or worked together successfully.

How to prepare an assessment

73. To aid the board in this process, non statutory guidance “Guidance on the use of evidence and analysis” is provided which sets out the main considerations involved in preparing a robust assessment of local well-being, from the point of view of using evidence and analysis effectively.

74. More specifically, the Guidance offers advice to boards on how to use evidence and analysis in critical but constructive ways, in order to:
   • better understand the outcomes services are working towards and the factors that influence them;
   • set out logically the links between the activities services perform and the well-being of people in the area;
• deliver a rounded assessment of well-being by including a wide range of sources and using qualitative evidence to supplement data and develop explanations;
• ensure more consistent use of data;
• be clear on the roles citizens will play in the Assessment and when and how to engage them effectively.

75. The Guidance also describes how the use of evidence and analysis could usefully be divided into two main components, namely the Situation Analysis and the Response Analysis.

Other assessments and reviews which inform the assessment of local well-being

76. The Act specifies a number of statutory reviews and assessments which the board must take into account when preparing their assessment.

77. These are the most recent:

a) assessment of the risks for the United Kingdom of the current and predicted impact of climate change sent to the Welsh Ministers under section 56(6) of the Climate Change Act 2008 (c.27);
b) review of the sufficiency of nursery education provision for the local authority area carried out under section 119(5)(a) of the School Standards and Frameworks Act 1998 (c.31);
c) assessment of the sufficiency of the provision of childcare in the local authority area carried out in accordance with regulations made under section 26(1) of the Childcare Act 2006 (c.21);
d) assessment of the sufficiency of play opportunities in the local authority area carried out under section 11(1) of the Children and Families (Wales) Measure 2010;
e) assessment carried out by the local authority in conjunction with a Local Health Board under section 14 of the Social Services and Well-being (Wales) Act 2014 (the “population assessment” of needs for care and support, support for carers and preventative services);
f) strategic assessment prepared in accordance with regulations under section 6 of the Crime and Disorder Act 1998 (c.37) relating to reducing crime and disorder in the local authority area;
g) strategic assessment prepared in accordance with regulations under that section relating to combating substance misuse in the local authority area;
h) strategic assessment prepared in accordance with regulations under that section relating to the reduction of reoffending in the local authority area;

78. Under (a) above, it would be in the board’s interest to refer to the Climate Change Risk Assessment for Wales⁶ which provides a national

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assessment of potential risks and opportunities from climate change facing Wales. The findings are presented for different possible future scenarios and include an indication of confidence in the results and areas where there are evidence gaps.

79. The Welsh Ministers will be able to update this list of statutory reviews and assessments by regulations but there is nothing to prevent boards taking account of other national, regional or local assessments and reviews if they feel they will contribute to its assessment of local well-being. This could include any assessments of the economic, social, environmental and cultural well-being of the area which exist but do not have a statutory basis.

80. For the avoidance of doubt, a board cannot limit itself to taking these assessments into account; it must carry out its own assessment of the well-being of its area and the people in it. This will involve considering a much wider body of information.

81. It is recognised that a number of these statutory assessments will be prepared within a similar timescale to the assessment of local well-being. It is expected that work can be undertaken on them in parallel, with evidence gathered, analysed and fed into multiple assessments at the same time (rather than waiting for an assessment to be formally published before taking its findings into account for the assessment of local well-being).

82. There is no reason why there would be any duplication of evidence gathered/analysis done – these specific assessments form part of the wider picture of the area the assessment of local well-being will capture.
Chapter 3 - Preparing a Local Well-being Plan

83. Each public services board must prepare and publish a local well-being plan setting out its local objectives and the steps it proposes to take to meet them.

84. A board’s first local well-being plan must be published no later than 12 months following the first local government ordinary election following commencement of Part 4 of the Act. The board must then publish a local well-being plan no later than 12 months after each subsequent ordinary election.

85. The local well-being plan will set out how the board intends to improve the economic, social, environmental and cultural well-being of its area by setting local objectives which will maximise the contribution made by the board to achieving the well-being goals in its area.

86. There are two main elements of a local well-being plan:
   a) The local objectives; and
   b) The steps the board proposes to take to meet the objectives

Local objectives

87. In line with the sustainable development principle the local objectives should seek to adopt an integrated approach to delivering against the well-being goals – considering how the objectives may impact on each of the goals (and on the other local objectives). One objective could deliver against multiple goals.

88. The objectives included in the local well-being plan must accord with the sustainable development principle, namely the need to ensure that action taken by public bodies to improve the well-being of people now doesn’t detrimentally affect the ability of future generations to meet their own needs.

89. In choosing local objectives and any proposed steps the board must have regard to any matters mentioned in the assessment of local well-being. The assessment should provide the robust evidence base for a board to determine (and justify) the local objectives it sets. The local objectives set should reflect where the board has decided that collective action can be taken that will have a positive impact on the state of well-being in the area.

90. The members of the board are also individually subject to the well-being duty on public bodies and are required to set their own well-being objectives. Members may choose to include their individual well-being objectives in the local well-being plan, if other members of the board agree.
Steps which the board proposes to take

91. The board must take all reasonable steps to meet the local objectives they have set, to deliver on collectively. 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.

92. In addition to the objectives to be met by a member or members of the board, the plan can include steps to be taken by invited participants or other partners acting individually or jointly. However a plan can only include those objectives or steps if the board has the agreement of the relevant invited participants or other partners.

93. The steps must be taken in accordance with the sustainable development principle (see SPSF 1 – diagram 3). For example steps can be taken by individual members, but can also be taken jointly, in collaboration with other members and partners. Boards should consider whether there are others in the area with an interest in well-being who could contribute to improving it.

94. In preparing its local well-being plan (and before consulting) a board can require invited participants and other partners to provide information about any action they take that may contribute within the board’s area to achieving the well-being goals. However they are not required to provide information if:

   (a) they consider it would be incompatible with their duties, or
   (b) it had an adverse effect on the exercise of their functions, or
   (c) they were prohibited from providing it by law.

If a person decides not to provide information the board has requested it must provide the board with written reasons for its decision.
95. The local well-being plan must:

<table>
<thead>
<tr>
<th>Explain how the local objectives will contribute within the area to achieving the well-being goals</th>
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<tbody>
<tr>
<td>Specify the periods of time within which the board expects to meet the objectives; and</td>
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<tr>
<td>If it isn’t the first plan, specify the extent to which those objectives have been met by the previous plan</td>
</tr>
<tr>
<td>Outline the proposed steps which will be taken (and by who); and</td>
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<tr>
<td>Explain how those steps are in accordance with the sustainable development principle</td>
</tr>
</tbody>
</table>

96. The plan should include any other information the board considers appropriate.

**Seeking the advice of the Future Generations Commissioner**

97. It is recognised that seeking to meet the local objectives contained within the local well-being plan in accordance with the sustainable development principle will not be an easy task. The role of the Commissioner is to provide advice on how to do this, drawing on the understanding of best practice. The Commissioner’s role is therefore supportive and constructive, acting as a critical friend.

98. In drafting their local well-being plans, the public services board must seek the advice of the statutory Future Generations Commissioner for Wales, on how to take steps to meet their local objectives in a manner which is consistent with the sustainable development principle.

99. In setting its local objectives a board must also take into account the latest Future Generations Report as prepared by the Commissioner which will provide an assessment of the improvements public bodies should make in order to set and meet well-being objectives in accordance with the sustainable development principle.

100. The Commissioner will have up to 14 weeks in which to provide this advice and boards should factor this into their timescales for preparing the local well-being plan (see para 140 for more detail)

101. The board must publish the Commissioner’s advice at the same time as it publishes its local well-being plan.
102. The board may also wish to seek the advice of other Commissioners in choosing local objectives to deepen their understanding of the diverse needs of the area.

103. A public services board must send a copy of its local well-being plan to the Welsh Ministers, the Commissioner, the Auditor General for Wales and the local authority’s overview and scrutiny committee.

Assessing the impact

104. A public services board is not under a duty to carry out formal impact assessments. However, they might consider it a useful way of reflecting on matters that members of the board would expect to be considering in any case if they are to meaningfully assess the well-being of their area.

105. In addition, individual statutory members of the board may be required to carry out Equality Impact Assessments in relation to particular decisions, and it may be helpful to draw on these to consider the impact of decisions on different people within the community from a board level.

106. Areas worth considering are:

Equality and Human Rights

107. The Equality Act 2010 requires all public authorities to have due regard to the need to:

a) eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by that Act;

b) advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and

c) foster good relations between people who share a protected characteristic and those who do not.

108. Most public authorities in Wales are required to set outcome-focused equality objectives, to engage widely on these and other aspects of their work, and to collect and analyse equality data which informs their equality impact assessment, and objective setting. The Equality Objectives set out in the Welsh Government’s Strategic Equality Plan 7 may help boards to identify actions and objectives that will help them safeguard the rights of those with protected characteristics.

United Nations Convention on the Rights of the Child (UNCRC)

109. The Welsh Government has legislated to adopt the UNCRC as the basis for all its work for children and young people. The Seven Core Aims\(^8\) are effectively a summary of the UNCRC which should underpin the working practice of any service or organisation working with children and young people in Wales.

110. A great deal of important work has been undertaken over the past decade in ensuring that the rights of children and young people are recognised and respected and their voice is heard and valued, resulting in appropriate and effective services and support. A local well-being plan should build on this work with purpose, maintaining a strong focus on positive outcomes for all children and young people, with the UNCRC and Seven Core Aims as the underpinning statement of principles upon which these outcomes are based.

111. Article 12 of the UNCRC promotes the right of children and young people to participate and have a say in decisions that affect them. This is an enabling right for children and young people to access all the other rights in the UNCRC. Promoting and facilitating children and young people’s participation is a duty on Local Authorities as set out in the Children and Families (Wales) Measure 2010 (see Annex A and Annex B). This duty should be taken forward through the well-being plan.

*Child Poverty*

112. Poverty is a major barrier to children and young people achieving better life outcomes, a principle which is at the heart of the UNCRC.

113. The preparation of a local well-being plan provides boards with an opportunity to strengthen their collaborative approach to tackling child poverty. The board should consider the different aspects of child poverty, and how these aspects link to the well-being goals when identifying its local objectives. Tackling child poverty is not just about income, it relates to a number of different outcomes including health, education, employment, skills and equality of opportunity.

114. Where local objectives and local actions are intended to make a contribution to addressing the needs of children and families living in low income households, it would be helpful if these could be made explicit.

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Welsh Language

115. In preparing and delivering their local well-being plans members must ensure that they act in accordance with any duties placed upon them under the Welsh Language (Wales) Measure 2011 and any subordinate legislation (i.e. Welsh Language Standards) or, until such time as they become liable to comply with such duties, with their Welsh language schemes prepared under the Welsh Language Act 1993. In practice, Standards will be imposed on Local Authorities before the other members.

116. The Welsh language should be given due consideration as part of preparing the local well-being plan reflecting its official status in Wales and the national well-being goal of ‘a thriving Welsh language’. Where specific outcomes are identified as priorities e.g. promoting or protecting the language, or ensuring the adequate bilingual provision of services that meets local need, these should be included in the local well-being plan.

Reviewing a local well-being plan

117. A public services board may review and revise its local objectives and/or its local well-being plan (e.g. the steps it proposes to take to meet the objectives) at any point it wishes.

118. It must also review its local objectives or local well-being plan if directed to do by Welsh Ministers. Before giving such a direction Welsh Ministers must publish a statement containing their reasons for doing so.

119. Before making an amendment to either the local objectives or the wider local well-being plan the board must consult the same people as it has to when preparing a new local well-being plan.

120. An amended plan must be published as soon as is reasonably practicable.

121. The board must send a copy of any amended plan to Welsh Ministers; the Commissioner; the Auditor General for Wales; and the relevant local authority overview and scrutiny committee.

Meeting other statutory duties

122. Integrated community planning will cover the full scope of economic, social, environmental and cultural well-being. As such, local well-being plans are one of the main ways for the bodies involved to evidence that they have secured long-term improvements to the well-being in their area, and to evidence how they have met their sustainable development duty (see SPSF 1)
123. Local well-being plans are intended to provide a more holistic, citizen focused approach to the planning and delivery of public services in Wales.

124. Therefore, the local well-being plan can be used as a vehicle to fulfil other statutory duties or requirements.

125. As part of simplifying partnership and planning arrangements the Well-being of Future Generations (Wales) Act has repealed a number of previous statutory duties to produce separate plans and strategies:
   a) The requirement for local authorities to produce a Community Strategy under the Local Government (Wales) Measure 2009;
   b) The requirement for local authorities to produce a Children and Young People’s Plan under the Children Act 2004;
   c) The requirement for local authorities and local health boards to produce a health and social care strategy under the National Health Service (Wales) Act 2006;

126. The Act does not remove the substantive duties on public bodies to take into account the needs of groups which these plans covered; it merely simplifies how these functions are discharged.

127. These duties can now be discharged on the publication of a local well-being plan:
   - The community planning process envisaged by the Local Government (Wales) Measure 2009 is now delivered through the public service boards;
   - Local authorities are still required to make arrangements to promote co-operation with a view to improving the well-being of children but now information about these arrangements can be included in the local well-being plan rather than through separate plans;
   - Local authorities and other ‘Welsh authorities’ are still required to prepare strategies that meet the requirements set out in the Children and Families (Wales) Measure 2010 for contributing to the eradication of child poverty, but they can now discharge them through the local well-being plan;
   - Similarly the scheme for the provision of local primary mental health support can be recorded by including it in the local well-being plan;
   - The local well-being plan can be used to publish the new plans which will be produced in response to the assessment of needs under the Social Services and Well-being Act (2014);
Similarly, a local strategy or revised strategy as required under Section 5 of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 can be published by including it within a local well-being plan;

128. Local authorities will also be subject to a duty, under the Welsh Language Standards (No.1) Regulations 2015, to prepare strategies to promote the Welsh language and facilitate the use of the Welsh language.

128. Bodies captured by these duties will be considered to have fulfilled their statutory duties in relation to those plans and strategies as long as the local well-being plan meets the requirements set out in the respective pieces of legislation.

129. Annex A sets out in more detail the statutory duties and planning requirements which can be delivered through a local well-being plan.

130. In addition to the statutory duties for which there is explicit provision to discharge via the local well-being plan, boards will still be able to include community safety strategies in their well-being plan. As with the other statutory duties, boards will need to satisfy themselves that they have fully met the requirements, which are detailed at Annex A.

Role of Community and town councils in meeting the local objectives

131. Certain community and town councils, which meet the criteria set out in the Act, will be required to take all reasonable steps towards meeting the local objectives in the local objectives included in the local well-being plan which has effect in its area. All community councils would be able, and encouraged, to consider how they can contribute to meeting the local objectives.

132. In light of this a public services board would be expected to be aware of the community councils which will be captured by the duty and ensure that these councils are fully engaged in the process of identifying the local objectives.

133. Steps taken by a community council could be included in the local well-being plan itself as a step taken by a partner.

134. The community councils which are under the duty will be required to publish an annual report of the progress it has made; this could be fed into the annual report on progress that the public services board will prepare.
Chapter 4 - Involvement (engagement and consultation)

135. In preparing both its assessment of local well-being and its local well-being plan, each public services board is required to consult fully with:

<table>
<thead>
<tr>
<th>Statutory Consultees</th>
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<tbody>
<tr>
<td>The Commissioner;</td>
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<tr>
<td>The Board’s invited participants;</td>
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<tr>
<td>Its other partners;</td>
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<tr>
<td>such of the persons who received but did not accept an invitation from the board under Section 30 as the board considers appropriate;</td>
</tr>
<tr>
<td>the local authority’s overview and scrutiny committee;</td>
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<tr>
<td>relevant voluntary organisations as the board considers appropriate;</td>
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<tr>
<td>representatives of persons resident in the area;</td>
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<tr>
<td>representatives of persons carrying on business in the area;</td>
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<td>trade unions representing workers in the area;</td>
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<tr>
<td>such persons with an interest in the maintenance and enhancement of natural resources in the board’s area, as the board considers appropriate;</td>
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<tr>
<td>any other persons who in the opinion of the board, are interested in the improvement of the area's economic, social, environmental and cultural well-being.</td>
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</table>

Consultation on the assessment

136. Prior to publishing their assessment of local well-being, a public services board must consult with the persons outlined above. The board must provide each of the people listed with a copy of their draft assessment.

137. Unlike the consultation for the draft local well-being plan, there is no timescale specified for this, however it is a legal requirement that sufficient time is allowed for meaningful consideration of the draft assessment by the people listed above.

138. The board must send a copy of its published assessment to the Welsh Ministers, the Commissioner, the Auditor General for Wales and the local authority’s overview and scrutiny committee.

139. There is further non-statutory guidance on the role of citizens in assessments in “Guidance on the use of evidence and analysis.”
Consultation and approval of the Local Well-being Plan

140. Before consulting on the plan, the board may require any person invited to participate in the board’s activity (other than the Welsh Ministers) or its other partners to provide information about any of their activities that may contribute within the board’s area to achieving the well-being goals.

141. The board must also seek the advice of the Commissioner. This advice will relate to how the public services board can meet their proposed objectives in a manner that is consistent with the sustainable development principle.

142. Prior to publishing their local well-being plan the board must consult, for a minimum of 12 weeks, with those people listed in the table above. The board must provide each of the people listed with a copy of their draft local well-being plan as part of the consultation.

143. Before the plan can be published it has to be approved by the members of the board. If the local authority is operating executive arrangements the local well-being plan must be approved by the full Council. In respect of a Local Health Board, Welsh fire and rescue authority and the National Resources Body for Wales, the local well-being plan may only be approved for publication at a meeting of the body in question.

144. The process of preparing and publishing a local well-being plan is likely to take approximately 41 weeks (as set out in para 144). However, that estimate does not allow for slippage and the process may in fact take longer.
145. **Well-being Plan stages:**

- Agree a set of local objectives, having regard to matters raised in the assessment of local well-being - 2 weeks
- Gathering information from partners, seeking Commissioner’s advice, and drafting - 14 weeks
- Analysis and final drafting of local well-being plan - 10 weeks
- 12 week statutory consultation
- Formal approval at meetings of the statutory members and publication of local well-being plan - 3 weeks

**Engaging others**

146. A board’s terms of reference must include, among other things, proposals for involving people who the board think are interested in the area’s economic, social, environmental and cultural well-being. In addition to this, the sustainable development principle obliges public bodies subject to it to have regard to the importance of engagement and ensuring those persons reflect the diversity of the people of Wales, and specific areas of Wales where the body is functioning.

147. Citizen engagement should go beyond participation in community planning. Citizen voice can be a powerful tool for understanding where system failings are occurring, where lack of coordination between service providers is wasting resources without improving outcomes, for redesigning services around people’s needs, and for scrutinizing service effectiveness.

148. Great care should be taken to ensure that no perception could reasonably be formed that a board gave a disproportionate amount of weight in considering the responses of any one of the consultees, or that a community of interest’s views were given too much emphasis. Any perception that the board’s impartiality had been compromised would undermine public confidence in the board and may result in the consultation process being challenged in the courts. If a court challenge were successful that would mean a board’s assessment of local well-being or local well-being plan would have to be set aside.
149. The National Principles for Public Engagement in Wales and the Practitioners’ Manual for Public Engagement have also been endorsed by the Welsh Government and joint public and third sector groups such as the Participation Cymru Advisory Board and the Public Engagement Working Group.

150. The National Standards for Children and Young People’s Participation⁹ have also been endorsed by the Welsh Government. These standards should be adopted as part of the engagement process that the boards undertake when consulting with children and young people on the assessment, plan and outcomes.

Chapter 5 - Reporting on progress

152. A public services board must prepare and publish a report 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.

153. Subsequently, an annual report must be published no later than one year after the publication of each previous report.

154. In the year following a ordinary local government election, when a new local well-being plan is being prepared and published, there is no requirement to also produce an annual report.

155. This report must set out the steps taken since the publication of the board’s most recent local well-being plan to meet the objectives set out in the plan.

156. The report can also include any other information the board thinks would be appropriate.

157. For example it would be expected that progress will be measured with reference to the national indicators and, where they have been set, the performance indicators and standards for public services boards. The national indicators will show change in population outcomes, for example, more young people of a given age have reached a standard of literacy. The performance measures will show how well the public services board have implemented their plan, for example, to provide additional support to young people with poor literacy rates.

158. A board must send a copy of each report published under this section to the Welsh Ministers, the Commissioner, the Auditor General for Wales and the local authority’s overview and scrutiny committee.

Performance Indicators and Standards

159. Section 50 of this Act enables the Welsh Ministers to set, in regulations, indicators and standards by which the performance of each public services board can be measured.

160. Prior to making these regulations, the Welsh Ministers must consult the members of the public services board(s), or persons the Welsh Ministers consider represent those members, and any other people the Welsh Ministers consider appropriate.
Chapter 6 - Local accountability

161. Local integrated planning will only be effective if the members of the public services board take joint responsibility themselves for securing improvement, with local democratic processes providing appropriate challenge and support. For this reason, the Act gives the Welsh Ministers relatively few powers and relies predominantly on the role of local government scrutiny to secure continuous improvement.

162. The Welsh Ministers will not approve local well-being plans. Local well-being plans are the plans of the public services board members, locally owned and subject to local scrutiny. The Welsh Ministers instead have a power to direct a board to review its local well-being plan; or to refer a plan to the relevant local government scrutiny committee if it is not considered sufficient; for example, due to an adverse report by the Future Generations Commissioner for Wales or a concern statutory duties are not being met.

163. 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.

164. 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.
165. Overview and scrutiny functions;

Overview and Scrutiny Functions

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.

166. The Local Authority will do the above through the ‘executive arrangements’ it is required to make under Part 2 of the Local Government Act 2000. Executive arrangements are arrangements for the setting up and operation by a Local Authority of an executive, which has responsibility for certain functions of the authority.

167. The designated committee will be provided with evidence in the form of the draft assessment of local well-being and, the draft local well-being plan (both of which they will be formally consulted on) and copies of the final versions of both. It will also be provided with annual reports.

168. In addition, the committee will be able to draw on the published advice provided to the public services board by the Future Generations Commissioner for Wales.

169. 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 board.
170. The committee must send a copy of any report or recommendation it makes to the Welsh Ministers, the Commissioner and the Auditor General for Wales.

Chapter 7 - Merging and collaboration

171. The Act provides for two or more public services boards to be able to merge and to collaborate if it would assist them in contributing to the achievement of the well-being goals.

172. But boards may merge only if—
   (a) the same Local Health Board is a member of each board seeking or being directed to merge, and
   (b) no other Local Health Board is a member of any of those boards.

173. If two or more boards merge, then references in Part 4 of the Act to a public services board must be construed as references to the merged board, and references in Part 4 to a local authority area must be construed as references to the combined areas of the local authorities that are members of the merged board.

174. A board collaborates if it—
   (c) co-operates with another board,
   (d) facilitates the activities of another board,
   (e) co-ordinates its activities with another board,
   (f) exercises another board’s functions on its behalf, or
   (g) provides staff, goods, services or accommodation to another board.

175. The Welsh Ministers have the power to direct two or more public services boards to merge; and the power to direct two or more public services to collaborate; if the Welsh Ministers consider it would assist the boards in contributing to the achievement of the well-being goals.

176. Before directing two or more boards to merge, or to collaborate the Welsh Ministers must consult each member of the boards they intend to direct and publish a statement containing their reasons for giving it.