



Llywodraeth Cymru
Welsh Government

White Paper - Summary of Response

Reforming Local Government: Resilient and Renewed

July 2017 (Updated October 2017)

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

White Paper – Reforming Local Government: Resilient and Renewed (Updated October 2017)

Consultation - Summary of Response

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1. Introduction

1.1 The Welsh Government consulted on the White Paper 'Reforming Local Government: Resilient and Renewed' for a 10 week period from 31 January to 11 April 2017. This was a slightly reduced consultation period due to the impending local government elections on 4 May 2017 and in light of the extensive engagement which took place in autumn 2016 to develop the proposals which were consulted on.

1.2 The White Paper set out proposed arrangements for regional working; a strengthened role for councils and councillors; a framework for any future voluntary mergers; and outlined the way forward for community councils. The White Paper also invited initial views on a series of reforms to electoral arrangements for local government.

1.3 The Equality, Local Government and Communities Committee undertook scrutiny of the Cabinet Secretary for Finance and Local Government with regard to local government reform as set out in the White Paper, on 29 March 2017.

1.4 This document sets out a summary of the responses to the White Paper consultation (at Section 3).

1.5 Since publication in July, a further 45 responses have been identified. These responses have been analysed and incorporated into this revised document.

2. Overview of Responses

2.1 A total of 214 responses were received from organisations and individuals. A small number of responses were received after the closing date, but have been considered.

2.2 The number of respondents by type was as follows:

Respondent type	Number	%
Government agency / other public sector body	50	23
Representative body / Professional body or Association	38	18
Community or Town Council	40	19
County or County borough council ¹	20	9
Member of the public	30	14
Political Group or party	4	2
Trade union	4	2
Elected member	2	1
Third sector	2	1
Other	24	11
Total	214	100

2.3 A list of respondents is included at Section 5.

2.4 The consultation asked for views under the following main chapters of the White Paper:

- Regional Working
- Voluntary Mergers
- A Framework for Local Leadership
- Leading Localities
- Community Councils
- Elections and Voting

2.5 The consultation also asked questions in relation to the specific impact assessments which were published alongside the White Paper.

2.6 A summary of responses under each of the main chapters of the White Paper and the questions asked in the consultation is provided in Section 3.

¹ 19 principal local authorities responded. Figures include responses from individual local authority committees

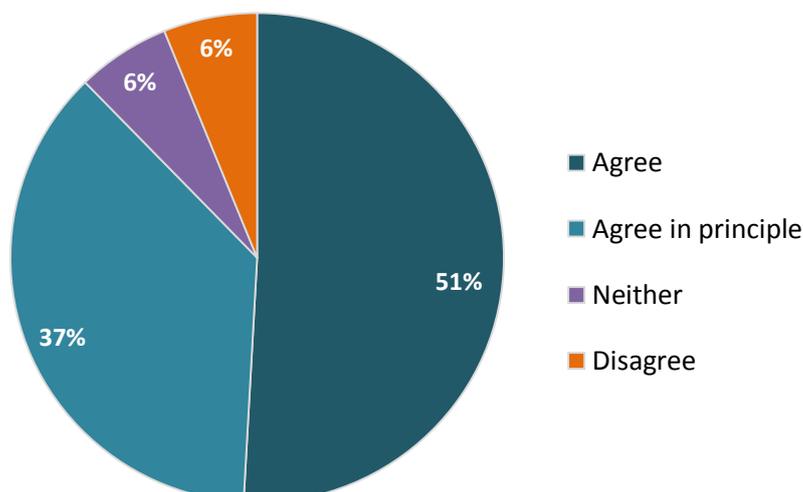
3. Summary of Responses to Specific Consultation Questions

Regional Working

Q1. The Welsh Government believes that it is appropriate to consider ‘tests’ to frame thinking around regional working.

a) Do you think the ‘tests’ set out are helpful in guiding thinking?

<u>Number of respondents</u>	<u>114</u>
Agree	58
Agree in principle	42
Neither	7
Disagree	7



3.1.1 There was strong agreement that it is appropriate to consider ‘tests’ to frame the thinking around regional working. Half of respondents agreed and the consensus among these respondents was that this approach to decision-making, which is based on a holistic way of meeting people’s needs and improving well-being is a positive step.

3.1.2 Just less than 40% of responses agreed that the proposal was helpful to consider the merits of regional working, but raised points of clarification. Some of these points queried the application, interpretation and oversight of the tests; while others stated that in their current form, the tests over-emphasise structural issues. Some respondents questioned whether the tests would be uniformly applied across geographies, or if there were different considerations for rural communities.

3.1.3 Among local authorities, the response followed the same pattern, with around half agreeing and the other half agreeing in principle.

b) Are there other tests or considerations that might also be used?

3.1.4 A total of 82 respondents offered more than 110 ideas on additional tests and considerations that might be useful in framing thinking about regional working.

3.1.5 The most common response (10%) was there should be a test demonstrating that regionalising the specific service would result in improved outcomes for citizens and their communities.

3.1.6 Giving closer regard to the provisions of the Well-being of Future Generations (Wales) Act 2015 was the second most common response, in particular the 'five ways of working', which should underpin all public bodies' decision-making and governance arrangements.

3.1.7 The third most repeated theme was the need for a test to ensure that there was sufficiently robust local accountability for the regionalised service.

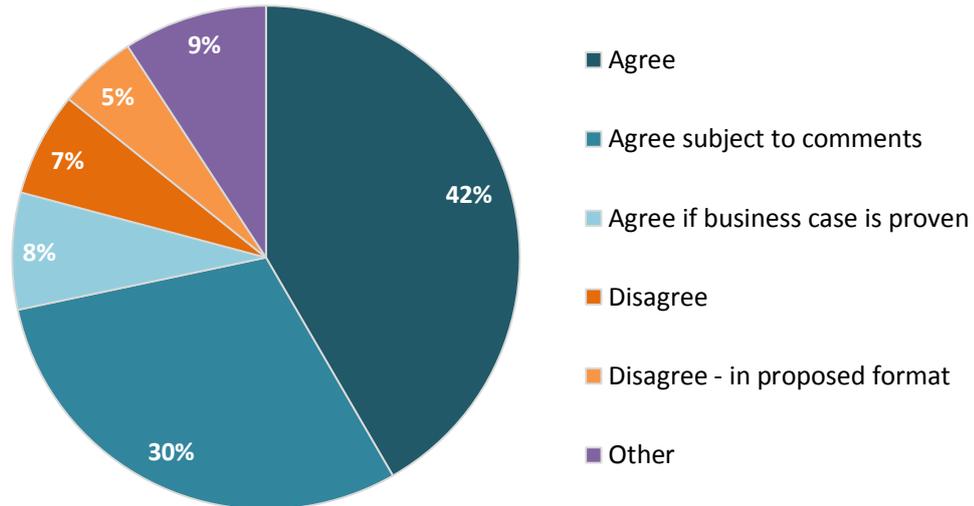
3.1.8 Some local authorities and the Welsh Local Government Association queried how the tests interrelated with each other. Some health bodies recommended that a health impact assessment should be used as a test in its own right. Trade unions pointed to the impacts regionalising a service would have on staff and the wider workforce. Individuals and bodies representing rural areas queried how service accessibility would be affected by regional working.

3.1.9 Further common messages related to how any new regional body would interact with wider stakeholders (for example, the NHS); effective engagement with citizens; and the impact on receiving / delivering a service in Welsh.

Q2. In this White Paper the Welsh Government has set out a number of areas which it believes should be required to be delivered on a regional basis.

a) Do you agree that these areas should be delivered regionally?

Number of respondents	120
Agree	50
Agree subject to comments	36
Agree if business case is proven	9
Disagree	8
Disagree - in proposed format	6
Other	11



3.2.1 The White Paper proposed the following service areas should be delivered on a regional basis: economic development; transport; land-use planning and building control; social services; education improvement; additional learning needs (ALN); and public protection.

3.2.2 More than 100 stakeholders expressed their views either on all of the service areas mentioned, or on those relevant to their organisation. A large majority (80%) agreed that these areas should be delivered regionally, subject to specific comments and business cases. A further 5% of responses disagreed with the proposal in its current state, but were not necessarily averse to regional working as a concept, while 7% disagreed with the proposal.

3.2.3 Around a third of respondents agreed with the proposal, but expressed specific comments or concerns, typically relating to a particular aspect of a service being delivered regionally. For example, some respondents felt Local Development Plans should be made locally, but agreed that overall land-use planning and building control could be delivered regionally.

3.2.4 Collectively, local authority responses were not as welcoming as the wider stakeholder response. The majority broadly agreed, subject to some caveats; others suggested they would be happy with the proposal only if supported by a strong business case; while a quarter felt that the Welsh Government should not mandate them to work regionally.

3.2.5 Government agencies or other public sector bodies including local health boards, police authorities and commissioners, and fire and rescue services were, in general, supportive of the proposal without caveats.

3.2.6 Representative bodies, professional groups and associations tended to agree, but also had some concerns about specific functions, while some also agreed that stronger business cases should be provided before regional working is mandated.

b) What practical considerations should we consider in taking these proposals forward?

3.2.7 A wide range of practical issues that needed to be considered were put forward by 105 stakeholders who responded to this question. There was limited consensus on a small number of suggestions. These included a view that whilst there was scope for public protection to be undertaken at a regional level, certain licensing and related enforcement functions should be undertaken at the local level given the importance of local knowledge and circumstances. Other stakeholders pointed to the need to minimise complexity in order to maximise efficiencies and to aid public understanding.

3.2.8 Other issues identified included, for example, concerns about the geographical location and accessibility of services, funding of regional arrangements and the implications for staff, including differential pay rates and additional travel (and the potential impact of this on services). The importance of effective democratic scrutiny of regional working to provide transparency and ensure accountability for local people, capturing the views of young people and sharing best practice were also highlighted.

c) What other ‘ancillary’ powers would be required to ensure the effective exercise of the functions exercised regionally?

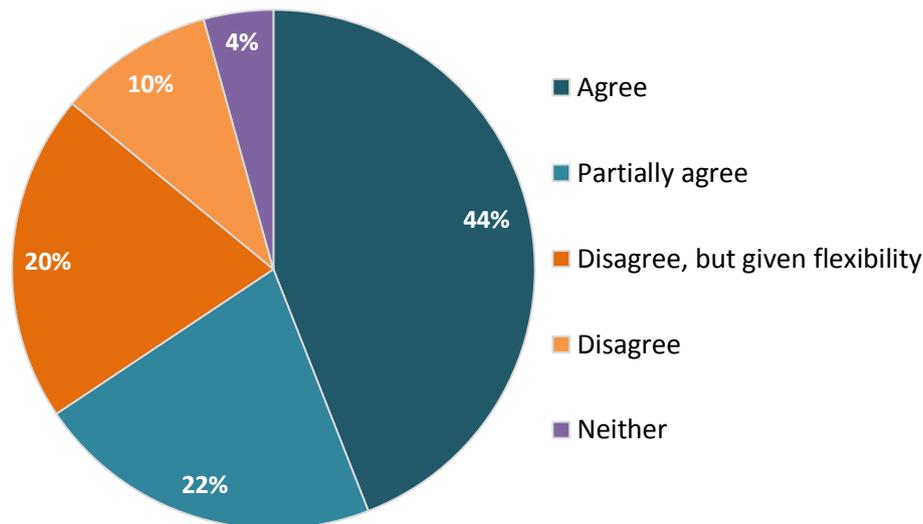
3.2.9 Of the 43 stakeholders that commented, six considered that no ancillary powers were required. There was otherwise little commonality of view amongst those responding. Some pointed to the need to be able to review regional working arrangements and to address those which were considered not to be working, including providing powers for constituent local authorities to be able to ‘protect’ themselves and their communities should regional arrangements be deemed to be failing.

3.2.10 Other suggestions included the relaxation of requirements around audit, inspection and regulation to encourage widespread flexibility and collaboration and to encourage councils to take more risk. Devolution of powers, a requirement for transparency and allowing local government to retain and raise more of its own funds were also suggested.

Q3. In this White Paper the Welsh Government has set out a number of areas which it believes could also be delivered on a regional basis.

a) Do you think that local authorities should also be required to work regionally to deliver these functions?

Number of respondents	93
Agree	41
Partially agree	20
Disagree, but given flexibility	19
Disagree	9
Neither	4



3.3.1 The White Paper noted the local authority housing role operates at the strategic level (e.g. housing need assessment) and operational level (e.g. landlord functions and homelessness). The White Paper indicated further consideration would be given to how strategic aspects of housing delivered on a regional footprint could most effectively interface with the more staff intensive services such as tackling homelessness, which would continue to be delivered locally.

3.3.2 Views were sought on the potential for expanding existing joint working arrangements on waste and recycling treatment to other parts of the service, such as collection. Views were also invited on the potential, over time, to consolidate existing activity on a more consistent footprint with other service areas.

3.3.3 The White Paper also suggested there was a case for Community Safety Partnerships and Youth Offending Teams to consider moving to footprints similar to those for other services which support their work.

3.3.4 Of the 93 stakeholders responding to this question, 66 (66%) either agreed or partially agreed that local authorities should be required to work regionally to deliver these functions. Of the 17 local authorities responding, 11 either disagreed or partially disagreed. In general, those stakeholders, including local government, who did not agree did so on the basis that local authorities should have the freedom to determine whether particular services should be delivered collaboratively and on what basis, where this was supported by a specific business case.

b) Are there any other practical considerations we should be aware of?

3.3.5 A range of comments were received from 50 stakeholders. Again, there was little commonality of view. However, a small number identified links between strategic housing functions and strategic land-use planning and the importance of existing collaborations to local service delivery such as housing

stock transfer. There was a difference of view as to the potential for regional working in relation to strategic functions and a view that fixed locality services (such as waste collection, street cleaning, parks) would not benefit from regional working. Differences in local waste collection policies and approaches by local authorities were highlighted as something that would need to be addressed. There were mixed views on whether regionalisation of community safety and youth justice would be beneficial. Alignment with existing structures, such as Police Basic Command Units in the case of Community Safety Partnerships, would need to be considered. There was also a view that local Community Safety Partnerships were best placed to address what were essentially local issues.

Q4. Are there any other functions that would benefit from a systematic approach to regional working?

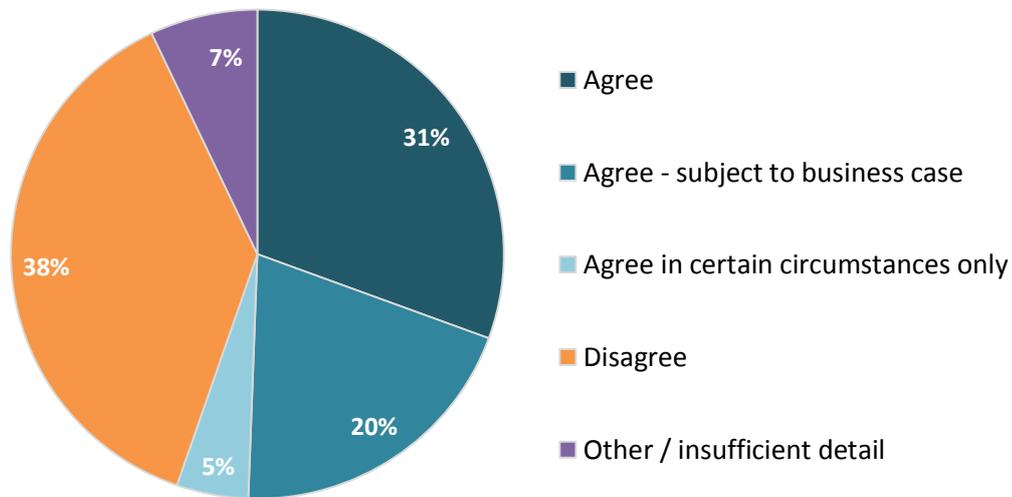
3.4.1 A range of comments and suggestions were made by the 58 stakeholders that responded to this question. Some took the opportunity to express views about regional working generally, including the need for a strong business case and collaborations to be determined locally.

Specific suggestions for further consideration included:

- Archives
- Arts and cultural services (including libraries and museums)
- Childcare
- Community safety (including CCTV)
- Electoral registration
- Emergency planning
- Emergency services
- Event safety
- Fire and rescue services
- Health and safety
- Health and social care integration
- Highways maintenance
- Legal and land charge services
- Ecosystem / green infrastructure
- Natural environment conservation
- Private sector housing regulation
- Public health
- Research and development of new technologies
- Social care
- Social welfare law advice services (cross-sector services)
- Street lighting
- Urban design
- Vehicle management
- Workforce training
- Youth services

Q5. The Welsh Government believed that, subject to engagement with local government and other partners, there should be flexibility to enable the Welsh Ministers to mandate additional functions to be undertaken regionally. Do you agree or disagree? Why?

Number of respondents	85
Agree	26
Agree - subject to business case	17
Agree in certain circumstances only	4
Disagree	32
Other / insufficient detail	6

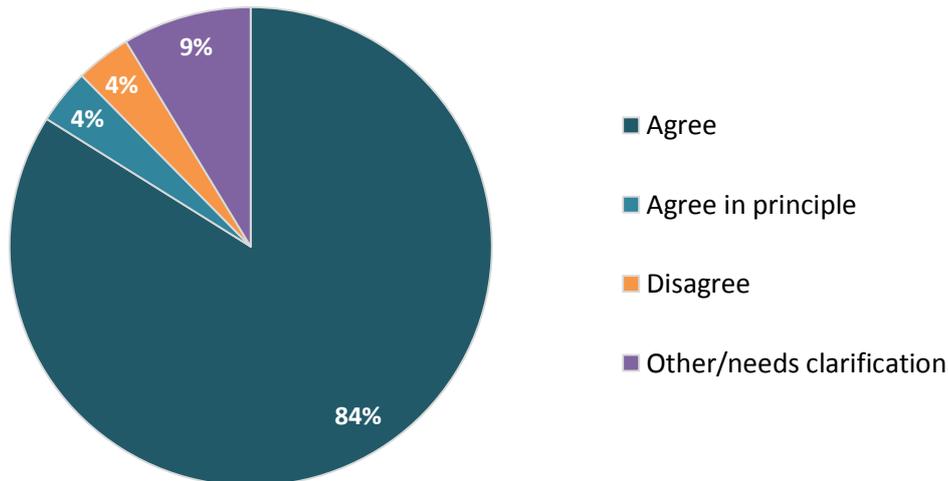


3.5.1 Slightly more than 50% of the 85 stakeholders responding to this question agreed, or partly agreed. In general, those commenting considered Ministers should have this flexibility available, but its use should be subject to prior consultation with stakeholders where there was a justified need based on a business case. Others suggested powers to intervene would be appropriate if there was lack of progress or weak implementation of regional working arrangements by local authorities.

3.5.2 The 32 (38%) stakeholders that disagreed with the question included 11 of the 17 local authorities that responded to the question. In general, local authorities who disagreed considered that collaboration should be a voluntary arrangement, where there was a proven business case for change. Any mandated requirements would need Welsh Government funding so that local authorities were not left with unintended consequences of policy decisions. One stakeholder expressed concern that changes in Ministers or local authority leadership could lead to political differences. Any reduction of local authority power should be in the clear interests of better, more responsive government and not the result of such differences.

Q6. The Welsh Government believes that the new arrangements should not prevent local authorities using their existing powers to undertake additional functions regionally. Do you agree or disagree? Why?

<u>Number of respondents</u>	<u>81</u>
Agree	68
Agree in principle	3
Disagree	3
Other/needs clarification	7



3.6.1 The large majority (84%) of the 81 stakeholders responding agreed there should be flexibility within the system to engage local government to fulfil its previously stated ambition to engage in regional working beyond the minimum prescribed by the Welsh Government.

3.6.2 It was said local authorities had a strong record of leading innovative new ways of collaborating with other local authorities and more widely and this should not be curtailed in any way. There will always be situations where the need to do things differently is evident on the ground in a way that may not be obvious to those at a strategic level; and where frontline staff are properly respected and empowered this will often come from them directly.

3.6.3 Caution was urged that such arrangements might not be subject to the same levels of incentive or appropriate scrutiny. Efforts would naturally be focused on those where the Welsh Government mandates arrangements which might be detrimental to other good ideas and partnerships.

3.6.4 It was also suggested that collaborations established under the powers available to local authorities should meet the necessary 'tests' described in the White Paper, be beneficial to the local citizen and be within the appropriate geographical area.

3.6.5 Those opposed either suggested further clarification was required or they were opposed in principle to the co-existence of regional bodies and local authorities.

Sharing Services

Q7. The Welsh Government believes that some back office and transactional services ought to be organised and delivered regionally or nationally. Which services do you believe could best be organised and delivered in these ways?

3.7.1 The White Paper noted the operation of public services relies on underpinning supporting services, some transactional, some specialist, some externally facing and some less so. The Welsh Government considered many of the reasons for greater regional working hold true for these supporting services. The KPMG report² in June 2015 showed that variation existed in the cost per transaction for back office functions across different local authorities, which could not be explained simply by reference to the nature of the service or size of authority. It illustrated that establishing some form of back office shared service could secure significant savings above and beyond those which could be achieved by authorities reviewing and rationalising their services to bring them into line with the high performers.

3.7.2 Opinion was divided over how beneficial it would be to deliver some back office and transactional services regionally. Local authorities, which made up 23% of the respondents, had mixed views on the proposal for sharing back office services with several responses challenging the robustness of the KPMG study and the potential savings available. Local authorities had reduced corporate capacity considerably over recent years and could demonstrate that their remaining corporate services were sufficiently lean and efficient and there is an inevitable 'law of diminishing returns'. Most authorities, however, recognised the potential for reform and were supportive in principle particularly around sub-regional approaches. Progress was already being made with the establishment of joint back-office functions based on collaborative and increasingly regional footprints. Some respondents considered the proposed NHS Shared Service Model was not compelling in a local government context, as local authority services are more varied and complex and local authorities do not operate to universal models as is the case in the NHS. It was noted that local health boards still retained significant local corporate and 'back-office' resources.

3.7.3 Despite some misgivings, local authorities and other stakeholders suggested a wide range of services as potentially being suitable for shared arrangements. Chief among these were ICT, payroll, HR (including recruitment and occupational health services), revenues and benefits, procurement, asset maintenance and the Welsh language.

² <http://gov.wales/topics/localgovernment/publications/welsh-local-authorities-administrative-cost-review/?lang=en>

Q8. The Welsh Government believes that overcoming data sharing issues is key to taking forward greater regional working of back office functions.

a) What legislative obstacles have made progress on sharing services difficult?

b) How have they been or could they be overcome?

c) What challenges does data sharing pose?

3.8.1 Few legislative obstacles were identified which restricted data sharing. Stakeholders were generally supportive of the Wales Accord on the Sharing of Personal Information. Some stated it is often office culture and a misunderstanding of existing legislation which caused problems with data sharing.

3.8.2 This view was shared by the Wales Audit Office which in the course of its work had tended to encounter practical rather than strict legal obstacles to data sharing. These included understandable caution, but also a lack of detailed understanding of the Data Protection Act 1998.

3.8.3 Concern was expressed by a number of stakeholders that with the coming into force of the General Data Protection Regulations (GDPR) in May 2018, this situation could get worse. As the GDPR will be unfamiliar, it will add to local government officers' uncertainty and lack of detailed understanding of relevant legislation. Also, the tendency towards caution could be exacerbated by the high level of potential fines under the GDPR.

3.8.4 Several stakeholders pointed to the need for 'Privacy Impact Assessments' at the start of any new collaboration, to make relationships between each partner organisations clear in contracts and to ensure records management responsibilities are clear.

3.8.5 The lack of preparedness to engage at early stages with the specialist Information Governance officers of each organisation was also mentioned. These officers are not always those who are involved in drafting the legal agreements. This was about understanding the law and its application but, more importantly, having an understanding of information and how it is managed through its life cycle.

3.8.6 A number of practical examples were given of how obstacles are being overcome, such as the establishment of an Open Data Group under the aegis of the Cardiff Capital Region City Deal. This is utilising the technical expertise of the existing Shared Resource Service for ICT, comprising a number of South East Wales local authorities and Gwent Police. The Group is initially pulling together the data jointly held on land ownership and vehicle usage, but the potential of sharing data across organisations in Wales, in order to gain a

big picture and plan and deliver services accordingly, was very underdeveloped.

3.8.7 In the case of the Shared Regulatory Service (SRS) between Bridgend, Cardiff and the Vale of Glamorgan Councils, a significant amount of time and effort was required from the Information Governance officers, as well as the SRS employees, to ensure that the service had a platform to optimise the benefits that were promoted at the outset of the collaboration.

3.8.8 Rent Smart Wales (RSW) was also given as an example of a national model, which had had its own challenges from an Information Governance perspective. RSW procured and had implemented an IT system, data was being shared across agencies and with the public, and the lead council was the Data Controller. Experience had shown that Information Governance needed to be at the forefront of decision making about new delivery models.

3.8.9 A range of challenges posed by data sharing were identified. Chief amongst these were technological incompatibilities, significant cultural barriers and security of personal data and sensitive information.

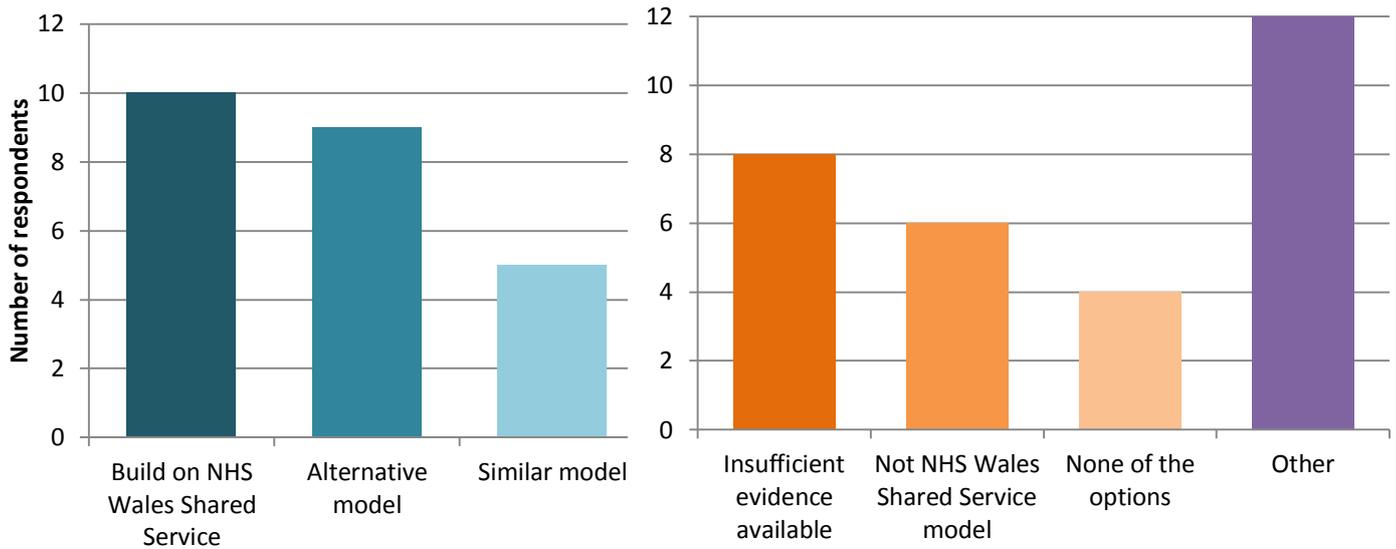
Q9. The Welsh Government believes sharing more back office functions would be helpful. There are a number of options:

- **Enable the NHS Wales Shared Service Partnership to provide a service to local government (and others)**
- **Establish a similar model to provide back office services to local government (and others)**
- **Establish an alternative model to provide back office services to local government (and others).**

a) Which do you believe would be most appropriate to best support regional working?

b) What other alternative models could work effectively and what steps could the Welsh Ministers take to enable or encourage local government-led alternative models to be implemented?

Number of respondents	54
Build on NHS Wales Shared Service	10
Alternative model	9
Insufficient evidence available	8
Not NHS Wales Shared Service model	6
Similar model	5
None of the options	4
Other	12



3.9.1 There was no consensus amongst the 54 stakeholders that replied to this question on a single shared service model and little support to expand the services of the NHS Wales Shared Service Partnership from either local authorities or local health boards.

3.9.2 The Welsh Local Government Association considered the NHS model was not compelling in a local government context because, as noted earlier, local authority services are more varied and complex. Also, local health boards still retained significant local corporate and 'back-office' resources.

3.9.3 It was considered unwise to attempt to integrate local government back office services into the NHS Wales Shared Service Partnership due to the complexity, scale, scope and variety of defined activities undertaken by support services provided by local government. However, some respondents expressed interest in progressing regional collaboration in back office functions or front line services, building on existing arrangements and flowing from regional working more generally, where there was a business case for this.

3.9.4 In terms of alternative models, there was support amongst some local authorities for progressive regional or sub-regional models to be set and developed by authorities themselves. National investment programmes would be a valuable incentive as proven in the case of regional waste consortia. Although not popular, the combined authority model for delivering strategic services and functions should be investigated.

3.9.5 It was noted that alternative models involving outsourcing to the private sector would be unacceptable to many local authorities and their trade union partners. However, the creation of a publicly owned arms length organisation, with powers to trade expertise and surplus capacity and to enter into partnerships with the private sector, could provide some innovative solutions providing all the proper protections for staff were observed.

3.9.6 Pembrokeshire County Council noted its interest in exploring a back-office solution with its local Public Services Board partners as part of its 'Pembrokeshire Prospectus' proposals.

3.9.7 It was also suggested that a model which appeared to work was where a cluster of regional or sub-regional authorities essentially sell their services to others under a formal contract. This allows centres of excellence to grow and develop, enabling host authorities to deliver services to others more willingly (without turbulence) in a managed and better planned manner.

3.9.8 Other potential models suggested included the provision of the 21C schools programmes through consortia and the provision of waste handling through multi-authority consortia.

3.9.9 A more proactive collaborative asset management approach across the Welsh public sector was suggested, with the potential to integrate services, including estate and asset management.

Q10. The Welsh Government believes that joint understanding and planning of public sector assets is essential to maximise their impact and that this requires regional mapping of estates assets and future intentions.

a) How can this joint governance and decision-making best be achieved?

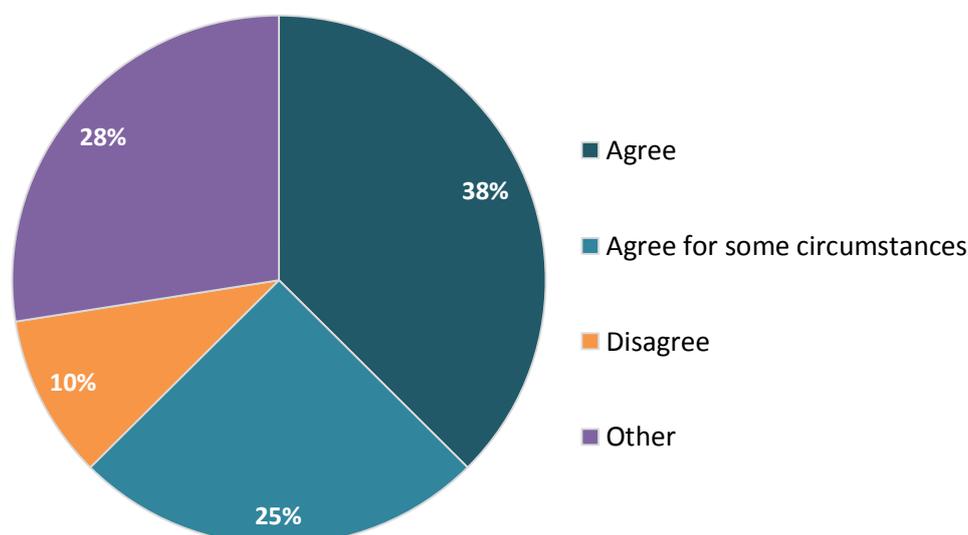
3.10.1 The most commonly suggested approach was support for mapping and decision-making relating to public sector assets to be undertaken through the Public Services Boards, for example, the work which had been done in this area in Cwm Taf. Whilst recognising the need for collaboration with others, some stakeholders considered retention of local decision-making was essential.

3.10.2 It was noted that local authorities along with other public sector bodies should have achieved near full registration of their estate through the voluntary land registration process and adoption and evolution of their Asset Management Plans. These could be consolidated and form part of a work stream of the National Assets Working Group in understanding the public estate. This Group, with a specific remit in how the public estate could be co-ordinated, could take the lead in agreeing the harmonisation of the information collected, sourced and reported on. In addition, sharing established Asset Management Plans, policies and procedures, best practice, and aiming for an overarching Asset Management Plan for a specific area could drive efficiencies and consistencies in relative delivery plans, which would focus on geographical areas (economic footprint to be defined) or specific properties or strategies.

3.10.3 The additional Welsh Government investment to carry out asset mapping across Wales and the proposed development of a 'Regional Asset Collaboration best practice toolkit' were welcomed.

b) Is the larger economic footprint [proposed for regional working] the right one?

Number of respondents	40
Agree	15
Agree for some circumstances	10
Disagree	4
Pilot with Cwm Taf PSB	2
Build on work already undertaken	1
Do not group Mid Wales with Swansea Bay City Region	1
Other	7



Note that 'Other' in the pie chart includes any response which was not expressly agree or disagree

3.10.4 Of the 40 stakeholders who commented, 25 (63%) either agreed, or agreed in some circumstances, that the proposed economic area footprint was appropriate for the planning of public assets.

3.10.5 While there would be practical limits to the rationalisation of assets that could be achieved, it was considered that the broader the perspective the more efficient the asset management would be. This was because a broader perspective would allow more spare asset capacity to be identified. However, it was suggested this should not be at the expense of close local working between partners.

Governance and Accountability

Q11. The Welsh Government believes a strengthened joint committee (a 'Joint Governance Committee') offers an appropriate governance model for regionally delivered services and intends to set out a framework for local government to use to deliver this.

a) What should the democratic accountability and scrutiny arrangement be for such a model?

3.11.1 More than 70 opinions were stated by 73 stakeholders. Of these, 21 either disagreed with the proposed Joint Governance Committee model or considered there was insufficient detail about the operation of the committees to comment. In part, stakeholders were concerned about the risk of additional complexity, bureaucracy and administrative burden.

3.11.2 Others, however, considered a Joint Governance Committee approach coupled with a joint regional scrutiny committee was sensible, but there should not be duplication of work between the regional scrutiny committee and the individual authorities' scrutiny committees. One authority should be the lead authority for an individual regional scrutiny committee.

3.11.3 The Welsh Local Government Association and other stakeholders supported the proposal to establish a task and finish group to help shape the governance proposals. The Association considered the proposals were some of the more complex and challenging aspects of the White Paper as they were critical in ensuring appropriate member oversight and sufficient local accountability.

3.11.4 The joint government committee model outlined in the White Paper was seen as not significantly different to the joint committee model available under current legislation. Authorities' view was that current collaborative and governance arrangements (e.g. those based on the City Deal models) were already being embedded and there was scope to build on those rather than introduce new governance models. The Cardiff Capital Region City Deal 'Joint Working Agreement' was suggested as a blueprint.

3.11.5 Concern was expressed about risks inherent in the proposed regional joint committee model if they could make binding decisions on commitments and resources without authority from their constituent councils, as this would undermine local accountability. Even if powers were delegated to or vested in a leader or lead cabinet member, this would be a politically exposed role if binding regional decisions were made without authority support and their position could become untenable over time.

3.11.6 It was suggested the framework should allow flexibility to develop the appropriate structures according to local (regional) need. Structures and governance arrangements that require resourcing, which are confusing to all stakeholders and which do not add value, should be avoided.

3.11.7 A number of stakeholders suggested Joint Governance Committees should include representation from business, communities and community and town councils.

3.11.8 The co-existence of Joint Governance Committees and Public Services Boards was questioned, with concern expressed about the scope for confusion and duplication.

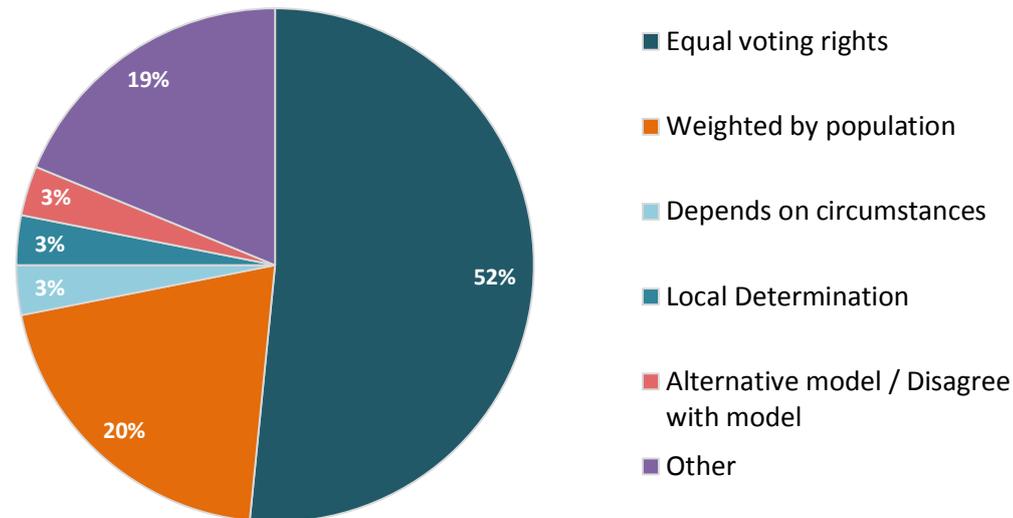
3.11.9 It was suggested scrutiny functions should be based on current good practice at regional and national level, but also deliver local accountability on key issues. Regional scrutiny arrangements had already been used for some functions and this would seem appropriate for future regional structures. A good example of this was the joint scrutiny committee established to monitor the operation of “Prosiect Gwyrdd”, the joint waste management project established by Caerphilly, Cardiff, Monmouthshire, Newport and the Vale of Glamorgan Councils. However, locally elected members must have a voice and be able to hold regional bodies to account on behalf of local citizens.

3.11.10 North Wales Police commented that the current structure of accountability was lacking. The proposed model would be insufficient to remedy this, because the Joint Governance Committee was solely orientated around local councils and authorities and gave no consideration to the involvement and the interests of partners. Scrutiny at a council level is at times seemingly more focused on being critical of other partners or furthering a particular political agenda. Any scrutiny should involve other agencies and should be better informed.

3.11.11 Unison Wales commented that citizens find the current local authority system difficult to navigate and understand. There are concerns about the accountability of local services to the community they serve. A Joint Governance Committee could be viewed as an additional tier, meaning decisions are even further removed from communities than under current arrangements. The weakening of accountability seemed to be an inevitable result, but there appeared to be no immediate and effective solution to this if the planned evolutionary approach was followed. One way to overcome this would be to ensure the JGC was public and other stakeholder groups that represent citizens, including trade unions, should be invited to attend and contribute. Strong scrutiny was important and the public and stakeholder groups representing citizens, including trade unions, need to have the opportunity to properly scrutinise decisions and direction.

b) Should each participating local authority have equal voting rights, or should they be weighted in some way?

Number of respondents	64
Equal voting rights	33
Weighted by population	13
Depends on circumstances	2
Local Determination	2
Alternative model / Disagree with model	2
Other	12



3.11.12 A majority (52%) of the 64 stakeholders who responded to this question supported equal representation and voting rights for local authorities on Joint Governance Committees. The Welsh Local Government Association commented that authorities were generally supportive of the proposed equal voting rights, given this was the model in the current City Deal agreements.

3.11.13 Cardiff Council supported equal voting rights in order to facilitate regional working in some circumstances, provided robust governance arrangements were in place. It considered, however, there would be specific decisions taken at the regional level that would need to be ratified by each member council (e.g. on the Strategic Development Plan). It also considered that, depending on the nature and the circumstances of the service and collaboration, weighting of voting rights may be appropriate and should not be discounted.

3.11.14 Caerphilly CBC considered this should be left to local determination, but there should be a recognition that population level and political balance varies across regions. It was suggested the model adopted by Police and Crime Panels for citizen and political accountability could be used.

3.11.15 UNISON considered voting rights should be weighted in some manner. However, this should not be at the expense of the citizen living in a smaller local authority area.

3.11.16 It was noted that elected members were likely to face a conflict of interest when making decisions as part of the Joint Governance Committee. As the committees assume greater decision making power, tensions may develop between committee members and the leadership of the council which they represent. Committee members would need to be very clear about their role and remit.

3.11.17 The Auditor General for Wales considered weighting by population would prevent a significant democratic deficit arising from an imbalance between population and voting rights. However, without equal voting rights for local authorities consideration may also need to be given to introducing safeguards to avoid instances where smaller local authorities (or potentially larger authorities) may be consistently 'out-voted' leading to priorities and resources being disproportionately focused on other areas in a region.

Regional Footprint(s) Arrangements

Q12. The Welsh Government believes that in order to put in place arrangements which reduce complexity for authorities and their partners, the position for Bridgend needs to be considered. Although Bridgend is fundamentally concerned in this, other partners including other local authorities and the local health boards also have valid interests. We are, therefore, seeking views on how best to address the issues set out [in the White Paper].

3.12.1 Although 42 stakeholders responded to this question, few commented directly on the location of the Bridgend area within the regional footprint, with some suggesting this was primarily a matter for Bridgend CBC.

3.12.2 Bridgend CBC did not provide a formal response, citing the difficulties of establishing a fully formed response that was able to take proper account of the views of its regional partners in the run up to the local elections.

3.12.3 One local authority considered Bridgend CBC would add critical mass and assist resource potential in Cwm Taf. Others noted this issue reflected a tension in the approach between allowing authorities to make choices reflecting local factors and the potential loss of benefits arising from consistency and clarity, including for the public and for other partners. The importance of Bridgend's position within the Cardiff Capital Region City Deal area was also noted by some stakeholders.

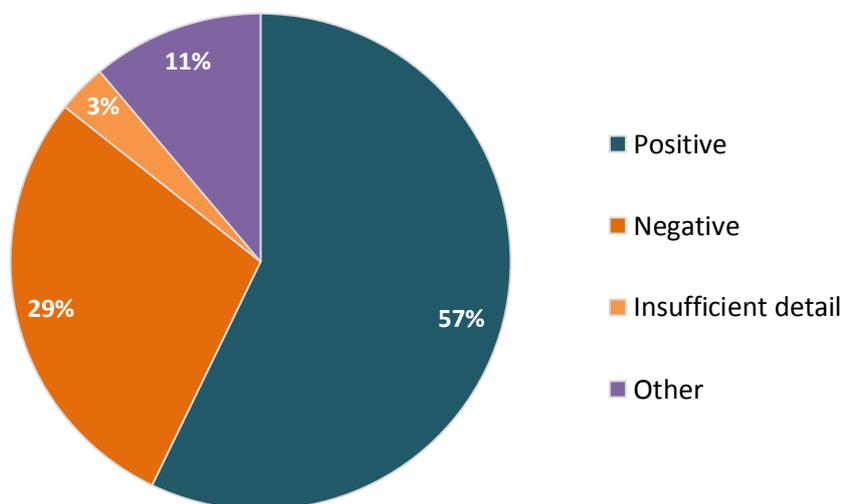
3.12.4 Unison stressed the need to resolve the issue urgently, noting that a piecemeal approach to collaboration was not an option.

3.12.5 Cwm Taf UHB and Abertawe Bro Morgannwg UHB recognised the challenge for the Council of operating across regions and the need to consider patient flows and need. Cwm Taf UHB stressed the need for strong alignment between local government and health board boundaries. Cwm Taf UHB felt it would be prudent to consider re-alignment of health board boundaries, noting an historic and natural fit of the Bridgend area to Cwm Taf through existing patient flows and provision. Abertawe and Bro Morgannwg’s response did not comment on the best fit, but stressed the need to provide clarity and avoid “planning blight”. Cardiff and Vale simply noted the need to take any decision in the light of impact on collaborative working with health boards and the emerging models of regional health planning and service delivery.

Q13. The Welsh Government believes that ‘Option 3: a framework and footprint’ is the most appropriate model for future regional working.

a) What are your thoughts on the proposed mandatory economic development footprint for ‘Joint Governance Committees’?

Number of respondents	63
Positive	36
Negative	18
Insufficient detail	2
Other	7



3.13.1 The White Paper set out four potential options for determining the footprint(s) for regional working. Under Option 3 (the preferred option), certain functions would be mandated to be undertaken on three ‘economic development’ footprints covering: 1) North Wales, 2) Central and South West Wales and 3) South East Wales. For other functions mandated for regional working, the specific footprints would be determined by the constituent local

authorities within a statutory framework aimed at removing overlap and promoting simplicity.

3.13.2 There were 63 responses to this question, of which 36 (57%) supported the approach advocated under Option 3. Of the 17 local authorities which commented, 11 (65%) supported the proposal.

3.13.3 Some stakeholders noted the synergies between the proposed footprints and certain existing collaborative arrangements, such as the Cardiff Capital Region City Deal area. Whilst others pointed to conflicting arrangements in some areas, it was also suggested that any other model would add huge complexity in terms of future working and financial arrangements.

3.13.4 Whilst supporting the framework and footprint approach under Option 3, Ceredigion, Powys and Carmarthenshire Councils were of the view that the Growing Mid Wales area should not be combined with the Swansea Bay City Region. Neath Port Talbot CBC noted there was no justification within the White Paper for combining the areas.

3.13.5 A shared view amongst some of those who disagreed with the principle of Option 3 was a view that the economic development footprint was too big and the approach would add another layer of bureaucracy. There was also concern that decisions would be taken by people too far removed from local communities and their needs.

3.13.6 There was a view that regional plans should be developed and owned by the region and that mandating the services for regional cooperation would not engender the element of 'local ownership' which is important for this to succeed.

b) How could a framework approach for sub-regional working in other service areas operate in practice?

3.13.7 There was a mixed response to this question, with 7 stakeholders stating their opposition to the proposed sub-regional model on the basis that it would add complexity or undermine the transparency of local democracy.

3.13.8 Two stakeholders suggested facilitated pilot clusters to test how the arrangements would work in practice.

3.13.9 Some stakeholders related their experience of existing collaborations. For example, experience in Gwent, where the five local authorities map exactly onto the Aneurin Bevan University Health Board (and Gwent Police) footprints, was that the issues were less complicated than in some other parts of Wales. It was said there are already sound governance arrangements in place for both education improvement and health and social care collaboration and these could be adapted to incorporate additional elements of service delivery and still be fit for purpose.

3.13.10 Similarly, it was suggested sub-regional arrangements could fit very neatly with the three 'divisions' in operation in North Wales for the Local Health Board and the divisional arrangements for the Police.

3.13.11 There was a view that a Joint Governance Committee for economic development could not oversee sub-regional working for services not within its scope. A number of regional joint committees might be necessary in a region to ensure sufficient time and expertise at member and officer advisor level to discharge oversight of the respective functions. How a regional Joint Governance Committee co-ordinates a potential set of joint committees at the supra-level should be a matter for regional determination.

3.13.12 Concern was expressed that implementing the proposals would be complicated and potentially practically unworkable in terms of councillors attending meetings. The burden of governance and scrutiny on a regional basis coupled with local requirements on officers running regional services could outweigh any potential efficiency.

3.13.13 One local authority commented that local accountability for sub-regional working should be retained by local authorities, rather than any related Joint Governance Committees having to report up to an overarching committee for the wider region. There is a need for clarity of governance arrangements and accountability so that it is understood by citizens.

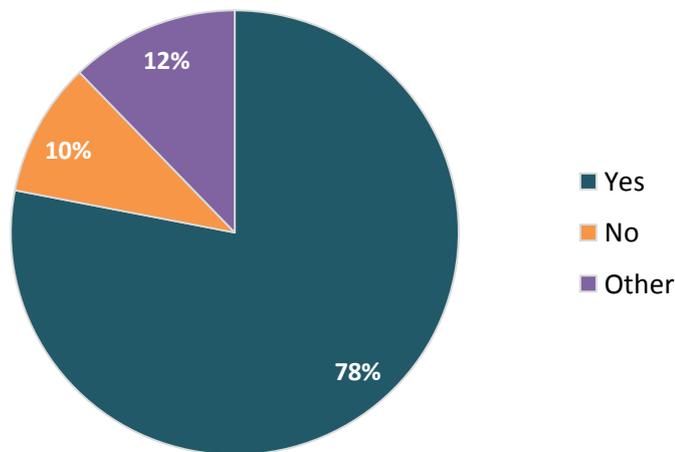
3.13.14 To avoid additional costs of establishing regional arrangements, an alternative approach was suggested of a lead authority for specific services, with pooled contributions from the constituent local authorities to be allocated to that lead authority to deliver the regional element.

3.13.15 Other stakeholders considered there should be flexibility in the system to respond to specific service requirements that do not suit a one size fits all approach. Some functions within public protection may best be delivered regionally through alignment with local health board boundaries (eg environmental health) and others with the economic development footprint (eg trading standards and housing). Some functions have close functional alignment with Police Basic Command Unit boundaries (eg community safety and trading standards), whilst other functions may be delivered most effectively locally (eg licensing).

3.13.16 It was also suggested that a partnership impact assessment should be carried out so as to understand the impact of regional or sub-regional working across local authorities on other partners, for example in terms of demand or resource allocation.

**c) Is it appropriate for there to be flexibility for regional working to cross economic development boundaries in exceptional circumstances?
Which circumstances would they be?**

Number of respondents	41
Yes	32
No	4
JGC decide	1
WLGA and SOLACE to decide	1
Other	3



3.13.17 The majority (78%) of stakeholders responding to this question agreed there should be flexibility for regional arrangements to cross economic development boundaries, but not all agreed this should be limited to exceptional circumstances. As an example, it was stated that in North Wales an arrangement for waste disposal including 5 out of 6 local authorities had recently been approved. The exclusion of the sixth authority was for a very good reason, but perhaps not one that would be described as 'exceptional'. The framework for regional arrangements should allow sufficient flexibility to enable pragmatic arrangements to be made.

3.13.18 Cardiff Council considered there should be provision for this where it was supported by a robust business case (e.g. Wales-wide or national services). The Council would also support flexibility to continue to work on strategic, city-regional issues with the Bristol City Region (e.g. the existing Great Western Cities partnership with Newport and Bristol to improve rail connectivity and access to job opportunities). It suggested North and Mid Wales would also have similar cross-border relationships with regional economies in England.

3.13.19 Another example given was HM Prison Berwyn. Its location meant that healthcare provision would be called upon from North Wales and

England. Likewise, police will work across boundaries and it could be that local authorities require support from counties outside the economic development boundary. In such circumstances where the need arises, they should not be constrained.

3.13.20 Unison considered that adequate flexibility for authorities to innovate or make changes was a positive aspect of the proposals, but these should be within the framework of the economic development boundaries. There were no exceptional circumstances, other than those operating on a pan-Wales basis, where exceptions should be made, as this would undermine the development of proper collaboration. It considered there was danger in allowing local authorities to decide too much themselves and that the Welsh Government should determine the boundaries. At the very least, there should be co-terminosity between health and social care services.

3.13.21 Some stakeholders noted that where strategic land use planning is concerned, associated ecological / biodiversity resources do not function within the suggested economic development footprints. The ability to address and consider issues that expand beyond such boundaries would also be necessary. This was likely to be a common circumstance rather than exceptional.

3.13.22 The ERW education consortium considered that for it to continue, it would be necessary for the Growing Mid Wales region to work with the Swansea Bay City Region. It stated that Ceredigion and Powys Councils currently rely on the benefits of the wider regional service and might struggle to provide a strong service for schools on their own.

d) How should the 'Joint Governance Committees' at the mandatory economic development footprint area have oversight of sub-regional working?

3.13.23 Of the 27 stakeholders that replied to this question, 8 (29%) considered that Joint Governance Committees at the economic development footprint should not have oversight of sub-regional working. Of these, 3 from the community council sector simply restated their opposition to the principle of sub-regional working.

3.13.24 The views of the 4 local authorities which did not support this approach were:

- It is neither desirable nor appropriate for the economic regional Joint Governance Committee to have oversight of sub-regional governance arrangements for health, social care and education. This would add complexity by trying to bring together oversight of a number of other public service organisations - especially local health boards. It would also in effect concentrate power in a small number of very large quasi-local authorities, making local accountability almost impossible to manage or deliver on.

- Authorities should be able to work with flexible models that meet their organisational purpose. For example, it is anticipated that the Joint Cabinet established to oversee the Cardiff Capital Region City Deal will extend its influence over time to be the primary layer of governance for public services in the Cardiff Capital Region.
- The footprint would be too big to deliver and oversee most services.
- The economic development Joint Governance Committee (or Joint Cabinet established as part of the Cardiff Capital Region City Deal) should only consider issues relating to economic development, transport, land use planning and strategic housing policy. There should not be a hierarchy of Joint Governance Committees where decisions at the sub-regional level are moved away from local authorities.

3.13.25 A limited number of responses addressed the question directly. Key points made were:

- It is unclear how mandatory economic development 'Joint Governance Committees' could have effective oversight of sub-regional working (across other service areas – from education to social care to waste to support services, etc.) without full and proper representation.
- The sharing of information about activity and problems between the sub-regional and regional level will be key. Arrangements could be put in place akin to old style committee / sub-committee structures whereby information is shared up to the regional level and support provided (where necessary) from the regional to the sub-regional.
- Through a democratically agreed regional economic development plan that has been widely consulted upon.
- Whatever arrangements are established for the management of regional services, it must be clear who is accountable for what. The inspections of education consortia were complicated in ERW and GwE as both had issues about exactly what the consortium centrally was responsible and held to account for.
- Joint Governance Committees should have oversight of sub-regional working through Public Services Boards (which also have an interest in public health functions), elected members and other committee structures already in place. Consideration should also be given to regular consultation and engagement with the public within the process. Clear reporting and accountability structures need to be in place between the Joint Governance Committee and the work taking place below this level. Outcomes for local people and demonstrating good use of finance to make a difference should also be paramount in the process of oversight.

- There should not be duplication of existing scrutiny structures or processes that exist. Other existing structures could be used to incorporate some new sub-regional structures. Local health board footprint arrangements may need to be considered as this is a fit for clusters of local authorities, parts of or whole police forces and, therefore, many existing partnerships.

Combined Authority

Q14. The Welsh Government are seeking views on the appropriateness of seeking powers to create a Combined Authority, in particular, comments on what minimum expectations there should be in considering the appropriateness of creating a Combined Authority would be welcomed.

Number of respondents	45
Support, but no specific expectations	17
LA to determine	7
Do not determine from outset	6
Disagree with combined authorities	7
As WLGA suggest	2
Impact assessment	2
Support combined authorities when LAs are failing	1
Support, as new legal entities	1
Support, rights of the child need to be respected	1
No minimum	1

3.14.1 The most common response (38% of responses) was one of support for the proposal, but without specific ideas for minimum expectations. The next two most common responses were for local authorities to determine themselves what the expectations should be, whilst others suggested that expectations should not be predetermined given there will be unknowns when transitioning to new structures.

3.14.2 Local authorities were largely in favour of creating combined authorities in Wales, as was the Welsh Local Government Association, with only 2 of 11 local authorities responding negatively. Some authorities suggested it would give more flexibility on a regional and local basis and supported Welsh Government proposals to introduce legislation in this area.

3.14.3 Powys CC suggested that regional working and Joint Governance Committees should be allowed to bed in before minimum expectations for combined authorities are determined. Merthyr Tydfil CBC stated that, “legislation should be flexible enough to respond to changing circumstances”. While Cardiff Council’s response included, “in light of the rapidly evolving city-region agenda across the UK and the developing City Deal arrangements, the

option of a Combined Authority approach should be available to the Cardiff Capital Region in the future”.

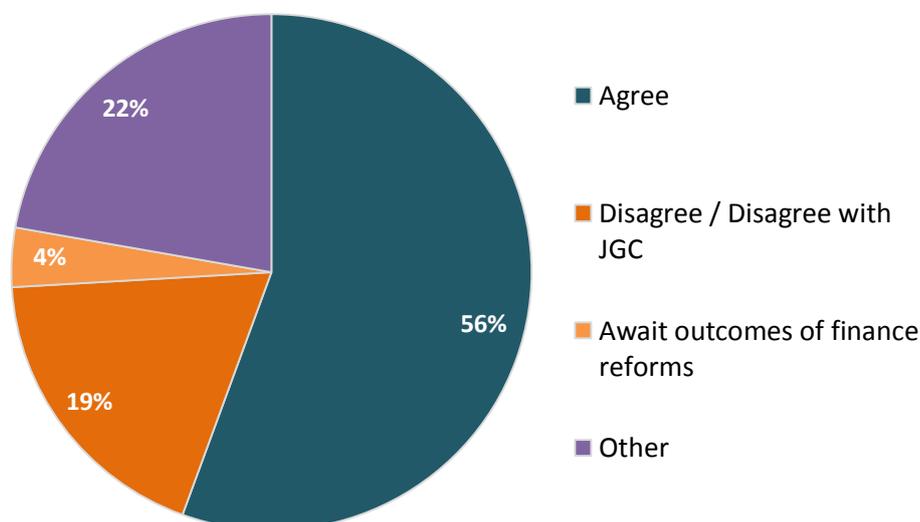
3.14.4 Other professional organisations broadly supported the idea of ‘combined authorities’ but needed assurances that it would deliver for communities locally and offer the possibility of savings in public expenditure.

Funding Regional Arrangements

Q15. The Welsh Government believes that a mandatory financial framework should be developed to ensure the expenditure of each ‘Joint Governance Committee’ is met through pooled contributions from the constituent local authorities.

a) Should the expenditure of ‘Joint Governance Committees’ be met by constituent local authorities, in proportions to be agreed locally, to ensure the most flexible approach?

Number of respondents	54
Agree	30
Disagree / Disagree with JGC	10
Await outcomes of finance reforms	2
Other	12



3.15.1 Slightly more than half (56%) of those responding to this question, including the Welsh Local Government Association and 9 local authorities, agreed with this approach. Some stakeholders commented on matters relating to the proposed approach, without giving a clear view one way or the other. In part, this was attributable to a view that there was insufficient detail in the White Paper. The approach was not supported by 10 (19%) stakeholders.

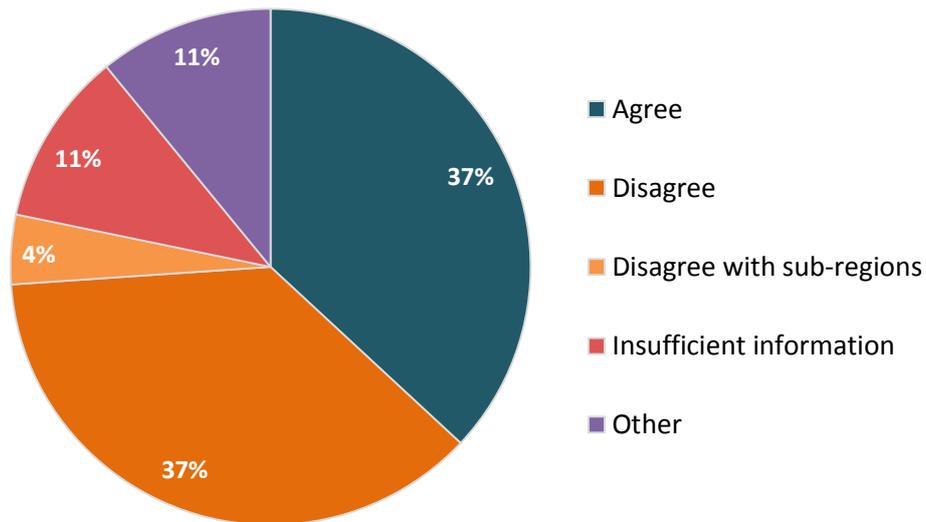
3.15.2 In summary, the main points made by those commenting on the approach were:

- The intention to build on existing good practice, rather than introducing any new complex funding model, was supported. Existing pooled budget arrangements for collaborative arrangements were, on the whole, working well.
- The need for a “pooled fund” to be established by local agreement was acknowledged, but there was insufficient detail in the White Paper on how this would operate in practice. The Cardiff Capital Region City Deal model provided for proportionate financial contributions to be made by constituent local authorities, which might be used as a model for taking forward similar arrangements for regional working. However, there needs to be an established mechanism for periodic review and amendment to ensure an equitable approach.
- Flexibility was considered important, but if the funding formula was not changed to reflect the particular issues of each constituent local authority then inequity and animosity will arise. There was specific reference to the challenges faced by rural communities, e.g. transportation links, rural poverty, rural isolation, the challenges of delivering services in rural areas and costs involved in such delivery models. There was concern that funding could be targeted at areas of perceived greater need to the detriment of others.
- The share of expenditure of any Joint Governance Committees should be agreed locally and on the relevant footprint.
- The Swansea Bay Port Health Authority suggested its arrangement, by which it is funded through precepts upon its four constituent local authorities, provided an appropriate model. However, other stakeholders opposed a precepting / levying arrangement, which was seen as pre-deciding democratic resource allocation.
- Each constituent local authority within the Joint Governance Committee should pay into a combined fund with a contribution equal to its appropriate proportion of the net expenses of the local authority in respect of the year. It was noted, however, that there might be an expectation that the funds pooled are spent within the area that committed the monies. Delivery would need to move rapidly to a regional basis and there would be a need to demonstrate better service delivery at a reduced cost for citizens across the whole of the region.
- Clarity was required on whether the levels of financial contributions from each partner authority in a regional collaboration would be equal or proportionate e.g. based on per head of population. Also, whether the level of contribution would be reflected in the voting rights of each authority on a Joint Governance Committee.

- Several stakeholders considered that the proposed mechanisms for funding Joint Governance Committees should await the outcome of the wider reforms to finance proposed in the White Paper.
- There was concern that political considerations might adversely influence decisions on the allocation of resources between areas.
- Regional collaboration should be allowed to develop and for relationships to be based on mutual trust before moving to the detailed discussion around funding and the pooling of budgets. Effective collaboration would inevitably lead to trust, which in turn would facilitate the required fundamental agreements.
- The framework needs to ensure local accountability for the pooled budgets. Currently, local authorities determine the budget for each service taking into account local demand for services. A Joint Governance Committee which receives its funding through a funding formula would take away that local accountability and restrict the individual authorities' ability to direct resources towards the areas determined locally.
- Accounting for pooled budgets would have a cost as the financial systems already in place within local authorities would have to be replicated by the Joint Governance Committee to ensure proper financial stewardship of the pooled budget.
- There was concern that the proposals would result in a "race to the bottom" whereby funding for a regional service would reflect the lowest level of current funding of the constituent authorities.

b) Should the framework provide for a default position if local agreement cannot be reached, and how such a process might be triggered?

Number of respondents	46
Agree	17
Disagree	17
Disagree with sub-regions	2
Insufficient information	5
Other	5



3.15.3 There was an even split for and against a default arrangement in the absence of local agreement. The remainder commented on the proposal without giving a clear view.

3.15.4 The financial aspects of collaborative working were recognised as being likely to have the most potential to cause disagreement between regional partners. Different local authorities will have different priorities, reflected in their corporate plans, and this may well affect the proportion of their budget that they would wish to put into a regional collaboration. This tension is at the heart of sustaining the balance between local focus and democratic accountability as against cohesive, regional strategic planning.

3.15.5 Enforcing the framework as the default position (triggered by the other authorities or from the Welsh Government) would do little to develop a relationship of mutual trust between the authorities.

3.15.6 In general, where there was support for a default position there was a view that it should be subject to some form of specific criteria and controls, for example based on need and agreed service standards. Another suggestion was for the default to be based on the populations of each authority.

3.15.7 There was a view that a needs assessment should be required to inform any financial model. At the outset, this may require some local authorities to increase their existing financial contribution if necessary, for example, where they are providing services below minimum standard.

3.15.8 It was suggested the framework should provide for a process of mediation / further negotiation before recourse to the default position.

3.15.9 There was also a view, however, that the Welsh Government should not impose a mandatory financial framework, but it could have a role in facilitating or mediating any discussions.

3.15.10 Also amongst those disagreeing with the proposal was a view that local authorities are best placed to determine the arrangements. It was noted that the Cardiff Capital Region City Deal Joint Working Agreement contained clauses which dealt with such a situation.

3.15.11 There was also concern that a default arrangement would effectively mean an individual authority would be stuck with the demand made by the Joint Governance Committee or other regional committee regardless of whether it had approved the budget and of the other budgetary demands which it may face. In those circumstances the budget demands of the Joint Governance Committee effectively become something akin to a precept or levy and the decisions of the Joint Committee would have primacy over the decisions of the individual local authorities, which would undermine local democracy. In those circumstances, it is possible the fiduciary duties of a council as a whole, and those of statutory officers (e.g. the section 151 officer), could be compromised.

c) What further considerations might relate to, or need to be included in, a financial framework?

3.15.12 There was a mix of relevant suggestions in response to this question, including:

- arrangements to cover risk and liability, including prior consultation with existing insurers.
- value for money considerations for a local authority within a Joint Governance Committee and the extent to which the issue of cross border subsidy can be contained and answered. It was suggested the Auditor General for Wales might consider this with local government to ensure a consistent approach is being taken to respond to challenges about the inputs and outputs / outcomes relating to pooled contributions.
- the implications of regional working for capital as well as revenue budgets of local authorities.
- additional resources for 'host authorities' to help support and embed the effectiveness of regional working arrangements, including governance and scrutiny.
- the term of any new delivery arrangements. New arrangements should enable sustainable service planning for the medium term to make the changes worth pursuing.
- penalties for late payment and appropriate force majeure arrangements.

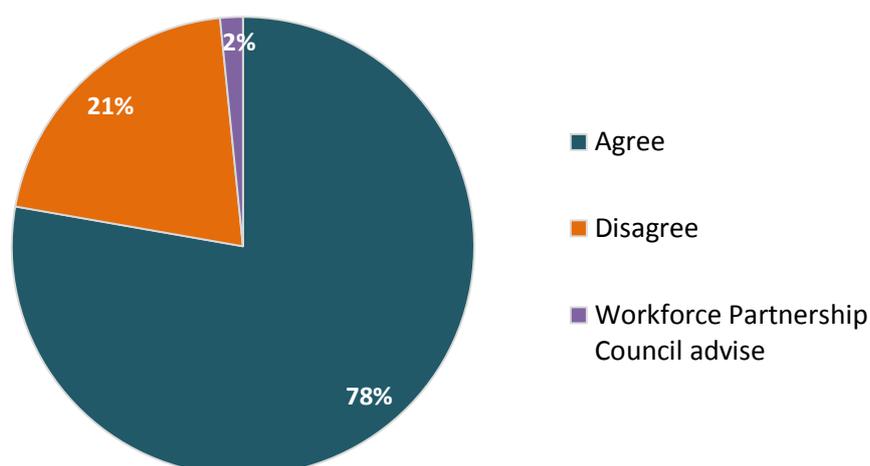
Workforce Matters

Q16. The Welsh Government believes that to support organisations to move to a more consistent and regional approach to delivering services it will be necessary to issue statutory guidance where there is an identified need.

a) Do you agree or disagree?

b) If you agree, what types of advice, guidance and support on leadership and workforce matter might lead to greater local, regional and national consistency?

Number of respondents	63
Agree	49
Disagree	13
Workforce Partnership Council advise	1



3.16.1 The White Paper recognised that the most valuable asset of the public service is its workforce and that proposals for regional working would affect the local government workforce. The White Paper signalled that the Public Services Staff Commission would no longer be made a statutory body and would be brought to a close in March 2018. Until then, it would continue to provide advice on workforce matters under the strategic direction of the Workforce Partnership Council. Previous consultation provided mixed views on the value of the Welsh Ministers having a power to issue statutory guidance, but the Welsh Government considered such a power might be beneficial where it would enhance the development of national or regional delivery of public services.

3.16.2 The majority of stakeholders 49 (78%) agreed the Welsh Government should have powers to issue statutory guidance. There was a more mixed response from local government in comparison to the majority of public bodies, which supported statutory guidance. Even among the small number

of local authorities which agreed guidance could be useful, there was a view that statutory guidance was not appropriate and should only be issued where there was a clearly identified need.

3.16.3 It was noted that purposeful and distributed leadership would be the key driver to the successful transformation of local government. A strategic workforce development plan was needed, but the capability and capacity within local government to undertake this had reduced significantly and thus was itself an area of potential collaboration.

3.16.4 The role of Academi Wales was considered pivotal and there was a need for engagement with local authorities on a joint approach to both workforce development and leadership. The introduction of an accredited leadership programme across the regional footprints would ensure a consistent approach and a minimum standard of value based leadership, providing the necessary skill set to lead a regional collaborative change programme.

3.16.5 The Welsh model of social partnership between Welsh Government, public sector employers and trade unions embodied in the Workforce Partnership Council (WPC) was welcomed. The work of the Public Services Staff Commission (PSSC) on non-guaranteed hours and senior remuneration was also welcomed and there was support for the view of the employers on the WPC that the PSSC should continue beyond March 2018.

3.16.6 Work by the PSSC over the coming months with respect to both workforce planning and harmonisation of terms and conditions would be of great help in informing the process of local government reform as far as the workforce was concerned. Given the lack of capacity within local government to carry out such work, it was hoped that some form of practical resource akin to the PSSC would still be available after March 2018.

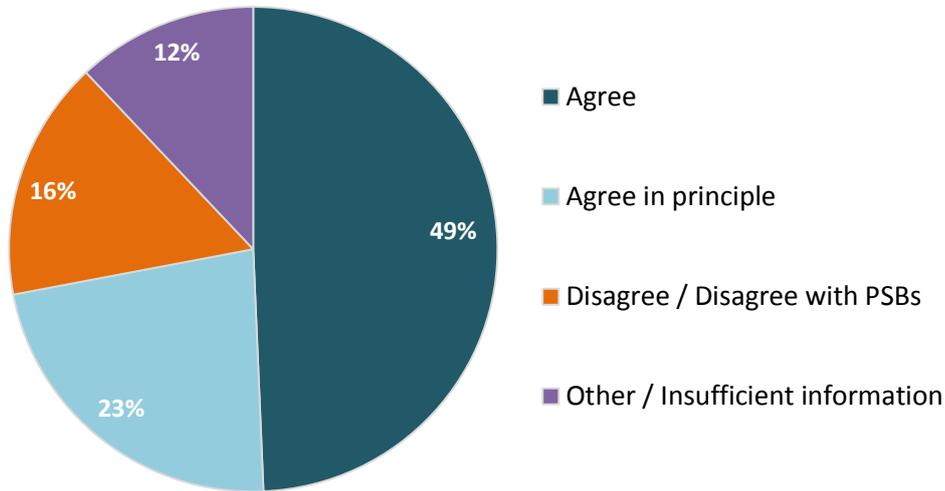
3.16.7 Differences in pay scales and terms and conditions of employment between authorities and the risk this posed to collaborative working were noted by several stakeholders.

3.16.8 The Welsh Local Government Association noted its support for the social partnership approach and the Workforce Partnership Council. However, it did not support statutory guidance stemming from the WPC and would find it difficult to work in a context where national direction cuts across local negotiating frameworks.

Public Services Boards

Q17. The Welsh Government believes it would be helpful if Public Services Boards could collaborate or merge across local health board boundaries. Do you agree or disagree? Why?

Number of respondents	75
Agree	37
Agree in principle	17
Disagree / Disagree with PSBs	12
Other / Insufficient information	9



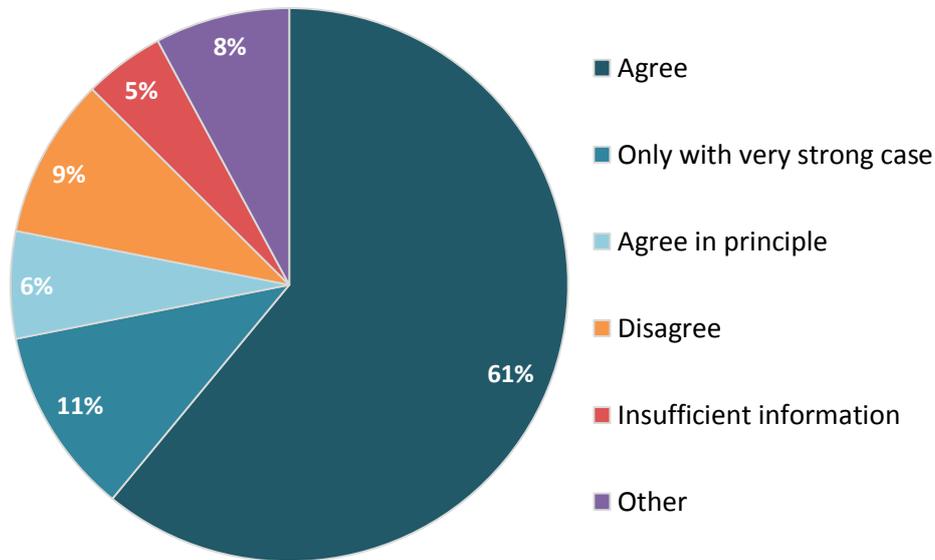
3.17.1 Existing legislation enables Public Services Boards to merge, based on local health boundaries. The White Paper suggested greater flexibility for Boards to merge (or demerge) to accommodate different regional footprints might be appropriate.

3.17.2 The majority of stakeholders (72%) agreed, or agreed in principle, there should be this flexibility, if circumstances suggest that it is the best thing for service delivery. However, several stakeholders commented that Public Services Boards have no legal personality of their own; no comprehensive governance arrangements underpinning them (in the context of the issues under discussion in the White Paper) and will “fit” with some functions geographically, but not others. This could represent further complexity in practice.

3.17.3 Amongst those disagreeing, there was a view that the newly established Public Services Boards should be given time to make the current arrangements work. The proposal would add another layer of complexity and a larger Board could become too remote from the communities it served. It was also suggested that the Boards should remain on the local authority footprint.

Q18. The Welsh Government believes Public Services Boards should be allowed to demerge as well as merge. Do you agree or disagree? Why?

Number of respondents	64
Agree	39
Only with very strong case	7
Agree in principle	4
Disagree	6
Insufficient information	3
Other	5



3.18.1 Again, the majority of stakeholders (78%) agreed, or agreed in principle, with this proposal. In general, it was acknowledged that circumstances and opportunities change over time and it was sensible for Public Services Boards to have the flexibility to demerge if that is deemed appropriate.

3.18.2 It was suggested there is already an implicit power to demerge, but it would be useful to put the point beyond legal argument. Also, the power to demerge should be at the joint Board's discretion and not subject to any element of control from, or permission required of, the Welsh Government.

3.18.3 Whilst agreeing with the proposal, some stakeholders took the view there would have to be very significant reasons to accept the “demerger” of a Public Services Board, especially if the regionalisation of public services becomes a reality.

3.18.4 No specific arguments were made in the responses from those who disagreed with the proposal.

Voluntary Mergers

Q19. The Welsh Government would welcome comments on what minimum expectations there should be in considering the appropriateness of voluntary merger.

3.19.1 There was strong consensus amongst stakeholders that there should be a strong business case to support any voluntary merger proposals. No local authorities expressed a desire to merge, while several stated they were not considering merger.

3.19.2 Some stakeholders suggested the tests for regional working in the White Paper would be relevant to the consideration of voluntary merger. Others suggested there should be no minimum requirements to prevent mergers between willing local authorities. However, it was noted that any voluntary mergers could then prevent future opportunities for others to merge, depending on the geography.

3.19.3 It was also stated that voluntary mergers were not the silver bullet to remedy the financial challenges facing smaller authorities. Bolting together two organisations and taking out some senior management costs would not generate more than a small proportion of the savings needing to be made; and costs such as equalisation of council tax could be substantial. The benefits are more likely to be generated in building back some of the capacity that has been hollowed out of the centre of local authorities in an attempt to protect frontline services, creating a vicious cycle where there is no-one left to do innovative, transformational work to generate future savings.

3.19.4 It was suggested the expectations outlined in the White Paper were a little transactional. There should be a requirement for a strategic vision to create a renewed sense of place for the merged area, a new operating model demonstrating how services could be transformed to improve outcomes and generate efficiencies, and a plan for engaging with communities and service users in the future delivery of services. There should be political support and a mandate from local citizens for a voluntary merger proposal.

3.19.5 The Local Democracy and Boundary Commission for Wales noted there would be an impact on its work arising from a voluntary merger. The Commission considered that, as proposed in the White Paper, it would be appropriate for the Welsh Government to ask it to undertake an electoral review and that it would be appropriate for this to be indicated within any proposed legislation.

A Framework for Local Leadership

Q20. The Welsh Government would welcome comments on any of the proposals set out previously in the draft Local Government Bill and associated consultation paper.

3.20.1 The previous Welsh Government's reform proposals were published in the 'Draft Local Government (Wales) Bill' published for consultation in November 2015. The current Government's position on the non-merger proposals was set out in an annex to the White Paper.

3.20.2 A wide-range of responses was received from stakeholders. Most common amongst these was support for the proposed introduction of a 'General Power of Competence' for local authorities and community councils which satisfied minimum criteria. Concern was, however, expressed about the pre-commencement limitations in the Draft Bill.

3.20.3 Whilst supporting the introduction of the general power, UNISON reiterated its view that public services should be directly delivered by the public sector. It was concerned that its use to delivery services through cooperatives and mutuals was just a step towards traditional privatisation.

3.20.4 The Association for Public Service Excellence also pointed to the 2001 report 'Proof of delivery: A review of the role of co-ops and mutuals in local public service provision' which stated *'Having conducted a detailed empirical review, we found the case for co-ops and mutuals is unproven. There was little evidence that they improve or enhance public service provision and what evidence there was tended to focus on the process of forming such organisations rather than the outcomes achieved.'*

3.20.5 In relation to community councils, stakeholders reiterated previous concerns that the Bill should not give the impression that councils which did not meet the criteria to qualify for the general power were 'incompetent'. The Auditor General for Wales reiterated that audit opinions should not form part of the basis for determining eligibility, as audits were not undertaken for that purpose.

3.20.6 There was support (from local authorities and community councils) for guidance on the use of the power and an ongoing commitment to training for clerks and councillors.

3.20.7 Comments on other aspects of the reform proposals made by stakeholders:

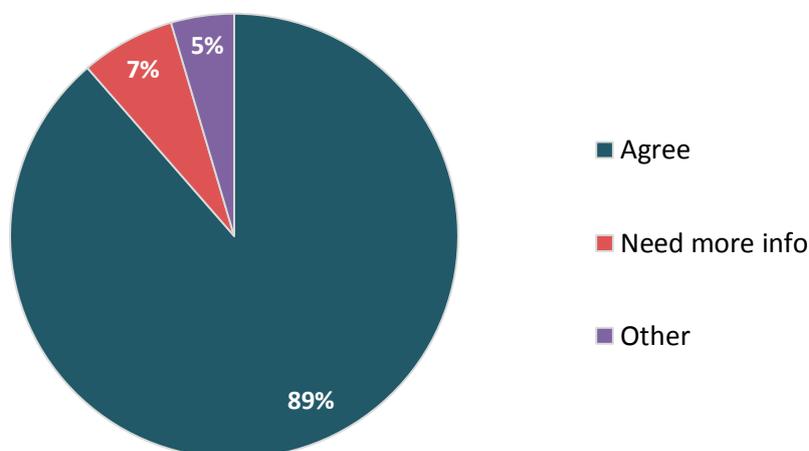
- The power of recall was considered unnecessary given the sanction available for serious misconduct. If introduced, it should apply to all tiers of government.
- Consideration should be given to the role of the Audit and Corporate Governance Committee in relation to pooled budgets. The benefit of additional lay members was questioned, whilst it should be for the committee to determine whether or not to appoint a lay chairperson.
- Practical concerns about remote attendance.
- Concern about the potential cost of broadcasting meetings.

- Mixed views on the member performance proposals. Some considered the Welsh Government should not seek to prescribe arrangements, such as for leaders managing the performance of Cabinet members, which should be left for local determination. Others addressed practical issues such as the need to dovetail with timescales for annual personal development reviews. It was noted this was part of the Welsh Local Government Association 'member charter', which could be promoted in place of a statutory mandate.
- There were mixed views on the proposed duty on leaders of political groups to promote good standards of conduct by their members and an expanded role for standard committees. However, this was seen as helping to address some of the cultural barriers that impact on the proportion of women standing for council, or remaining as councillors.
- The reduction of regulation and promoting self-assessment and peer assessment was welcome, but there was concern about turning successful voluntary and sector-developed models into a prescriptive statutory assessment and regulatory regime. Arrangements for self-assessment, peer review, scrutiny, audit and external review should be complementary and co-ordinated with a clear understanding of the respective roles of each of the players and the links between them. The role of self-assessment in authorities' improvement arrangements, and the potential role of peer review, complement rather than act as a substitute for the independent accountability, objectivity and insight that external audit provides. The current co-ordination arrangements provided by Inspection Wales are appropriate and avoid unnecessary expenditure and inefficiency.
- There should be greater collaboration and alignment of reporting requirements between the audit, inspection and regulation bodies including the four commissioner bodies that also now require performance reporting.
- There was merit in continuing to explore Community Area Committees, given the Well-being of Future Generations (Wales) Act requirement to define 'community areas'.
- Local authority constitutions are already based on an agreed model. Most aspects of the constitution are written in 'ordinary' language already. Over-simplification of the constitution will lead to confusion and misinterpretation, particularly when the constitution itself will always have to take precedence. An alternative 'Guide to the Council' or 'Residents' Charter' was suggested.
- Additional powers in relation to non-domestic business rates avoidance were welcomed. The creation of a Welsh Government-led business rates anti-avoidance working group was suggested.
- The proposal to enable notices of meetings and other papers to be produced electronically only were welcomed.
- Support for the repeal and replacement of community polls by a system of e-petitions.

- The Welsh Government should not be prescriptive about the production of a public engagement strategy.

Q21. The Welsh Government believes that Part 1 of the Local Government (Wales) Measure 2009 should be repealed for all ‘Improvement Authorities’. Do you agree? Why?

Number of respondents	44
Agree	39
Need more info	3
Other	2



3.21.1 Nearly all (89%) of the 44 respondents to this question agreed that the Part 1 of the Local Government (Wales) Measure 2009 should be repealed for all ‘Improvement Authorities’.

3.21.2 No respondent expressly disagreed, while the remaining 11% made other comments or suggested that more information be made available before they could give an informed opinion.

3.21.3 All 16 of the local authorities responding to this question agreed for various reasons. These included views that:

- Part 1 of the Measure leads to duplication of work;
- the Well-Being of Future Generations (Wales) Act provides a new framework to work within;
- there is confusion created by the separate statutory objective-setting and reporting duties between Part 1 and the Well-being of Future Generations (Wales) Act; and
- removing Part 1 would increase accountability.

3.21.4 Fire and Rescue Authorities and National Park Authorities would be affected by this proposal. South Wales Fire and Rescue Authority agreed with the reasons provided by local authorities, stating that the proposal demonstrated that the Welsh public sector is maturing in its approach to performance planning.

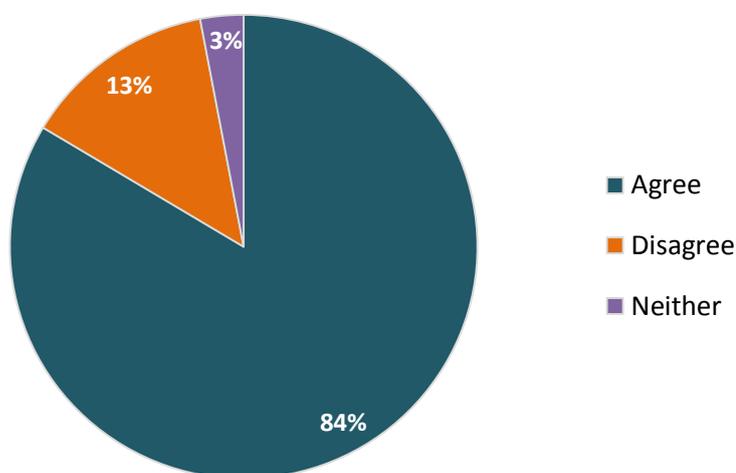
3.21.5 Similarly National Parks Wales agreed with the proposal highlighting that the current arrangements place a disproportionate cost burden on National Parks in Wales, compared to those in England and Scotland.

Leading Localities

Q22. The Welsh Government believes there should be minimum expectations on Councillors for interacting with their local constituents.

Do you agree or disagree? If so, what should these minimum expectations be?

Number of respondents	67
Agree	56
Disagree	9
Neither	2



3.22.1 Of those expressing a view, 84% agreed with the proposal. Some of the most common ideas put forward were:

- an annual report;
- a minimum level of activity within the constituency;
- better publicity of their work and meetings;

- minimum levels of attendance at meetings;
- increased use of digital platforms;
- a regular newsletter; and
- increased engagement with the public, businesses, children and young people.

3.22.2 The majority of town and community councils (eight out of nine) agreed with the proposal, and reflected the same opinions for the minimum expectations as the wider stakeholder group.

3.22.3 The majority of local authorities were in favour of this proposal. However, three authorities and the Welsh Local Government Association were not supportive. The most common reason for disagreeing was that they believe these expectations should be set by local authorities and not mandated by the Welsh Government. A further three local authorities agreed with the proposal, but specified that any expectations should not be statutory.

3.22.4 Cardiff Metropolitan University believed that as councillors are subject to the democratic sanction of being voted out of office, any additional expectations are unnecessary.

Q23. The Welsh Government believes it could be helpful to make some minor changes to existing area committee legislation to increase their flexibility.

What do you believe these changes should be?

3.23.1 There was a range of responses to this question. The majority of the 36 respondents were generally supportive of making minor changes to existing area committee legislation. The most common response was that any change which resulted in greater flexibility was welcome.

3.23.2 Of the seven local authorities responding to this question, four were supportive, while one did not agree with the use of area committees at all. The Welsh Local Government Association was supportive. One Voice Wales and the Society of Local Council Clerks responded that they would like to see greater engagement of town and community councils in such committees.

3.23.3 Other points were raised, without much consensus. These included:

- there was a need for improved communication with local communities, including children and young people;
- any changes should be left to local determination;
- area committees do not necessarily improve local participation and should be coterminous with the boundaries specified; and
- there should be business representation on area committees.

Q24. The requirement for local authorities to work on a regional basis will require Councillors, the local authority and employees to balance the responsibilities they have to their local area, with those for the larger region. How best could this be achieved?

3.24.1 More than 80 opinions were stated from 69 respondents to this question about the best method of balancing the work of councillors and council employees with their local area and larger regional area.

3.24.2 Local authorities provided around a third of the opinions, and their responses varied. Some authorities stated that clear responsibilities and job descriptions should form part of the solution, whilst four were also supportive of the code of conduct being reviewed. The Welsh Local Government Association suggested that local authorities should decide themselves, with direction from the Welsh Government. Four local authorities commented that there was insufficient information provided within the proposal.

3.24.3 Similar themes were repeatedly mentioned in responses from other stakeholders, with clear responsibilities and job descriptions being the most common response (15% of responses), followed by best practice (10% of responses), and reviewing codes of conduct (8% of responses). Other suggestions included:

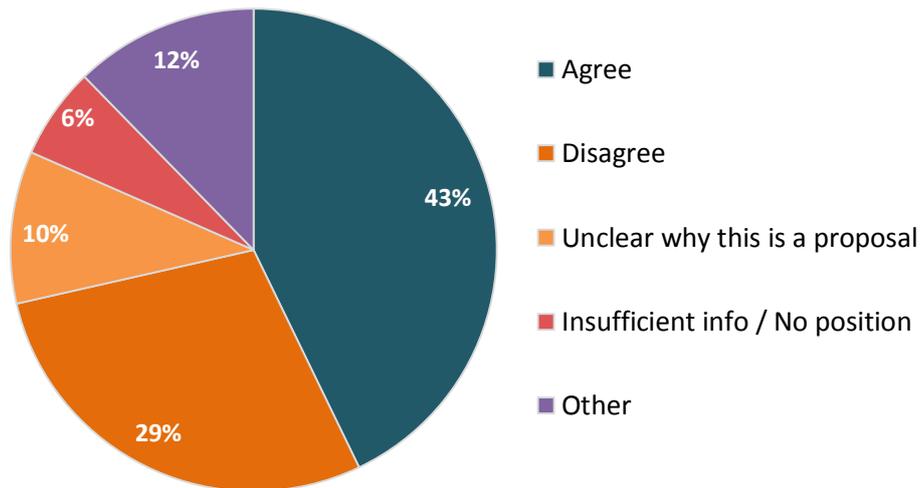
- guidance and case studies;
- training for the employees affected;
- consult with the Public Service Ombudsman for Wales;
- create a Councillor Charter to promote the highest standards based on the Nolan Principles;
- consider data sharing protocols; and
- learn from similar examples in regional policing.

3.24.4 Several respondents highlighted the potential for a conflict of interest, noting the difficulties of enforcing regional thinking in practice.

Q25. The Welsh Government intends to make a return to a form of the committee system available to local authorities where it best meets local circumstances.

How would this option best work within the context of the proposals for new regional arrangements?

Number of respondents	49
Agree	21
Disagree	14
Unclear why this is a proposal	5
Insufficient info / No position	3
Other	6



3.25.1 The proposal to provide the option of operating the committee system divided opinion between stakeholders. Of the 49 responses to this question, 43% were in favour, with another 39% of respondents either disagreeing with the proposal or unclear why this is being considered.

3.25.2 Within the 17 local authorities responding there was more of a consensus, with 12 either disagreeing or being unclear why this proposal was being considered. Most authorities considered returning to the committee system to be a retrograde step, with one authority stating that there was no evidence to “justify reverting back to the old outdated committee system of the past”. Another stated that, “changing the Local Government system to a non-executive model would make the proposed ‘Joint Governance Committee’ model for regional working unworkable”.

3.25.3 There were four authorities in favour of the proposal, while one had no position. Of the four in favour, two stated there were mixed views about the model, but they were happy to have it as an option. The other two indicated they would not choose to use this system.

3.25.4 Outside of local authorities, the proposal was more popular; with 16 of 32 respondents agreeing and only seven of 32 respondents disagreeing with the proposal (the other nine respondents had no position or other comments).

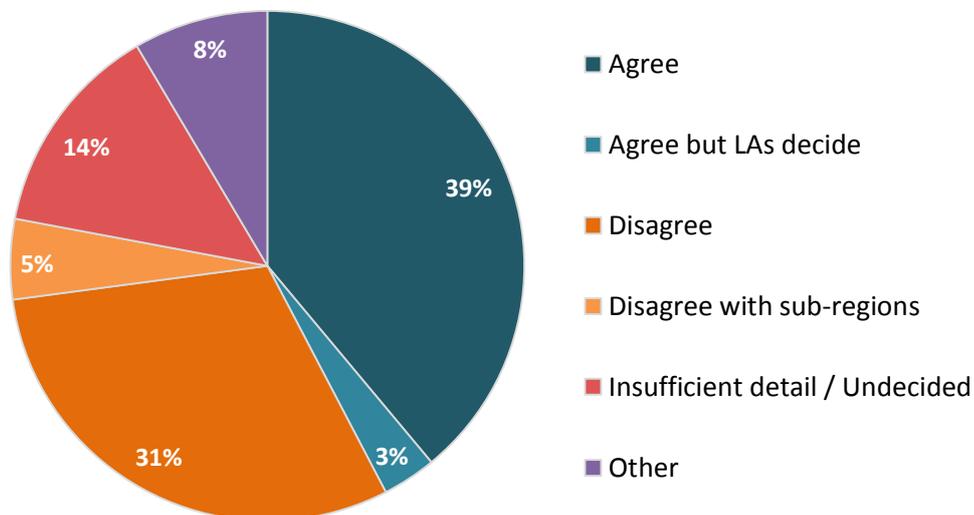
3.25.5 Those in favour suggested that the proposed committee system is more representative than the current cabinet system, which made most

councillors irrelevant. Another respondent suggested that the committee system would improve scrutiny arrangements, stating “the current scrutiny system in some LAs has been manipulated to prevent effective scrutiny and challenge of ruling administrations”. One professional body suggested lessons could be learned from successful committee structures being used in planning services.

Q26. The Welsh Government believes it may be appropriate to limit future designation of relevant statutory Senior Officer posts to a regional level where the functions are being delivered regionally.

Do you believe this is appropriate? Why? If so, how might this best be delivered?

Number of respondents	59
Agree	23
Agree but LAs decide	2
Disagree	18
Disagree with sub-regions	3
Insufficient detail / Undecided	8
Other	5



3.26.1 The proposal to limit future designation of relevant statutory senior officer posts divided opinion considerably. 42% of respondents were in agreement, while 36% of respondents disagreed with the proposal or with the idea of sub-regions. The remaining respondents were either undecided, stating that there was insufficient detail, or made another comment not directly related to the question.

3.26.2 Local authorities were generally against the proposal, with 11 of the 16 responding with negative comments. These included:

- there could be a conflict of interest if there are local and regional statutory officers;
- such posts would create complex responsibility and accountability relationships which could undermine, rather than enhance, regional working;
- regional posts would contradict the need for local accountability that seems fundamental to the proposals underpinning the White Paper; and
- the principle of a local sovereign authority not having a statutory officer is not a risk that local government should take.

3.26.3 Only one local authority responded favourably, stating, “this may be appropriate but should be left as a matter for partner authorities to determine”.

3.26.4 There were 43 responses from organisations and individuals outside of local authorities, where the response was generally more favourable, with 51% agreeing, compared with 21% disagreeing.

3.26.5 Among the favourable responses, a public body suggested that having a single regional officer for a service should “allow a greater focus on the allocation of resources to areas of greatest need and, at the same time, avoid confusion over authority and parochialism”. Another suggested that without regional senior officer posts, “there will not be coherence of management, so undermining value for money”. In addition, one town council stated its support, noting that “to maintain consistency of delivery and service standards across the region and prevent duplicity. However, it would still be possible to have deputy officers at a local authority level, if beneficial to do so for particular services/functions.”

Community Councils

Q27. The Welsh Government believes there are things that can be done now to help build resilience and renewal in the sector in the short to medium term and would welcome comments on the list of actions at paragraph 6.1.6 that could be taken in the short term to help the sector be more effective / resilient and views on any other actions which could be taken.

3.27.1 There was support, in principle, for the proposed comprehensive review of the community council sector and the ‘agenda for action’ in the short to medium term. However, some stakeholders expressed concern pending clarification of the scope of the review.

3.27.2 The production of a toolkit to support the transfer of services / assets to community councils was welcomed. However, it was suggested this should reflect the different scale, capacity and ambitions of community councils.

In this context, there was a call for greater clarity on the division between 'statutory' and 'discretionary' services and a parallel division between services delivered by principal local authorities and those delivered by community councils.

3.27.3 It was suggested local authorities should offer appropriate back office infrastructure and business support as services and assets are "devolved", for example, IT infrastructure and skills, business software and tools, procurement services, legal services. As things stood, community councils may lack knowledge, expertise, and skills to operate "devolved" services in practice, and business support would go some way to address the difficulty.

3.27.4 Facilitating clusters of smaller community councils was in the main felt to be helpful, although there was some opposition. There was a view that those councils with larger precepts will subsidise smaller ones, and that smaller councils may not be heard in clusters.

3.27.5 Some stakeholders pointed to positive relations between community councils and local authorities and saw this becoming increasingly important as consideration is given to the sustainability of very local services in view of diminishing resources. The absence of any reference in the White Paper to community council charters was commented upon, given the previous emphasis and effort that had gone into these.

3.27.6 Raising awareness of community councils to encourage participation and to increase diversity was supported. However, there was also concern that extending the role of community councils would deter people from becoming councillors, as the expectation and time commitment is increasing, for what essentially are volunteers.

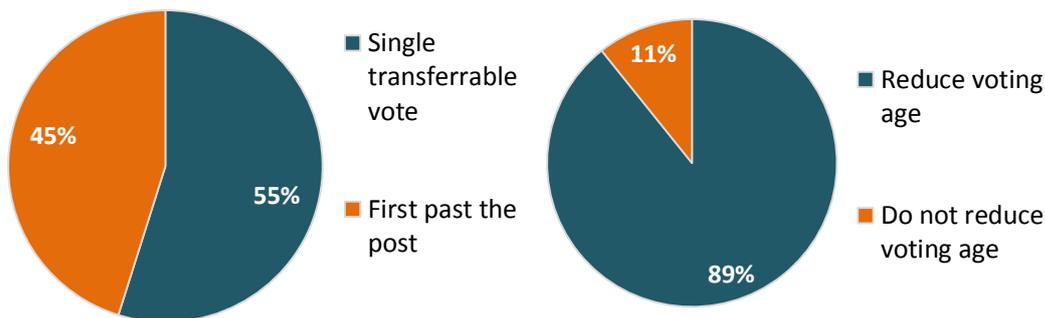
3.27.7 One Voice Wales supported the move towards general competency of local councils, but considered care should be taken to avoid a situation developing where there is a clear and major distinction between two "tiers" of community councils. The competency tests for the General Power of Competence should be encouraging and evolutionary for all councils. The point was also made that councillors who are co-opted, rather than directly elected, can bring a range of skills and experience to a council. It should not, therefore be considered as entirely negative if a certain proportion of members of a council were co-opted.

3.27.8 There were mixed views on whether training for community councillors should be made compulsory.

Elections and Voting

Q28. The Welsh Government is seeking initial views on all of the proposals set out in Chapter 7 on elections and voting.

Number of respondents	31	Number of respondents	28
First past the post	14	Reduce voting age	25
Single transferrable vote	17	Do not reduce voting age	3



3.28.1 The White Paper set out a number of proposals relating to elections and voting. In total, 76 respondents provided 158 opinions on these proposals.

3.28.2 Two of the proposals were to give local authorities the option to change their voting system from a first past the post system to a single transferrable vote; and to reduce the voting age from 18 to 16.

3.28.3 On the subject of choice, 33 out of 35 respondents who made comments about this proposal disagreed and would prefer to keep one voting system for the whole of Wales. The main reason for this was that it may lead to confusion in the public if neighbouring authorities had different voting systems.

3.28.4 Although the White Paper did not invite views on the relative merits of each voting system, 31 respondents took the opportunity to express a view with 45% favouring retention of the first past the post method and 55% preferring the single transferrable vote system. The main reason for wanting to retain first past the post was that it is simple, easy to use and the public understand this system better than the single transferrable vote. More detailed views were submitted from those in favour of changing to the single transferrable vote. Views included the system offers more proportionality and means that everyone's vote counts, it reduces uncontested seats, encourages diversity among candidates and encourages voter engagement.

3.28.5 Reducing the voting age was a widely supported proposal with 89% of respondents expressing an opinion about this proposal in agreement. The main reason for this was that it is a positive thing to promote interest and participation in young people, and would “serve to breathe new life into politics”

3.28.6 There was mixed opinion on the proposals to trial new voting and counting arrangements. The majority were in favour (13 out of 19 respondents), with one local authority expressing support for “modernising electoral registration and elections practices through for example digitisation and mobility of voting”. However, there was some disagreement, with other respondents questioning the value for money of electronic voting and increased security fears with recent issues of computer hacking becoming more prominent. Concern over the possibility of fraud or coercion relating to postal and electronic voting was also raised.

3.28.7 A wide range of other views on elections and voting were also expressed. These included:

- mixed views on making council terms five years long;
- mixed views on the proposal on returning officer fees;
- support for extending STV to the Assembly and Community Council elections;
- support for publication of electoral statements; and
- support for proposal to make independent candidates state if they are a member of a political party.

3.28.8 As stated in the White Paper, a further more detailed consultation on local government electoral reform will be published later in 2017.

Impact Assessment

Q29. The Welsh Government would welcome any views on the potential financial and non-financial benefits and costs associated with the proposals in the White Paper.

3.29.1 A total of 44 stakeholder responses to this question, with 54 views expressed. Whilst many of the responses acknowledged there was potential for improvement in services and that working more strategically should have cost savings, there was also a broad theme that it was difficult to give a view at this stage.

3.29.2 The Welsh Local Government Association’s response echoed this: *“The White Paper’s proposals for reforms are likely to have significant financial and non-financial benefits and costs; the main proposals outline major structural reforms to the delivery of some of local government’s largest service areas. The proposed reforms are however complex and include a*

range of variables and it is too soon to make any assessment of likely costs, benefits or risks without undertaking a detailed analysis on a service by service proposal using the 'underpinning tests' as a framework."

3.29.3 The Society of Local Authority Chief Officers also commented that the costs, benefits and risks of the proposals within the White Paper were significant.

3.29.4 Six of the 11 local authority responses considered the potential benefits and risks were difficult to estimate or measure, largely as the benefits will not be clear until new arrangements have been evaluated and put in place. Monmouthshire considered the volume of proposals was daunting and undeliverable given the capacity of local government and suggested setting out some realistic goals to be achieved by 2020 and 2025 to bring focus to the debate.

3.29.5 Other respondents emphasised the need to focus on outcomes and not savings whilst reform should not result in any unnecessary bureaucracy.

Q30. The Welsh Language Impact Assessment published alongside the White Paper outlines the Welsh Government's view of the effect of the proposals contained in the White Paper on the opportunities for people to use the Welsh language and treating the Welsh language no less favourably than the English language. The Welsh Government seeks views on that assessment.

a) Are there any other positive or adverse effects not identified in the assessment?

3.30.1 There were a total of 33 responses with a total of 38 opinions given. There was a three-way split for the most common response to this question with an equal number (i.e. eight) believing that regionalising Welsh language services was positive; indicating support for the assessment; or saying there was too much focus on language considerations.

3.30.2 The Auditor General for Wales and One Voice Wales suggested that access to Welsh language services and facilities could be in jeopardy if proposals were allowed to progress without putting in place safeguards and measures that would allow such access to continue, or even to be extended. The Auditor General also questioned whether having joint committees, which were not directly elected, would "strengthen the ability of Welsh speakers and Welsh speaking communities to influence decisions which affect them".

3.30.3 Ceredigion and Powys Councils said there should be parity of treatment between both Welsh and English languages. Ceredigion stated that it had a workforce which is 55% Welsh speaking and it expressed concern that it could be called upon to deal with a larger number of cases than other areas. Reciprocal arrangements would need to be put in place to cover absences if this was to be developed. Welsh language planning would be a

challenging issue. The Isle of Anglesey Council also raised issues around the spread of Welsh language speakers and staffing. Other responses echoed these views with North Wales Police stating that more support should be given to promoting bilingual workplaces and use of the Welsh language. However, in their response the Aneurin Bevan University Health Board raised issues of recruitment from across the Wales / England border in a competitive environment. They consider that it should be made clear during recruitment when Welsh language ability is either essential or desirable. Gwynedd Council's commitment to the use of Welsh in the workplace and the potential harm the creation of a single region for the whole of North Wales could have was highlighted.

b) Could the proposals be re-formulated so as to increase the positive effects or reduce any possible adverse effects?

3.30.4 There were a total of twelve responses to this question. Five of the responses suggested there should be less emphasis on the Welsh language.

3.30.5 Two local authorities had concerns around the costs of meeting Welsh language requirements. Other respondents were concerned that existing Welsh language services in counties such as Gwynedd and Ceredigion should not be compromised by their services being delivered with neighbouring authorities with much less well developed Welsh language provision. Similarly, the use of Welsh in internal administration in these authorities should not be weakened by the proposed changes. One respondent thought Ceredigion Council should be encouraged to agree to a regional arrangement with Gwynedd, Anglesey and Conwy, in order to strengthen the position of the language.

3.30.6 The Auditor General for Wales commented that direct elections to regional authorities could address the issue of diluted influence in response to their comments about joint committees at Question 30a.

Q31. The Children's Rights Impact Assessment published alongside the White Paper outlines the Welsh Government's view of the effect of the proposals contained in the White Paper on children and young people. The Welsh Government seeks views on that assessment.

a) Are there any other positive or adverse effects not identified in the assessment?

3.31.1 There were a total of 25 responses with a total of 28 views given. Seven responses welcomed and supported the assessment, including three local authorities.

3.31.2 It was noted that greater capability and resilience would enable improvements in decision making and service delivery, supporting local authorities to respect and fulfil children's rights and interests. Whilst joint working was likely to increase service capacity across the region there would

also need to be sufficient resources to enable local engagement in ways which effectively target different communities and different population groups. This co-productive approach cannot be undertaken as a one size fits all and must take into account individual needs of groups including young people not in education, employment or training; looked after children, disabled children and young people and young carers.

3.31.3 Urdd Gobaith Cymru noted the proposals can strengthen accountability and democracy for young people over 16 by leading local authorities to improve their understanding of the needs of children and young people. However, they were concerned that by merging and providing services on a regional level local provision would be the poorer for it.

3.31.4 Two responses said that a balance should be struck between positive and achievable outcomes. Involving people in taking control of their communities' futures was commendable. However, the capacity of communities already under economic and social stress to do this was questionable.

3.31.5 Other responses said children and young people should be consulted in any local decision-making to reconfigure services. They must also have equity of access and influence over the political agenda in relation to reducing the voting age to 16 years of age.

3.31.6 Children in Wales and the Children's Commissioner for Wales expressed disappointment that the proposed requirement for local authorities to establish a Youth Council had been dropped. They did not agree that having such a structure would be 'too constraining'. Engagement with a Youth Council was one of an important suite of means by which local authorities could meaningfully engage with a permanent structure. Any loss of capacity through the closure of existing Youth Councils would have a negative effect on bringing together young people on a national level to engage with Ministers, as well as undermining the delivery of existing legislation designed to increase engagement.

3.31.7 Children in Wales also noted there is a duty in Section 12 of the Children and Families (Wales) Measure 2010 for local authorities to promote and facilitate participation by children and young people in decisions which might affect them and to publish and keep up to date information about its arrangements. The consultation sets out a number of potential negative impacts on children and young people which need to be considered from the outset.

3.31.8 The Children's Commissioner for Wales pointed to issues identified by the Hill Review around differing geographical footprints between education, health and social services. The Commissioner asserted there must be a consistent approach to local and regional collaboration across public services, for integrated working to effectively support the holistic needs of children, young people and their families.

b) Could the proposals be re-formulated so as to increase the positive effects or reduce any possible adverse effects?

3.31.9 There were five responses to this question. Two noted that all groups should be treated equally. The Auditor General for Wales repeated that direct elections to regional authorities could address the issue of diluted influence in respect of regional committees. Neath Port Talbot CBC considered the assessment was adequate but there was insufficient detail in the proposals for them to form a conclusive view. One respondent thought further consideration was required.

Q32. The Equalities Impact Assessment published alongside the White Paper outlines the Welsh Government's view of the effect of the proposals contained in the White Paper on protected groups under the Equality Act 2010. The Welsh Government seeks views on that assessment.

a) Are there any other positive or adverse effects not identified in the assessment?

3.32.1 There were 21 responses, with eight fully supporting the assessment. The importance of giving thought to patients who have to travel outside the borders of Wales to access healthcare was highlighted. Information would be needed to explain to all service users and those in protected groups how they would access services within regional working arrangements.

3.32.2 CLA Cymru said that rural areas and communities were often at a disadvantage with regards to public service provision and the review of local government should seek to address this imbalance. The introduction of a suitable rural-proofing strategy should be explored.

3.32.3 Other responses pointed to the potential positive impact of the Single Transferable Vote proposal, which would result in a more diverse set of elected members. Others were concerned that any reduction in flexible working and / or job losses would affect women disproportionately.

b) Could the proposals be re-formulated so as to increase the positive effects or reduce any possible adverse effects?

3.32.4 There were a total of eleven responses to this question. One highlighted that whilst section 2 set out the possible negative impacts, there was no evidence that the Equality Impact Assessment had considered the mitigation for each of these issues. Another said that local authorities needed more capacity to engage with disadvantaged communities. Problems with poverty and caring responsibilities also needed to be addressed to increase diversity of elected members.

3.32.5 The Older People's Commissioner for Wales said that whilst the Equality Impact Assessment stated that the White Paper proposals "are likely

to have a positive impact on people of all ages”, further details were needed on what the proposals meant for the older population and how local government reform could help achieve positive and sustainable outcomes for older people across Wales.

3.32.6 One respondent suggested the introduction of targets or quotas for political parties for female candidates.

Other Comments

Q33. Please provide any other comments you wish to make on the content of this White Paper.

3.33.1 The final question in the consultation offered a space for stakeholders to make any other comments about the White Paper. More than 130 views were stated by 80 respondents.

3.33.2 Comments varied widely and many focussed on specific issues that affect stakeholders. For example, the Independent Remuneration Panel for Wales suggested they would like to be active in the policy development around the local government workforce and in the proposed governance changes to Fire and Rescue and National Park Authorities. Similarly, the Arts Council for Wales stressed the importance of the arts in terms of well-being, job creation and economic development; and Public Health Wales noted that there should be more importance placed on public health in the White Paper.

3.33.3 The most common response, accounting for around 13% of responses, was that there was insufficient detail in many of the proposals in the White Paper, making it difficult to form a strong opinion in some cases.

3.33.4 Around 11% of responses, the majority of which were local authorities, raised concerns that the principle of regional working would result in insufficient local accountability.

3.33.5 The next most common responses were that the proposals were complicated to understand and, therefore, difficult to offer opinions on; and that the format and the questions asked in the consultation were difficult to answer.

3.33.6 Other comments which were made by three or more respondents included:

- the proposals would add an unnecessary layer of local government;
- there needs to be more joint strategic assessments;
- financial freedoms are not mentioned in the White Paper;
- the absence of reference to collaborations with English authorities;
- support for the general power of competence; and

- a lack of acknowledgement in the White Paper that regionalisation is already happening voluntarily.

4. Next Steps

4.1 The Welsh Government is considering the responses to the consultation on the White Paper. The Cabinet Secretary for Finance and Local Government made a statement on the way forward on 18 July 2017.

4.2 A further consultation document on 'Local Government Electoral Reform' was published on 18 July.

4.3 On 27 June 2017, the First Minister announced that a Local Government Bill to give effect to the Welsh Government's proposals would be included in the legislative programme for the second year of the current National Assembly term.

5. List of Respondents

Abergele Town Council
Abertawe Bro Morgannwg University Health Board
Acton Community Council
Adjudication Panel for Wales
Age Alliance Wales
All Wales Licensing Expert Panel
Aneurin Bevan University Health Board
Arts Council for Wales
Arvato UK
Association for Public Service Excellence
Association of Chief Estates Surveyors - Wales
Association of Electoral Administrators
Association of Independent Museums
Association of Local Authority Chief Executives and Senior Managers
Association of Local Government Ecologists (Wales)
Association of Welsh Translators and Interpreters
Audiominutes
Auditor General for Wales
Bay of Colwyn Town Council
Betsi Cadwaladr University Health Board
Big Lottery Fund in Wales
Caernarfon Town Council
Caerphilly 50plus
Caerphilly County Borough Council
Caerwys Town Council
Cardiff and Vale of Glamorgan Integrated Health and Social Care Partnership
Cardiff and Vale University Health Board
Carew Community Council
Carmarthenshire County Council
Catholic Education Service
Central and South West Wales Shared Legal Service Project Board
Ceredigion County Council
Chartered Institute of Housing Cymru
Chartered Institution of Wastes Management Cymru
Chartered Trading Standards Institute

Children in Wales
Children's Commissioner for Wales
Churchstoke Community Council
Chwarae Teg
CIPFA
City and County of Swansea
City of Cardiff Council
Conwy and Denbighshire Public Services Board
Conwy County Borough Council
Conwy Town Council
Country Land and Business Association Cymru
Cym Taf University Health Board
Cymdeithas yr Iaith Gymraeg
Cytûn (Churches Together in Wales)
David Jones
David Sanders
Denbighshire County Council
Directors of Public Protection Wales
Dr Matthew Wall
Dr Mike Biddulph
Dyfed-Powys Police and Crime Commissioner
Dyfrig Jones
Electoral Commission, Wales
Electoral Reform Society Cymru
Esclusham Community Council
Estyn
Federation of Museums and Art Galleries in Wales
Federation of Master Builders
Flintshire County Council
Frank Little
Geldards LLP
Glamorgan Archives
Glamorgan Biodiversity Advisory Group
GMB
Growing Mid Wales Partnerships
Gwent Area Planning Board
Gwynedd Council
Heads of Library and Information Services – North Wales (HOLIS)

Helena Fox
Hirwaun and Penderyn Community Council
HM Prison and Probation Service in Wales
Hodge Economic Research Project, Cardiff Metropolitan University
Holywell Town Council
Home Builders Federation
Hope Community Council
Hywel Dda University Health Board
Independent Remuneration Panel for Wales
Information Commissioner
Inspection Wales
Isle of Anglesey County Council
James Jones
Jeffrey Elliott
Kathryn Charles
Kenneth Richards, MRTPI
Kilgetty-Begelly Community Council
Labour Group, City and County of Swansea
Landscape Institute
Laugharne Township Community Council
Lawyers in Local Government (Wales Branch)
Lisvane Community Council
Llandough Community Council
Llandudno Town Council
Llanelli Rural Council
Llanfairfechan Town Council
Llanfrynach Community Council
Llanstadwell Community Council
Local Democracy and Boundary Commission for Wales
Manorbier Community Council
Martyn Vaughan
Matthew Harris
Menter Iaith Casnewydd
Merthyr Tydfil County Borough Council
Mid and North Wales Association of Local Councils
Mid and West Wales Fire and Rescue Authority
Mineral Products Association
Mochdre with Penstrowed Community Council
Mold Town Council

Monmouth Town Council
Monmouthshire County Council
Museums Association
NASUWT
National Advice Network Wales
National Library of Wales
National Parks Wales
Neath Port Talbot Council for Voluntary Service
Neath Port Talbot County Borough Council
Neath Port Talbot County Borough Council Standards Committee
Neath Town Council
New Radnor Community Council
Newport City Council
Newport Labour Group
Newtown and Llanllwchaiarn Town Council
NHS Wales Shared Services
Nicholas Webb
North Wales Business Council
North Wales Fire and Rescue Service
North Wales Police
Northop Community Council
Older People's Commissioner for Wales
One Voice Wales
Owen Brown
PA Consulting Group
Paul Luckock
Pembrokeshire County Council
Penarth Town Council
Pentyrch Community Council
Penyrheol Trecenydd Energlyn Community Council
Persimmon Homes West Wales
Peter Smith
Planning Aid Wales
Planning Officers Society for Wales
Pobl Group
Police and Crime Commissioner for Gwent
Police and Crime Commissioner for North Wales
Powys County Council
Powys Teaching Health Board

Presteigne and Norton Town Council
Professor Denis Mollison
Public Accounts Committee, National Assembly for Wales
Public Health Wales
Public Protection, Monmouthshire County Council
Rhondda Cynon Taf County Borough Council
Roger Evans
Royal College of Nursing Wales
RSPCA Cymru
RTPI Cymru
Scytl
Sesswick Community Council
Smartmatic
Social Care Wales
Society of Local Authority Chief Executives
Society of Local Council Clerks
Society of Welsh Treasurers
South Wales Fire and Rescue Service
South Wales Information Forum
South Wales landscape Liaison Officers Group & North Wales Tree and Landscape Officers Group
St Clears Town Council
St Fagans Community Council
Steve Skivens
Swansea Bay Port Health Authority
Torfaen County Borough Council
Town and Country Planning Association
Trelawnyd & Gwaenysgor Community Council
UNISON Wales
Unlock Democracy
Urdd Gobaith Cymru
Vale of Clwyd Liberal Democrats
Wales Council for Voluntary Action
Wales Heads of Environment Health Group
Wales TUC
Wayne Morgan MBE
Welsh Land Contamination Working Group
Welsh Language Commissioner

Welsh Liberal Democrats
Welsh NHS Confederation
Welsh Police Forces – Chief Officers
Welsh St Donat's Community Council
Welshpool Town Council
WLGA
Wrexham County Borough Council
Wrexham Public Services Board
Youth Offending Team Managers Cymru
(Anonymous x 16)