

## **REPORT TO THE CABINET**

(03/05/16)

**Cabinet Members:** Councillor Gareth Roberts &  
Councillor Mair Rowlands

**Subject:** Responding to the requirements of Part 9 of the Social Services and Well-being (Wales) Act 2014

**Contact officer:** Morwena Edwards, Corporate Director

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### **The decision sought/purpose of the report**

1. The Cabinet is asked to acknowledge the establishment of the Regional Partnership Board, in accordance with Part 9 of the Social Services and Well-being (Wales) Act 2014.
  2. The Cabinet is requested to support the establishment of the Regional Partnership Board for the period until formal arrangements have been confirmed.
  3. The Cabinet is requested to nominate a member of the Cabinet, with responsibility within the social services field, to sit on the Regional Partnership Board. The Cabinet is also requested to nominate a deputy.
  4. The Cabinet is requested to accept the proposed structure in terms of the Regional Partnership Board's reporting arrangements. (Appendix 1)
  5. The Cabinet is requested to commit to finance the costs of supporting the regional arrangements from 2017/18, in accordance with the existing level of arrangements.
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### **Introduction**

1. Members will be aware of the Social Services and Well-being (Wales) Act 2014 which has been in effect since 6 April this year.
2. Part 9 of the Social Services and Well-being (Wales) Act 2014 requires local authorities to make arrangements to promote co-operation with their relevant partners and others in relation to adults with needs for care and support, carers and children.

3. It also places a duty on relevant partners to co-operate with, and provide information to, the local authorities for the purpose of planning and providing their social services functions. They also have a duty to share information and this information will be crucial to completing the regional needs assessment, which will offer guidance on the work of providing local integrated working.
4. The purpose of Part 9 of the Act is to improve outcomes and well-being of people, as well as improving the efficiency and effectiveness of service delivery. The key aims of co-operation, partnership and integration can therefore be described as follows:-
  - To improve care and support, ensuring people have more say and control
  - To improve outcomes and health and wellbeing
  - Provide co-ordinated, person-centred care and support
  - Make more effective use of resources, skills and expertise
5. One part of the Act is the requirement to establish a Regional Partnership Board based on the area of the health boards in Wales. Therefore, for us here, the requirement is to establish a North Wales Regional Partnership Board. The Regional Partnership Board will be a statutory body with functions set out in accordance with the Act and relevant regulations. Part 9 of the Act also provides Welsh Ministers with regulation making powers in relation to formal partnership arrangements, resources for partnership arrangements (including pooled funds) and partnership boards.
6. This report sets out how all the partners in North Wales have been working towards establishing the Regional Partnership Board in accordance with the requirements of the Act, as well as the expectations of the Regional Partnership Board.
7. It should be noted that the Regional Partnership Shadow Board was established recently in order to undertake some matters.

#### Requirements of Part 9 of the Act

8. Local authorities and Local Health Boards are required to establish Regional Partnership Boards to manage and develop services, to secure strategic planning and partnership working between local authorities and Local Health Boards and to ensure effective services, care and support are in place to best meet the needs of their respective population.
9. The Partnership Arrangements Regulations require partnership arrangements to be made by the partnership bodies in each Local

Health Board area, under the direction of a Regional Partnership Board.

10. The objectives of the Regional Partnership Boards are to ensure the partnership bodies work effectively together to
  - Respond to the population assessment carried out in accordance with section 14 of the Social Services and Well-being (Wales) Act 2014
  - Implement the plans for each of the local authority areas covered by the Board which local authorities and Local Health Boards are each required to prepare and publish under section 14A of the Act
  - Ensure the partnership bodies provide sufficient resources for the partnership arrangements, in accordance with their powers under section 167 of the Act
  - Promote the establishment of pooled funds where appropriate.
  
11. The Regional Partnership Board will need to prioritise the integration of services in relation to:-
  - Older people with complex needs and long term conditions, including dementia
  - People with learning disabilities
  - Carers, including young carers
  - Integrated Family Support Services (IFSS)
  - Develop integrated services for children with complex needs due to disability or illness and young people with mental health problems
  - Ensure that pooled funds are established and managed in relation to care home accommodation functions and family support functions as well as functions that will be exercised jointly as a result of an assessment carried out under part 14 of the Act. The duty to establish pooled funds in relation to the care home accommodation functions is required by 6 April 2018.
  
12. The regulations under Part 9 of the Act sets out who needs to be members of the Regional Partnership Board, as noted below; however, regions can co-opt additional persons to be members of the Board as appropriate.
  - At least one elected member of a local authority which established the regional partnership board
  - At least one member of a Local Health Board which established the regional partnership board
  - The person appointed as director of social services under section 144 of the Act in respect of each local authority which established the regional partnership board, or his or her nominated representative

- A representative of the Local Health Board which established the regional partnership board
  - Two persons who represent the interests of third sector organisations in the area covered by the regional partnership board
  - At least one person who represents the interests of care providers in the area covered by the regional partnership board
  - One person to represent people with needs for care and support in the area covered by the regional partnership board
  - One person to represent carers in the area covered by the regional partnership board
13. There will be a need to ensure that appropriate arrangements are put in place to engage with other boards and organisations and there will also be a need to foster appropriate discussions through existing networks or forums where appropriate. In North Wales, it is intended to use existing forums such as the Public Services Boards together with the Regional Leadership Board (see chart in Appendix 1).
14. The Regional Partnership Board is required to prepare and submit an annual report to Welsh Ministers on the achievement against the board's objectives. The first report must be prepared and submitted by 1 April 2017.
15. The report must be published and should include:-
- information on Board membership,
  - information on how the board has met its objectives, including financial information
  - progress reports
  - partnership arrangements in place to complete the joint population assessment
  - how the board has engaged with service users, or groups representing service users
  - information on how the partnership arrangements have contributed to improved outcomes and delivery of services and how resources have been effectively utilised
  - information on the statutory provision used or informal arrangement underpinned by a written agreement.
16. Through the Regional Partnership Board is statutory; it does not have decision-making powers.

### The current situation

17. For some years now North Wales has had regional governance arrangements regarding seeking to promote co-operation and joint-

working across the fields of health and social care. In 2011, the Social Care and Health Programme Board was established as one of four programme boards across North Wales. Each of these programme boards was chaired by a Chief Executive who was the host of the programme.

18. In addition, for several years, Directors of Social Services and Directors from the Betsi Cadwaladr Health Board have met on a quarterly basis to discuss strategic matters.
19. Since 2014/15, under the requirements of Welsh Government grant funding - 'Delivering Transformation' - governance arrangements were required to be established to reflect the national structure and create a Regional Partnership Forum and Regional Leadership Group. From that date onwards, the aforementioned arrangements (17&18) changed to those, and these are the arrangements which currently exist.
20. In order to prepare for the requirements of Part 9 of the Act, the Regional Partnership Forum discussed two structural options. The favoured structural option is seen in Appendix 1. A conclusion was reached following a regional workshop on 14 March, 2016, in which members of the boards/groups were present, together with other persons who came together to discuss the matter. The clear view in this workshop was that there was a need to retain a local focus in terms of service provision and discussions will continue with Welsh Government officials in order to detail and resolve the regional, sub-regional and local roles and responsibilities.
21. The proposal is that the Regional Partnership Board will report directly to the Regional Leadership Board together with the Public Services Board and they will have a vital role in terms of working with the regional citizens' panel. Each partner will need to ensure that they can report back to their appropriate body and be accountable to their statutory entity (Council/Local Health Board).
22. As the Regional Partnership Board will be responsible for the statutory function it will operate with translation facilities.
23. In order to try to realise the requirement, the Regional Partnership Forum agreed at its last meeting on 14 March 2016 that it would act as the Shadow Board of the Regional Partnership Board until the Regional Partnership Board is formally established. It was also agreed that the Chair of the Regional Partnership Forum would chair this Shadow Board.

24. The local authorities will be represented by their Directors of Social Services - for Gwynedd, Morwena Edwards - together with one Cabinet member with responsibility for the social services field. At this point, either Councillor Gareth Roberts or Councillor Mair Rowlands will need to be nominated, and ideally they would be available to delegate for one another.
25. Early discussions of the Regional Partnership Shadow Board have proposed that representatives from the following bodies are co-opted to the Board:-
  - Police and Crime Commissioner
  - North Wales Police
  - North Wales Fire and Rescue ServiceThe Regional Partnership Board will need to decide this.
26. It is worth noting that, currently, the cost of supporting the Board's arrangements are covered by a Welsh Government grant ('Delivering Transformation Grant') and this will continue for the 2016/17 year. By 2017/18 this grant will be included within the local authorities' RSG settlement and therefore the cost of supporting the arrangements will need to be financed from the Council's budget from 2017/18 onwards.

### **Reasons for recommending the decision**

27. The requirement to establish a Regional Partnership Board is a statutory requirement under Part 9 of the Social Services and Well-being (Wales) Act 2014.
28. The proposal to have a Regional Partnership Shadow Board until the formal arrangements are in place is reasonable under the circumstances, and avoids a period of delay.
29. The membership of the Regional Partnership Board is outlined in the Regulations. In addition, the Director of Social Services and the Cabinet Member for Adults, Health and Well-being are members of the former Regional Partnership Forum, and discuss health and care matters regionally. There will be a need to ensure that regular discussions take place between the two relevant Cabinet members in terms of the requirements of children and young people matters. Requesting formal delegation arrangements will give both members an opportunity to be involved.
30. The structure set out in Appendix 1 seeks to respond to the need for the Regional Partnership Board to engage with the regional boards and groups which are already in place. It also offers an option which ensures that the Board has executive arrangements feeding into it in

order to ensure that matters are progressed between meetings. The proposal also notes clearly the need to work in local and sub-regional arrangements if appropriate, and that we do not overload the Regional Board with matters that would be better dealt with locally.

31. The financial source to support the Board will change from 2017/18 onwards (see 26 above). This will not be an additional cost for the Council as the money will be added to the settlement.

### **Relevant considerations**

Nothing to note in addition to the above.

### **Next steps and timetable**

32. If the Cabinet agrees with the recommendations, the Regional Partnership Board will meet once the seven key partners have also approved the arrangement. It is anticipated that this will take until June to complete. The Board will need to formalise its arrangements in terms of chairmanship and membership shortly afterwards. Some deadlines have been set and we will need to work towards these early in the first year. For example, an annual report will need to be prepared and submitted by 2017 and pooled funds will need to be established for care homes by April 2018. These deadlines are challenging and there will be an element of risk in completing them within deadlines.

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### **Views of the statutory officers**

#### **The Chief Executive:**

Nothing to add to the proposals which have been the subject of considerable discussions as they were developed.

#### **The Monitoring Officer:**

Establishing a Regional Partnership Board is statutory and is heavily controlled by statute, specifically the Partnership Arrangements (Wales) Regulations 2015. Matters such as area and membership responsibility are set out quite specifically within the regulations. Therefore, many of the steps within the report reflect this situation.

## **The Head of Finance Department:**

I note that paragraphs 10 and 11 mention "pooled funds" and care will need to be taken when planning those. I also note that paragraph 26 mentions that the Delivering Transformation Grant will transfer to the settlement in 2017/18. Therefore, as noted in paragraph 31, the development could be cost-neutral.

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## **Appendices**

Appendix 1 – Part 9 Partnership Arrangements

### **Background Documents**

Social Services and Well-Being (Wales) Act 2014

Part 9 Statutory Guidance (Partnership Arrangements)

The Partnership Arrangements (Wales) Regulations 2015