



## **POWYS PUBLIC SERVICES BOARD (PSB) SCRUTINY COMMITTEE**

### **TERMS OF REFERENCE**

#### **1. OVERALL PURPOSE OF THE PUBLIC SERVICE BOARD**

1.1. Powys Public Service Board (Powys PSB) is a statutory board established under the Well-being of Future Generation (Wales) Act 2015. The purpose of the Board is to work together to improve the economic, social, environmental and cultural well-being within Powys, by bringing together the most appropriate key decision-makers in Powys to improve public services in such a way that it is transparent and meaningful as well as accountable to local people.

1.2. The Powys PSB will contribute to the seven national well-being goals:

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

1.3. The Powys PSB will contribute to the Well-being Goals by:

- Assessing the state of economic, social, health, environmental, and cultural well-being in their areas
- Setting local objectives that are designed to maximise their contribution within their areas to achieving those goals
- Taking of all reasonable steps by statutory members of the Board (in exercising their functions) to meet those objectives

1.4. The Powys PSB will act with due regard to the five sustainable development principles in conducting its business:

- Long Term - Looking to the long term so that we do not compromise the ability of future generations to meet their own needs
- Integration - Taking an integrated approach so that public bodies look at all the well-being goals in deciding on their well-being objectives
- Collaboration - Working with others in a collaborative way to find shared sustainable solutions
- Involvement – Involving a diversity of the population in the decisions that affect them
- Prevention - Understanding the root causes of issues to prevent them from occurring

1.5. The statutory responsibilities of Powys PSB are:

- To consult on the assessment of Well-being within Powys
- To prepare and publish a local Well-being Assessment for Powys
- To consult on the Powys Well-being Plan
- To prepare and publish a local Well-being Plan for Powys
- To review or amend the local Well-being Plan and to publish an amended local Well-being Plan where required
- To consult on any amendment to the local Well-being Plan as required
- To prepare and publish an annual report that sets out the Powys PSB's progress in meeting the local objectives
- To review and report annually on progress to the public, Welsh Government, democratically elected members, and Powys PSB member organisations

1.6 The functions of the PSB Scrutiny Committee are:

- review or scrutinise the decisions made or actions taken by the public services board;
- review or scrutinise the board's governance arrangements
- make reports or recommendations to the board regarding its functions or governance arrangements
- consider matters relating to the board as the Welsh Ministers may refer to it and report to the Welsh Ministers accordingly
- carry out other functions in relation to the board that are imposed on it by the Act.

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

## 2. STRUCTURE

### 2.1 STATUTORY MEMBERS

Powys County Council	Leader Chief Executive Head of Transformation and Democratic Services
Powys Teaching Health Board	Chair Chief Executive Director of Public Health
Natural Resources Wales	Head of Operations (Mid)
Mid and West Wales Fire and Rescue Service	Assistant Chief Fire Officer and Director of Operations

2.1.1. Statutory members are collectively and equally responsible for fulfilling the Powys PSB's statutory duties. Therefore, unanimous agreement of the statutory members is needed in relation to fulfilling these duties. However, statutory members will not and cannot work in isolation. Other bodies and organisations in the area have a significant contribution to make.

### 2.2 INVITED MEMBERS

Powys Association of Voluntary Organisations	Chair Chief Executive
Dyfed Powys OPCC	Police & Crime Commissioner
Dyfed Powys Police	Superintendent
Wales Community Rehabilitation Company	Head of Dyfed Powys Local Delivery Unit
Welsh Government	Welsh Government
Bannau Brycheiniog	Chief Executive
Department of Work and Pensions	
Ministry of Justice	

## 3. MEMBERSHIP

3.1 Members of the Scrutiny Committee are to comprise of:

- Vice-Chairs of the 3 Scrutiny Committees, plus

## V0.1 Terms of Reference – Powys PSB Scrutiny Committee

• 2 additional representatives from each of the Scrutiny Committees (on a politically balanced basis based on a committee of 6).

3.2 Alongside these members, there also three co-opted members of the Committee which can be drawn from any of the Partners within the PSB.

3.3. Any co-opted members cannot be:

- drawn from the “executives” of any of the organisations to ensure that there is a split of responsibilities between those who are the “executive” of the organisation and those who undertake a “scrutiny” function.
- should not include officers from those organisations.
- should not be a Powys County Council representative on those organisations.

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

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

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

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

## **4. TERMS OF REFERENCE FOR THE COMMITTEE**

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

4.2 The Terms of Reference for the Scrutiny Committee are:

- To provide a ‘critical friend’ challenge to the Public Service Board
- To scrutinise, evaluate and actively promote improvement in work carried out in line with Public Service Board priorities and its terms of reference and not that of those individual constituent organisations represented on the Public Service Board

- To develop and deliver a forward work programme which seeks to contribute to the performance management and governance arrangements of the Public Service Board, and its projects
- To submit reports to the Public Service Board (as appropriate) and make recommendations for consideration and adoption;

## **5. MEETINGS OF THE COMMITTEE**

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

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

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

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

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

5.6 Persons invited to participate by the Committee will be sent the notes of the meeting to ensure their accuracy.

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

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

## **6. QUORUM**

6.1 The quorum will be 25% of the number of members of the Scrutiny Committee, in accordance with Rule 7.20 of the Constitution.

6.2 During any meeting, if the chair declares that 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 the chair does not fix a date, the remaining business will be considered at the next ordinary meeting of the PSB Scrutiny Committee.

## **7. REPORTS BY THE COMMITTEE**

7.1 The Committee itself will prepare recommendations based on work undertaken by the Committee as a whole.

7.2 Recommendations once approved by the Committee will be submitted to the PSB for action either by means of a letter from the Chair of Scrutiny or in a formal report. Where a formal report is submitted, a copy will be sent to the Future Generations Commissioner for Wales, the Auditor General for Wales and the Cabinet Secretary for Finance and Local Government.

7.3 Draft recommendations will be circulated to relevant individuals for accuracy before being finalised.

7.4 The PSB will be required to consider the recommendations of the Committee and to provide a written response within 2 weeks of the next meeting of the PSB indicating whether the PSB:

- (a) accepts the recommendations and supplies an action plan; or
- (b) does not accept the recommendations with detailed justification for this decision;

7.5 The Scrutiny Committee will / may:

(a) Where an action plan has been prepared, monitor progress in implementation of the action plan and request periodic updates from the PSB, until such time as the action plan has been completed;

(b) Where recommendations have not been accepted, call representatives of the PSB to discuss

## **8. DECLARATIONS OF INTEREST**

8.1 A full member or participant of the Powys PSB who is present at a meeting, which is to consider any matter in which he / she has an interest, either direct or indirect, must disclose that interest. Definitions of direct or indirect interests are listed in Appendix B.

8.2 A full member or participant must make the disclosure of an interest, whether direct or indirect, at the meeting preferably at the commencement of the relevant agenda item of business

8.3 A full member or participant must disclose the interest orally and will be required to leave the room prior to the discussion on the relevant agenda item / topic. The declaration will be recorded in the minutes by the Secretariat

8.4 Declarations of interests to be a standing agenda item

## **9 ACCOUNTABILITY**

9.1 The decision made by the Powys PSB, actions taken, and its governance arrangements are subject to scrutiny by a bespoke Powys County Council Scrutiny Committee

9.2 The Scrutiny Committee will scrutinise, evaluate and actively promote improvement in work carried out in line with Powys PSB priorities as identified through its Wellbeing Assessment; Well-being Plan and its Terms of Reference and not that of those individual constituent organisations represented on the Powys PSB

9.3 The Powys PSB is accountable to the Future Generations Commissioner for Wales and must seek and act on the advice and feedback received from the Commissioner and / or their office

## **9. EXIT**

9.4 Any participant not wishing to continue should give written notice to the Secretariat and PSB Chair. The partner should endeavour to honour any decisions taken and commitments made until a replacement is identified.

## **10 REVIEW OF TERMS OF REFERENCE**

10.1 Terms of Reference are to be reviewed annually by the PSB Scrutiny Committee

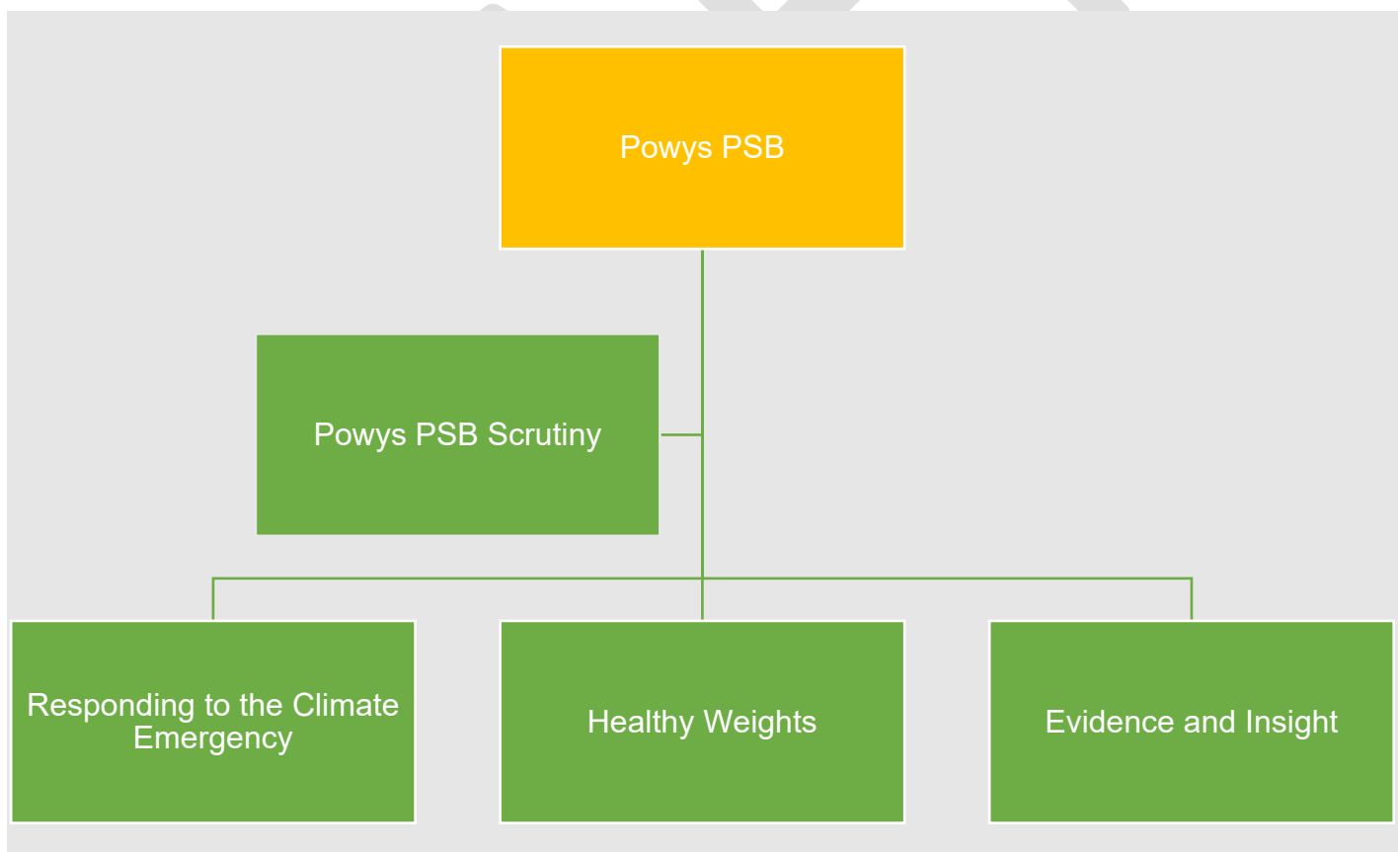
**11 KEY REFERENCE DOCUMENTS**

- Well-being of Future Generations (Wales) Act 2015
- Shared Purpose; Shared Future 3: Collective Role
- CIPFA International framework: good governance in the public sector
- Guidance for Local Authority Scrutiny Committees on the scrutiny of Public Services Boards, Welsh Government

**VERSION HISTORY**

Version	Name	Comment
0.1	James Langridge-Thomas	Draft produced

**APPENDIX A – HIGH LEVEL PSB STRUCTURE**





## **APPENDIX B – DECLARATIONS OF INTEREST DEFINITION**

### **A. DIRECT INTEREST**

A.1 A direct interest is not defined in absolute terms. A direct interest is one where a full member or alternate has been directly involved with or who has had/will have any pecuniary interest in the successful outcome of the subject/project in question. A member with direct supervisory or line management responsibility over an employee who has such an aforementioned involvement is also considered to have a direct interest.

### **B. INDIRECT INTEREST**

B.1 An indirect interest is one where a full member or alternative is an employee or member of an organisation, company or other body, which has a direct interest (membership of a company would include owning shares in the company). This includes an individual who may be representing an organisation on the Powys PSB but is an employee or member of another organisation, which had a direct or indirect interest.