

## Vale of Glamorgan Council

### Strengthening Local Government: Delivering for People

#### Green Paper Consultation Response

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Your Name	The Cabinet
Organisation (if applicable)	Vale of Glamorgan Council
E-mail / Telephone	C/O <a href="mailto:drthomas@valeofglamorgan.gov.uk">drthomas@valeofglamorgan.gov.uk</a> 01446 709 303
Your Address	Vale of Glamorgan Council Civic Offices Holton Road Barry Vale of Glamorgan CF63 4RU

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#### **Chapter 3**

##### Consultation Question 1

In Chapter 2, we restated our commitment to regional working in key areas but recognised the need for this to be supported by further change. In chapter 3, we set out the broad options for moving toward fewer, larger local authorities and summarise features of the process which would be common to each option.

- a) What practical steps could the Welsh Government take to make current regional working easier and more effective, for example in relation to education consortia, social services and the City Regions and City and Growth Deals?

#### **A Summary of the Vale of Glamorgan Council's Response to the Green Paper**

**The Vale of Glamorgan Council has carefully considered Welsh Government's latest series of proposals for the future of local government. The Council's response has been developed with the involvement of a significant number of colleagues from across the organisation, a conversation with all elected members, the scrutiny of the Corporate Performance & Resources Committee and finally, our discussion at Cabinet. This Council is committed to working with Welsh Government on an aspirational vision for the future of public services in Wales. We remain at the forefront of working collaboratively, are nationally recognised for our work and have consistently ranked highly in both performance and resource management terms, despite significant challenges and such a low funding base.**

**Our submission sets out in detail the reasons for rejecting the latest in a series of damaging, distracting and demotivating attempts by the Welsh Government**

to 'simplify' local government. The Green Paper remains wedded to the idea that health board boundaries are the panacea; that fewer, larger, authorities are somehow more capable of being agile and responsive to local need; and, that collaboration, transformation and new powers and freedoms will only really deliver with the wholesale reorganisation of the sector. Responsiveness and understanding of our communities is key.

This Council would welcome a positive conversation with Welsh Government as a partner in how public services are delivered in the future for Wales. The ability for Welsh Government to positively engage, support and assist with some collaborative working – notably on 'once for Wales' projects would be welcomed. The tone of the Green Paper, the level of prescription and lack of detailed evidence to support the latest proposals, however, do not suggest a willingness to engage, listen and work together. This is ultimately hugely disappointing.

The Vale of Glamorgan Council is opposed to merging with any other local authority. This is not because we do not believe wholeheartedly in collaboration, but rather because we do. We collaborate where it makes sense to do so, with partners who it makes sense to work with. We also deliver good quality and cost effective services directly where it makes sense for us to do so.

The Vale of Glamorgan Council has, for the past three years, been Wales' top performing local authority. This is despite being the second lowest funded Council in Wales. This leads us to conclude that our current strategy is the right one for our residents. Larger does not equal better. The evidence is compelling to support this.

If the Green Paper had been published five years ago, some of the assertions about the pace and scale of change and collaboration may have been correct. There appears to be an assumption within Welsh Government that the Williams Commission was correct, that there was support from the sector for structural change and that the result was a well evidenced piece of work. It was not. There was not. It was not.

Whilst Welsh Government's policy seems to be stuck in the time of the Williams Commission, the work of local government is not. Significant collaboration through City Deal, the work of social care and health, education and internal services is established and flourishing. New powers and freedoms could be provided now to provide further flexibility for local government. This would help us to build on the existing momentum, not as the Cabinet Secretary appears to be suggesting, the price we have to pay to accept the costly and unnecessary process of mergers.

Local government has endured four years and counting of a lack of clarity in strategic direction from Welsh Government. This Green Paper continues to provide a total lack of clarity. Despite the on-going impact that this is having on morale, this council continues to perform, transform and collaborate.

**Footprints are a distraction given the need to collaborate on a network, not on a linear basis. The previous Cabinet Secretary promised ten years of stability. This Cabinet Secretary has not provided ten months' worth.**

**This Council's response to the Green Paper is comprehensive and robustly made. This reflects the seriousness with which we take attempts to impose mandatory mergers that do not help us in terms of us delivering our vision of strong communities with a bright future in the Vale of Glamorgan.**

**The priority issue for early resolution for this Council would be for the Cabinet Secretary to announce that this consultation has led to the right decision being made – that is, that Local Government should be supported to provide high quality services in the structure which makes sense locally, and not by national dictat.**

### **Question 1**

**Recognising the importance of regional working is an important step, but the Welsh Government's muddled thinking on how councils should work together could be simplified with a very simple practical step which would be to recognise that collaboration is now working. Further structural changes are not required or desired by the sector as a whole.**

Had the latest proposals been formulated 10 years ago, references to collaboration not advancing with sufficient momentum would have been accurate. It is unhelpful that again Welsh Government has sought to put this work in jeopardy by promoting an agenda of wholesale reorganisation which will distract local government from working together where it makes clear sense to do so (and is happening) and being able to focus on local delivery of services.

One of the key considerations for the Vale of Glamorgan Council is that we work with the combination of partners that make business sense, and not on the basis that they are considered "neat" on a map. Our citizens' needs are not linear and are not built around our governmental structures. Therefore, service delivery needs to be structured to work with and across organisations where it makes sense to do so.

We are comfortable with complexity in terms of meeting customer needs and these kinds of "sub-regional" arrangements reflect the need to think outside of just local government to the way in which the wider public sector works together to deliver services. A fixation on local government in this way does not embrace the Well-being of Future Generations Act in the ways of involvement, collaboration and integration. There is a well-made case for changes to the way funding is organised to support this kind of delivery.

One of the concerning elements of previous proposals is the establishment of strict structures for regional, sub-regional and service based governance. This is not considered helpful and in all instances unnecessary layers of additional and bureaucratic governance should be avoided. This is particularly the case with mandated mergers where it is not clear that for all service areas there are shared objectives due to the nature of the proposed constituent areas of the new authority.

There is a very real need for local elected members to oversee and scrutinise the performance of the services they are responsible for and to enable citizens to influence and partake in decision making which dovetails with existing arrangements. There are cases where moving to different governance models is sound where it is proportionate with the way services are designed. A key example of this is the City Region, where strategic planning, economic development and transport make very real sense to be undertaken on a ten authority basis. However, the proposals set out in the Green Paper pose a significant risk to progressing the City Region arrangements. The City Deal is at a critical juncture in progressing real and tangible projects. Decisions are being taken and resources allocated to take forward projects that will see true transformation across the region to the benefit of our current and future citizens. Distracting politicians and officers from this activity through a process of unnecessary reorganisation is a massive risk in terms of reducing capacity and momentum.

This Council can demonstrate significant effort has been put into collaborative working over the past five years and there are benefits being delivered as a result.

Within health and social care we have clearly demonstrated an ongoing commitment to sharing resources and making best use of skills to provide improved outcomes for the citizen. We have ensured that previous grant funding allocated regionally initially to support the implementation of the Social Services and Well-being (Wales) Act 2014, continues to work regionally despite this money now being incorporated into the organisation's RSG. This evidences that we have a proven track record to work effectively, efficiently and prudently with the citizen at heart, without being mandated to do so. We continue to progress this work with our partners and the maturity of the relationship indicates that where regional planning and service delivery are considered best value either financially or for the greatest citizen benefit – then we work together to achieve this. Other examples include use of the Integrated Care Fund (ICF) and use of transformation monies as a consequence of the Parliamentary Review for Health and Social Care.

Spend on Social Care is a significant proportion of the Council's budgets due to the high demand placed on these services and this should be properly recognised by Welsh Government as it does with the health service. For example, Welsh Government increased the budget available for health services but reduced it for local authorities, creating an inevitable pressure for social care. The Parliamentary review explicitly and repeatedly determines that a local response is what is needed for the future. To be clear, the emphasis on local arrangements is mentioned 86 times in the document. This document is of paramount importance as it guides how we develop seamless and local(sic) health and social care delivery arrangements.

The ability to share resources and support regional working for the benefit of the citizen is working well in Vale of Glamorgan and we choose the partners based on the scenario. This is a stronger more productive way of working, based on trust, knowledge and a clear vision to improve services for the citizen. Mandating will be a step backwards, where tensions will exist as the organisations will not be 'buying-in' and owning the work. The choice of partner(s) is crucial to reflect the needs of communities, priorities, cultures and working practices of the organisations involved.

For example, there is evidence of an improvement over time since the establishment of the central south education consortia; these existing relationships are working. However, there is a need to respond to the challenge of curriculum reform and the need for the consortia to evolve, therefore the transfer of any additional services to consortia could serve as a distraction to their primary function.

This council has a range of other effective collaborations with varying partners which are described in detail throughout this submission. These include the Shared Regulatory Service, joint internal audit service and Regional Adoption Service. At our most recent all-senior manager seminar, collaboration was a key topic for discussion and a number of new initiatives have been identified and initial work had commenced to scope the potential across all service areas with a wide range of partners. The publication of the Green Paper has put all of this work at potential risk, is causing delays in progressing this agenda and leading to uncertainty amongst those working to develop projects as the work may be seen as abortive (yet again). This is a very real consequence of Welsh Government's continued changing stance and demonstrates how counterproductive this Green Paper is.

b) What are your views on the common elements to the process of mergers we outline in this section?

**The starting point is that the Green Paper, throughout, makes reference to the debate being more than just about structures but also about powers and flexibilities. However, the paper is extremely 'light' on the latter. There is no specific detail relating to the additional powers and flexibilities that will follow. The paper focusses on the issue of mergers and, save for the options of timing, provides no other options which could achieve the assumed objectives of the paper. This preoccupation on mergers is hugely damaging, and the content of the Green paper is extremely disappointing given the Cabinet Secretary's foreword which states "local government is not simply about structures and lines on a map". Regrettably this is in total contradiction to the body of the Green paper.**

**The Vale of Glamorgan Council rejects the proposed process of mandated mergers and as a result, the common elements of the process. Reducing uncertainty, ensuring democratically-led change and providing greater powers for local government are all eminently achievable without the completely unnecessary redrawing of county boundaries and upheaval involved in reorganisation. If additional powers and flexibilities are warranted, necessary and desirable, these could be provided now. Welsh Government has an opportunity to do what is right and necessary and not to use structural change as a Trojan Horse.**

- **Clarity & Footprints**

This council does not support the view that mandating a footprint which sees the Vale of Glamorgan Council merging with Cardiff Council to create a single authority is an appropriate way to provide 'clarity' on how services should be provided. In other areas of Wales, colleagues may feel that there is a natural 'fit' with the footprint and merging authorities may make sense in those instances. However, for reasons well-argued and documented previously there remain fundamental disparities

between the Vale and Cardiff which would make it difficult for a merger on equal terms to happen. Although this Council has made this point repeatedly in response to previous consultations, these well-made and well-documented comments have been seemingly ignored when drafting this paper (although passing references are made to concerns expressed previously in the former Gwent region and North East Wales (page 22, paragraph 4.4 refers). These disparities are essentially about size (Cardiff Council is roughly three times the Vale's size) and about the nature of the communities the councils serve: Cardiff is a densely populated urban conurbation and capital city with all that that entails, while the Vale's character focuses on a significant rural area, small district towns and villages and coastal towns. Stability is what is important and with it would come clarity. The proposals as set out would not see an alignment of school improvement services, the Regional Adoption Service, Shared Regulatory Services, or our shared internal audit service, for example. All of these collaborative services work effectively because they are on a scale and footprint which make sense and have clear benefits to the citizens who access these services. A merger is not required to 'add clarity' to situations which are already working effectively between ourselves and Cardiff Council, notably in the field of health and social care and between ourselves and other partners in terms of other service areas. A merger would, however, detract from much of this on-going collaboration and there is a real danger that collaborations that are adding value and make sense could be unpicked as a direct result of diverting attention away from such activity.

- **Democratically-led Change**

The council supports the view that any changes introduced to the services we provide should be managed through a structured and democratically-led change process as is the case for all major undertakings currently. There is absolutely no need for this to be one laid out by the Welsh Government. It should instead, be one designed and carried out by our own elected members who have the local knowledge, skills, experience and mandate to oversee change in this area of Wales. An excellent example of how change can be introduced successfully is in the development and delivery of the Shared Regulatory Service for the Vale of Glamorgan, Cardiff and Bridgend. This project (supported by Welsh Government's Regional Collaboration Fund) demonstrates that when provided with the correct package of support and the independence to select appropriate partners and operating model, significant change can be delivered at pace and at scale with appropriate oversight by those elected locally to ensure local services are provided efficiently and effectively. This is the future of Welsh local government as the WLGA have clearly and consistently stated.

- **Support & Assistance**

The provision of appropriate support and assistance from Welsh Government would be welcomed to further develop agile and appropriate regional working activity. This council cannot support the view that spending £250m on a national reorganisation of local government at a time of significant financial constraint is an appropriate use of public funds. The proposed savings are estimated at £400-930m which are far less certain to be achieved than the known costs of reorganisation. These savings were estimated several years ago as part of the Williams Commission work, which is now out of date as well as being disputed at the time. Indeed, the reliance and constant reference back to the Williams work throughout the Green paper demonstrates a

worrying lack of robustness and necessary analysis in these proposals. The Green Paper nevertheless recognises that many savings have already been delivered through shared and collaborative working as well as within individual Councils through transformation. To reiterate, since this time significant savings have been delivered by local government. In this Council, our own Reshaping Services programme has delivered significant financial savings, transformation in the way services are delivered and more innovative approaches to delivering front line services. In the Vale of Glamorgan, we have not closed libraries but are working with community groups to keep them open, whilst at the same time delivering annual savings of £500k. We are working with other partners to deliver shared services as in the case of Internal audit (Bridgend CBC) and Shared Regulatory Services (Cardiff and Bridgend). We have also introduced innovative approaches to reducing our 'on-costs' such as a move to a pool car scheme to reduce mileage costs by £100k per annum. We have transformed our approach to staff development and engagement to ensure our workforce is fully engaged, innovative and proud to deliver for the citizens of the Vale of Glamorgan. And unlike another public bodies, directly answerable to the Welsh Government, this has been cost neutral and delivered internally by our own workforce, for our own workforce. As such, it is disappointing that this Green paper does not more accurately consider and acknowledge the way certain Councils are already transforming and changing approach to ensure they remain at the forefront of service delivery. In this context and in the context of on-going transformation and collaboration, it is not clear what the actual level of saving would be and whether this could be offset by the costs – both financially and in service delivery terms. Funding could be used more flexibly to support local authorities to deliver further change (including collaboration and, in some instances, mergers) rather than a wholesale and arbitrary restructuring.

- **Emergency Powers**

The Council is supportive of the appropriate use of emergency powers to amalgamate authorities in serious difficulties, but does not envisage this situation ever applying to the Vale of Glamorgan Council.

Further information is provided in the response to the consultation questions which follow.

c) What are your views on the options for creating fewer, larger authorities which we have set out?

**We do not agree with the options for creating fewer, larger authorities on a decreed footprint. The premise of Welsh Government's position is based on an assumption that fewer, larger authorities are more efficient and effective. This is a flawed argument, weakened further by the Welsh Government's continued changing position.**

**Instead of having an academic argument over the various advantages and disadvantages of the three 'options', we should be focusing on options that could be delivered in reality. The Welsh Government has not provided any real options other than mergers and this lacks thought and recognition of working more constructively with local government to form a plan for how services could be delivered in the future.**

As the Green Paper states “there are different ways in which we can arrive at larger, stronger authorities”. The Paper also states that “local government reform is about more than structural change”. The Green Paper, however, makes no provision for an option whereby some local authorities remain as currently structured, but instead requires all to merge. The view of the Vale of Glamorgan Council is that this is arbitrary and unnecessary in all instances (and specifically our own) to meet the objectives that the Welsh Government is seeking to deliver based on the assumed objectives contained in the Green Paper to achieve:

- Councils which are valued by their communities;
- Councils with the powers, capability and capacity to deliver the public services our citizens need;
- Local authorities which support communities by using public money efficiently and effectively.

The assertion of the Williams Commission which “identified that smaller council areas were significantly challenged in delivering consistently, securing the resilience, expertise and leadership capable of transforming their organisations and supporting their communities in a complex and changing world” will undoubtedly apply to some councils. However, in addressing the question whether there is a link between a council’s size and its capacity, we believe there is a critical mass that has to be attained if all the functions of a unitary authority are to be delivered effectively.

Our consistently made contention is that the Vale council’s size enables it to sustain that range of functions while still being responsive to local needs and maintaining local democratic accountability. We can say this with confidence as our track record indicates as such.

It is not the case that the bigger an organisation is, the more economical or effective it becomes. Remoteness from the public and its own staff, and the need to introduce structures to compensate for its size, are both disadvantages. These disadvantages seriously detract from the Welsh Government’s argument for structural reform of all local authorities in Wales driven by a desire to be responsive to local communities and an exercise capable of saving significant sums of money. This is the case in particular for the Vale of Glamorgan and Cardiff where the size of the proposed authority, geographical spread and the different characteristics of various communities being served (and challenges facing those communities) would require compensatory measures to be put in place to manage across the new authority, outweighing the proposed benefits of scale. A good example of this in practice is the locality structures which are put in place across the two local authority areas by the Health Board to reflect the geographical size and different nature of parts of Cardiff and the Vale of Glamorgan, with three ‘locality’ areas being in place to coordinate and manage delivery of services. Further, health boards, under the direction of Welsh Government, continue to develop local cluster arrangements (64 across Wales) to deliver to people locally. This approach to health services appears incongruent with the suggestion that bigger is best.

There are practical examples where the movement away from local determination and delivery has impacted upon the ability of services to be locally responsive. One such example is in the management of Rural Community Development Funding



(RDP) and other RDP schemes which has led to a dramatic slowdown in the appraisal process. Local opinion is not factored into the decision making process which has led to projects in areas of need being rejected. When the Vale of Glamorgan Council operated Axis 3 & 4 grant funding in the 2007-13 programme, projects were appraised and approved in 3 months. Taking funding in house has now led to appraisal taking as long as 19 months, with robotic and limited support for applicants. More worryingly, groups and businesses with the least capacity but most need have dropped out of the process. Welsh Government's management of funding schemes 'in house' has now led to a postcode lottery across Wales with some areas doing well and others with no projects approved. In the regional investment consultation document, Welsh Government recognises the benefit of the bottom up Leader approach. It is vital that this applies to regeneration and grant funding in future. Regional and national homogenous approaches lead to a loss of identity and local buy-in from stakeholders. It has also reduced the ability to provide effective local determination of funding and a tailored local delivery of programmes. We feel strongly that any administration economies of scale have been achieved are far outweighed by the negative impacts on businesses and communities within the Vale of Glamorgan.

There is no easy answer to the question of what is the optimum size of an organisation such as a unitary authority. All it can do is demonstrate its capability to carry out its functions effectively. Judgement on Councils will be brought to bear by external regulators, partner organisations and local people (the latter making their view known by engagement mechanisms introduced by the council).

There is compelling evidence that the Vale of Glamorgan Council's unit costs are low while its services are delivered effectively. There is a deliberate emphasis on the Council's part on keeping costs low by an expectation of high staff productivity, and the wide range of duties managers typically perform. Benchmarking information gleaned when drawing up business cases for collaboration with other councils consistently demonstrates a lower cost per service in comparison with other councils, and this is confirmed by the Council's position as fourth lowest spender per head of population in Wales. As long as this is accompanied by a good quality of service, it is something the council believes should be a constant aim.

The Vale of Glamorgan Council receives the second lowest level of funding per head of population in Wales, whilst being ranked the top performing local authority in Wales for the past three years (based on the performance data produced by the Wales Data Unit). The top five highest performing Councils in Wales based on this data set would not be classed by Welsh Government as 'large' yet their performance outranks the larger councils considered as potential partners. Performance should be a key driver in any changes, levelling up, not diluting the quality of services provided. The failure to consider performance and ability is a significant and fundamental weakness in the Green Paper.

In the Council's most recent comprehensive Corporate Assessment by the Wales Audit Office, the conclusion of the WAO was that "the Council has a clear vision of what it wishes to achieve and is making positive changes which should ensure it is well placed to continue securing improvement". Mark Drakeford A.M. commented at the time, "There is a clear line of sight in what the local authority wants to achieve

and how it intends to improve the lives of the people it serves”.

In the most recently commissioned Public Opinion Survey (carried out between December 2016 and January 2017), overall satisfaction with Council services improved to 92% compared with 84% in 2014/15. The Council is able to work with communities because we are close to those we serve. Our staff survey (March 2018) results highlight an increase in positivity across 15 of the 20 Staff Charter commitments made to staff, with overall positivity rising from 71% to 72% over the year.

The Council was shortlisted in five categories for six submissions for the Local Government Chronicle Awards 2018, notably for Business Transformation relating to our transformational change programme and staff engagement entries. This comes less than a year since being shortlisted for Local Authority of the Year by the Municipal Journal. The Vale of Glamorgan Council has an established transformational change programme, Reshaping Services. Adopting a mixed economy model to service transformation across the organisation, the programme is targeting significant savings (£15m over 4 years) and driving a culture change in our council on an unprecedented scale. The results are paying off and our staff are indicating their buy-in with high approval ratings for the way they are engaged. The authority is committing significant time to achieving this that would be diverted away and the results put at risk by a process of mergers.

This evidence supports our proposition that the Vale of Glamorgan Council has sufficient scale, capacity and capability to deliver as Welsh Government desires. It also has a track record. The “lack [of] credible alternative proposition, apart from providing more money” referred to in Chapter 3 applies only if considering structural change to be necessary for all councils. The requirement to ‘commit’ to merger before being able to be granted any new powers is restrictive as this council could benefit from those additional powers and further enhance performance without the diversion of managing a merger.

The Council’s view on each of the proposed ‘options’ follows.

#### Option 1 – Voluntary Mergers

The Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council.

The Vale of Glamorgan Council submitted a well-developed and coherent proposal for voluntary merger with Bridgend Council in 2014. This was developed in response to the Welsh Government’s then policy to seek the views of local authorities in how to progress what was apparently a definite agenda of mergers. However, such a proposal would now not be considered by Welsh Government due to the imposed footprint described in the Green Paper. The arguments made in 2014 by this Council were that voluntary merger would enable the two councils to take control of establishing the new organisation at a pace that was effective and manageable, based on an equality of size and similar characteristics. Since that time, much has changed in the landscape of local government. The effective mix of locally and collaboratively delivered services and further strengthening of the Vale of

Glamorgan's performance has resulted in us taking the position that a merger with any other local authority is an untenable prospect in securing the quality of services rightly expected by our citizens.

The disadvantages of uncertainty for the workforce and citizens apply to reorganisation of local government as a whole and are key factors in this Council not supporting a merger of the Vale of Glamorgan Council with any other local authority.

Without further detail relating to which services or solutions a 'once for Wales' approach is being sought, it is difficult to comment. However, should this be based on transactional services as described in Chapter 6, there is no need for mergers to take place to provide a catalyst to do so. Welsh Government support and the identification of benefits to local authorities would be incentive enough.

To reiterate, the Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council.

#### Option 2 – Phased Approach

The Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council.

Purely, as an academic debate, the phased approach would enable those authorities who choose to merge to be able to do so at an earlier time. It would also enable Welsh Government attention to be focused on a more manageable set of mergers where there is a clear desire, willingness or need to do so. However, mandating all other mergers by 2026 does not take into account this Council's central message which is that merging all authorities is unnecessary to achieve the objectives of the Green Paper.

It is unclear why the new powers and flexibilities offered to merged councils could not be made available for all local authorities as a means of supporting transformational change and enabling the objectives of the Green Paper to be achieved across all local authorities. Welsh Government's lack of willingness to provide these powers after several years of discussion is disappointing.

To reiterate, the Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council.

#### Option 3 – Single Comprehensive Merger Programme

The Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council.

Again, as an academic debate, the imposition of wholesale reorganisation is considered unnecessary and legislating for mergers in 2022 is likely to exacerbate the risks outlined in the Green Paper. The capacity of Welsh Government and every council to manage such a process in this timescale is a key risk.

Without further detail relating to which services or solutions a 'once for Wales'

approach is being sought, it is difficult to comment. However, should this be based on transactional services as described in Chapter 6, there is no need for mergers to take place to provide a catalyst to do so. Welsh Government support and the identification of benefits to local authorities would be incentive enough.

As outlined above, it is unclear why additional powers and flexibilities could not be granted to non-merged authorities as this is the cause of divergent powers. The arguments relating to 'scale' are set out above and we believe we have sufficient scale, accessing regional collaborative arrangements where appropriate, to meet the challenges facing us, despite our funding position.

To reiterate, the Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council.

d) Are there other options for creating fewer, larger authorities we should consider?

**Welsh Government's preoccupation with creating fewer, larger authorities across Wales as a whole does not reflect the reality of organisations which perform well because they are of a sufficient size and scale to do so. There is an obvious missing option in the Green Paper and that is to seek the views of Welsh local government on a case-by-case basis and respond to those views on a case-by-case basis.**

As outlined above, the options provided in the Green Paper require all local authorities to merge which appears arbitrary and does not consider performance alongside supposed 'size' as a key factor in identifying the sustainability of councils.

An alternative approach would be to seek the views of local government to identify the appetite of councils to merge. The environment is very different than in 2014 when this was previously Welsh Government policy. Adopting a policy whereby councils who wish to merge, or where there is a very clear case based on the relative performance of the council to force a merger, is very likely to deliver a mix of fewer, larger authorities with mid-size, high performing ones such as the Vale of Glamorgan being retained. This would reduce the overall risks associated with reorganisation, focus effort where the greatest benefit could be derived and avoid unnecessary distraction in those organisations where it is questionable whether the long-term benefits outweigh the costs of the exercise.

Our focus should remain on regional working where it makes sense to do so and on a footprint which also makes sense. Local accountability and delivery are vital in local government and remoteness from the communities we serve would not achieve the objectives Welsh Government are seeking.

For example, if we wish to be truly transformative then legislation needs to be reconsidered to support practice and natural partnerships to ensure a citizen's care, support and well-being are improved holistically. The Parliamentary review of health and social care recognises this, and Welsh Government's investment in systems such as WCCIS clearly articulate the need for health and social care structures to be supported and integrated in much the same way as the Vale Locality already operates, and has done for more than 4 years. Integrated management between the

Health Board and Vale of Glamorgan Council demonstrates that this way of working is effective as the links can be made across the sector and improve the outcomes for citizens.

e) Do you have evidence on costs, benefits and savings of each option which can inform decision-making? If so, please provide details.

**This is a peculiar question as the proposals contained in the Green Paper are Welsh Government's and it is the view of this Council that prior to publication, there should have been work undertaken to ensure that the 'options' were appropriately appraised including identifying the accurate costs, savings, benefits and risks. Without this, the argument creating fewer, larger authorities to deliver savings and benefits is wholly unsubstantiated.**

The Green Paper makes reference to "With more time, more capacity and shared objectives, more could be achieved with the money available". However, such a comment is totally unsubstantiated and not based on any robust analysis. As a result, it is unclear how mergers would create more time and more capacity if financial savings of the magnitude quoted in the Green Paper are to be realised. The highest area of cost in local government is in our staff and reorganisation to realise savings in excess of £400m would result in a significant number of job losses. This would inevitably impact upon the capacity to deliver essential services and would without doubt result in the larger, merged Council being far more remote from the communities it serves, particularly when the needs of those communities will be so disparate, as would be the case with a merged Vale of Glamorgan and Cardiff. The Welsh Government appears to be proposing that local government should be organised on a similar basis to the health service. The assumption is therefore that the Health boards are a given and consistently perform efficiently and within budget, an assumption that was present when the Williams Commission reported. Evidence and facts are clearly at odds with this assumption. Health Boards across Wales have consistently overspent their budgets despite funding increases. Local councils have set balanced budgets, despite funding reductions and facing similar demand pressures. The size and complexity of the way health boards are structured cannot be ignored when considering organisational performance and the need for Welsh Government intervention into their running. It is also noteworthy, that the Health Boards are organisations that consistently have to put in place compensatory sub-structures and locality based solutions to address issues of 'scale' which could be viewed as additional overheads and duplication.

## **Chapter 4**

### Consultation Question 2

Chapter 4 has explained the need for clarity on the future footprint for local government and the range of factors which should be taken into account to determine a new configuration. It sets out a suggested future footprint for local government, which could be reached via each of the options set out in the previous chapter.

a) Do you agree that providing clarity on the future footprint of local government is

important?

**Local government has endured four years and counting of a lack of clarity in strategic direction from Welsh Government. This Green Paper continues to provide a total lack of clarity. Despite the on-going impact that this is having on morale, this council continues to perform, transform and collaborate. Footprints are a distraction given the need to collaborate on a network, not on a linear basis. The previous Cabinet Secretary promised ten years of stability. This Cabinet Secretary has not provided ten months' worth.**

The latest attempt at 'clarity' has caused further uncertainty for the workforce in councils across Wales and based on previous attempts at reorganisation, a great deal of effort being expended on discussing structures rather than the specifics of funding arrangements and service delivery. This Council (as many others) have identified specific workforce development plans to ensure essential skills for current and future needs can be identified and developed. The Council is committed to a range of succession planning activities which include apprenticeships, traineeships, work shadowing, a management development programme, competency framework and a staff engagement programme on an unprecedented scale. These activities have delivered year-on-year improvements in staff satisfaction. However, the publication of this Green Paper has brought with it significant uncertainty and has already been cited as the reason for staff leaving the Council to work elsewhere. The continuing uncertainty cannot help make local government appear an attractive sector to work in and attracting suitably skilled colleagues to join us will be challenging as a result of the approach being taken by Welsh Government. This cyclical change in direction threatens to undo the significant effort we have expended in 'taking our workforce with us' during a period of transformation. For Welsh Government to publish a Green Paper which indicates that savings running into hundreds of millions of pounds may be possible, without any indication of how these would be delivered has, once again, given significant concern to our workforce that their jobs would be at risk if this policy was to be enacted.

The Council agrees that providing clarity for local government is important and has lobbied successive ministers to work with the sector and to maintain a consistent approach to local government policy. It was pleasing that Welsh Government rejected previous proposals for imposed local government reorganisation and provided funding and time to enable regional collaborative work to continue.

The Council is committed to the regional agenda and has been at the forefront of some significant advances in this regard, notably City Deal (supported through a secondment of a senior officer as well as leading on the development of proposals for the Regional Transport Authority), the education improvement consortium, regional adoption service (we host the service), Shared Regulatory Services (we host the service), integrated health/social care (including joint posts, an integrated locality management structure, first point of contact community resource service, integrated discharge service and integrated mental health teams). Regional services are in place with Cardiff Council where it was determined that they would be of benefit or where new funding has enabled such arrangements. The position continues to develop, however, we now already have a regional safeguarding unit, a regional emergency duty team, a joint equipment store, an integrated autism service

a regional mental health team for older people, an integrated family support team and a regional training unit operating with Cardiff Council.

WLGA proposals supporting subsidiarity in the design of services are important and should be a driving force behind any proposed reorganisation of service delivery arrangements whether they are collaborations or the structure of councils. This Council supports the principle that local authorities themselves are best able to determine the arrangements which reflect local priorities and the ability to meet those priorities. Any attempt at central prescription from Welsh Government of a “one size fits all” model is unhelpful in this regard.

The level of prescription contained in the Green Paper is therefore not supported for these reasons. The footprint approach is overly simplistic as it does not recognise the complexity and interconnections between councils and a wide range of other public sector organisations. It also represents a pre-occupation with form rather than function and performance. Indeed, the performance of existing local authorities does not appear to have been a factor that was considered when drafting these latest proposals, which is extremely worrying and short-sighted. The success of existing and emerging collaborative working arrangements are borne out of their flexibility. Should Welsh Government impose the footprint of the Vale of Glamorgan and Cardiff merging, it is highly likely that other footprints would continue to emerge in any case, although the ability to service and support further collaborations will be impeded by reduced capacity and an over-emphasis on ‘merger issues’. In this regard, the pre-occupation on mergers is extremely likely to deflect attention away from on-going collaborative approaches and result in a scaling back of activity on important collaborations due to lack of capacity and distraction.

b) Do you agree with the factors we have identified to inform our thinking? Would you change or add any?

**The factors being used by Welsh Government describe precisely the argument this Council is making about what good local government should be about – reflective of local communities, ensuring democratic accountability and of sufficient scale to protect public services. This describes the Vale of Glamorgan Council as it is currently constituted and there is therefore no rationale to suggest merging with any other local authority. The Welsh Government, however, does not include factors such as:**

- **performance**
- **resource management, or**
- **regulatory opinion**

**all of which would be important determining factors which indicate strength and sustainability for the future. These factors further strengthen our argument and in applying these factors, the Council cannot support the proposals to merge with Cardiff Council or any other authority.**

For example, one factor is that ‘new authority areas relate to and take account of their communities’. We already relate to and take account of our communities because we are close to them and are investing in them. As described above, the nature of the area and our communities in the Vale of Glamorgan are inherently different to those of the Capital City. It is our working relationship with communities

and community based organisations that has allowed us (and them) to be successful in establishing 5 community libraries, as opposed to closing the facilities. Such an approach would have been far more difficult, if not impossible, if the Council was significantly larger and more remote from the communities which it serves. The same can be said of other locally delivered services such as community transport, events, play schemes and community regeneration initiatives. We also have excellent working relationships with the voluntary sector and this is as a direct result of our scale and direct relationship with the voluntary sector. Such a relationship would be in jeopardy, if the Council was to be merged with another.

The Green Paper suggests that 'ensuring democratic accountability is maintained' should be a factor for consideration and the council agrees. However, the Paper does not provide detail of the composition of representation of the Vale of Glamorgan area in any new merged council and as such, it is entirely likely that the voice of communities within the Vale of Glamorgan would become diluted by the proposals as set out.

The creation of 'sufficient scale to empower any new authority to protect public services' is a vital consideration and one which local government is fully supportive of. The council has outlined above, below, and constantly, its position in terms of the balance required between scale and local responsiveness. In summary, the size of the Vale as an area is sufficient to deliver the capacity and capability required to be Wales' top performing local authority, with the right balance of locally and collaboratively delivered services. We do not shy away from delivering services at the most local of levels (e.g. community libraries, community transport, play services and events) but also the most strategic services as is the case with City Deal, health and social care and School Improvement. This has been the Council's strategy since the Simpson report and the Corporate Management Team, Cabinet and Scrutiny Committee regularly review strategic collaborations (and any potential future opportunities) as part of planning service delivery.

The consideration of 'placing local government in a position of strength and sustainability for the future' is of utmost importance. It is the belief of this council that a more flexible approach to the application of this factor is required. Strength and sustainability does not need to come from rigid and costly restructuring of all councils. It can be delivered more iteratively and responsively across local government in Wales, including some reorganisation where appropriate and supported, but always in conjunction with strong and truly local government working in partnership with others where it makes sense to do so.

The drive to minimise disruption to front line services through any change is clearly supported. However, adopting a policy of mandated, restrictive reorganisation of the scale contained in the Green Paper will have clear impacts on front line service delivery through uncertainty within the workforce and by distracting elected members and managers from core business.

c) What are your views on the new areas suggested in this section?

**The council can only meaningfully comment on the proposals directly affecting the Vale of Glamorgan and the proposed merger with Cardiff Council**



**for this question. As described throughout our response, we do not consider that a re-drawing of administrative boundaries will lead to better services for our citizens.**

Welsh Government's regional 'footprint' may be appropriate in some respects, and the Council is working with Cardiff on many projects, but it should not be the basis for all joint working activity. Still less should it be the basis of a new council. The keynote is one of flexibility and the ability to make the optimum arrangements for the delivery of a service. A single approach that affects all services does not reflect the existing or future needs of our citizens.

There are practical considerations, too. Where the size of any councils merging are similar, a new Council is more likely to adopt best practice from whichever of its predecessor councils demonstrates it. Where a single large council dominates, there is a significant risk that the practice that is adopted is the one carried out by the majority from the dominant council and this quite frequently will not be the most efficient means of delivery.

The notion of a sense of place is central to our argument, and the role of councils will be crucial in giving expression to it. In the 2016/7 public opinion survey, 97% of respondents said they were "proud to live in the Vale". If councils are too big the connection with citizens and communities is lost, contrary to the apparent aims of the Green Paper. It is our contention that the Vale of Glamorgan Council should continue in its current form for that to be achieved. Even if services are planned and delivered in various ways, the link between citizens and services should be the council. Proposals for increasing the role of town and community councils are welcomed and this authority is developing arrangements in this regard as part of our transformational change programme, Reshaping Services. However, as the Green Paper itself acknowledges, a two-tier structure is not advantageous and therefore an authority which balances scale with local connection (as the Vale does) is therefore the optimum arrangement.

d) Do you have alternative suggestions and, if so, what is the evidence to support these as an alternative?

**There appears to be an assumption within WG that the Williams Commission was correct, that there was support from the sector for structural change and that the result was a well evidenced piece of work. It was not. There was not. It was not.**

This Council made a case in 2014 for a voluntary merger with Bridgend County Borough Council and this was rejected by the Welsh Government. As such, the Council does not consider it useful to suggest any alternatives in terms of footprints as the Council's position remains that the Vale of Glamorgan should remain a unitary authority in its own right. **The decision of whether any future mergers takes place elsewhere in Wales should be the result of either agreement by those local authorities or such significant shortfalls in performance and/or resource management that the Welsh Government would be justified in intervening.**

This Council would like to see an end to the preoccupation of harping back to the

Williams Commission and that alignment with the health boundaries is some kind of panacea to the issues and challenges facing local government. It is not.

- e) In the context of these proposals, are there other ways we should simplify and streamline joint working arrangements at regional level and among public bodies within the new authority areas? If so, what are they?

**The Council supports the well-made position of the Welsh Local Government Association in this regard – that is that councils are best placed to determine these arrangements based on the partnerships which offer business sense for the service area(s) involved. The Welsh Government should support this and not propose bureaucratic structures that reduce local accountability and add an unnecessary tier to service delivery and planning.**

## **Chapter 5**

### Consultation Question 3

Chapter 5 sets out the proposed approach to transition and implications for establishing Transition Committees and elections to Shadow Authorities under each option.

- a) Do you agree with the proposed process of transition: namely establishing Transition Committees and ensuring elections to Shadow Authorities can be held ahead of vesting day for the new authorities?

**The Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council and therefore this question is an academic one.** Nevertheless, and in the interests of providing as full a response as possible, it would be essential for elections to Shadow Authorities to be held ahead of the vesting day for new Authorities to ensure that appropriate governance arrangements are established to enable key resolutions to be made in advance of vesting day. The appropriateness of the role of Welsh Ministers in resolutions of a Transition Committee are queried as this could expose Councils to legal challenge.

- b) Do you agree that, if option 1 were pursued, we should set a date by which voluntary merger proposals should come forward in each electoral cycle?

**The Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council.** However, if Individual Councils wish to merge voluntarily it is appropriate for the individual councils concerned to identify such a date, rather than a date being imposed.

- c) Do you have any other thoughts on the proposed process?

**The Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council.** The proposed process fails to recognise the option of the status quo continuing (for some councils) and therefore is entirely biased towards merger. Option 3 is considered unachievable.

Consultation Question 4

The consultation suggests holding any local government elections in June 2021.

Are there any reasons why June 2021 would not be a suitable date? If so, please suggest an alternative date with the reasons why that would be more suitable.

**The Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council.**

**The risk of significant administrative error would be high should local elections be held in such close proximity to the May 2021 National Assembly for Wales Elections.** The administration involved in local elections should not be underestimated and they are by far the most challenging elections to administer given the number of nominations, candidates and the statutory timetable which applies post close of nominations. For the Vale of Glamorgan alone, local elections involved appointing to 23 Wards comprising 47 elected Members and 62 Town and Community Council Wards with 269 Elected Members: in 2017 within the Vale of Glamorgan 160 nominations were received for the Vale of Glamorgan Council and 320 nominations for the Town and Community Councils.

Further concerns with a June 2021 Election include **voter confusion as a result of campaign overlap, voter apathy and the shift in direction by Welsh Government away from the intended 5 year term for Local Members** to align with the term of office of UK Parliament and National Assembly for Wales Members (Welsh Government's consultation document "Electoral Reform in Local Government in Wales" and Mark Drakeford AM's 23 June 2016 written statement refer).

Consultation Question 5

The Welsh Government recognises that there are some plans or assessments, for example the preparation of assessments of wellbeing by Public Service Boards, which are linked to electoral cycles. We will make provision to make sure these tie into any new electoral cycles going forward. Are there any other plans or matters which might be tied into the electoral cycle which we need to consider?

**The Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council. That said, this council always welcomes any attempt to coordinate the delivery of the various plans and in particular, it is useful for the work of Public Service Boards to dovetail with council planning processes.**

However, we are confident in managing the complexity involved in local government and recognise that it is not always possible to neatly line everything up. Having the understanding, oversight and agility to respond is key. The Vale of Glamorgan Council has successfully delivered against our Corporate Plan, for example, which has straddled two political administrations.

### Consultation Question 6

What are your views on the approach which should be taken to determining the parameters of electoral reviews?

**The Vale of Glamorgan Council does not support the idea of a voluntary merger with Cardiff Council. The timescales are unrealistic and unachievable given the scale of the task and the available time for implementation, factoring in an All Wales programme and appropriate consultation.** As a guide, regard should be given to the Principal Area Reviews currently being undertaken by LDBCW (a programme which commenced in 2017 and is not due to conclude until 2021).

The Local Government (Democracy) (Wales) Act 2013 has established principles in respect of electoral arrangements and it is suggested should continue to be the foundation for all Principal and Community Area Reviews.

## **Chapter 6**

### Consultation Question 7

a) How can councils make more effective use of their elected members' knowledge of, and connections in, their communities?

**The ability of elected members to know and be connected to their communities is a central tenet of this Council's argument regarding the need to balance the size of an authority with the ability to be locally responsive. Creating fewer, larger authorities with fewer, more remote elected members is not the way to achieve this.**

The Council welcomes the proposals to enhance the connection of members to and with communities. The proposals contained within the Green Paper will have the opposite effect. Bigger does not mean better. Fewer and more remote councillors will result in a disconnect with the electorate and impact negatively on local democracy and decision making. It will also negatively impact on the ability of councils to work with local groups and organisations in delivering and also designing locally accountable services.

Being able to develop knowledge and connections requires members to have the time and capacity to do so. Reducing the number of elected local members (at a time of increasing the number of ones on a more national basis of Assembly Members) is counter-productive.

The elected members of the Vale of Glamorgan council are able to represent their constituents because they are close to them. A more remote structure would not assist members in gaining better knowledge and connections in their communities. Regularly assembly members look to local members to obtain advice and local knowledge on issues. The role of local members is considered therefore to be significant and valued.

This Council has invested significantly in supporting the 2017 cohort of elected members and are committed to further developing the support that is available to enhance member's roles. This includes strengthening feedback mechanisms, and developing a series of six-monthly development sessions to support further two-way communication.

b) How could we better recognise the level of responsibility involved in being a local councillor? What changes to the remuneration and support councillors receive would enable a wider range of people to become involved in local democratic representation?

**The Council believes that the recent findings of the Independent Remuneration Panel for Wales are helpful in identifying how Welsh Government could achieve the outcomes intended from this part of the Green Paper.**

The Independent Remuneration Panel for Wales (IRPW) has recently issued its Report on the outcomes of its visits to the 22 Unitary Authorities during 2017. The Panel's Main Findings are as follows:

- The Basic Salary is not adequate remuneration for the hours worked: in many cases Members are working for less than the minimum wage.
- Senior Salaries are not adequate remuneration for the skills and qualities required, especially compared with other public sector posts.
- The workload and role of Members has changed: hours have increased and the role now demands a more strategic outlook and ability to work with partners.
- Representing constituents is now only part of the role.
- The quality of support provided for Members is an issue in some councils (That is not considered to be the case here and our approach to, for example Member Induction and Development and member ICT provision was commented on during the Panel's visit).
- The diversity of membership is slowly improving, but several factors have the potential to militate against a greater diversity among people standing for election. These include the reluctance of existing members to take the full salary and to claim costs.

By means of background, the Basic Salary originally set by the Panel was based on the all-Wales average earnings and pro-rated to three fifths. At that time the accepted view was that a backbench Member would spend 23 to 25 hours a week on council and constituency business. Any excess time was regarded as "public service discount" If the same alignment was used currently the basic salary would be well in excess of £15,000 rather than the current salary of £13,600. Senior Salaries were determined using multiples of the basic.

As far as increasing diversity is concerned, the Panel found "encouraging signs" that local authority membership is becoming more diverse with younger and more females entering local government. However, they are still in the minority. There is evidence that payment of salaries has been a factor in improving diversity. To quote responses from a few individuals "I am not doing this because it is paid but I couldn't

do so if it wasn't".

Reimbursement of the costs of care should be another factor to encourage diversity but the take up continues to be disappointing and many members who would be eligible and probably have the need are self-precluded because of perceived criticism from the public that they would be subjected to when claims are published. Councils have the option to publish these costs as a total without naming the individual members.

Notwithstanding the above, the economic pressures prevailing have resulted in an increase in the Basis Salary entitlement for members of just £200 p.a.

In terms of the future, officers have begun engaging with members in terms of their knowledge "pre-election" of what is involved in being an elected Member and any information available to prepare them for the role if elected. This process will, in turn, inform the Council's approach in terms of preparing for the 2022 election.

#### Consultation Question 8

a) Are there other powers which local government should have? If so, what are they?

**The Council welcomes the proposal of Welsh Government to legislate to provide Councils with a general power of competence and supports the view that this would enable this authority to adopt even more innovative approaches in meeting the needs of communities. However, this power (and those outlined below) should not be provided only to those authorities who merge. The Council embraces the agenda for change in local government and as stated, is supportive and an active contributor to regional working. As such, Welsh Government should legislate to provide all local authorities with the general power of competence and those described below.**

**What matters is what is right in the delivery of local services. Holding authorities to ransom by adopting a stance that only those that merge will benefit from additional powers and flexibilities is short-sighted. If a Council has a good track record in terms of service delivery and reputation with regulators and citizens would benefit from that Council receiving additional freedoms and responsibilities, then why would the Welsh Government withhold those powers?**

The Vale of Glamorgan Council has previously written to the Minister following a request for the views of local authorities on the additional powers that should be provided to local government (and any requirements which are onerous and should be removed). The Council's feedback is provided again for completeness.

**Welsh Library Standards.** The detailed indicators included in these standards do not reflect the way the library service is now developing. In the Vale of Glamorgan the introduction of automatic unstaffed opening in addition to staffed opening hours; a development our residents have welcomed, has made indicators which relate to staffing levels in libraries redundant. The 6<sup>th</sup> framework of Welsh Library Standards 2017 – 2020 fails to recognise unstaffed opening hours, reinforcing outdated

restrictive requirements at a time when innovation such as this should be embraced. Input indicators such as the requirement to achieve 3.6 staff (full time equivalent) per 10,000 of the population are irrelevant. Service quality and outcomes should be the central focus of any performance measurement system. The growth of Community Libraries in the Vale, acting as community hubs highlights the inappropriateness of the current metrics. Working in partnership with the Council, these libraries have been highly successful in widening their service offer to more closely meet the needs of their local community whilst continuing to work within the framework of the current standards. However, certain metrics such as revenue and capital expenditure per 1,000 of the population do not recognise the important contribution these libraries make to achieving improved outcomes. Since the establishment of the first of five Community Libraries 18 months ago, they have attracted £950,000 in development funding which is being used to improve the library buildings yet, this is not recognised as the Council's capital expenditure. Once again, this demonstrates the tenuous link between the input indicators and outcomes. For these reasons we believe that the Welsh Library Standards have outlived their usefulness, are no longer fit for purpose and should be brought to an end.

**Waste Recycling.** From a waste authority perspective we would like to request an amendment to Section 46 of the Environmental Protection Act 1990. The Act currently gives an authority powers to serve notice on households for the purpose of waste and recycling receptacles and it gives a Waste Disposal Authority (WDA) powers to specify the types of containers that are to be used for collections and for the purpose of waste minimising schemes. However, greater power is required to make households recycle and therefore we request an amendment that reflects this to assist WDAs achieve statutory recycling targets. Additionally, under section 47ZA there would be a requirement for additional powers for authorised officers to issue fixed penalty notices for households failing to recycle.

**Automatic Number Plate Recognition (ANPR).** Whilst use can be made of ANPR, this is only with barrier controls, which defeats the object. One of the reasons we would want ANPR is to reduce infrastructure costs when compared to barrier control systems. At present a Local Authority can use ANPR but only if a barrier system is in place, this is because the powers available to it under the 1994 and 2004 Acts as regards enforcement require a PCN to be issued by post.

**Car Parking Revenue.** Currently there are controls as to where revenue can be used and at a time when there is increasing pressure on the budgets of local authorities, we require increased flexibility in how this revenue can be utilised. The relevant statutory reference is Section 55 of the Road Traffic Regulations Act 1984.

b) Are there other freedoms or flexibilities which local government should have? If so, what are they?

**The Council takes significant issue with the Welsh Government for proposing that freedoms and flexibilities should only be made available to those councils who agree to merge whether there is a real case for doing so or not. Holding local government to ransom in this way is belittling and unhelpful. Welsh Government should provide local councils equally with the freedoms and flexibilities which have consistently been asked for in order that we focus on**

**what matters – our citizens and delivering quality services for them.**

As articulated by the WLGA, Councils should have the flexibility to form collaborative partnership arrangements with other public sector organisations where there are clear benefits of doing so to the partners. Local government should be free to choose the partner(s) and not be mandated to do so. These arrangements should be flexible around the service/subject matter, build upon existing arrangements and not add an unnecessary layer of bureaucracy.

Consultation Question 9

a) Which areas offer the greatest scope for shared transactional services?

**The Council is supportive in principle of shared transactional services where a business case can be made that ensures partners taking part in the shared service secure benefits in both cost and service quality terms. The Green Paper indicates that “Creating new authorities with additional powers and greater flexibilities would provide an opportunity to reconfigure and redesign services”. The Vale of Glamorgan Council believes that it is possible for these additional powers and flexibilities to be granted without the imposition of a new structure for all councils in Wales and to be used to develop further shared services.**

The Green Paper also indicates that “The consolidation of local authorities would help to provide the capacity to develop innovative and flexible services capable of meeting the needs of the 21<sup>st</sup> Century”. As outlined above, in order to generate the savings indicated in the Green Paper, there would be significant job losses and this risks removing capacity rather than building it. The process of merger also has the potential to distract elected members and officers from concentrating on opportunities to reconfigure and redesign services as well as distract from progressing collaboration.

There are a number of services where it would be useful to explore shared services. The Council does not believe that these opportunities should be seen as contingent on mergers happening; rather, the external stimulus to consider these opportunities now exists as the local government funding and service provision landscape has changed markedly since early attempts at such collaborative working.

The key facets of shared transactional services should be where a common process is undertaken (notwithstanding existing local policy differences which could be harmonised with agreement of those partners of the service). The Council would consider frontline services to be out of scope and priority given to those processes/ support services which are common across local government (and perhaps the wider public sector). The Council supports Welsh Government’s ideas that digital technology can enable change and reduce the lead time to delivering new services/solutions. This has the added benefit of not necessitating physically shared services by default and a series of national, regional or sub-regional bases could be



developed to overcome some of the remoteness that can be experienced with centralised shared services.

The council would consider the following services worthy of investigation in terms of their potential for developing shared services:

- Council Tax and Business Rates collection and administration (with locally set rates remaining)
- Purchasing of common items – a potential extension to the National Procurement Service through a purchasing arm
- Contact centres
- Pension administration
- ICT support
- Children in employment licencing
- Benefits administration
- Payroll and transactional HR processes
- Concessionary travel passes
- Blue Car Badge processing
- DBS Processing

Other shared service opportunities (which are not necessarily transactional) could include:

- Training and organisational development
- Performance management
- Internal Audit
- Additional Learning Needs services
- Health & Safety
- Passenger Transport
- Highway Design and Construction

Regard should be given to the performance of existing 'transactional' or 'routine' shared services such as the National Procurement Service. Whilst the underlying principles of these arrangements have merit, the ability to perform on the 'all-Wales' stage can be complex and ultimately lead to organisations established to deliver savings actually coming at an overall cost to the public purse.

b) How might such arrangements be best developed?

**In all instances, the Council does not believe mergers are a pre-requisite to delivering shared services. WG support via changes to legislation, increased flexibility and support through access to specialist skills and investment in technology would act as incentives to deliver shared services. They would be a positive way to move this agenda forward without the threatening tone contained elsewhere in the Green Paper which appears to make the offer to reform services contingent upon signing up to a costly and unnecessary merger agenda.**

Welsh Government should seek to work with local authorities to develop these arrangements. Significant energy and experience exists within local government as

can be demonstrated through our award winning approach to organisational development and staff engagement. Councils have well developed change management approaches which, if fostered positively, would be able to work constructively with Welsh Government to deliver reform.

This Council would consider it appropriate that Welsh Government work in partnership with local authorities and the WLGA to develop a shortlist of services for which shared services may be advantageous. The very useful work of the Simpson review and the current landscape of collaboration should inform the priorities for those services operated nationally, regionally or locally.

Where a national arrangement would deliver the most benefit (for example, for relatively small scale services which operate with few policy differences across the country) there would be merit in establishing these arrangements in one comprehensive move. Where a more local connection is required, or where the processing scale is greater, regional/sub-regional arrangements may be the best approach.

#### Consultation Question 10

- a) In ensuring we deliver a consistent approach across Wales, where consistency is important, how do you think the advice and support on each of these matters could be best provided?

**This Council believes that the proposals as set out are attempting to standardise the reform of local government without considering the varying local circumstances driving the need for mergers. This broad-brush approach to 'reform' is potentially more damaging than it is an approach that could benefit the citizens of Wales. There is potential to support shared services on a national level and this should be positively fostered by the Welsh Government and not mixed up as part of an attempt to redraw all boundaries.**

Consistency is important in the approach to be taken by Welsh Government. Consistency in the approach to policy development and setting is clearly required on a national basis. With consistency, also, comes fairness and this is the reason for this Council rejecting the assertion within the Green Paper that powers, freedoms and flexibilities would only be made available as a 'reward' to those Councils who agree to merge, whether the benefits of doing so outweigh the costs or not.

Welsh Government could adopt consistency in its approach to the offer of support, however, the nature of this support should differ to reflect the local circumstances. **Even handed would be a better description of the approach this Council would wish to see.** This could be in the form of funding and other technical/specialist expertise to add capacity to change projects which provide a test-bed opportunity to replicate elsewhere in Wales. The Regional Collaboration Fund (which saw the development of the Regional Shared Regulatory Service) is a good example of this working in practice. In this way, those wishing to merge would be treated consistently, as would those wishing to standalone.

In terms of shared services, it is imperative that, at the outset, there is an agreement as to which services should be delivered in a consistent manner. The role of local

democracy is to ensure that local services are delivered to meet local need and this should underpin any proposals for the future of local government in Wales. This council would welcome the opportunity to have open and constructive dialogue with other authorities, organisations and Welsh Government to develop proposals without this issue being confused with total reorganisation.

As stated previously in this response, there are many examples of shared service arrangements in place which continue to meet local need whilst working on a larger footprint. The experience and knowledge gained from these needs to be drawn together and shared. The Vale of Glamorgan Council is a member of a number of different high performing arrangements and would be happy to share this experience and learning. The facilitation of this learning could be supported by Welsh Government and/or the WLGA.

b) Are there any other challenges or opportunities from structural change or providing additional powers and flexibilities that have not been identified above? If these areas require support, what form should this support take?

**One of the most damaging proposals within the Green Paper is the offer of additional powers and flexibilities only where Councils accept Welsh Government's proposal that mergers are the only options. Articulated throughout this response is the need to provide flexibility within this arena to enable the best performing local authorities to continue with the good work that is being done and not be side-tracked by a lengthy and costly distraction. Giving additional powers to some councils and not others is hardly consistent.**

We have set out above that additional funding to support projects which are complementary with the desire to improve resilience and generate financial savings would help further the positive regional and local working that is underway. Developing national approaches (and in some cases, service delivery arms) is supported in principle, with Welsh Government support and funding being essential to take these forward.

c) Which of the issues identified above or in your response should be prioritised for early resolution?

**The priority issue for early resolution for this Council would be for the Cabinet Secretary to announce that this consultation has led to the right decision being made – that is, that Local Government should be supported to provide high quality services in the structure which makes sense locally, and not by national dictat.**

Consultation Question 11.

We would like to know your views on the effects that the proposals within this consultation would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

a) What effects do you think there would be?

**As described throughout our submission, this Council takes the view that the larger the organisation is, the more disconnected it is likely to be from the communities we are here to serve. In this way, the Welsh language would be no different and the organisation would be more disconnected from this community (and all others).**

b) How could positive effects be increased, or negative effects be mitigated?

**The reorganisation of local government is likely to be a distraction from focusing on the needs of communities, and as such, negative effects could be mitigated by taking a more flexible approach as described throughout this response.**

#### Consultation Question 12

Please also explain how you believe the proposed policy within this consultation could be formulated or changed (if required) so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Please see above.

#### Consultation Question 13

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

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

**As described throughout our submission, this Council takes the view that the larger the organisation is, the more disconnected it is likely to be from the communities we are here to serve. There would, therefore, be an impact on children and young people due to a greater disconnect between this group and the organisation. With fewer elected members to represent them and a larger organisation, children and young people are likely to be less engaged.**

The CRIA focuses on a positive reflection of what could happen with local authority reorganisation. Article 12 - When adults are making decisions that affect children, children have the right to say what they think should happen, and to have their opinions taken into account.

Real positives would see a return to Children and Young People's Participation Strategies (not part of a wider participation strategy), this would be welcomed but this would also require WG retaking ownership of this agenda to help take it forward. This would involve a strengthening within WG of actively informed staff who could help rebuild this area of work.

The concept of supporting the strengthening of a voice for young people amongst the body of elected members sounds genuinely positive but would be influenced by the fine detail and what this actually means and how this could be implemented.

However, the Green Paper does not note the deep impact that budget reductions have had on services for children and young people and there has been little national support beyond the Children's Commissioner to help drive the participation agenda forward for young people. This is a vital long-term consideration for the public sector and rails against the Well-being of Future Generations Act in thinking to the longer-term, working collaboratively and involving the communities we are here to serve. Developing larger, more remote services would inevitably result from reorganisation as proposed in the Green Paper. This would reduce the ability of children and young people to become involved and participate in decision making. On a local level the Vale of Glamorgan has supported and maintained an active Youth Council, a Youth Forum and various youth/pupil voice groups and councils. There is little within the document that allows for an opportunity for all these groups of young people to be brought up to date on these plans and consulted in a way that allows a more informed youth mandate to go forward, a weakness would be to use the consultation carried out some years ago.

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

**The children and young people of today are those who will have to carry the impact of the decisions being discussed and agreed. If, as highlighted, local government should represent the communities it serves then children and young people should be required to discuss/debate the implications of these changes and their views taken seriously.** It would be a lost opportunity not to get an accurate and fair view of children and young people, they require information that reflects both the positive and negative positives to allow them an opportunity to construct a view in what is a complex set of hypothetic impacts/savings that may derive from any mergers.

#### Consultation Question 14

The Equalities Impact Assessment published alongside the consultation outlines the Welsh Government's view of the effect of the proposals contained in the consultation 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?

**As described throughout our submission, this Council takes the view that the larger the organisation is, the more disconnected it is likely to be from the communities we are here to serve. In this way, protected groups would be no different.**

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

**The reorganisation of local government is likely to be a distraction from**

**focusing on the needs of communities, and as such, negative effects could be mitigated by taking a more flexible approach as described throughout this response.**

**Consultation Question 15**

**Please provide any other comments you wish to make on the content of this consultation.**

**The Green paper is a significant disappointment as it is simply a ‘re-hash’ of the previous work undertaken by the Williams Commission, albeit with no additional and up to date evidence.**

**The Foreword expresses the view that local government is more than structures, yet a significant element of what follows is a pre-occupation with structures, whilst not offering any options or choice as to what form should follow.**

**In the same way, the proposals are not supported by any hard evidence. Great play is made of flexibilities and additional powers, but there is no detail or content on this issue.**

**In the same way, the proposals do not consider issues of track record, performance, ability and management of the existing 22 Councils. This counts for nothing and the proposals merely seek to impose a new local government structure with no regard to the track record of existing Councils. As a result, the proposals are ill-conceived and short-sighted.**

**Collaboration and partnership are key in taking many of the issues raised in the Green paper and local government has significantly ‘upped the pace’ in this regard in recent years. The Green Paper ignores this point.**

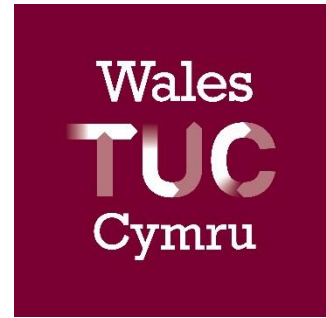
**Evidence has provided that the Vale of Glamorgan Council is an active player in collaboration and has also been at the forefront of designing, delivering and hosting shared services across numerous boundaries. We have also referred to our transformation programme, Reshaping Services, which provides an insight into the innovative way in which we are working to redesign local services and ensuring their sustainability and longevity at a time of declining budgets. Such initiatives are possible as we have invested time in engaging with our staff and our communities, something that would be put at significant risk as a result of the latest proposals.**

**It is also noteworthy that all this has been possible, despite an extremely disadvantageous settlement from Welsh Government, year on year, and one which continues to be based on out of date methodologies. Perhaps time would be better spent reflecting on the way in Welsh Government funds local government to ensure more consistency and fairness to all.**

**The distraction, cost and upheaval involved in restructuring local government would stall progress in improving services and meeting the challenges faced**

**by the public sector. Councils facing such structural review would lose focus on innovation and service delivery and concentrate on the issues surround organisational change. Those paying the price would be the citizens and communities that we seek to serve despite facing such disregard of opinion, performance and direct accountability for the services we provide.**

**Finally, this response has been agreed by the Council's Cabinet and has been framed following a full member briefing. It has also been scrutinised by the Council's Corporate Performance and Resources Committee. The content of the response reflects this process.**



Wales TUC response to:

Welsh Government  
Green Paper on

Strengthening Local Government: Delivering for People

Date of submission: Tuesday 26 June 2018

Wales TUC Cymru  
1 Cathedral Road  
Cardiff  
CF11 9SD  
Tel/Ffon: 029 2034 7010  
Email/Ebost: wtuc@tuc.org.uk



## Context

1. The Wales TUC welcomes the publication of the Welsh Government's "Strengthening Local Government: Delivering for People" Green Paper, along with the opportunity to contribute to the consultation process.
2. The Wales TUC is an organisation that represents approximately 400,000 workers in Wales through our affiliated trade unions. Those Trades Unions have come together to produce a collective response to this consultation exercise. The joint response recognises the impact that any subsequent legislation will have on Welsh local government, and the wider public sector workforce in Wales.
3. Our aim and vision for public services in Wales remains clear: to keep them in the hands of the public, delivered by public sector workers and under the democratic leadership and accountability of elected members. The members of our affiliated unions work tirelessly in delivering world-class public services for the people of Wales, and as such, we recognise the need to ensure that the workforce is fully engaged and protected in the process of reform to ensure that the overarching aims and aspirations of the Green Paper become a reality.
4. There are around 390,000 people employed in the public sector in Wales and we are fighting hard to keep it that way. There was a two percentage point drop (3,700 workers) in the rate of public sector employment (as a proportion of total employment) between 2007 and 2017 in Wales – lower than the overall UK decline of 2.5 percentage points (145,700 workers).<sup>1</sup> We believe that without leadership and support from the Welsh Government to protect the public sector workforce in Wales, this trend would be far worse. However it does still mean that there has been a significant job loss in Welsh public services – particularly in local government.
5. We also appreciate that this Green Paper is produced as a realistic blueprint for local government in Wales, seeking in part to respond to the impact of years of austerity – responsibility for which lies at the UK Government level. We understand that the Welsh Government's resource spending has fallen over the last decade, and that local authority revenues have also declined substantially, along with a shift from revenue from Welsh Government grants towards council tax. We appreciate that there has been a significant increase in the amount revenue generated from council tax, and only a small increase in the revenue raised from non-domestic rates.<sup>2</sup> We hope that the Welsh Government's approach to taxation

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<sup>1</sup> <https://statswales.gov.wales/Catalogue/Business-Economy-and-Labour-Market/People-and-Work/Employment/Persons-Employed/publicprivatesectoremployment-by-welshlocalauthority-status>

<sup>2</sup> <http://www.walespublicservices2025.org.uk/files/2017/11/Local-Gvt-Report-Final-221117.pdf>

going forward may seek to redress this imbalance, including through the proposal for a Vacant Land Tax.

6. We recognise that the impact of austerity has resulted in a real terms fall of £543 million in expenditure on services by local authorities between 2009-10 and 2016-17. We are aware that Welsh Government grants fell disproportionately for local authorities based in the West Wales and the Valleys region (grants per head fell by £320 for West Wales and the Valleys local authorities compared to £254 per head for local authorities in East Wales, between 2009-10 to 2016-17), which was responded to by higher increases in council tax for those authority areas.<sup>3</sup> Although not directly referred to in the Green Paper, we are very concerned that any proposals for councils to retain part or all of the revenues they raise from non-domestic rates could exacerbate local and/or regional inequality in Wales, especially when considered alongside the loss of EU regional funding.
7. We recognise the need for change and that larger authorities may offer the opportunity for economies of scale and more sustainable services, but any reform must be fully funded by Welsh Government and not be at the expense of the workforce. We have consistently advocated an approach which:
  1. avoids compulsory redundancy and unilateral changes to terms and conditions;
  2. avoids outsourcing of services;
  3. provides sufficient scale and resource to allow a whole public sector workforce planning agreement to operate effectively;
  4. utilises reserves, funding mechanisms, shared budgets, service delivery structures and multiyear planning.
8. The points identified in paragraph 7 will ensure that local government is strengthened through reform, and we also advocate the following as opportunities to be captured during the reform process:
  1. Local government reform should be seen as an opportunity for in-sourcing. This should be the default position in any merger, bringing services and workers back into the public sector.
  2. The appropriate social partnership arrangements must be in place at every stage
  3. The impact of reform, on the wider public sector, on communities and for the medium to long term must be evaluated and communicated with social partners.
  4. Shared services arrangements should help to bring good quality jobs with clear progression opportunities to all parts of Wales, with an

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<sup>3</sup> <http://www.walespublicservices2025.org.uk/files/2017/11/Local-Gvt-Report-Final-221117.pdf>

emphasis on how this could bring jobs to areas of socio-economic deprivation.

## **1. The Future of Local Government**

### **Social Partnership**

9. We welcome the confirmation that social partnership will underpin the relationship between local authorities and their staff in paragraph 1.3. However, we believe this should explicitly state that social partnership will underpin the relationship between local authorities and recognised trade unions, rather than 'staff' for clarity – as is the case in paragraph 6.41.
10. We would define social partnership as a tri- or multi-partite arrangement involving employers, trade unions, public authorities and others. At its heart social partnership involves shared decision-making, with the outcomes of the process agreed and supported<sup>4</sup>.
11. Paragraph 5.7 states that you will 'discuss the full range of finance matters with local government and other stakeholders.' We would be more comfortable if this referred to social partners, rather than stakeholders.
12. We would like to see this commitment to social partnership at all levels of local government underpinned by legislation, which also references to the collective bargaining arrangements within the sector and the overarching role of the Local Government Partnership Council and Workforce Partnership Council. Social partnership arrangements must be instituted at every level of the process: local, regional and national. For example, the reorganisation of Public Services Boards (as a result of local government reform) presents an opportunity to introduce a Wales TUC seat on them, in keeping with the Welsh Government's commitment to social partnership.

## **2. Case for change**

### **Regional/local arrangements**

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<sup>4</sup> 'Partnership Agreement: An agreement between the Department of Health, NHS Employers and NHS Trade Unions', retrieved from TUC website, May 2018.

13. We agree that regional working should play a key role in areas such as strategic land use planning and transport and economic development, for several reasons. It should result in greater consideration of the wider impact of decisions taken, and provide more opportunities to address regional inequality, such as through procurement expenditure and office location. It should be complemented by a set of overarching priorities for Wales, including the commitment to make Wales a Fair Work Nation and the commitment to achieving inclusive growth/reducing inequality.
14. We welcome that the Green Paper recognises the importance of aligning the proposed new local authority areas with existing public services footprints such as health boards, which the Wales TUC believes will enable more effective cross-sector workforce planning. We are pleased to see a commitment (6.22) to a 'single public service for Wales... [which] can open up opportunities for our workforce.' We have supported this approach via social partnership for many years and hope that the reinvigorated Workforce Partnership Council will be well placed to develop this further. We also believe that this approach will complement a move towards further service integration, where appropriate.
15. The Wales TUC has long been arguing for workforce planning to be undertaken across the public services. This is a vital part of our call for mitigation of the effects of austerity.
16. The Auditor General for Wales has reviewed the use of early departures (predominantly voluntary redundancy packages) across the public sector in Wales. In a report published in February 2015<sup>5</sup> a number of the recommendations recognise the importance of workforce planning to ensure that public sector organisations are not left unable to deliver key services as a result of the unplanned loss of staff, outlining that this has been the case during some of the redundancies that have taken place over recent years. To address this, the first recommendation of this report is:
- 'Public bodies should use business cases to support all individual early departures. Business cases should identify the cost and service delivery implications of the individual leaving and take account of relevant wider workforce planning.'*
17. We know from work undertaken by the Workforce Partnership Council that the age profile of the Welsh public sector workforce is a cause for concern. The use of quality accredited apprenticeships, accessed by a diverse range of applicants, will be essential if we are to overcome this challenge.

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<sup>5</sup> <http://www.wao.gov.uk/publication/managing-early-departures-across-welsh-public-bodies>

18. The Wales TUC has consistently stated that workforce planning should go beyond individual public sector organisations and should be undertaken on an all-Wales, cross-public sector basis. Workforce planning is much further developed in the NHS than it is in any other part of the public sector in Wales. We have worked with the public sector employers through the Workforce Partnership Council over a number of years in an attempt to bring together the piecemeal workforce planning, where it exists, across Wales and intend for this to be prioritised as part of the WPC's future work plan and inputs into local government reform.
19. The Welsh Government must ensure that local authorities harmonise the collection of workforce data and use it across local authority and public sector boundaries, not that this new requirement ends up with workforce planning on an individual authority basis, albeit on the basis of a smaller number of local authorities.

### **Transforming Services**

20. Wales TUC does not oppose the idea that merged authorities may bring savings and the capacity to develop innovative services. However, we are concerned about the case for shared transactional and expert services as laid out in this document, and how this may be introduced in practice. Without the engagement of the recognised trade unions from the outset – as should be the case in a social partnership model – we could not support this approach because of the potential workforce implications.
21. With this in mind, we do believe that a shared services model could help to develop further expertise in Wales's workforce as long as there are adequate training and progression opportunities, and - as was prioritised by the Valleys Taskforce – new shared services operations should be located in relatively deprived parts of Wales, especially those with above average levels of economic inactivity, unemployment or under-employment.
22. Furthermore, we are concerned that this section makes no reference to consultation with the recognised trade unions. Such changes cannot take place without this consultation.

### ***3. Options for Strengthening Local Government***

23. The Wales TUC welcomes the Welsh Government's continued opposition to 'knee-jerk outsourcing' and the First Minister's statement made when he established the Williams Commission in 2013 - "Public services must remain

public. Their value lies in their universal availability... We cannot leave that to the market. If we turned public services into commodities, provided them competitively and allocated them according to the ability to pay, we would destroy what we have sought to preserve. That is not my agenda.”<sup>6</sup>

24. The Wales TUC remains firmly opposed to all public service changes that are driven purely by budget cuts. We understand that there will need to be reform to provide services fit for the twenty first century and our affiliates are ready to help deliver these where it is clear that long term changes are necessary and not just being made in a response to financial difficulties, rather than service need. We accept there will be a need to consider responses to shorter term financial pressures and the Wales TUC has indicated our willingness to engage with this through the social partnership structures.
25. In relation to longer-term savings resulting from mergers, we would firmly argue that in-sourcing services should be considered as the default approach by authorities and that this should be modeled in the costs and savings analysis.
26. We note in paragraph 3.20 that the green paper acknowledges that “some of the benefits associated with creating fewer, larger local authorities, such as reduced management numbers and reductions in staff costs, may have already been realised.” We believe this statement supports our argument that any reconfiguration must be guided by the principles of high quality public services and Fair Work.
27. Research by the TUC at a UK level on series of high-profile failures involving private companies delivering public services identified commonalities in the failings of these companies, such as the failure to deliver on promised savings/revenue, underperformance against contract requirements and ineffective risk transfer, with the government and the taxpayer having to step in where services fail. While we have avoided outsourcing in many cases thanks to political will and the commitment to social partnership in Wales, we need a commitment through local government reform approach that:
  - puts public interest and the public service ethos at the heart of decision making, with public ownership and management as the default setting;
  - provides full transparency about who runs our services and how they perform;
  - ensures those providing services are accountable to the public and our elected representatives;
  - is informed by the needs of public service users, communities and the public service workforce.<sup>7</sup>

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<sup>6</sup> [http://www.assemblywales.org/docs/rop\\_xml/130430\\_plenary\\_bilingual.xml#80025](http://www.assemblywales.org/docs/rop_xml/130430_plenary_bilingual.xml#80025)

<sup>7</sup> <https://www.tuc.org.uk/sites/default/files/Lessons%20from%20Carillion%20report.pdf>

The Wales TUC shares the view of many that the publicly owned services provided by the public sector is the best way to deliver on these objectives.

28. The case for bringing outsource public services back into the private sector is clear. Local authorities throughout the UK have been bringing services back 'in house' to ensure higher quality services with better user satisfaction levels, the desire for a more flexible and productive workforce, overall value for money, and concerns around performance.<sup>8</sup> In sourcing has been done in a wide range of services areas, with many of the benefits identified by organisations like APSE and the Smith Institute correspond with many of the goals of local government reform.<sup>9,10</sup> As the Smith Institute identified in a report published earlier this year, outsourcing's disadvantages are insurmountable and in direct contradiction of some of the Welsh Government's objectives. They state:

- The extra-contractual costs of outsourcing reduce its value for money.
- Paying contract staff less than a living wage – in order to win a competitive bid – has dire social consequences.
- Outsourcing has weakened employees' bargaining rights, cut productivity, clouded accountability and robbed public service of vital morale and vocational dimensions.
- Outsourcing has further fragmented services when serious complex issues require joined up responses.
- Contracts are being extended without proper consideration because Whitehall is consumed by Brexit.
- Accountability is lacking: often taxpayers and service users are unaware of who is providing their services; where to complain; and who hold to account. Democratic oversight and control has been diminished.<sup>11</sup>

29. This is a view firmly endorsed by the Wales TUC and to be commended to the Welsh Government while it undertakes its reforms in relation to local authority services, including school, further and higher education and social services. The APSE report states that the impact of the approach to shared services on the workforce and on the local economy are key – what may appear attractive in terms of the potential to deliver savings or achieve greater efficiencies may have

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<sup>8</sup> <http://www.apse.org.uk/apse/index.cfm/research/current-research-programme/insourcing-a-guide-to-bringing-local-authority-services-back-in-house/insourcing-a-guide-to-bringing-local-authority-services-back-in-house/>

<sup>9</sup> <http://www.apse.org.uk/apse/index.cfm/research/current-research-programme/insourcing-a-guide-to-bringing-local-authority-services-back-in-house/insourcing-a-guide-to-bringing-local-authority-services-back-in-house/>

<sup>10</sup> <http://www.smith-institute.org.uk/wp-content/uploads/2018/01/Out-of-contract-Time-to-move-on-from-the-%E2%80%98love-in%E2%80%99-with-outsourcing-and-PFI.pdf>

<sup>11</sup> <http://www.smith-institute.org.uk/wp-content/uploads/2018/01/Out-of-contract-Time-to-move-on-from-the-%E2%80%98love-in%E2%80%99-with-outsourcing-and-PFI.pdf>

unintended costs and consequences which will have an impact on the local authority as a whole.

30. We are unapologetic in our support for in sourcing in order to increase/bring employees back into the public sector workforce. The goal of achieving a 'one Wales public sector workforce' with cross-public sector workforce planning at the heart is undermined by taking employees out of the public sector workforce and into outsourced entities.
31. The benefits for public services would also go beyond local government. For example, in sourcing social care services would support a smoother transition towards integrated health and social care services.
32. Conversely, when taking decisions which have a major impact on the pay, terms and conditions of the workforce we would expect local authorities to take the all costs into account. When considering out-sourcing workers and so placing them on inferior terms and conditions, local authorities should have to take into account other costs, including:
  - The impact on the local economy of lower wage packets
  - The impact on the quality of services when people receive lower pay
  - The knock on effect to other service providers when the quality of local government services falls, a prime example being the impact on health service of the crisis in the social care sector caused by out-sourcing driven by decisions taken in the wake of austerity
33. We would expect any reconfiguration of local government services to adhere to the recommendations of the fair work commission, which was recently announced by the First Minister.

#### ***4. Finding agreement for a future footprint for local government***

##### **Regional economic development**

34. We have welcomed the Welsh Government's shift toward regional economic development through initiatives such as the Valleys Taskforce, but feel that thought should be given to the impact of a 73% cut back to net current service spending in economic development by local authorities in just under a decade, and how this may need to be redressed as part of local government reform.<sup>12</sup>
35. We would also like to see a commitment to regional economic development on a tripartite basis, ensuring that employers and trade unions are sitting round the

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<sup>12</sup> <http://www.walespublicservices2025.org.uk/files/2017/11/Local-Gvt-Report-Final-221117.pdf>



table with government. Para 4.13 emphasises the importance of local authorities working together to ensure that the impact to staff is minimal through cross working. We understand the importance that this puts on the effective implementation of regional economic development, in consultation with the recognised trade unions this process can be transitioned more quickly through agreement.

36. Local government employment also contributes the availability of fair work in a region, and therefore has a direct financial impact on local economies. Any new offices and other work premises should be located in areas of relative socio-economic disadvantage where possible.
37. The impact of local government's procurement spend is huge and can be used more effectively to deliver Fair Work. Trade union recognition is central to this, so recognition should be a condition of contract across local government for all procurement expenditure..

### **Public Services Boards**

38. We note that Public Services Boards will be transitioned alongside local authorities in order to operate on the same geographic footprint (4.16 – 4.17). As part of the re-commitment to social partnership at all levels of government in Wales, we would expect there to be a formal role for trade union membership on these boards going forward to reflect the commitment to social partnership at all levels of government.

### **Factors considered in relation to agreeing a footprint/budgets**

39. The cost of local government reorganisation should be provided centrally and under no circumstances should it be taken out of existing decreasing local authority budgets.
40. The Wales TUC has also called for clear direction from the Welsh Government regarding the expectations on public service employers at this time of financial austerity, including the need for those employers to have sufficient flexibility to manage immediate funding issues by carrying forward deficits and capitalising relevant costs. We hope that this process will include consideration of moving away from single year financing for local government.
41. In relation to the factors considered in order to reach the proposed new authority areas, we believe consideration should be given to the economic performance and relative disadvantage/inequality. Table 1 uses a three indicators to illustrate how there would significant variation in levels of need within and between the

proposed new areas. Particularly in relation to inequality within these areas, we would be concerned that the merger of more affluent authorities with relatively deprived areas may result in less attention being paid to inequality and deprivation with the larger authority. Any merger should be targeted to raise such indicators throughout the borough, with no leveling down.

42. If this will not be considered at this stage, we would like any further proposals to be explicit about how they would address inequality and deprivation within the new proposed areas.

43. We would want to be especially mindful of this if there was a move toward full or partial business rates retention by local government, and how this could exacerbate inequality.

<b>Proposed new area</b>	<b>LA</b>	<b>GVA per head (£), 2015</b>	<b>Median gross weekly earnings by Welsh local areas and year (£), 2017</b>	<b>Economic inactivity rates (2017)</b>
1	Isle of Anglesey	13,411	466.5	19.3
	Gwynedd	18,855	421.3	18.2
2	Conwy	15,568	448.6	20.8
	Denbighshire	16,482	497.5	19.9
3	Flintshire	23,648	535.5	18.3
	Wrexham	18,683	493.8	14.9
4	Powys	16,971	460.3	15.5
5	Ceredigion	16,849	468.3	18.8
	Pembrokeshire	15,905	449.1	21.7
	Carmarthenshire	15,159	505.8	18.8
6	Swansea	18,577	474.4	21
	Neath Port Talbot	15,191	565.4	24.3
7	Bridgend	19,560	536.0	23.4
	Rhondda Cynon Taf	15,431	498.5	22.1
	Merthyr Tydfil	15,420	426.9	20.7
8	Cardiff	25,243	528.8	17.6
	Vale of Glamorgan	15,894	502.0	18.1

9	Caerphilly	13,415	501.8	21.9
	Newport	20,851	475.0	19.6
10	Blaenau Gwent	10,980	492.8	25.6
	Torfaen	16,250	500.0	18.2
	Monmouthshire	20,418	539.0	18.2
Sources: <a href="https://www.ons.gov.uk/economy/grossvalueaddedgva/datasets/regionalgvaibyllocalauthorityintheuk">https://www.ons.gov.uk/economy/grossvalueaddedgva/datasets/regionalgvaibyllocalauthorityintheuk</a> ; <a href="https://statswales.gov.wales/Catalogue/Business-Economy-and-Labour-Market/People-and-Work/Earnings/medianweeklyearnings-by-welshlocalareas-year">https://statswales.gov.wales/Catalogue/Business-Economy-and-Labour-Market/People-and-Work/Earnings/medianweeklyearnings-by-welshlocalareas-year</a> ; <a href="https://statswales.gov.wales/Catalogue/Business-Economy-and-Labour-Market/People-and-Work/Economic-Inactivity/economicinactivityratesexcludingstudents-by-welshlocalarea-year">https://statswales.gov.wales/Catalogue/Business-Economy-and-Labour-Market/People-and-Work/Economic-Inactivity/economicinactivityratesexcludingstudents-by-welshlocalarea-year</a>				

## ***5. A clear and democratically-led process***

### **Transition committees**

44. The transition committees should be part of a wider social partnership model. It is vital that the recognised trade unions should have a voice in their deliberations.

### **Transforming services**

45. We welcome the points made in paragraphs 6.20 and 6.21 in principle, so long as the necessary social partnership arrangements are in place.
46. We appreciate recognition of the impact which the transition may have on the workforce (par. 6.24). We also welcome the confirmation that the ‘commitment to social partnership will guide the approach we take’ [6.26] and that the ‘objective is for change to protect jobs, particularly in the most deprived areas, and minimize the impact of ongoing salami slicing.’ We welcome a more strategic approach to resource use in which the social partnership arrangements have a clear role, although we would argue that this needs to be clearly defined and agreed through tripartite discussion from the outset.
47. We welcome the commitment in paragraph 6.41 to working together in social partnership with recognised trade unions.
48. We welcome the proposal in paragraph 6.41 not to establish a new staff commission but to use existing social partnership arrangements instead.
49. The section on expanding the use of shared services (paragraphs 6.48 – 6.52) makes no reference to consultation with the recognised trade unions. This would need to be rectified.

50. We note the references to standardising terms, conditions and human resources policies in paragraphs 6.24, 6.38 and 6.40. These are all matters which would require consultation with recognised trade unions. Any changes to terms and conditions should only be in the form of an uplift – not a levelling down or race to the bottom.
51. We note the reference to the provision of “advice and guidance to protect the interests of staff, to provide assurance and make sure there is consistency and fair treatment” in paragraph 6.39, which we welcome. We would expect the drafting of such advice to be drawn up under the terms of the social partnership arrangements.
52. We note that paragraphs 3.7, 3.11 and 3.20 speculate on the attitude of the local government workforce to three different options on mergers and comes to the conclusion that a centrally mandated ‘single comprehensive merger programme’ “offers the greatest certainty for the workforce” compared to the voluntary or ‘early adopter models’. In comparison, the 2017 white paper stated that even a voluntary merger would require “consultation with staff and any representative bodies.” It is Wales TUC’s view that recognised trade unions are best place to gauge the views of the workforce on such matters and it is inappropriate for government green paper to speak on their behalf.

### **Moves to standardise staff numbers**

53. We are concerned by what is implied in paragraph 6.25 which reads:
- “Resources and capabilities are naturally different across each of the current local authorities. For example, table 10 of Annex B highlights the variance in numbers of staff in social service departments within the principal local authorities. There will be challenges in identifying these differences, and developing plans which make the best use of the skills and capabilities of the staff available to the new authorities.”
54. We are concerned because this paragraph makes no reference to the needs of people receiving social services, nor of the socio-economic factors which might account for different levels of provision.
55. We are concerned at the implication that there could be a notional “correct” level of social services staffing levels which might be centrally calculated without reference to local population needs assessments. We are concerned about the possible impact of such a policy. A drive to standardise staffing numbers would certainly be a matter for consultation with recognised trade unions at local authority level.

56. We are further concerned because table 10 provides only a partial view of the numbers of people funded by local authorities to provide social services. According to Stats Wales

“This table summarises information on the directly employed staff of social services departments in Wales. Local authorities also provide services using the independent sector, whose staff are not included in these figures.”

57. According to data from Social Care Wales, there are an estimated 56,000 people work for independent providers commissioned by local authorities to provide social care services<sup>13</sup> this compares to a total of 21,840 staff who work directly for local authority social services departments which are referred to in table 10.

58. Therefore one of the main factors which decide the “variance in numbers of staff in social services departments” referred to in paragraph 6.25 is the extent to which local authorities have out-sourced their provision. Therefore we do not believe that the point made in this paragraph is valid as it does not include the majority of people who work on behalf of local government in social services.

## **Investing in People**

59. It is vital that all tiers of staff receive additional training to allow them to develop and thrive as local authorities transition. A large part of any change may well involve improvements and reform to the delivery of services. This will be particularly important for those staff who work on the front line. As it stands, the green paper only makes reference to skills training for senior managers and leaders. We would call for a far wider re-training and re-skilling programmes based on the needs of all staff to provide modern responsive services. We would also echo the calls of trade unions for a national skills audit of local government if a voluntary severance scheme is introduced.

## **Protecting people**

60. We welcome the recognition of the Public Services Staff Commission’s guidance as a ‘sound foundation’ for guidance on managing change. Despite the very significant work carried out by the PSSC, the Wales TUC agrees that expert advice on local government reform and the workforce should be sought from existing social partnership arrangements such as the Workforce Partnership Council.

## ***Equality***

### **Equality and Local Democracy**

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<sup>13</sup> [https://socialcare.wales/cms\\_assets/file-uploads/COM07000\\_SCWDP\\_report\\_2016\\_eng\\_v1.pdf](https://socialcare.wales/cms_assets/file-uploads/COM07000_SCWDP_report_2016_eng_v1.pdf)

61. The consultation and equality impact discuss improving the demography of local councillors, but it doesn't provide adequate detail on how that would and could be achieved. In order to achieve its aim of delivering for people, it needs to be representative of the people it serves, and have the same requirements and needs. Anything less is guesswork at best or woeful ignorance of the needs of a diverse community.
62. Given that two Local Authorities currently have exclusively white and male cabinets, and no council in Wales currently has an equal representative cabinet on gender or any other protected characteristic, it is imperative that this is more than kind words. Actions need to be taken to ensure local councillors fit a diverse profile inclusive of all protected characteristics, and council leaders and their cabinet need also to demonstrate the same principles of diversity. This may be achieved with quotas on gender, BME and disability or through all protected characteristic shortlists.
63. With this work, the devil is in the detail and this consultation certainly does not provide that level of consideration on why currently councils are not representative. Without understanding why it's not currently the case, any work to remedy this will simply fail. Wales TUC would welcome an in-depth analysis on the diversity of local government and who is represented as well as focus groups with other groups from those with varying socio-economic status and protected characteristics highlighting why they have not sought election, in order to ascertain a more definitive answer as to why our councils are not as diverse as our communities.
64. In similar terms, just as workers cannot undertake Trade Union activities without facility time, often workers cannot undertake political activities without supported time to do so. As such, the role often falls to people who already have the confidence, financial means and time to support themselves to do this work and to those who are already engaged and knowledgeable of the system they will be involved in. Increasing diversity at the very least must start with work to demystify the role of a councillor, and make it more easily understood by local residents. The process of standing should be simplified and more transparent and the same across all political parties. Meetings should take place in family friendly hours and employers should enable their workforce to participate in local democracy by allowing agreed time off.
65. Should LA mergers go ahead in any of the potential options for mergers, equality and diversity must be at the heart of what the Welsh Government aim to achieve. A representative leadership can speak to their communities' strengths and needs with far more authority and better deliver for them.

## **Equality and workforce issues**

66. Any of the potential mergers mooted in this green paper consultation document will inevitably impact on the workforce. Given the unavoidable change that would come with a merger, such as change of working locations, unsettled workforce, reorganisation etc, Wales TUC would need to see assurances based on the best interests of the workforce. It is imperative that there is full consultation with Trade Unions at all stages. Additionally, there should be no compulsory redundancies and information should be clearly given to avoid staff being overburdened by the stress of the merger.
67. Workplace union representatives have already highlighted through Wales TUC structures the stress placed on workers to carry out their roles. Whilst we appreciate that Local Government have had to do more with less, the impact of this has been that workers have borne the brunt of this and have worked beyond their capacity often overburdened by their workload. This leads to dissatisfaction within the working environment, stress, and an impact on mental health.
68. Wales TUC has responded through the creation of courses, resources and events designed to help reps within their workplace, and these have all been oversubscribed. However, Wales TUC Equality committee members have highlighted dissatisfaction with employers' use of resilience courses in large scale reorganisation as employers have used these as a justification for an overburdened workload and job creep. Employers must protect and value their workforce as their largest asset.
69. When considering protecting people, this must also extend to workers within the Local Authorities and those who work under contracted terms for the Local Authority. We would strongly advise against any use of zero-hour contracts and insecure work in both areas of employment.
70. Workers will be worried about what changes may be coming up and consultation must take place to listen to their views and respond accordingly. The review must consider the impact on the local economy if workers are moved to another location. Furthermore, they must consider how this affects those with a protected characteristic or a caring responsibility for relatives and/or children and how this may inadvertently stop them being able to access their work. For example, those with a caring responsibility may require particular public transport at set times, and this may not be possible if the workplace is in a different location.
71. Additionally, it is likely that any relocation of workplace would impact disproportionately on disabled workers who may be able to manage their journey currently but may find it difficult at another location. Furthermore, some workers may rely on use of a car and car parking may not be as readily available in their

new working locations. Full consultation with disabled workers is essential as they will often have more specific requirements for them to be able to work and may require a longer time to adjust to new working patterns or put in place specific adjustments to allow them to work in a different way.

## **Equality and Service Provision**

72. The gender divide in use of provision and job roles are most stark within local authorities. Women engage with Local Authority services to a greater extent than men, in particular due to the use of care services either for themselves, or for someone who they care for. Furthermore, women make up a larger percentage of Local Authority staff, both in clerical services but also in education and social services where the workforce is dominantly women and job roles are often part time.

73. Men also engage in largely gender specific roles within the local authority context, often carrying out the majority of street cleaning, refuse collection, park wardens and housing officials. However, they also are far more likely to be councillors, elected mayors, and key officials in finance, corporate affairs, finance and economic development. Often holding managerial or executive positions, in particular Council leaders and Chief Executive. There is an opportunity in reorganisation to put in place a less gendered workforce and make positions more equally distributed between men and women. Furthermore, Local Authorities must consider when drawing up new contracts whether positions are only in full time hours or whether part time may be possible, flexible working patterns, parental leave for both parents, generous maternity and paternity provisions and supported childcare arrangements.



Archwilydd Cyffredinol Cymru  
Auditor General for Wales

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24 Cathedral Road / 24 Heol y Gadeirlan  
Cardiff / Caerdydd  
CF11 9LJ

Strengthening Local Government  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

Tel / Ffôn: 029 2032 0500  
Fax / Ffacs: 029 2032 0600  
Textphone / Ffôn testun: 029 2032 0660  
[info@audit.wales](mailto:info@audit.wales) / [post@archwilio.cymru](mailto:post@archwilio.cymru)  
[www.audit.wales](http://www.audit.wales) / [www.archwilio.cymru](http://www.archwilio.cymru)

**Reference:** HVT/2855/caf

**Date issued:** 12 June 2018

### White Paper 'Reforming Local Government: Power to Local People'

I welcome the opportunity to comment on the contents of the Green Paper – Strengthening Local Government: Delivering for People.

Given my audit responsibilities and the need to observe my constitutional impartiality, I have not answered all of the consultation questions but I have provided a response where I felt it was appropriate for me to do so. I have therefore avoided commenting more broadly on the policy merits of the Green Paper.

As the broader proposals for local government reform are further developed, I look forward to continuing to engage with the Welsh Government, particularly in relation to strengthening the role of external review.

I have also contributed to a separate joint response to the White Paper submitted on behalf of the Inspection Wales programme.

**HUW VAUGHAN THOMAS**  
**AUDITOR GENERAL FOR WALES**

24 Cathedral Road/24 Heol y Gadeirlan  
Cardiff/Caerdydd  
CF11 9LJ

Cryfhau Llywodraeth Leol  
Llywodraeth Cymru  
Parc Cathays  
Caerdydd  
CF10 3NQ

Tel/Ffôn: 029 2032 0500  
Fax/Ffacs: 029 2032 0600  
Textphone/Ffôn testun: 029 2032 0660  
[info@audit.wales/post@archwilio.cymru](mailto:info@audit.wales/post@archwilio.cymru)  
[www.audit.wales/www.archwilio.cymru](http://www.audit.wales/www.archwilio.cymru)

**Cyfeirnod:** HVT/2855/caf  
**Dyddiad cyhoeddi:** 12 Mehefin 2018

### **Papur Gwyn 'Diwygio Llywodraeth Leol: Grym i Bobl Leol'**

Rwy'n croesawu'r cyfle i roi sylwadau ar gynnwys y Papur Gwyrdd – Cryfhau Llywodraeth Leol: Cyflawni dros ein Pobl.

O ystyried fy nghyfrifoldebau archwilio, ynghyd â'r angen i gynnal fy nidueddrwydd cyfansoddiadol, nid wyf wedi ateb pob un o gwestiynau'r ymgynghoriad, ond rwyf wedi ymateb lle roeddwn yn teimlo ei bod yn briodol i mi wneud hynny. Felly, rwyf wedi osgoi rhoi sylwadau mwy eang ar rinweddau'r Papur Gwyrdd o ran polisiau.

Wrth i'r cynigion ehangach ar gyfer diwygio llywodraeth leol ddatblygu ymhellach, edrychaf ymlaen at barhau i ymgysylltu â Llywodraeth Cymru, yn enwedig mewn perthynas â chryfhau rôl yr adolygiad allanol.

Rwyf hefyd wedi cyfrannu at gyd-ymateb ar wahân i'r Papur Gwyn, a gyflwynwyd ar ran rhaglen Arolygu Cymru.

**HUW VAUGHAN THOMAS**  
**ARCHWILYDD CYFFREDINOL CYMRU**

## Annex C: Consultation Questions

Your Name	Huw Vaughn Thomas
Organisation (if applicable)	Auditor General for Wales and Wales Audit Office
E-mail / Telephone	<a href="mailto:Huw.Thomas@audit.wales">Huw.Thomas@audit.wales</a> / 029 2032 0500
Your Address	24 Cathedral Road, Cardiff, CF11 9LJ

You can find out how we will use the information you provide by reading the privacy notice in the [consultation document](#).

### Chapter 3

#### Consultation Question 1

In Chapter 2, we restated our commitment to regional working in key areas but recognised the need for this to be supported by further change. In chapter 3, we set out the broad options for moving toward fewer, larger local authorities and summarise features of the process which would be common to each option.

- a) What practical steps could the Welsh Government take to make current regional working easier and more effective, for example in relation to education consortia, social services and the City Regions and City and Growth Deals?

This question is probably more relevant for local authorities and other partners involved in regional working.

However my memorandum to the Public Accounts Committee on Achieving improvement in support to schools through regional education consortia - a review of progress, published in November 2016 provides some insight on the progress made in establishing the consortia arrangements and areas where further work is needed. This may be helpful to the Welsh Government in considering actions it could take to improve the effectiveness of regional arrangements more generally.

Under the Wellbeing of Future Generations (Wales) Act 2015, I have a responsibility to examine the extent to which the bodies covered by the Act are acting in accordance with the Sustainable Development principle in setting and pursuing Well-being Objectives, which includes their need to take account of the benefits of collaboration (one the “five ways of working”). Looking at individual bodies, in isolation will only give me a partial view of the account given to the benefits of collaboration. Therefore I am planning to undertake further work on collaborative arrangements including PSBs, rather than solely focusing on individual institutions.

I am also currently undertaking some preliminary work on the governance arrangements for City Deals.

- b) What are your views on the common elements to the process of mergers we outline in this section?

These are largely a matter of policy which it would not be appropriate for me to comment on. However the commitments to manage the impact on existing services, citizens and the workforce together with the recognition of the need for appropriate support and guidance in relation to the process for bringing authorities together seems logical.

c) What are your views on the options for creating fewer, larger authorities which we have set out?
There are no findings from my work in relation to local government that suggest that any of the proposed options are unreasonable or unworkable. Similarly, however, I do not have any findings that suggest whether any of the proposed options have particularly strong merits or drawbacks.
d) Are there other options for creating fewer, larger authorities we should consider?
These are matters of policy which it would not be appropriate for me to comment on.
e) Do you have evidence on costs, benefits and savings of each option which can inform decision-making? If so, please provide details.
The summary of benefits and disadvantages as set out in the green paper seems a reasonable assessment.

<b>Chapter 4</b>
<u>Consultation Question 2</u> Chapter 4 has explained the need for clarity on the future footprint for local government and the range of factors which should be taken into account to determine a new configuration. It sets out a suggested future footprint for local government, which could be reached via each of the options set out in the previous chapter.
a) Do you agree that providing clarity on the future footprint of local government is important?
Yes. Clarity for local government should help councils plan for the medium and long-term.
b) Do you agree with the factors we have identified to inform our thinking? Would you change or add any?
The Green Paper seems to provide a reasonable summary of relevant factors.

<b>Chapter 5</b>
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Consultation Question 3

Chapter 5 sets out the proposed approach to transition and implications for establishing Transition Committees and elections to Shadow Authorities under each option.

- a) Do you agree with the proposed process of transition: namely establishing Transition Committees and ensuring elections to Shadow Authorities can be held ahead of vesting day for the new authorities?

Yes this would seem to be a logical approach.

- b) Do you agree that, if option 1 were pursued, we should set a date by which voluntary merger proposals should come forward in each electoral cycle?

This would help to provide an element of certainty for the public and other stakeholders.

- c) Do you have any other thoughts on the proposed process?

It would not be appropriate for me to comment further

Consultation Question 4

The consultation suggests holding any local government elections in June 2021.

Are there any reasons why June 2021 would not be a suitable date? If so, please suggest an alternative date with the reasons why that would be more suitable.

These is a matter of policy which it would not be appropriate for me to comment on

Consultation Question 5

The Welsh Government recognises that there are some plans or assessments, for example the preparation of assessments of wellbeing by Public Service Boards, which are linked to electoral cycles. We will make provision to make sure these tie

into any new electoral cycles going forward. Are there any other plans or matters which might be tied into the electoral cycle which we need to consider?
Council plans and policies should be inter-connected and not exist in isolation. If planning and reporting duties are to be linked to electoral cycles, it will be important to have safeguards to ensure such work is not affected by short-term political considerations.
<b><u>Consultation Question 6</u></b> What are your views on the approach which should be taken to determining the parameters of electoral reviews?
It may be helpful to look back at the approaches to determining parameters for electoral reviews that accompany structural change, (and experiences with them) of previous reviews, such as the “Banham Commission” (Local Government Commission in England 1992-94).

<b>Chapter 6</b>
<b><u>Consultation Question 7</u></b>
a) How can councils make more effective use of their elected members knowledge of, and connections in, their communities?
It would not be appropriate for me to make suggestions in this area without undertaking a specific study
b) How could we better recognise the level of responsibility involved in being a local councillor? What changes to the remuneration and support councillors receive would enable a wider range of people to become involved in local democratic representation?
It would not be appropriate for me to make suggestions in this area without undertaking a specific study
<b><u>Consultation Question 8</u></b>
a) Are there other powers which local government should have? If so, what are they?
These is a matter of policy which it would not be appropriate for me to comment on.
b) Are there other freedoms or flexibilities which local government should have? If so, what are they?
I commented in response to the previous Welsh Government white paper ‘Reforming Local Government: Power To Local People’ that I believe one of the lessons from the application of the Local Government (Wales) Measure 2009 is the need to avoid “one size fits all” approaches and to allow sufficient flexibility to allow a risk-based approach to internal and external review. In 2017 in responding to that consultation I also agreed that the Local Government (Wales) Measure 2009 (LGM 2009) should be repealed. I remain of the view that this would allow resources to be re-focused in pursuit of more proportionate arrangements for

external audit and assessment, with a clearer focus on value for money and areas of higher risk.

Consultation Question 9

a) Which areas offer the greatest scope for shared transactional services?

This is largely a matter for councillors and other stakeholders to consider. That said, I have no real evidence for or against the effectiveness of shared services. Unless carefully managed some inefficiencies may occur due, for example, to cultural barriers and competing priorities, and lack of clarity as to responsibilities and accountabilities.

b) How might such arrangements be best developed?

This is largely a matter for councillors and other stakeholders to consider, but I suggest clear, binding agreements between authorities so as to provide maximum clarity as to responsibilities and accountabilities.

Consultation Question 11.

We would like to know your views on the effects that the proposals within this consultation would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

a) What effects do you think there would be?

It might best to undertake some specific research in relation to this, as there may be some complex issues arising from the deployment of Welsh speaking staff across the new authorities.

b) How could positive effects be increased, or negative effects be mitigated?

The new authorities will need to give careful thought in relation to the configuration of service delivery in terms of deploying Welsh speaking staff so as to best meet the needs of members of the public wishing to use Welsh.

Consultation Question 12

Please also explain how you believe the proposed policy within this consultation could be formulated or changed (if required) so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and

on treating the Welsh language no less favourably than the English language.
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I do not see change in the policy set out in the consultation as likely to increase positive effects. Positive effects are more likely to be achieved through careful design of service configurations in the new authorities, as indicated above.
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## Janet Finch-Saunders AM/AC

Assembly Member for Aberconwy  
Shadow Cabinet Secretary for Local Government

Aelod Cynulliad dros Aberconwy  
Ysgrifennydd yr Wrthblaid ar gyfer Llywodraeth Leol

### Strengthening Local Government

By email to:

[StrengtheningLocalGov@gov.wales](mailto:StrengtheningLocalGov@gov.wales)

6<sup>th</sup> June 2018

Ref: TYH/JFS/HM

### **Re: Consultation response - Strengthening Local Government: Delivering for people**

Dear Cabinet Secretary, Alun,

I write to make a submission in relation to the *Strengthening Local Government: Delivering for people Green Paper* consultation.

With regards to the proposals outlined, I hold considerable concerns at the proposals to enforce mergers on local authorities in Wales. From discussions I have held with local government representatives, leaders, and officials in a number of local authorities in Wales, I am aware that there is not universal support within the sector for such a reform – indeed, I have come across a marked amount of opposition to these proposals, and would urge the Cabinet Secretary to reconsider this stance as a matter of urgency.

For example, I note that Newport City Council has recently sent you their response about forced mergers, which maintains that it should be a stand-alone authority and not merged with Caerphilly – due to the intrinsic lack of shared synergy or local identity between both authorities, as Newport is a developing city – and further raises questions about the true savings such a move would make. This has received cross-party support across the City's Council.

Furthermore, the Vale of Glamorgan has pointed out in its consultation response that their concerns are similar with regard to local identity and synergy, noting that *"Cardiff is a densely populated urban conurbation and capital city with all that that entails, while the Vale's character focuses on a significant rural area..."*. Moreover, it is evident from the Council's reply that bigger isn't necessarily 'better' – explaining that the five highest performing councils in Wales as determined by the Welsh Data Unit (Vale of Glamorgan, Monmouthshire, Gwynedd, Ceredigion and Denbighshire) are not considered 'large' by Welsh Government standards, but their performance outranks some of the larger councils which are being considered as merger partners. Instead, it suggests that performance should be one of the key drivers in changes and, by failing to consider this, the Green Paper has exposed a fundamental weakness.

[Cont.]





## Janet Finch-Saunders AM/AC

Assembly Member for Aberconwy  
Shadow Cabinet Secretary for Local Government

Aelod Cynulliad dros Aberconwy  
Ysgrifennydd yr Wrthblaid ar gyfer Llywodraeth Leol

[Cont.]

Even the proposal to allow councils to voluntarily merge seems to be an incomprehensible ask for local authorities to carry out. For example, Conwy and Denbighshire, who submitted their plans to merge to one of your predecessors, Leighton Andrews, are now dubious as to whether another submission would be unilaterally rejected by the Welsh Government again. Additionally, Vale of Glamorgan, which also had its voluntary merger plan with Bridgend rejected by Mr Andrews in 2015, refuses to voluntarily merge with Cardiff, based on the map you have provided.

The sector has faced unprecedented uncertainty over the past three years as successive Welsh Labour Governments have put forwards three different proposals for reform, and I am concerned that these latest proposals have not been developed after full consultation and discussions with local government directly.

Whilst I appreciate that the current situation may not be sustainable – certainly, the sector is under immense pressures as a result of ongoing settlement cuts from the Welsh Government, and there is little room for them to manoeuvre or plan budgets several years ahead – I do feel that there is a wider picture to be considered here.

The local government sector does not act alone in providing its services to the people of Wales. Integral links and working agreements with other areas of the public sector – including the health service, as required under the Social Services and Well-being (Wales) Act 2014 – are par for the course in many areas.

We are further aware of the considerable concerns facing the health service in Wales. For example, nursing and doctor shortages are endemic within the Welsh NHS, there are systematic failures to keep to waiting times, health board overspends, as well as continuing direct government control of Betsi Cadwaladr University Health Board.

It is therefore difficult to see how your proposals on local government reform fit into and complement the wider landscape of Welsh public services.

I also note that the Welsh Government intends to reorganise the Fire and Rescue Service, potentially through more democratic accountability and wonder whether this might also fit into a programme of such reorganisation. It is clear from the Fire and Rescue Authorities' April response to your letter that they also wish to know how their reforms would fit into local government reforms.

[Cont.]





## Janet Finch-Saunders AM/AC

Assembly Member for Aberconwy  
Shadow Cabinet Secretary for Local Government

Aelod Cynulliad dros Aberconwy  
Ysgrifennydd yr Wrthblaid ar gyfer Llywodraeth Leol

[Cont.]

With regards to other matters address in the consultation regarding the functions and performance of elected members, I would like to reiterate my support for proposals previously brought forward, following calls by myself and others, to mandate for all elected Councillors on local authorities to publish an annual report of their work.

I would also like to take this opportunity to reiterate the need for all full Council, Planning and Cabinet meetings to be live-streamed online, and available for play-back afterwards, and for the online publication of all council spend by each local authority. A sample of exempt items at Cabinet meetings in 2016-17 highlight that some councils are excluding the public from meetings far more than others – including Bridgend, which excluded the public during 93% of their meetings, compared with Torfaen and Cardiff which did not exclude the public in any of their meetings.

Additionally, your predecessor, Mark Drakeford AM promised mandatory live-streaming of council meetings within his package of proposals. Currently 18 out of 22 councils had taken forward live streaming after a £1.25m Welsh Government grant in 2013, with Ceredigion, Neath Port Talbot, Rhondda Cynon Taf and Swansea not providing this service. Furthermore, the level of webcasting differs from council to council, with Monmouthshire live streaming a range of council meetings including Full Council, Cabinet and Planning, Audit and Transport Committees, but Caerphilly only streaming Full Council meetings. Please find below the table of latest webcasts available from each council for your information:

Council	Webcasting Meetings (Y/N)	Notes
Isle of Anglesey	Y	Full Council, Executive, Planning Committee
Blaenau Gwent	Y	Full Council, Executive, Scrutiny and Regulatory Committee
Bridgend	Y	Full Council, Cabinet, Planning and Scrutiny Committees
Caerphilly	Y	Full Council <b>only</b>
Cardiff	Y	Full Council, Planning Committee, Environment Committee
Carmarthenshire	Y	Full Council, Planning Committee, Executive
Ceredigion	N	No dedicated page since 2014

[Cont.]





# Janet Finch-Saunders AM/AC

Assembly Member for Aberconwy  
Shadow Cabinet Secretary for Local Government

Aelod Cynulliad dros Aberconwy  
Ysgrifennydd yr Wrthblaid ar gyfer Llywodraeth Leol

[Cont.]

<b>Conwy</b>	Y	Full Council, Planning Committee, Cabinet, Economy Committee, Finance Committee
<b>Denbighshire</b>	Y	Full Council, Cabinet, Planning Committee, Scrutiny Committee
<b>Flintshire</b>	Y	Full Council, Planning Committee
<b>Gwynedd</b>	Y	Full Council, Cabinet, Scrutiny Committees, Education Committee
<b>Merthyr Tydfil</b>	Y	Full Council, Planning Committee
<b>Monmouthshire</b>	Y	Full Council, Cabinet, Audit Committee, Children and Young People's Committee, Transport Committee, Planning Committee (via YouTube)
<b>Neath Port Talbot</b>	N	
<b>Newport</b>	Y	Full Council, Planning Committee, Scrutiny Committees (but archives only as far back as April 2018)
<b>Pembrokeshire</b>	Y	Full Council, Cabinet, Scrutiny Committee, Schools Committee, Planning Committee; Corporate Governance, Licensing, and Standards Committees
<b>Powys</b>	Y	Full Council, Cabinet
<b>Rhondda Cynon Taf</b>	N	Although the platform is there, nothing is logged onto it
<b>Swansea</b>	N	As Rhondda Cynon Taf above – nothing since 2013
<b>Torfaen</b>	Y	Full Council; Planning, Licensing and Scrutiny Committees
<b>Vale of Glamorgan</b>	Y	Full Council, Planning Committee
<b>Wrexham</b>	Y	Full Council, Executive, Planning and Scrutiny Committees

[Cont.]



Janet Finch-Saunders will treat in confidence any personal information which you may pass on to her, and she will normally allow her staff to see it, so that they can consult with relevant authorities in order to help and advise you. We may wish to write to you from time to time to keep you informed on issues which you may find of interest. Please let us know if you do not wish to be contacted for this purpose.

Mi wnaiff Janet Finch-Saunders cadw unrhyw wybodaeth personol yn gwbl gyfrinachol, ac fel arfer mi fydd rhaid iddi rannu'r wybodaeth 'efo aelodau o staff i'w galluogi nhw i ddellio 'efo'r awdurdodau perthnasol er mwyn eich helpu a'ch cynorthwyo chi. Efallai mi fydd angen i rywun ysgrifennu atoch er mwyn darparu'r wybodaeth ddiweddaraf o bwys. Gadwch wybod i ni os nad oes diddordeb gennych mewn cael eich cysylltu at y diben hwn.



## Janet Finch-Saunders AM/AC

Assembly Member for Aberconwy  
Shadow Cabinet Secretary for Local Government

Aelod Cynulliad dros Aberconwy  
Ysgrifennydd yr Wrthblaid ar gyfer Llywodraeth Leol

[Cont.]

These proposals, I believe, would take significant steps towards making the local government sector more open, transparent, and accountable to its electorate.

Yours sincerely,

**Janet Finch-Saunders AM/AC**



Janet Finch-Saunders will treat in confidence any personal information which you may pass on to her, and she will normally allow her staff to see it, so that they can consult with relevant authorities in order to help and advise you. We may wish to write to you from time to time to keep you informed on issues which you may find of interest. Please let us know if you do not wish to be contacted for this purpose.

Mi wnaiff Janet Finch-Saunders cadw unrhyw wybodaeth personol yn gwbl gyfrinachol, ac fel arfer mi fydd rhaid iddi rannu'r wybodaeth 'efo aelodau o staff i'w galluogi nhw i ddelio 'efo'r awdurdodau perthnasol er mwyn eich helpu a'ch cynorthwyo chi. Efallai mi fydd angen i rywun ysgrifennu atoch er mwyn darparu'r wybodaeth ddiweddaraf o bwys. Gadwch wybod i ni os nad oes diddordeb gennych mewn cael eich cysylltu at y diben hwn.

## Annex C: Consultation Questions

Your Name	Sebastian Bench
Organisation (if applicable)	Welsh Liberal Democrats
E-mail / Telephone	<a href="mailto:sebastian.bench@welshlibdems.org.uk">sebastian.bench@welshlibdems.org.uk</a> /07902511396
Your Address	Meanwhile House, Curran Embankment Cardiff, CF10 5FX

You can find out how we will use the information you provide by reading the privacy notice in the [consultation document](#).

### Chapter 3

#### Consultation Question 1

In Chapter 2, we restated our commitment to regional working in key areas but recognised the need for this to be supported by further change. In chapter 3, we set out the broad options for moving toward fewer, larger local authorities and summarise features of the process which would be common to each option.

- a) What practical steps could the Welsh Government take to make current regional working easier and more effective, for example in relation to education consortia, social services and the City Regions and City and Growth Deals?

- b) What are your views on the common elements to the process of mergers we outline in this section?

- c) What are your views on the options for creating fewer, larger authorities which we have set out?

We have consistently supported the principle of fewer, larger authorities. Wales has a disproportionate number of councillors compared to the rest of the UK, we can certainly make do with fewer councillors. There are too many Local Authorities in Wales, some of which are too small to be effective financially and in the delivery of services.

However, the proposals set out in this consultation are the wrong solution. These proposals regurgitate the failed 2016 proposals instead of coming up with new, workable ideas. As a result they have faced the same opposition across local government as the 2016 proposals.

The current proposals will not address the issues facing local government or improve democratic accountability. New, larger local authorities cannot be created based on arbitrary boundaries disconnected from geography and local connections.

<p>New local authorities must not become so large they cease to be local, representative and responsive to their constituents needs. They must also take due account of city region and health board boundaries and existing co-operation between local authorities.</p>
<p>d) Are there other options for creating fewer, larger authorities we should consider?</p> <p>We believe between 14 and 16 councils is the right number for Wales. These councils should be based on new boundaries drawn up by the Boundary Commission.</p> <p>The Commission should ensure no party gains politically from re-organisation and that the new boundaries take account of community links, economic factors, the views of local people and geography.</p> <p>Proposals drawn up by the Boundary Commission should command cross-part support and the confidence of local government. Having between 14 and 16 local authorities would successfully reduce the number of councils in Wales without creating councils that are too large to be local.</p>
<p>e) Do you have evidence on costs, benefits and savings of each option which can inform decision-making? If so, please provide details.</p>

<p><b>Chapter 4</b></p>
<p><u>Consultation Question 2</u></p> <p>Chapter 4 has explained the need for clarity on the future footprint for local government and the range of factors which should be taken into account to determine a new configuration. It sets out a suggested future footprint for local government, which could be reached via each of the options set out in the previous chapter.</p>
<p>a) Do you agree that providing clarity on the future footprint of local government is important?</p> <p>Of course providing clarity on the future footprint of local government is important, but these proposals provide no such clarity.</p> <p>Local government in Wales has faced proposal after proposal and consultation after consultation from the Welsh Government on local government reform. Following the failed 2016 proposals and Mark Drakeford's dropped plans for regional working, local government in Wales has faced years on uncertainty.</p> <p>The only way to provide clarity for the future of local government is to create proposals for local government re-organisation that command cross-party support and the confidence of local government.</p>

By resurrecting the 2016 proposals in the face of local government opposition, the Welsh Government are only prolonging the uncertainty facing local government.
b) Do you agree with the factors we have identified to inform our thinking? Would you change or add any?
c) What are your views on the new areas suggested in this section?
d) Do you have alternative suggestions and, if so, what is the evidence to support these as an alternative?
e) In the context of these proposals, are there other ways we should simplify and streamline joint working arrangements at regional level and among public bodies within the new authority areas? If so, what are they?

## Chapter 5

### Consultation Question 3

Chapter 5 sets out the proposed approach to transition and implications for establishing Transition Committees and elections to Shadow Authorities under each option.

- a) Do you agree with the proposed process of transition: namely establishing Transition Committees and ensuring elections to Shadow Authorities can be held



ahead of vesting day for the new authorities?
b) Do you agree that, if option 1 were pursued, we should set a date by which voluntary merger proposals should come forward in each electoral cycle?
c) Do you have any other thoughts on the proposed process?
<p><u>Consultation Question 4</u></p> <p>The consultation suggests holding any local government elections in June 2021.</p> <p>Are there any reasons why June 2021 would not be a suitable date? If so, please suggest an alternative date with the reasons why that would be more suitable.</p>
<p><u>Consultation Question 5</u></p> <p>The Welsh Government recognises that there are some plans or assessments, for example the preparation of assessments of wellbeing by Public Service Boards, which are linked to electoral cycles. We will make provision to make sure these tie into any new electoral cycles going forward. Are there any other plans or matters which might be tied into the electoral cycle which we need to consider?</p>

<p><b><u>Consultation Question 6</u></b> What are your views on the approach which should be taken to determining the parameters of electoral reviews?</p>

<b>Chapter 6</b>
<b><u>Consultation Question 7</u></b>
<p>a) How can councils make more effective use of their elected members knowledge of, and connections in, their communities?</p>
<p>b) How could we better recognise the level of responsibility involved in being a local councillor? What changes to the remuneration and support councillors receive would enable a wider range of people to become involved in local democratic representation?</p>
<b><u>Consultation Question 8</u></b>
<p>a) Are there other powers which local government should have? If so, what are they?</p>
<p>We support giving local government more powers and giving councillors greater responsibilities. Exactly which powers these should be will in part rely on how big the new councils are.</p> <p>There is scope for local government to receive increased powers within transport and economic development in line with the continued development and implementation of city and growth deals.</p> <p>There are other areas where there is scope for local government to receive greater powers in response to national policy changes. For example, if the Welsh Government were to support greater integration of health, social care and housing services, it could be appropriate for councils to play a greater role in these integrated services.</p>

b) Are there other freedoms or flexibilities which local government should have? If so, what are they?
<u>Consultation Question 9</u>
a) Which areas offer the greatest scope for shared transactional services?
b) How might such arrangements be best developed?
<u>Consultation Question 10</u>
a) In ensuring we deliver a consistent approach across Wales, where consistency is important, how do you think the advice and support on each of these matters could be best provided?
c) Are there any other challenges or opportunities from structural change or providing additional powers and flexibilities that have not been identified above? If these areas require support, what form should this support take?
d) Which of the issues identified above or in your response should be prioritised for early resolution?
<u>Consultation Question 11.</u>

We would like to know your views on the effects that the proposals within this consultation would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

a) What effects do you think there would be?

b) How could positive effects be increased, or negative effects be mitigated?

Consultation Question 12

Please also explain how you believe the proposed policy within this consultation could be formulated or changed (if required) so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Consultation Question 13

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

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

b) Could the proposals be reformulated so as to increase the positive effects or reduce any possible adverse effects?
<p><u>Consultation Question 14</u> The Equalities Impact Assessment published alongside the consultation outlines the Welsh Government's view of the effect of the proposals contained in the consultation on protected groups under the Equality Act 2010. The Welsh Government seeks views on that assessment.</p>
a) Are there any other positive or adverse effects not identified in the assessment?
b) Could the proposals be reformulated so as to increase the positive or reduce any possible adverse effects?
<p><u>Consultation Question 15</u> Please provide any other comments you wish to make on the content of this consultation.</p>
<p>We cannot make meaningful improvements to local government in Wales unless we make local government more democratic and increase accountability. This will only happen through the introduction of Single Transferable Vote (STV) for all council elections.</p> <p>The introduction of STV would give all councillors have a proper mandate, ensure council makeups better reflect the votes of constituents and reduce the number of 'safe' councils, preventing complacency and driving councils to provide better services. Plans to introduce 'permissive PR' for local government elections are a welcome step forward, but do not go far enough.</p> <p>STV for local elections would also play a key role in helping create more diverse councils. The current levels of diversity within Welsh councils is disgraceful. Our</p>

councils lag far behind the National Assembly for Wales, which itself still needs to improve.

STV for local elections alongside better remuneration for councillors would be a key step in making our councils more diverse and better reflective of the communities they represent.

Of course, local government reform cannot happen in isolation. As we reduce the number of councillors in Wales, we should also be increasing the number of Assembly Members in line with the McAllister review. This would improve democratic accountability and representation across Wales whilst minimising the burden on the taxpayer.

	The Welsh NHS Confederation response to the “Strengthening Local Government: Delivering for people” Green Paper
<b>Contact</b>	Nesta Lloyd – Jones, Policy and Public Affairs Manager, the Welsh NHS Confederation. <a href="mailto:Nesta.lloyd-jones@welshconfed.org">Nesta.lloyd-jones@welshconfed.org</a> Tel: 02920 349857
<b>Date:</b>	11 June 2018

### **Introduction**

The Welsh NHS Confederation, on behalf of its members, welcomes the opportunity to respond to the “Strengthening Local Government: Delivering for people” (from now on referred to as the Green Paper).

Whilst the focus of the Green Paper is on local government, there are important implications for health and well-being that also needs to be considered. Subsequently it is important to ensure that partnerships between local government and health are maintained and maximised in any new structures, as highlighted within the Parliamentary Review of Health and Social Care, published in January 2018, and the recent Welsh Government Plan, “A Healthier Wales: our Plan for Health and Social Care”, published on the 11<sup>th</sup> of June 2018.

The Welsh NHS Confederation represents the seven Health Boards and three NHS Trusts in Wales. The Welsh NHS Confederation supports our members to improve health and well-being by working with them to deliver high standards of care for patients and best value for taxpayers’ money. We act as a driving force for positive change through strong representation and our policy, influencing and engagement work.

### **Summary**

In our response to the Green Paper we are not providing specific answers to the questions posed. We are pleased that the Green Paper recognises the recent vision within the Parliamentary Review of Health and Care, the importance of integration between health and social care and the need for regional working on Local Health Board footprints. As highlighted within the Green Paper it is “*important to ensure we do not cut across other service boundaries*” and that the options explored within the Green Paper in relation to mergers will ensure alignment with the boundaries that other public services operate on. Furthermore, the recent Welsh Government Plan, “A Healthier Wales: our Plan for Health and Social Care”, clearly sets out a long-term future vision of a “*whole system approach to health and social care*” and the important role that Regional Partnership Boards (RPBs) will play in driving change in health and social care through providing a strong oversight and coordinating role.

However, while we support the Green Paper, like previous White Papers and Bills introduced by the Welsh Government in relation to local government reform, the Green Paper focuses too much on structures and boundaries and not on the outcomes it is trying

to achieve; improving the way all public services are governed and delivered in Wales that will improve outcomes for the population of Wales.

### **The need for integrated public services**

As highlighted within our response to the Parliamentary Review on Health and Social Care, there is a need for wholesale change in services to ensure that there are positive outcomes for patients, a reduction in health inequalities and to help people avoid hospital admission through improved community and social services. To achieve these outcomes it is vital that health is not seen as a stand-alone issue therefore we are pleased that each of the options around the future footprint of local government within the Green Paper must be consistent with ensuring alignment with the boundaries other public services, including Local Health Boards.

Integration is a means to an end – providing patients with a seamless service at the right time and in the right place. It is about getting all parts of the system working together so that the patient receives quick, efficient and effective care with the right outcome. To achieve this, we need to get services working seamlessly together in health and social care, but also within primary and secondary care, and physical and mental health services. Integrated services lead to better user satisfaction, better outcomes and when implemented effectively, make better use of resources.

The health and well-being of the population is not the sole responsibility of the NHS - everyone must come together to play their part. At the same time, the NHS must build on its ability to work with others in order to provide services which are not only person-centred but also help to reduce health inequalities and improve patient outcomes.

Engagement is necessary with all our public service colleagues, from social care to housing, education and transport, to take us all from an ‘ill-health’ service that puts unnecessary pressure on hospital services, to one that promotes healthy lives and improves population health and well-being. All public bodies in Wales must build on how we might improve our ability to work together and support our partners and colleagues in other sectors. To quote the Chief Medical Officer for Wales, *“Good health depends on much more than the provision of good health services. The way a society is organised; it’s economic prosperity; a person’s early life chances; their education and employment opportunities; community support and cohesion; the food we eat; the homes in which we live and many more factors make up the wider social determinants which impact on the health of both an individual and the nation”*.

Our members are keenly aware of the need for whole system change within public services. But as providers of healthcare, we cannot afford to lose sight of the challenge posed by demographic changes and forecasted increases in the older population. As a service we are driving to ensure access and sustainability of health and social care services, and to see a consistent increase in quality whilst securing the sustainability of these services in meeting this demand.

We support the Green Paper’s recommendation that *“larger Local Authorities, working as part of larger Public Service Boards (PSBs), should support effective parallel working with Regional Partnership Boards (RPBs), which operate on the health board footprints”*. The



Welsh NHS Confederation believes that Wales, given its size, structure and close links, has a golden opportunity to achieve so much when it comes to providing seamless patient centred care. A significant opportunity to do this comes from the Social Services and Well-being Act 2014 and the Well-being of Future Generations (Wales) Act 2015 e.g. through the development of PSBs and RPBs. However, more can be done to harmonise the health and care sectors to provide seamless services for Welsh citizens. As recommended within the Parliamentary Review report *“The Welsh Government should reflect on the existing RPB and PSB arrangements, and identify and implement governance changes to better harmonise the health and social care sectors in support of seamless models of care delivered at local level”*. Through the publication of the Welsh Government “A Healthier Wales” Plan there is an opportunity to progress and implement a whole system approach to health and social care.

### **Public Services Boards could collaborate across Local Health Board Boundaries**

We are pleased that the Green Paper has considered our feedback in the White Paper in relation to PSBs being encouraged to collaborate with each other on common themes at a regional level. We support that PSBs will continue to be able, and encouraged, to work on a regional and national basis with other PSBs on areas of common interest and support effective parallel working with RPBs, which operate on the health board footprints. We support conditions which help progress effective local partnerships and where these subsequently enhance the health and well-being of the population. Public services do need to work together to ensure seamless services for citizens to make a visible difference for local citizens.

### **Regional working**

The workforce is the most valued asset in public services, and areas such as recruitment, training, development and learning, secondments and shared administrative and support services may benefit from a more regional approach. The Williams Commission recommended that *“Urgent action is required to ensure that seamless, integrated and high-quality health and social services are provided across Wales”*. In the light of this we have been concerned that Welsh Government’s response to the Commission has been a missed opportunity over the last four years.

To enable all public-sector bodies to tackle the pertinent issues affecting Wales, all sectors need to work in a more collaborative and integrated way and the NHS in Wales is already well on the road to integrating health and social care services. For example, the Welsh NHS Confederation, in partnership with ADSS Cymru, has been working to help build a much greater common understanding between NHS Wales and Local Government about the process of, and planned impact from, much closer collaboration and integration. In addition, Welsh Government’s Integrated Care Fund is supporting projects which reflect this partnership. We feel that these initiatives demonstrate that services are already moving towards working in a more integrated way, and that this could be better reflected.

The NHS in Wales supports integrating health and social services and we fully recognise that the way services are delivered now is not sustainable, and more importantly does not always meet the needs of the people of Wales. We are pleased that the Welsh Government

“A Healthier Wales Plan” states that Health Education and Improvement Wales (HEIW) and Social Care Wales (SCW) will be commissioned to develop a long-term workforce strategy in partnership with NHS and Local Government, the voluntary and independent sectors as well as regulators, professional bodies, and education providers.

### **Public engagement**

There is an urgent need for a meaningful dialogue with the public about the future of public services, their expectations of these services and the different role they need to play. This is vital because evidence shows that public support is critical to delivering and securing policy and behaviour change. Programmes that are most successful in galvanising public support are those which place the public at the heart of the decision-making process. In Wales we now have the legislative framework we need in the form of the Well-being of Future Generations (Wales) Act 2015 and the Social Services and Wellbeing (Wales) Act 2014, but we still need to win the hearts and minds of the Welsh public.

We are pleased that the Welsh Government “A Healthier Wales” Plan highlights the importance of public engagement through collaborative, continuous and holistic engagement and that the Welsh Government will develop a comprehensive engagement programme. There is a requirement for an open and honest conversation with the public about what the NHS and social care can provide in future. While the NHS is free at the point of contact, it is not free of obligation, and the public will need to be supported in taking more responsibility for their own health. The NHS belongs to us all, and as individuals, we should do what we can to ensure it is sustainable, both now and in the future. There is a need to build on existing engagement/communications relationships and channels at all levels, including Regional Partnership Boards and Public Service Boards

### **Complexity around partnership structures**

Public sector relationships are overly complex, and this complexity does not serve Wales well. This is a particular issue for Health Boards, most of which work across several Local Authorities, and indeed for the NHS Trusts, that work across Wales, all with several delivery partners. Undoubtedly, the complexity of boundaries and structures in public service delivery in Wales does cause problems, but addressing these is only part of the solution, and must not be seen as an end in itself.

As the Green Paper highlights presently in Wales public sector bodies are working in collaboration through a range of different structures and it is important that these are streamlined and made easier for public sectors bodies to navigate, especially Health Boards and Trusts who have to work with a range of partners.

The Well-being of Future Generations (Wales) Act 2015 provides the impetus for a step change in the way that public bodies operate, both individually and collectively. The public bodies subject to the duties of the Act are working towards the same goals, however organisational legacy, knowledge base, culture and experience means that the outcomes are being approached from a wide and varied baseline with no single common starting point/ outcome and essentially continuing in an historic, sector by sector manner (not in line with the five ways of working).

In addition to the Act, there are changes occurring in the way public services need to be organised and delivered in the future with City Deals and other Regional approaches being developed, all of these will require a more collaborative, integrated and cohesive approach from all sectors, in response.

The range of structures are:

- **Regional Partnership Boards:** When the Social Services and Well-being (Wales) Act 2014 was introduced the NHS in Wales supported the introduction of RPBs. The Social Services and Wellbeing (Wales) Act 2014 required partnership arrangements to be made in each Local Health Board area, under the direction of a RPB. The RPBs have representation from Health Boards, Local Authorities and service users. These RPBs have been established for defined functions, focussed particularly on areas where successful integration between local government and health is essential for the provision of effective services for citizens. The Social Services and Well-being (Wales) Act 2014 and supporting statutory guidance requires joint planning, commissioning and the use of pooled budgets between health and local government.
- **Public Services Boards:** The NHS are an active partner since PSBs. PSBs have a unique role in bringing together the wider public service to improve the economic, social, environmental and cultural well-being of their areas. The Welsh NHS Confederation supports conditions which progress effective local partnerships. Our members work to build meaningful relationships with key partners but they do report that there is a real variance in the role and visibility of PSBs in each area. Whilst we support the role of the PSBs in nurturing sustainable, effective partnerships we would highlight this variance as a potential barrier to realising a consistent outcome in utilising the PSBs. With regard to the Local Well-being Plan we feel there is a need to ensure these are explicitly linked with the Integrated Medium-Term Plans, which is not consistently done.
- **City Deals:** As well as regional partnerships, Local Authorities and Local Health Boards are building the broader regional partnerships designed to nurture economic development which are emerging from the city deal and city region approaches. Purposeful regional arrangements around the Cardiff Capital Region City Deal, Swansea Bay City Deal and the North Wales Economic Ambition Board are taking shape. The City Regions cover a number of Local Authorities but it also important to recognise that they also cover a number of large Health Boards areas.

We believe that ‘form follows function’, and a key issue for the delivery of Welsh public services is how we work towards a ‘common purpose’ and a common outcome, rather than organisational need and competing legislative and policy frameworks. The common outcome must be the vehicle which enables us to achieve our purpose and achieve the necessary outcomes. The “A Healthier Wales” Plan sets out a vision of a *“whole system approach to health and social care”* and it is vital that the current boundary and structural complexities are overcome to achieve this whole system seamless approach.

## **Conclusion**

Through a systems approach - sharing our collective assets, following the principles of sustainability and prudent healthcare and complying with our unique legislation, the Well-being of Future Generations (Wales) Act 2015 and Social Services and Well-being Act 2014,

we have the opportunity and responsibility to work collaboratively across sectors and organisations. It is essential to listen to and empower our people, and to appreciate the assets within our communities, allowing them an equal part in all decisions and plans for their life, health and happiness.



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

Cryfhau Llywodraeth Leol  
Llywodraeth Cymru  
Parc Cathays  
Caerdydd  
CF10 3NQ  
CryfhauLlywleol@llyw.cymru

07/06/2018

Annwyl Gyfaill

## Dogfen ymgynghorol Papur Gwyrdd Cryfhau Llywodraeth Leol: Cyflawni dros ein Pobl

1. Diolch ichi am y cyfle i ymateb i'r ddogfen ymgynghorol ar gryfhau llywodraeth leol. Dros y blynnyddoedd diwethaf rwyf wedi ymateb i nifer o ymgynghoriadau sy'n ymwneud ag ad-drefnu llywodraeth leol.<sup>1</sup> Yn ogystal, fel y nodwch yn eich asesiad o effaith y polisi ar y Gymraeg rwyf wedi trafod cynigion blaenorol ar gyfer ad-drefnu llywodraeth leol gyda Gweinidogion y Llywodraeth.
2. Fel y nodwch, gallasai creu awdurdodau gynnig cyfleoedd i gryfhau'r defnydd o'r Gymraeg wrth gyflenwi gwasanaethau ac fel iaith weinyddol, ond dylwn bwysleisio os na wneir hynny gyda gofal mae risg tanseilio sefyllfa'r Gymraeg mewn

1

- Ymgynghoriad – Diwygio Llywodraeth leol: Cadernid ac Adnewyddiad - <http://www.comisiynyddygyymraeg.cymru/Cymraeg/Rhestr%20Cyhoeddiadau/20170323%20LL%20C%20Llythyr%20at%20Llywodraeth%20Cymru.pdf>
- Sylwadau Comisiynydd y Gymraeg ar Fil Llywodraeth Leol (Cymru) <http://www.comisiynyddygyymraeg.cymru/Cymraeg/Rhestr%20Cyhoeddiadau/20150309%20C%20LI%20Bil%20Llywodraeth%20Leol%20Cymru%20-%20ymateb%20i%20r%20Pwyllgor%20LLI.pdf>
- Ymateb Comisiynydd y Gymraeg i'r Papur Gwyn ar Ddatganoli, Democratiaeth a Chyflawni - Comisiwn Staff i'r Gwasanaethau Cyhoeddus <http://www.comisiynyddygyymraeg.cymru/Cymraeg/Rhestr%20Cyhoeddiadau/20150113%20C%20DG%20Ymateb%20Comisiynydd%20y%20Gymraeg%20i%20Bapur%20Gwyn%20Comisiwn%20Staff%20i.pdf>
- Ymateb Comisiynydd y Gymraeg i ymgynghoriad Llywodraeth Cymru: Papur Gwyn – Diwygio Llywodraeth Leol: Grym i Bobl Leol <http://www.comisiynyddygyymraeg.cymru/Cymraeg/Rhestr%20Cyhoeddiadau/20150413%20C%20LI%20Ymateb%20i%20r%20Papur%20Gwyn%20ar%20Ddiwygio%20Llywodraeth%20Leol%20Grym%20i%20Bobl%20Leol.pdf>
- Ymateb Comisiynydd y Gymraeg i Bapur Gwyn Llywodraeth Cymru: Diwygio Llywodraeth Leol <http://www.comisiynyddygyymraeg.cymru/Cymraeg/Rhestr%20Cyhoeddiadau/20141001%20Ymateb%20i%20ymgyngghoriad%20ar%20ddiwygio%20Llywodraeth%20Leol.pdf>

Comisiynydd y Gymraeg  
Siambrau'r Farchnad  
5-7 Heol Eglwys Fair  
Caerdydd CF10 1AT

0845 6033 221  
post@comisiynyddygyymraeg.org  
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

comisiynyddygyymraeg.org

Welsh Language Commissioner  
Market Chambers  
5-7 St Mary Street  
Cardiff CF10 1AT

0845 6033 221  
post@welshlanguagecommissioner.org  
Correspondence welcomed in Welsh and English

welshlanguagecommissioner.org



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

gweithleoedd a chymunedau. Rwy'n falch o'r herwydd eich bod yn tynnu sylw yn eich asesiad effaith at fy mhryderon ynghylch effaith ad-drefnu ar hawl a gallu pobl i ddefnyddio'r Gymraeg yn y gweithle a'r angen i ystyried effaith newidiadau arfaethedig ar hawliau siaradwyr Cymraeg ym mhob cymuned, nid yn unig y cymunedau hynny lle mae'r Gymraeg yn brif iaith. Ymhellach rwy'n croesawu'r ffaith eich bod yn nodi yn y ddogfen ymgynghori 'y bydd yn bwysig sicrhau, lle bo yna sgiliau a chymhwysedd mewn cyflenwi gwasanaethau Cymraeg, bod y rhain yn cael eu diogelu a'u datblygu ymhellach er budd pob dinesydd yn yr ardaloedd awdurdod lleol newydd.' Mae fy ymateb i'r ddogfen ymgynghorol hon yn ategu hyn a'r sylwadau y gwneuthum mewn ymgynghoriadau blaenorol ac yn tynnu sylw at rai materion eraill perthnasol. Ni fyddaf yn mynegi barn am addasrwydd ad-drefnu llywodraeth leol na'r cynigion ar gyfer yr awdurdodau lleol newydd.

### 3. Comisiynydd y Gymraeg

- 3.1 Prif nod y Comisiynydd wrth arfer ei swyddogaethau yw hybu a hwyluso defnyddio'r Gymraeg. Wrth wneud hynny bydd y Comisiynydd yn ceisio cynyddu'r defnydd o'r Gymraeg yng nghyswllt darparu gwasanaethau, a thrwy gyfleoedd eraill. Yn ogystal, bydd yn rhoi sylw i statws swyddogol y Gymraeg yng Nghymru, a thrwy osod safonau rhoddir dyletswyddau statudol ar sefydliadau i ddefnyddio'r Gymraeg. Un o amcanion strategol y Comisiynydd yn ogystal yw dylanwadu ar yr ystyriaeth a roddir i'r Gymraeg mewn datblygiadau polisi a dyna a wneir yma. Ceir rhagor o wybodaeth am waith y Comisiynydd ar y wefan comisiynyddygyymraeg.cymru.

## 2. Safonau'r Gymraeg ac Awdurdodau Lleol

- 2.1 Fel y nodwch yn eich asesiad effaith mae awdurdodau lleol yn ddarostyngedig i Safonau'r Gymraeg. Mae hynny yn wir bellach ers diwedd Mawrth 2016. Fel rhan o weithredu fy fframwaith rheoleiddio<sup>2</sup> byddaf yn cyhoeddi adroddiad sicrwydd blynyddol<sup>3</sup> yn rhoi trosolwg cyffredinol o sut y mae sefydliadau'n cyflawni eu dyletswyddau. Mae hefyd yn trafod y cyfleoedd sydd gan y cyhoedd i ddefnyddio'r Gymraeg o ddydd i ddydd. Prif sail yr adroddiad yw arolygon a gynhelir yn ystod y flwyddyn flaenorol. Nod yr adroddiadau yw rhoi hwb i sefydliadau i fynd ati i gryfhau eu trefniadau a chefnogi unigolion sy'n defnyddio'r Gymraeg. Fe'ch anogaf i ystyried canfyddiadau'r adroddiadau sicrwydd wrth ichi fwrw ymlaen â'ch cynlluniau ar gyfer llywodraeth leol er nad ydynt wedi'u cyfyngu i weithgareddau awdurdodau lleol yn unig. Prif ganfyddiadau'r adroddiad sicrwydd diweddaraf o 2016-17 yw bod gwasanaethau Cymraeg yn gwella, er bod gwaith pellach i'w wneud a bod rhaid

<sup>2</sup> <http://www.comisiynyddygyymraeg.cymru/Cymraeg/Rhestr%20Cyhoeddiadau/Fframwaith%20rheoleiddio.pdf>

<sup>3</sup> <http://www.comisiynyddygyymraeg.cymru/Cymraeg/Sefydliadau/Cydymffurfio/sicrwydd/Pages/AdroddiadauSicrwydd.aspx>



newid ymddygiad er mwyn hybu a hwyluso'r Gymraeg. Byddaf yn tynnu sylw ymhellach at y materion hyn isod.

- 2.2 O ystyried y gwaith sy'n rhan o'r fframwaith rheoleiddio a llunio adroddiadau sicrwydd, mae'n deg dweud bellach bod modd adnabod arferion llwyddiannus wrth ddarparu gwasanaethau Cymraeg ym mhob rhan o Gymru. Mewn blynyddoedd a fu, gellid adnabod ardaloedd daearyddol lle'r oedd gwasanaethau Cymraeg yn wan. Erbyn hyn, gyda rhai eithriadau, nid yw'n ymddangos fod lleoliad sefydliad yn rhwystro cyson i gydymffurfio â safonau. Mae hynny'n tanlinellu bod cyfleoedd a risgiau i'r Gymraeg yn deillio o ad-drefnu awdurdodau ar draws Cymru, nid yn unig yn yr ardaloedd hynny yr ystyrir eu bod yn llwyddiannus yn darparu gwasanaethau Cymraeg neu lle mae niferoedd uchel o siaradwyr Cymraeg.
- 2.3 Rydych yn egluro yn eich asesiad effaith y byddai'r awdurdodau newydd yn parhau'n ddarostyngedig i safonau'r Gymraeg ond y byddai angen cyhoeddi hysbysiadau cydymffurfio newydd ar eu cyfer. Rydych yn nodi ei bod yn rhy gynnar i amlinellu cynigion manwl ynghylch y safonau a dehonglaf fod hynny oherwydd bwriad Gweinidog y Gymraeg i ddeddfu ynghylch y Gymraeg yn ystod y blynyddoedd nesaf. Pryderaf, er hynny y gallasai'r bwriad i uno awdurdodau lleol erbyn 2022 fel yr amlinellir yn opsiwn 3 adran 3 y ddogfen ymgynghori, a'r ansicrwydd ynghylch y gyfundrefn safonau lesteirio'r gwaith o ddyroddi hysbysiadau cydymffurfio ar awdurdodau newydd. Yn bwysicach, gallasai amharu ar y cynnydd sydd wedi'i wneud eisoes gan awdurdodau lleol wrth iddynt weithredu safonau, a hynny ar yr union adeg pan fo gwaith pellach i'w wneud er gwaetha'r cynnydd hwnnw. Buaswn yn croesawu trafodaeth bellach am hyn wrth i'ch gwaith fynd rhagddo.
- 2.4 Rwy'n croesawu eich bod yn nodi yn yr asesiad effaith bod 'Gweinidogion Cymru wedi nodi'n glir na ddylid colli unrhyw gynnydd yn ystod y broses o greu awdurdodau newydd'. Mae'r safonau yn yr hysbysiadau cydymffurfio a ddyroddir i sefydliadau cyhoeddus yn ddibynnol ar yr hyn a ystyrir yn rhesymol ac yn gymesur gan ystyried sefyllfaoedd yr awdurdodau dan sylw. Byddai creu awdurdodau newydd yn creu set newydd o amodau y byddai angen eu hystyried yn rhan o'r broses o osod hysbysiadau cydymffurfio. Mae'n bwysig cofio hyn yng nghyd-destun eich bwriad i beidio â cholli unrhyw gynnydd yn ystod y broses o greu awdurdodau newydd.
- 2.5 Fel y dywedais uchod, nid wyf yn bwriadu mynegi barn ynghylch y bwriad i greu nifer lai o awdurdodau lleol mwy o faint nac ychwaith y patrwm newydd a arfaethir gennych chi ar gyfer awdurdodau lleol. Dylwn nodi, er hynny, nad yw'n eglur imi o'r asesiad effaith ar y Gymraeg sut y gellir dweud ar dudalen 5 'y byddai awdurdodau lleol cryfach sy'n fwy eu maint yn fwy tebygol o ddarparu cymorth rhagweithiol a





chyfundrefnu'r defnydd o'r Gymraeg yn eu gweithleoedd eu hunain, ynghyd ag yn yr ardaloedd y maent yn eu gwasanaethu'.

### 3. **Trawsnewid gwasanaethau – cwestiwn ymgynghori 9**

- 3.1 Nodwch yn 6.42 y 'mae creu awdurdodau newydd yn rhoi cyfle i ad-drefnu, ailgynllunio a thrawsnewid y ffordd y caiff gwasanaethau eu cyflenwi ar draws yr ystod o feysydd gwasanaeth awdurdodau lleol'. Mae safonau'r Gymraeg yn gosod dyletswydd ar awdurdodau lleol i ddarparu gwasanaethau trwy gyfrwng y Gymraeg ac i hybu'r gwasanaethau hynny<sup>4</sup>. Wrth i'r gwaith fynd rhagddo o ad-drefnu awdurdodau lleol, fe'ch anogaf i danlinellu'r angen i awdurdodau lleol ystyried sut y maent yn cwrdd â'r dyletswyddau hyn. Mae'r cyfle y nodwch i ad-drefnu, ailgynllunio a thrawsnewid y modd y mae gwasanaethau'n cael eu darparu yn gyfle euraid i awdurdodau lleol rannu eu profiadau yn darparu gwasanaethau Cymraeg. Yn ogystal mae'n cynnig cyfle i ystyried dulliau newydd ac amgen o ddarparu gwasanaethau Cymraeg a thrwy hynny hybu'r defnydd a wneir ohonynt. Fe'ch anogaf i ystyried dull o'u galluogi i rannu gwybodaeth fel y bônt yn sicrhau eu bod yn dysgu gwersi wrth iddynt fynd ati i gynllunio a darparu gwasanaethau yn yr awdurdodau newydd.
- 3.2 Un maes amlwg yn hyn o beth, a maes y cyfeiriwch ato yn 6.19 y ddogfen ymgynghori yw'r maes digidol. Mae gofynion ar awdurdodau lleol yn unol â safonau'r Gymraeg i ddarparu gwefannau a gwasanaethau ar-lein a pheiriannau hunanwasanaeth i'r cyhoedd yn Gymraeg yn ogystal â meddalwedd gyfrifiadurol a thudalennau mewnwyd yn Gymraeg. Yn y gorffennol mae tueddiad i gynllunio datblygiadau digidol o'r fath heb ystyried y Gymraeg ac felly, yn aml, bu'n rhaid retroffio datblygiadau technolegol i gynnwys y Gymraeg gan greu cost sy'n uwch na'r gost o gynnwys y Gymraeg yn rhan o ddatblygiad o'r dechrau. Fe nodwch yn 6.19 'fod cyfle i ddefnyddio adnoddau digidol i alluogi newid ac i fanteisio ar y broses o greu awdurdodau newydd er mwyn cyflwyno mwy o blatfformau a rennir ar gyfer cynnal gwasanaethau cyffredin'. Wrth gynllunio adnoddau digidol awdurdodau lleol newydd ceir cyfle euraid i sicrhau bod adnoddau digidol yn cael eu llunio yn ddwyieithog o'r dechrau. Fe'ch anogaf i sicrhau bod yr awdurdodau lleol yn ymwybodol o'r ystyriaeth hon ac yn gweithredu yn unol â hynny. Byddai modd, er enghraifft, wneud adolygiad cynhwysfawr o'r holl blatfformau digidol a ddefnyddir gan awdurdodau lleol er mwyn adnabod pa rai sy'n gallu cynnal y Gymraeg yn llawn ac i adnabod bylchau. Byddai'r pŵer sydd gan awdurdodau lleol i gaffael gwasanaethau digidol ar y cyd er enghraifft yn gallu dylanwadau'n gadarnhaol ar ddarparwyr digidol er mwyn sicrhau eu bod yn darparu meddalwedd digidol

<sup>4</sup> Gweler Rheoliadau Safonau'r Gymraeg (Rhif 1) 2015 [http://www.legislation.gov.uk/wsi/2015/996/pdfs/wsi\\_20150996\\_mi.pdf](http://www.legislation.gov.uk/wsi/2015/996/pdfs/wsi_20150996_mi.pdf)





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ddwyieithog. Ceir rhagor o wybodaeth am gynnwys y Gymraeg mewn datblygiadau technoleg gwybodaeth yn nogfen y Comisiynydd *Technoleg, Gwefannau a Meddalwedd: Ystyried y Gymraeg*<sup>5</sup>.

#### 4. Y Gymraeg yn y gweithle

- 4.1 Rydych yn tynnu sylw at bwysigrwydd y gweithlu yn eich ymgynghoriad, ac wrth gwrs maent yn hanfodol i bob awdurdod lleol. Fel rwyf wedi'i nodi mewn ymatebion i ymgynghoriadau eraill yn y gorffennol, mae'n hollbwysig bod arferion gweithio'n Gymraeg yn gallu parhau ac yn cryfhau wrth ad-drefnu llywodraeth leol. Yn wir dyma hefyd un o nodau *Strategaeth 2050* ar gyfer y Gymraeg sef 'cynyddu'r defnydd o'r Gymraeg yn y gweithle ar draws pob sector'. Bellach mae safonau ynghylch defnyddio'r Gymraeg o fewn gweinyddiaeth awdurdodau lleol ac mae'n rhaid iddynt ddatblygu polisi ar ddefnyddio'r Gymraeg yn fewnol, gyda'r bwriad o hybu a hwyluso defnyddio'r Gymraeg. Eto, mae cyfle da yn codi i'r sector gymryd cam yn ôl ac adnabod a rhannu arferion da nid yn unig rhwng yr awdurdodau sy'n uno ond ar draws y sector cyfan.
- 4.2 Mater arall hollbwysig a chwbl ganolog i weithrediad awdurdodau lleol yw sgiliau'r gweithlu. Rydych yn nodi yn 6.26 'bydd yn bwysig deall faint o gapasiti a gallu sydd gan bob awdurdod lleol presennol a defnyddio'r sgiliau a'r capasiti ar gael i'r eithaf'. Yn hynny o beth buaswn yn pwysleisio'r angen am ddata manwl am hyd a lled sgiliau Cymraeg presennol staff awdurdodau lleol a sefydliadau eraill yn ogystal. Roedd yn fwrriad gan Gomisiwn Staff y Gwasanaethau Cyhoeddus 'bennu methodoleg ar gyfer cwblhau asesiad o'r ystyriaeth o sgiliau Cymraeg ym maes gwasanaethau cyhoeddus' fel rhan o'i weithgareddau cyn iddo ddod i ben ym mis Mawrth 2018 ond hyd y gwn ni chwblhawyd methodoleg o'r fath.
- 4.3 Mae safonau'r Gymraeg yn ei gwneud yn ofynnol i awdurdodau lleol asesu sgiliau Cymraeg eu cyflogeion a meithrin eu sgiliau yn y Gymraeg drwy gynllunio a hyfforddi eu gweithluoedd. Mae gofyn iddynt hefyd gadw cofnod o'r wybodaeth hon. Dylai peth o'r wybodaeth am sgiliau Cymraeg presennol y gweithlu fod ar gael eisoes ar wefannau'r awdurdodau lleol. Mae'n hollbwysig er hynny, fod gwaith manwl ar sgiliau Cymraeg y gweithlu yn digwydd fel rhan o ad-drefnu llywodraeth leol. Dyma gyfle i wneud adolygiad llawn o sgiliau Cymraeg staff awdurdodau lleol ac i ragamcanu'r angen am staff â sgiliau Cymraeg mewn gwahanol feysydd yn y dyfodol. Wrth i'r Comisiwn Addysg ac Ymchwil Trydyddol arfaethedig gael ei sefydlu ac i'r cwricwlwm addysg gael ei weddnewid byddai'r wybodaeth a gesglid yn ffordd o gynllunio ar gyfer cau bylchau sgiliau'r dyfodol a chyfarwyddo cyfeiriad darpariaethau addysg

<sup>5</sup> <http://www.comisiynyddygymraeg.cymru/Cymraeg/Adroddiadau/Pages/Technoleg,-Gwefannau-a-Meddalwedd-Ystyried-y-Gymraeg.aspx>



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statudol, addysg ôl-16 a Chymraeg i Oedolion y dyfodol. Byddai hyn yn cyd-fynd yn llawn ag amcan Llywodraeth Cymru yn Ffyniant i Bawb: y cynllun gweithredu ar yr economi i 'asesu a.....pharu sgiliau ag anghenion yr economi, gan adeiladu ar yr ymrwymiad yn Ffyniant i Bawb i weithio gyda'r Partneriaethau Sgiliau Rhanbarthol i ragweld anghenion sgiliau yn y dyfodol. Bydd gwaith cynllunio a chyflenwi addysg a sgiliau ôl-16 yn cynnwys cysylltiadau cadarn ag awdurdodau lleol a chonsortia rhanbarthol er mwyn sicrhau bod pob rhan o'r system addysg yn canolbwyntio ar ddiwallu anghenion dysgwyr, cyflogwyr a chymunedau ehangach'<sup>6</sup>.

- 4.4 Daeth Comisiwn Staff y Gwasanaethau Cyhoeddus i ben ym mis Mawrth 2018. Bûm yn cyfarfod yn rheolaidd â'r Comisiwn Staff i rannu gwybodaeth a diweddariadau am ein gwaith. Yn absenoldeb y Comisiwn Staff fe nodwch eich bod yn ystyried defnyddio Cyngor Partneriaeth y Gweithlu a'r Cyd-gyngor Llywodraeth Leol fel cyfryngau ar gyfer darparu cyngor i'r awdurdodau lleol a'r Llywodraeth ar ad-drefnu llywodraeth leol. Mae defnyddio'r Gymraeg yn fewnol mewn sefydliadau, sgiliau Cymraeg ac adnoddau digidol yn feysydd amlwg lle byddai modd darparu cyngor i awdurdodau lleol newydd yn eu cylch.

## 5. **Pŵer cymhwysedd cyffredinol a rhyddhau asedau ystadau**

- 5.1 Fe nodwch yn 6.14 eich bwriad i ddeddfu ar bŵer cymhwysedd cyffredinol i'r prif gynghorau sy'n uno a fydd yn eu galluogi i fabwysiadu dulliau mwy arloesol o ddiwallu anghenion eu cymunedau. Yn 6.54 yn ogystal, fe nodwch y dylai eich cynigion ar gyfer cryfhau awdurdodau ryddhau asedau ystadau. Yn wyneb y camau hyn a'r tueddiad cynyddol at allanoli gwasanaethau cyhoeddus mae'n hollbwysig diogelu hawliau unigolion i dderbyn gwasanaethau Cymraeg wrth drosglwyddo cyfrifoldebau i drydydd partïon. Yn ogystal, mae safonau'r Gymraeg, fel y nodwyd uchod yn 4.1, yn rhoi rhai hawliau i weithwyr dderbyn gwasanaethau yn y Gymraeg ac i weithio trwy gyfrwng y Gymraeg. Dylid sicrhau bod unrhyw drefniadau ar gyfer trosglwyddo cyfrifoldebau drwy bŵer cymhwysedd cyffredinol neu drefniant arall hefyd yn diogelu hawliau'r gweithwyr. Yn hynny o beth dylwn dynnu eich sylw at f'ymateb i *Ymgynghoriad – Diwygio Llywodraeth leol: Cadernid ac Adnewyddiad* lle nodaf fy mod yn ymwybodol o wasanaethau a drosglwyddwyd i drydydd partïon heb sicrhau nad yw'r Gymraeg yn cael ei thrin yn llai ffafriol na'r Saesneg dan y trefniant amgen. Mae hyn er gwaethaf y ffaith fod gan awdurdodau lleol hawl i osod amodau ar drydydd partïon sy'n darparu gwasanaethau i'r cyhoedd ac y dylai'r amodau hyn gynnwys ymrwymadau sy'n sicrhau y cyflawnir dyletswyddau yn ymwneud â'r Gymraeg. Fe'ch anogaf i roi ystyriaeth lawn i hyn wrth ichi fireinio eich cynlluniau.

<sup>6</sup> *Ffyniant i Bawb: y cynllun gweithredol ar yr economi*, t. 32. <https://gov.wales/docs/det/publications/171213-economic-action-plan-cy.pdf>



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Diolchaf ichi am y cyfle i ymateb i'r ymgynghoriad hwn. Hyderaf fod y pwyntiau uchod wedi ymateb i'ch cwestiynau ymgynghori penodol ar effeithiau cynigion yr ymgynghoriad ar y Gymraeg. Nodais uchod yn 2.1 fod yr adroddiad sicrwydd a gyhoeddais ar weithgareddau 2016-17 yn dangos bod gwasanaethau Cymraeg yn gwella, er bod gwaith pellach i'w wneud a bod rhaid newid ymddygiad er mwyn hybu a hwyluso defnyddio'r Gymraeg. Mae'r ddogfen ymgynghori yn nodi bod newid diwylliant yn rhan o ddiwygio llywodraeth leol. Mawr obeithiaf y byddwch yn rhoi ystyriaeth lawn i'm safbwyntiau er mwyn sicrhau y bydd diwylliant o sicrhau gwasanaethau a hawliau siaradwyr Cymraeg wrth wraidd y cynlluniau i ad-drefnu llywodraeth leol ac yn greiddiol i weithrediad yr awdurdodau lleol newydd. Gan y gallasai'r cynlluniau fod â goblygiadau sylweddol i'r gyfundrefn safonau fel y mae buaswn yn gwerthfawrogi'r cyfle i drafod eich cynlluniau ymhellach, a bydd fy swyddogion yn cysylltu â chi i drefnu cyfarfod.

Yr eiddoch yn gywir,

Gwenith Price

**Ar ran Comisiynydd y Gymraeg**

# Strengthening Local Government: Delivering for People

## Page 2: Chapter 3

Q1. 1a. What practical steps could the Welsh Government take to make current regional working easier and more effective, for example in relation to education consortia, social services and the City Regions and City and Growth Deals?

Regional working appears to be developing well in areas such as education consortia etc and should be allowed to develop

Q2. 1b. What are your views on the common elements to the process of mergers we outline in this section?

None

Q3. 1c. What are your views on the options for creating fewer, larger authorities which we have set out?

We are against the proposals to force councils to merge. Larger is not necessarily better and the larger authorities will result in democratic involvement being removed from local people. We saw this prior to the introduction of the 22 authorities where services delivered by the larger South Glamorgan Authority concentrated exclusively of Cardiff to the detriment of areas of the Vale of Glamorgan. Merging Cardiff and the Vale Authorities will return us to the poor position we were in years ago. It's hard to believe that anyone would want to return to that unsatisfactory situation

Q4. 1d. Are there other options for creating fewer, larger authorities we should consider?

Develop regional working as appropriate and give proper support to councils. As austerity bites we are already seeing services being removed from rural areas, centralising them on Cardiff again would be considerable step backwards.

Q5. 1e. Do you have evidence on costs, benefits and savings of each option which can inform decision-making? If so, please provide details.

No, however the costs of mergers will be significant and will require central funding

## Page 3: Chapter 4

Q6. 2a. Do you agree that providing clarity on the future footprint of local government is important?

We thought clarity had been provided by cabinet secretary Mark Drakeford when he described the move to regional working. These proposals have once again raised uncertainty which has been going on for far too long. The original report suggesting local government mergers was several years ago. The current minister has performed a disservice to the whole of Wales by raising this again now and creating even more uncertainty.

Is the Welsh Government going to raise these proposals again every time there's a change of minister?

Q7. 2b. Do you agree with the factors we have identified to inform our thinking? Would you change or add any?

No

Q8. 2c. What are your views on the new areas suggested in this section?

Too large, undemocratic

Q9. 2d. Do you have alternative suggestions and, if so, what is the evidence to support these as an alternative?

*No Response*

Q10. 2e. In the context of these proposals, are there other ways we should simplify and streamline joint working arrangements at regional level and among public bodies within the new authority areas? If so, what are they?

There should not be any new authorities

## Page 4: Chapter 5

Q11. 3a. Do you agree with the proposed process of transition: namely establishing Transition Committees and ensuring elections to Shadow Authorities can be held ahead of vesting day for the new authorities?

No, they'll be expensive and undemocratic

Q12. 3b. Do you agree that, if option 1 were pursued, we should set a date by which voluntary merger proposals should come forward in each electoral cycle?

No

Q13. 3c. Do you have any other thoughts on the proposed process?

*No Response*

Q14. 4. The consultation suggests holding any local government elections in June 2021. Are there any reasons why June 2021 would not be a suitable date? If so, please suggest an alternative date with the reasons why that would be more suitable.

Too close to the Assembly elections. Elections are very expensive and disruptive. These will be too close together. Elections for local authorities as they are now should be in 2022

Q15. 5. The Welsh Government recognises that there are some plans or assessments, for example the preparation of assessments of wellbeing by Public Service Boards, which are linked to electoral cycles. We will make provision to make sure these tie into any new electoral cycles going forward. Are there any other plans or matters which might be tied into the electoral cycle which we need to consider?

N/A

Q16. 6. What are your views on the approach which should be taken to determining the parameters of electoral reviews?

*No Response*

## Page 5: Chapter 6

Q17. 7a. How can councils make more effective use of their elected members knowledge of, and connections in, their communities?

These proposals will inevitably make councillors even more remote from their communities than they are now.

Q18. 7b. How could we better recognise the level of responsibility involved in being a local councillor? What changes to the remuneration and support councillors receive would enable a wider range of people to become involved in local democratic representation?

Na

Q19. 8a. Are there other powers which local government should have? If so, what are they?

They should have the power to stop time wasting proposals like this one coming up again and again after they have been dealt with

Q20. 8b. Are there other freedoms or flexibilities which local government should have? If so, what are they?

*No Response*

Q21. 9a. Which areas offer the greatest scope for shared transactional services?

*No Response*

Q22. 9b. How might such arrangements be best developed?

*No Response*

Q23. 10a. In ensuring we deliver a consistent approach across Wales, where consistency is important, how do you think the advice and support on each of these matters could be best provided?

*No Response*

Q24. 10b. Are there any other challenges or opportunities from structural change or providing additional powers and flexibilities that have not been identified above? If these areas require support, what form should this support take?

*No Response*

Q25. 10c. Which of the issues identified above or in your response should be prioritised for early resolution?

*No Response*

## Page 6: Impact assessments

Q26. 11a. What effects do you think there would be?

*No Response*

Q27. 11b. How could positive effects be increased, or negative effects be mitigated?

*No Response*

Q28. 12. Please also explain how you believe the proposed policy within this consultation could be formulated or changed (if required) so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

*No Response*

Q29. 13a. Are there any positive or adverse effects not identified in the assessment?

*No Response*

Q30. 13b. Could the proposals be reformulated so as to increase the positive effects or reduce any possible adverse effects?

*No Response*

Q31. 14a. Are there any other positive or adverse effects not identified in the assessment?

*No Response*

Q32. 14b. Could the proposals be reformulated so as to increase the positive or reduce any possible adverse effects?

*No Response*

Q33. 15. Please provide any other comments you wish to make on the content of this consultation.

*No Response*

## Page 7: Submit your response

Q34. You are about to submit your response. Please ensure you are satisfied with the answers you have provided before sending.

**Name** Clerk

**Organisation (if applicable)** Wick Community Council

Q35. If you want to receive a receipt of your response, please provide an email address.  
Email address

wickcommunitycouncil@gmail.com

Q36. Telephone

*No Response*

Q37. Address

*No Response*

Q38. Responses to consultations may be made public. To keep your response anonymous (including email addresses) tick the box.

*No Response*



# Strengthening Local Government: Delivering for People

## Page 2: Chapter 3

**Q1. 1a. What practical steps could the Welsh Government take to make current regional working easier and more effective, for example in relation to education consortia, social services and the City Regions and City and Growth Deals?**

Newport City Council is only in favour of regional working when it is supported by business cases, that make sense in terms of service improvement / efficiency and, importantly, where there are demonstrable benefits to the residents of Newport. The commitment to such work is evidenced through the Council's participation in the City Deal, Education Achievement Service partnerships and Shared Resource Service.

The current and previous proposals consider changes around the old Gwent region which would align with health and police boundaries, however the Council has developed strong partnerships with the five constituent local authorities in the area and our wider partners. We recognise the challenge for smaller local authorities, but as a growing city with a unique identity, and very different communities to our neighbours we continue to consider a standalone authority the best option for Newport and our communities.

In a time of reduced and reducing budgets, we do not consider that a wholesale local government re-organisation is best placed to meet the ongoing challenge, and we would question the financial benefits proposed in the Green Paper.

Economies of scale should be the driver for regional working. There are areas where scale has the potential to bring benefits to service delivery where resilience can only be achieved by bringing expertise together to support service delivery. Health and social care and educational achievement would be examples of this.

Regional working, partnership and collaboration should not be mandated by Welsh Government. As outlined in the proposals local government is best placed to determine solutions for communities and needs more freedom to do this.

**Q2. 1b. What are your views on the common elements to the process of mergers we outline in this section?**

We would agree that a structured, democratically-led change process would always be the best approach to ensure the impact on existing services, citizens and the workforce is managed.

The recognition of the importance of local government, the need for more freedom and powers to support better solutions for local communities, of local democracy and the importance of local government as an employer and the value of the local government workforce are all positive.

However, Newport City Council retains the position that remaining a stand-alone Authority is the best outcome for the city and our communities. We would propose that continuing to work in partnership where there is a demonstrable benefit to our citizens is the best approach for the city and our communities.

**Q3. 1c. What are your views on the options for creating fewer, larger authorities which we have set out?**

Newport City Council retains its position that a stand-alone Authority is the best outcome for our communities. There is a distinct lack of synergy between the Newport and Caerphilly administrative areas, and little shared identity from a community perspective.

The proposals as outlined in the Green Paper would also move democracy further away from local people.

It is the view of Newport City Council that Newport's identity as a developing city, and the challenges within the locality would not be best met by the proposals to merge with any other Council. The excellent work of the Newport Public Services Board in developing a local partnership which meets the needs of the community supported by a Well-being Plan would be diluted in any wider authority. The Newport PSB set up is different to that of its neighbouring authorities, reflecting the very different community assessment, assets, demographic and need. The Future Generations Commissioner and Auditor General have recently spoken about the need for public sector bodies to develop place based solutions, which are best developed by local partnerships around community needs.

More widely there is a lack of evidence that increasing size benefits areas such as social care during times of austerity, and the significant savings outlined in the proposals could only be achieved through workforce reductions.

The proposals would add layers of complexity to local governance and accountability in already large, and in Newport's case growing, population areas. The differences in community need from language, ethnicity, housing challenges and need, shape and size of the area with inherent transport challenges, and, as mentioned previously, community identity for the respective populations of Caerphilly and Newport. This is in part reflected by the different make up of community and town councils in the two areas.

**Q4. 1d. Are there other options for creating fewer, larger authorities we should consider?**

Not for Newport - as a city it should stand alone. However, there may be other opportunities for other smaller authorities to merge and this should be done on a voluntary basis. The proposals as outlined in the Green Paper would also move democracy further away from local people.

**Q5. 1e. Do you have evidence on costs, benefits and savings of each option which can inform decision-making? If so, please provide details.**

Since 2013-14 we have achieved cumulative savings of over £41m and more before this time. There is no recognition within the Green Paper of the efficiency journey that Councils have been on over the past eight years which will lower any previous estimates of savings. As such any revised assessment of cost and benefit must recognise the very different financial landscape.

As current examples in England show scale is not an answer to the crisis in social care and deepening austerity and the WLGA view is that merging authorities without the necessary resources is not a sustainable solution to the problems councils face.

Having just transferred staff into a shared service we are fully aware of the increase in costs and complexity which can negate any financial benefit, due to differences in terms of conditions of employment, grading and how pensions are dealt with.

Therefore, whilst further savings will accrue from mergers, we believe they will be lower than previously estimated as the 'cost to change' will be very significant and it should be recognised that there will be areas of increased on-going costs created from mergers, and in particular between Newport City Council and Caerphilly Council. Further savings will not be the single answer to the significant financial challenges facing the sector, financial resilience and securing service sustainability and therefore the rationale for mergers requires significant 'other benefits' to justify the costs and disruption created.

**Q6. 2a. Do you agree that providing clarity on the future footprint of local government is important?**

Clarity on a future footprint is important for Councils, staff and the very many vulnerable people Councils deliver services to. We feel that the previous Cabinet Secretary had given that clarity.

Newport City Council would wish to continue to discuss reform and empowering local government as part of the WLGA dialogue with the Cabinet Secretary and are committed to the case for proper funding of councils. The Council would wish to engage constructively in developing a localist vision for the future of local government and would welcome clarity on the future of local government.

There may be other opportunities for some authorities to merge and this should be done on a voluntary basis. The Future Generations Commissioner and Auditor General have recently spoken about the need for public sector bodies to develop place based solutions, which are best developed by local partnerships around community needs.

The timescales set out would be unlikely to achieve a consistent and robust approach, as legislation and extensive preparation and support would be required prior to any merger by 2022. 2026 would appear a more realistic timescale for mergers, although Newport City Council maintain the position that the needs of our city and communities are best served as a standalone Council, working with our partners in the locality.

**Q7. 2b. Do you agree with the factors we have identified to inform our thinking? Would you change or add any?**

The data outlined in Annex B of the Welsh Government paper is selective and as such should be considered along with a range of factors.

Community identity and make up are a key consideration for any review of service delivery and administrative boundaries. It is the view of Newport City Council that Newport's identity as a developing city, and the challenges within the locality would not be best met by the proposals to merge with any other Council.

The excellent work of the Newport Public Services Board and other PSBs in developing local partnerships which meet the needs of the community supported by a Well-being Plan would be diluted in any wider authority, in areas where the needs are diverse. The Future Generations Commissioner and Auditor General have recently spoken about the need for public sector bodies to develop place based solutions, which are best developed by local partnerships around community needs.

The economic, identity, social and health challenges in the Newport area need a solution fit for this area. These needs are outlined in our community well-being assessment, a Welsh Government requirement for each area which has not been fully considered in the proposals.

Planning should ensure that 'form follows function' and issues that impact on public sector demand are considered. Factors include community cohesion, deprivation, community safety, housing need and delivery. Environmental factors should also be considered along with geographic differences.

**Q8. 2c. What are your views on the new areas suggested in this section?**

As outlined in the answers above, Newport City Council retains its position that a stand-alone Authority is the best outcome for our city and our communities.

**Q9. 2d. Do you have alternative suggestions and, if so, what is the evidence to support these as an alternative?**

The Council would wish to engage constructively in developing the vision for the future of local government and the development of local place based services and partnerships.

However as outlined in the answers above, Newport City Council retains its position that a stand-alone Authority is the best outcome for our communities.

**Q10. 2e. In the context of these proposals, are there other ways we should simplify and streamline joint working arrangements at regional level and among public bodies within the new authority areas? If so, what are they?**

The proposed model for the Gwent area would not facilitate joint working with our police and health boards as they would be working with two local authority areas, and, regarding community safety and police issues there are clear differences in need for our city and our communities which should shape local partnerships and service delivery.

The excellent work of the Newport Public Services Board in developing a local partnership which meets the needs of the community supported by a Well-being Plan would be diluted in any wider authority. The Newport PSB set up is different to that of its neighbouring authorities, reflecting the very different community assessment, demographic and need.

The Future Generations Commissioner and Auditor General have recently spoken about the need for public sector bodies to develop place based solutions, which are best developed by local partnerships around community needs and as such we would seek support for local, place based partnership service delivery. The PSBs across Gwent share practice and collaborate on delivery, although distinct variances in the well-being assessments evidence how the local Boards need to be responsive to their local communities.

Regional economic development is working across a much wider footprint than Gwent and has proved that boundaries on a map are no barrier to shared commitment and delivery of outcomes.

## **Page 4: Chapter 5**

**Q11. 3a. Do you agree with the proposed process of transition: namely establishing Transition Committees and ensuring elections to Shadow Authorities can be held ahead of vesting day for the new authorities?**

The timescales set out would be unlikely to achieve a consistent and robust approach, as legislation and extensive preparation and support would be required prior to any merger by 2022. 2026 would appear a more realistic timescale for mergers, although Newport City Council maintain the position that the needs of our city and communities are best served as a standalone Council, working with our partners in the locality.

The proposals represent a distraction from the challenge of delivering services, and meeting the needs of increasingly complex communities.

The support that would be required from senior officers and corporate teams would reduce the Authority's capacity to deliver services and achieve further service efficiencies or partnership outcomes, including the city deal and Well-being Plan.

The creation of a shadow authority would be costly and time consuming and if not properly resourced introduces risks and instabilities to the existing authority, partnerships and service delivery. Assembly elections in May 2021 followed by elections to Shadow Authorities would also present an issue and confusion for our communities and the electorate.

**Q12. 3b. Do you agree that, if option 1 were pursued, we should set a date by which voluntary merger proposals should come forward in each electoral cycle?**

The timescales set out would be unlikely to achieve a consistent and robust approach, as legislation and extensive preparation and support would be required prior to any merger by 2022. 2026 would appear a more realistic timescale for mergers, although Newport City Council maintain the position that the needs of our city and communities are best served as a standalone Council, working with our partners in the locality.

We recognise that some smaller authorities may wish to enter into a voluntary merger to support resilience and sustainability. Any such proposals should also consider police and health board boundaries, and whether they strengthen local government provision in Wales.

**Q13. 3c. Do you have any other thoughts on the proposed process?**

The proposed process represents another change of policy from Welsh Government, and has insufficiently involved local authorities. Newport City Council would wish to continue to discuss reform and empowering local government as part of the WLGA dialogue.

The Council has considered the Well-being of Future Generations Act (Wales) 2015 and the sustainable development principle in the response to this proposal. The long term need for sustainable and resilient public services is important but must not overshadow the short term concerns for local services that have existed following a number of years of austerity. The individual organisations have already recently focussed on integration and collaboration in developing their well-being plans and objectives. Finally the importance of local people being involved in decisions moving forward is key and we must not allow their voices to be lost if priorities change.

**Q14. 4. The consultation suggests holding any local government elections in June 2021. Are there any reasons why June 2021 would not be a suitable date? If so, please suggest an alternative date with the reasons why that would be more suitable.**

Please see answer to Question 3 a) above.

The timescales set out would be unlikely to achieve a consistent and robust approach, as legislation and extensive preparation and support would be required prior to any merger by 2022. 2026 would appear a more realistic timescale for mergers, although Newport City Council maintain the position that the needs of our city and communities are best served as a standalone Council, working with our partners in the locality.

The proposals represent a distraction from the challenge of delivering services, and meeting the needs of increasingly complex communities. The support that would be required from senior officers and corporate teams would reduce the Authority's capacity to deliver services, achieve further efficiencies, and deliver partnership outcomes including the city deal and Well-being Plan.

Assembly elections in May 2021 followed by elections to Shadow Authorities would also present an issue and confusion for our communities, the electorate.

Q15. 5. The Welsh Government recognises that there are some plans or assessments, for example the preparation of assessments of wellbeing by Public Service Boards, which are linked to electoral cycles. We will make provision to make sure these tie into any new electoral cycles going forward. Are there any other plans or matters which might be tied into the electoral cycle which we need to consider?

It would be helpful if all the legislation was aligned to electoral cycles and even more helpful if requirements for strategic assessment and planning could be streamlined and further aligned. Requiring several sets of high level assessment and planning on the same timeline is a pressure on partnership resources and can be confusing for stakeholders.

The following Welsh Government legislation also has timelines tied to electoral cycles: Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015; Social Services and Well-being (Wales) Act 2014 - population needs assessment to be completed per electoral cycle, and Area Plan to be produced within one year of the needs assessment.

Q16. 6. What are your views on the approach which should be taken to determining the parameters of electoral reviews?

We are aware of reviews proposed by the Local Democracy and Boundary Commission for Wales as part of their regular programmed work. There would clearly be an increased resource required to undertake the electoral reviews of all proposed new authorities in Wales at the same time.

## Page 5: Chapter 6

Q17. 7a. How can councils make more effective use of their elected members knowledge of, and connections in, their communities?

Members are key consultees on issues affecting their communities, they can often suggest solutions to problems, provide insight into the community and links to local groups.

In our area we have used the well-being (previously ward) profiles of each area of the Authority to ensure that ward members have an oversight of all of the data and intelligence for their wards, and can use that local knowledge to inform and challenge decision making. Further, member's local knowledge has helped to develop the profiles which are used by all partners including the third sector and the local community.

Q18. 7b. How could we better recognise the level of responsibility involved in being a local councillor? What changes to the remuneration and support councillors receive would enable a wider range of people to become involved in local democratic representation?

If the plans are to reduce the number of local councillors, but strengthen local democracy then elected members will need additional support. The workload of councillors is increasing, and improvements in the diversity of elected members will mean that more members have other commitments, such as employment, volunteer and community roles, and families. Improvements in remuneration would go some way to support this.

The proposals as outlined in the Green Paper would move democracy further away from local people.

**Q19. 8a. Are there other powers which local government should have? If so, what are they?**

We would refer to our and the WLGA response to the Cabinet Secretary January 2018, and highlight the following:

The WLGA has consistently argued that legislation and/or statutory guidance which introduce new duties or powers for local government should not be prescriptive. Whilst the Welsh Government should rightly set national objectives and outline the strategic framework, local authorities are best placed to determine local governance or delivery arrangements. Flexibility and maximum local discretion should therefore be provided with regards the discharge of any new duties, the design and delivery of local (or regional) services or any local accountability and governance arrangements.

Transfer of specific grants into Revenue Support Grant – local authorities require the maximum freedom and flexibilities to make spending and cost recovery choices locally, supported by transparent and equitable funding for all 22 authorities.

We would also like to move to three year financial settlements, notwithstanding the difficulties and uncertainties around national funding, to support medium term planning and managing within significant budget restrictions.

Devolution of permissive local tax-raising powers to local government such as green taxes to protect the environment, as previously outlined in the WLGA Manifesto 2016-21 and the Independent Commission on Local Government Finance Wales 2016.

Greater flexibility around fees and charges to allow local authorities wider scope to vary according to local needs and priorities including a review of those that are nationally regulated as recommend by the Wales Audit Office.

Transfer some public health functions and funding into local government which would build on and enhance preventative services provided by Councils.

**Q20. 8b. Are there other freedoms or flexibilities which local government should have? If so, what are they?**

As outlined in a) above.

We would also welcome an alignment and reduction in duplication around the corporate planning, governance and reporting duties of the Well-being of Future Generations Act (Wales) 2015, Accounts and Audit (Wales) Regulations 2014, Draft Local Government Bill 2015 and current Local Government (Wales) Measure 2009.

**Q21. 9a. Which areas offer the greatest scope for shared transactional services?**

Newport City Council is only in favour of regional working when it is supported by business cases, that make sense in terms of service improvement / efficiency and, importantly, where there are demonstrable benefits to the residents of Newport.

This may apply to transactional services such as HR and payroll transactional; procurement; order processing and creditors; internal audit; training; housing benefits and council tax reductions; and IT provision.

However, having just transferred staff into a shared service for IT we are fully aware of the increase in costs and complexity which can negate any financial benefit.



**Q22. 9b. How might such arrangements be best developed?**

The future programme of Local Government reform needs to be rooted in a clear partnership with co-produced solutions. We believe that local government is able to determine which collaborative arrangements work best for its needs and those of the communities it serves.

However the challenge of increases in costs and complexity could be supported by all Wales work and Welsh Government support for this.

**Q23. 10a. In ensuring we deliver a consistent approach across Wales, where consistency is important, how do you think the advice and support on each of these matters could be best provided?**

We maintain that we have the ability and expertise to determine which collaborative arrangements work best for the needs of our communities. Welsh Government should set national objectives and outline the strategic framework, local authorities are best placed to determine local governance or delivery arrangements.

We note that the National Assets Working Group is in place to support asset review and rationalisation, more locally asset review forms part of our Well-being Plan.

**Q24. 10b. Are there any other challenges or opportunities from structural change or providing additional powers and flexibilities that have not been identified above? If these areas require support, what form should this support take?**

Local Government has a consistent record of improving services, even during times of severe financial constraint. The key to future improvement is greater certainty in terms of financial planning and expectations from Welsh Government. With a more stable planning environment and greater freedoms as suggested in the responses above, local government will be able to deliver even more improvement.

Further support would need to be in the form of resources to support change at a local level.

**Q25. 10c. Which of the issues identified above or in your response should be prioritised for early resolution?**

Covered in a) and b) above.

Newport City Council would maintain that the best outcome for our city and our communities is to remain as a standalone authority working with partners in the local area, and developing collaborations based on business need and outcomes for communities.

## **Page 6: Impact assessments**

**Q26. 11a. What effects do you think there would be?**

We have supported our Welsh learners through the Welsh in Education Strategic Plan, and have committed to the development of the Welsh language in Newport in our 5 Year Welsh Language Strategy. We are mindful of our population needs and make up, and have fewer Welsh language speakers than Caerphilly.

Regardless of any reorganisation we remain committed to developing the use of the Welsh language in our City. We also have a partnership agreement for translation services with Cardiff City Council, evidencing our commitment to delivering collaborations based on business need.



**Q27. 11b. How could positive effects be increased, or negative effects be mitigated?**

Regardless of any reorganisation we remain committed to developing the use of the Welsh language in our City. We also have a partnership agreement for translation services with Cardiff City Council, evidencing our commitment to delivering collaborations based on business need. We have already stated within this feedback that any compulsory merger with another Local Authority would draw much needed resource from implementation of current plans and delivery of services to dealing with the matter of re-organisation. In the short to medium term this will obviously have a significantly detrimental effect on a range of service provision and supporting Welsh language development within the city will be no different. A merger with Caerphilly will do nothing but weaken the current position.

**Q28. 12. Please also explain how you believe the proposed policy within this consultation could be formulated or changed (if required) so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

Local government has embraced the Welsh Government's 2050 ambition and strategic approach to the Welsh language and regardless of any reorganisation we remain committed to developing the use of the Welsh language in our City. A merger with Caerphilly will be detrimental to this work as outlined above.

**Q29. 13a. Are there any positive or adverse effects not identified in the assessment?**

None identified.

However we would reiterate the importance of local people being involved in decisions moving forward. We must not allow their voices, including the views of children and young people, to be lost if priorities change. Further we would note the extensive consultation with children and young people to develop our Well-being Assessment, which could be used for any further planning work.

**Q30. 13b. Could the proposals be reformulated so as to increase the positive effects or reduce any possible adverse effects?**

Use of the Well-being Assessment and views of young people as outlined above.

**Q31. 14a. Are there any other positive or adverse effects not identified in the assessment?**

There are very significant differences between black and minority ethnic populations in Newport, and Caerphilly (or any of our neighbouring authorities). 2.9% homes in Newport do not have English or Welsh as a main language, compared to 0.5% in Caerphilly. The density of black and minority ethnic groups is markedly higher in the Newport area than Caerphilly (or any of our neighbouring authorities).

Newport is also an asylum dispersal area. With the merger, dispersal will widen to include the whole local authority area and also increase the numbers of asylum-seekers Home Office can disperse into the area. The cap is based on 1:200 and the merge would result in the LA cap going from approximately 745 to approximately 1647. The increase is likely to end up being housed within the Caerphilly area due to the practice of housing providers for the Home Office contract procuring rental properties that are low-cost. Due consideration needs to be given on how this could impact local communities and services with the area.

Given the differences in the communities in the two areas, and the points made previously about a sense of belonging and identity which contribute to community cohesion, we would consider the proposals do not best serve either community area.

Q32. 14b. Could the proposals be reformulated so as to increase the positive or reduce any possible adverse effects?

The community needs and service user demands are considerably different in the two areas, as are levels of deprivation, housing need and other aspects which in part relate to the development of Newport as a city.

Newport City Council would maintain that the best outcome for our city and our communities is to remain as a standalone authority working with partners in the local area.

Q33. 15. Please provide any other comments you wish to make on the content of this consultation.

The messages around stronger, more sustainable and resilient public services, with better alignment with partners such as the police, health and with city region boundaries are welcomed. However the proposal for Newport does not support the principle for the reasons stated in this response.

## Page 7: Submit your response

Q34. You are about to submit your response. Please ensure you are satisfied with the answers you have provided before sending.

**Name** Will Godfrey (Chief Executive)

**Organisation (if applicable)** Newport City Council

Q35. If you want to receive a receipt of your response, please provide an email address.  
Email address

wayne.tucker@newport.gov.uk

Q36. Telephone

(01633) 656656

Q37. Address

Newport City Council,  
Civic Centre,  
Godfrey Road,  
Newport,  
NP20 4UR

Q38. Responses to consultations may be made public. To keep your response anonymous (including email addresses) tick the box.

*No Response*

# WLGA RESPONSE

## Strengthening Local Government: Delivering for People

### Welsh Government Green Paper

June 2018



#### Introduction

1. The WLGA's Green Paper response provides a general commentary on the key policy proposals within the Green Paper. It does not seek to specifically respond to each of the 33 questions in the consultation document. Instead it sets out a detailed narrative which attempts to take on board comments from our member authorities and from our Leaders who debated and agreed this response at the WLGA Executive Board on 25<sup>th</sup> May 2018.
2. There is much in the Green Paper that the WLGA supports and welcomes; the WLGA and Welsh Government have a shared commitment and vision for local government:

“...strong and empowered local government which can provide bold, determined and focused local leadership...Our vision is for empowered local authorities which have the freedom, powers and values that drive them to look to the future, learning from the past but not stuck in it.”
3. Where we differ, however, is the implication that local government 'is stuck in the past' and that 'bold, determined, focused' leadership is an aspiration only for the future. This submission will demonstrate that councils have had to take tough and difficult decisions which has required resolute and determined leadership, an approach not always mirrored in other parts of the Welsh public sector.
4. The decade of debate and disagreement over structural reform means that local government is often crudely caricatured as being a block on progress or resistant to reform. The evidence shows the opposite.
5. Local government is providing bold and determined leadership and has done so throughout the challenges of austerity; local government is not stuck in the past but has learned from it; local services have improved despite financial constraints; local authorities have done all the 'heavy-lifting' on cuts and have demonstrated remarkable resilience whilst also leading radical reform. The city deals and growth bids are evidence of this bold, collective leadership, articulating an ambitious vision for regional regeneration which in turn provides a beacon of progress amid the uncertainty of Brexit.

6. There is common ground between the Welsh Government and WLGA on the 'diagnosis' of the challenges and increasing pressures being faced by Wales' local public services. But there is difference and disagreement over the causal factors, the prognosis and the 'prescribed treatments' available. In short, the Welsh Government perspective is that scale is the causal factor and that greater scale can lead to recovery, if not a cure.
7. Local government in turn regards the reduction in funding as the causal factor and that only sustainable funding can lead to sustainable services and, furthermore, that the Welsh Government's prescribed treatment will cause more harm than good.
8. Local government continues to express concern that the Welsh Government reform proposals are shaped by politics rather than evidence. Successive structural reform proposals have been based on cartographical creativity rather than grounded in robust evidence or underpinned by a compelling business case.
9. Until the Welsh Government 'learns the lessons of the past' and provides a compelling and fully costed and funded programme of reform, Welsh local government cannot support proposals that would lead to distraction, costly service disruption, thousands of job losses and damage to local communities and economies across Wales.
10. The proposed empowerment and greater flexibilities promised are welcomed by WLGA but many are needed now to allow local government to be responsive and ensure the resilience of their services. Holding such powers back unless and until structural reform is delivered is a false economy that will only lead to greater challenges and pressures. New powers are being offered only as an incentive to local government to commit to reform, but they should be seen as incentive for Welsh Government to mitigate austerity and improve outcomes for the public and the most vulnerable in our communities. The power of general competence is a case in point, it is yet to be introduced in Wales but has been in place in England since 2012 and Northern Ireland since 2014.
11. The Cabinet Secretary has challenged local government to provide a radical response to the Green Paper, but how radical is the Green Paper itself in revisiting the arguments of the past decade without providing any new analysis or new evidence?
12. Our radical response is already being delivered; local government is already leading and delivering radical regional reform, based on functions not form. We are transforming local services through digital technology, through new ways of delivering social care and education and through one of the most successful recycling programmes in the world.

## A Decade of Distraction

13. The Welsh Government Green Paper is the most recent contribution to the debate on local government reform.
14. The Welsh Government has actively explored different variants of local government reform since 2004, when the "Making the Connections" programme was introduced.
15. The Welsh Government's successive positions on local government reform have been predicated on the proposition that the structure of local government in Wales is not sustainable. The Cabinet Secretary Alun Davies AM has articulated this point in detail in introducing the Green Paper, where he states:

*"Wales needs strong, effective, empowered local authorities which can weather continued austerity and build local democratic structures fit for future generations. I do not believe that our local authorities, as currently constituted, can fully play this role; and I am not alone.*

*"Councils have been clear that services are wearing down to the point of collapse and there is a general acceptance that things cannot carry on as they are and a general acknowledgement that more money, even if it were available, would not solve the problem.*

*"I also know local government has made real efforts to change, adapt and invest for the future but I also understand that in the face of UK Government cuts, there are limited options to ensuring the future sustainability of local services. Unless we do something radical in response to these challenges we all recognise, the role of local government will increasingly be one of managed decline".*

16. There is much in this statement that the WLGA would endorse and we welcome the debate that the Cabinet Secretary has introduced.
17. We strongly reject however the reference to an acceptance that 'more money...would not solve the problem'. The WLGA has long argued that local public services are underfunded and repeatedly made the case for adequate resources for local government. It is unclear who, at least outside of the Welsh Government, 'generally acknowledges' that more money would not be a prerequisite to solving the problems of growing demographic demands and service pressures.
18. As this response shows, austerity in Wales has been selective. The question now is one that the Welsh Government must urgently address through its own political and resource choices if it truly believes that local government sustainability is under threat.
19. The current trajectory for local government is towards a narrow core offer increasingly centred on social care. This is the default outcome of sustained resource increases in the NHS, consequent reductions in the RSG, rapidly rising

demand for social care and of tightening resources. Within councils this has had to be managed on an annualised allocation basis with significant reductions to specific grant allocations outside the RSG all instituted under the banner of de-hypothecation. There are also emerging problems with school budgets which the teachers' pay rise will accelerate. The Welsh Government response to this is to repeat the mantra that Welsh councils have been more protected than their English counterparts (which the WLGA fully accepts) even though some services have been cut by over 50% and councils are close to losing a third of their pre-austerity budgets.

## History repeats itself

20. It is worth reflecting that this same argument about sustainability has also been at the heart of the Welsh Government's reform programmes over 15 years and has been in sharp focus since the onset of authority. The two main themes of reform programmes have either been a focus on collaboration or more latterly structural reform now cast as the "answer" to decreasing budgets.

**21. Viewing the argument from the other end of the lens, what has been remarkable is that in the face of a period of unprecedented cuts and austerity, the current system of local government has shown huge resilience.**

22. The key strands of this programme of reform have included several reviews, commissions, reports, Green and White Papers and legislation:

October 2004	Making the Connections: Delivering Better Services for Wales, the 5-year action plan
June 2005	Delivering the Connections: From Vision to Action
July 2006	Making the Connections. The Report Beyond Boundaries: Citizen-centred Public Services ("the Beecham Report")
Nov 2006	Welsh Assembly Government's Response to the Beecham Report, Making the Connections – Delivering Beyond Boundaries: Transforming Public Services in Wales,
March 2011	Independent Task and Finish Report, Viv Thomas Report – The Structure of Local Education Authorities in Wales
March 2011	Local, Regional, National: What services are best delivered where? (the 'Simpson Review')
Jan 2014	Report of the Commission on Public Service Governance and Delivery (the Williams Commission Report)

April 2014	"The Future Delivery of Education Services in Wales" – Robert Hill Report
July 2014	Reforming Local Government White Paper
Sept 2014	Welsh Government Invitation to Principal Local Authorities in Wales to submit proposals for voluntary merger
Feb 2015	Reforming Local Government: Power to Local People White Paper
June 2015	Future Configuration of Local Government in Wales Welsh Government Statement (Map of 8 or 9 merged authorities)
Nov 2015	Local Government (Wales) Act
Nov 2015	Draft Local Government (Wales) Bill
January 2017	Reforming Local Government: Resilient and Renewed White Paper
March 2018	Strengthening Local Government: Delivering for People Green Paper

23. Throughout, local government has sought to fully engage with Welsh Government and there is real evidence of transformational change. Some of this has been in response to the reform programme but most it has resulted from local authorities pursuing vigorous programmes of change and internal restructuring which have ensured ongoing viability.
24. The progress and successful reforms outlined in the section below demonstrates what can be achieved through a shared vision, constructive engagement and a commitment to partnership governance between Welsh and local government.
25. In the past four years since the Williams Commission reported in 2014, the pace of Welsh Government activity has accelerated although the effectiveness of this is debatable.
26. Following the publication of 63 recommendations in the Williams Report of which only four dealt with reorganisation proposals four either 10, 11, or 12 authorities were mooted. A further report put forward by former UK Government adviser Robert Hill also suggested reducing the number of local education authorities (LEAs) in Wales by a third by April 2014.
27. The Williams proposals were initially pursued by the Welsh Government in its 2015 White Paper, which outlined its 'preferred model' of 12 merged authorities.
28. The Welsh Government invitation for expressions of interest for voluntary mergers saw six councils coming forward with business cases, but all were rejected by the Welsh Government.

29. A further programme of reform in 2015 saw a subsequent “threat” of the creation of 6 authorities but which eventually led to firm proposals by the then Minister for Public Services Leighton Andrews AM for 8 or 9 authorities which were outlined in a White Paper and subsequent Draft Bill.
30. The Welsh Government’s approach was not supported by local government who raised collective concerns that the proposals were a distraction and would lead to an extended period of uncertainty. It is not surprising in this respect that the then WLGA Leader Cllr Bob Wellington noted in June 2015 that ‘...there is nothing more dangerous in a combat zone than a general with a map’.
31. Local government reform, based on a merger programme, was rejected by the Welsh Government following the 2016 Assembly elections and there then followed a pragmatic assurance that there would be no structural change for a decade and that a regional approach should be pursued by councils which chimed with the ongoing work on city deals and growth bids. The Staff Commission, which was set up to deal with the workforce dimensions of reform based on the proposal for eight or nine councils, was abolished only weeks before the 2018 Green Paper was published, which proposed 10 merged authorities.
32. One of the rejected expressions of interest was between Bridgend and the Vale of Glamorgan councils on the grounds that it crossed an LHB boundary. The single tangible piece of structural reform progressed to date is the proposal to move Bridgend authority area to within the boundaries of Cwm Taff Local Health Board, a process which is ongoing.

## **Reflections to date**

33. Welsh Government itself needs to reflect on the fact that this extended period of distraction and uncertainty has caused real instability and lack of clarity.
34. The Welsh Government’s most recent confirmation that structural reform had been ruled out for 10 years had been welcomed by the WLGA for the assurance it provided. It allowed ambitious reforms, such as the city deals and growth bids to flourish. To have this debate yet again is for many in local government akin to the Myth of Sisyphus in Greek mythology, where a King was punished by the Gods by having repeatedly to roll a huge stone up a hill only to have it roll down again as soon as he reached the summit. This uncertainty has undoubtedly affected staff morale and tempered medium and long-term planning.
35. The Welsh Government’s reform programme has been characterised by some as ‘little more than an act of faith-based policy making’; it has been based on the ‘solution’ that ‘big is beautiful’, that scale provides answers to a range of often ill-defined problems and that mergers (in a variety of different configurations) are necessary.



36. Politics rather than economics has dominated thinking. Whilst the reform proposals have been strong on rhetoric, they have been weak on evidence, ironically with the burden of proof typically being placed on local authorities themselves.
37. The available empirical and academic evidence to support this work is at best contested and is often ambiguous. From Betsi Cadwaladr Local Health Board to Birmingham City Council, the history of some of the UK's largest public-sector bodies is often one of turmoil and dysfunction. Indeed, the recent conclusion by academics at De Montfort University is telling:
38. "Despite the inconclusive nature of the literature it is intriguing that many policy-makers and practitioners in local government and other public-sector bodies, hold to the firm belief that larger units are, and must be, inherently better, more efficient and effective, cheaper and better performers than smaller units; intriguing, because the evidence does not consistently support this opinion".
39. This is further supported by work by the Cardiff Business School who found the following from their analysis of available literature:
- Descriptive analysis of local government reorganisation in the 1990s suggests the transition costs may have outweighed efficiency gains (Chisholm, 2002)
  - Case study research also identified important managerial and organizational challenges in making unitary structures work (DCLG, 2010)
  - Regression analysis indicates the process of voluntary local government reorganisation in 2008 in England led to higher expenditure and lower performance (Andrews and Boyne, 2012)
  - Difference-in-difference (DiD) analysis suggests administrative savings were realised post-2008 but that reserves had been depleted (Andrews, 2015).
40. It is therefore surprising that the Welsh Government, through the Green Paper, has not sought to provide any further or new evidence to underpin the case for reform; it has merely recast the rationale to one of empowerment and sustainability, rather than one of underperformance, and has reshaped the map of eight/nine authorities to ten.
41. The Green Paper notes that the Welsh Government accepts:
- "...that since the RIA was published, and faced with ongoing austerity, local authorities have not stood still. Some of the benefits associated with creating fewer, larger local authorities, such as reduced management numbers and reductions in staff costs, may have already been realised (as potentially will the associated one-off costs)."*
42. However, the Green Paper does not include any up-to-date cost-benefit analysis and almost apologetically notes that the costs and benefits exercise of the 2015 Draft Bill would need to be updated, asking: *"Do you have evidence on costs,*

*benefits and savings of each option which can inform decision-making? If so, please provide details."*

43. The Welsh Government has also not addressed the concerns of the Assembly's Communities, Equality and Local Government Committee Report on the Draft Local Government Wales Bill in 2016, which called for 'urgent' clarification of the costings and funding of mergers and the implications of pay harmonisation and council tax harmonisation<sup>1</sup>.
44. In its evidence to the Williams Commission in 2013, the WLGA set out a several principles that should underpin and be a prerequisite of any major reform programme; they remain as relevant today as they did in 2013:
- "Any discussions around major service reconfigurations or structural changes should be subject to a range of key tests. At a minimum these should include the following:
  - That local government is given clear assurances from Welsh Government on retaining its functional integrity and that consideration is given to increasing democratic control over other public services such as public health and community services.
  - That in line with Welsh Government policy there must be a presumption against placing functions currently under democratic control into non-governmental bodies like quangos.
  - That service provision in Wales is clearly linked to the subsidiarity principle namely the idea that decisions must be taken as closely as possible to the citizen.
  - That in terms of timing there is no consideration of reorganization until more stability is returned to the public finances (otherwise transition costs will equal cuts to services).
  - That any transition costs of local government reorganization should be met from grant.
  - That a detailed commissioned cost benefit analysis of restructuring be undertaken."
45. The Welsh Government did not adequately meet these 'tests' in either the 2014 or 2015 White Papers, nor are these addressed in the current Green Paper.
46. Notwithstanding local government's view that the case for reform is flawed, the 'methodology' of reform remains inconsistent and unclear; the only underpinning rationale for the proposed units of local government are the boundaries of the current Local Health Boards. Both the Green Paper and previous Welsh Government White Papers fail to provide a methodology or compelling narrative

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<sup>1</sup> <http://www.assembly.wales/laid%20documents/cr-ld10601/cr-ld10601-e.pdf>

that explains the creation of authorities ranging vastly in scale from Powys at 132,160 to Cardiff and the Vale at 489,931 or that three of the proposed new authorities are smaller than three of the existing authorities that will be merged into yet larger authorities.

47. In publishing the Green Paper, the Welsh Government has not addressed local government's collective and repeated concerns about an evidence-base and a less than compelling business case for reform. A range of fundamental yet unanswered questions that have previously been put to the Welsh Government during previous reform discussions are therefore included in the Conclusion below.

## **Local democracy and accountability**

48. The WLGA has welcomed the Cabinet Secretary's commitment to empower local government and to champion local accountability and local democracy. The WLGA responded positively to the consultation on powers and flexibilities in January 2018 and looks forward to hearing the Welsh Government's response and proposals for empowerment<sup>2</sup>.
49. This commitment is reiterated in the Green Paper. The narrative however appears to increasingly suggest that such powers will only be available post-merger to larger authorities. This is inconsistent with the Welsh Government's localist narrative; if the Welsh Government believes in local government and local democracy based on principles of empowerment, freedoms and flexibility, such powers should be transferred irrespective of reform.
50. As noted in the introduction, withholding new powers and flexibilities is a false economy and many of the financial flexibilities and powers put forward by the WLGA would strengthen authorities' resilience and sustainability of some services. Other than the General Power of Competence, which was introduced in England in 2012, the Green Paper is unfortunately silent about what functions and powers the Welsh Government might consider investing in or transferring to local government.
51. Despite the Cabinet Secretary's welcome commitment to local democracy and accountability, the Welsh Government more broadly is embarking on reforms that contradict this localist commitment; for example, the WLGA Leader has expressed concern about the drift towards English-style education commissioners in the regions and proposals for the re-emergence of an ELWA-like quango responsible for the whole of post-16 education provision.
52. Local government is democratically accountable and is the most transparent part of government and the public sector in Wales. Council meetings are open to the public and many are webcast, councillors are accessible to members of the public and decisions are scrutinised publicly. Councils are held to account for the policies and performance at the ballot box. The previous Draft Local Government

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<sup>2</sup> WLGA Response to powers and flexibilities consultation – January 2018  
<http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=1446>

(Wales) Draft Bill sought to introduce new duties and standards on councils around access, public engagement and publicity yet such expectations or standards do not apply equally across the public sector in Wales.

53. The WLGA's previous responses to reform proposals argued that there should be consistency across the public sector in terms of expectations around public access and transparency. Given growing concerns regarding the range and roles of public appointments in Welsh public life, the WLGA further recommends that the Welsh Government should publish a national Register of Public Appointments. This register should be updated annually and list individuals, their remuneration packages, terms of office, declarations of interest and the names and numbers of the bodies to which they are appointed. Such an approach would aid accessibility, improve transparency and clarify who was responsible for taking often significant decisions that affect public services or people's lives.
54. There is a further contradiction in the Green Paper with regards the principle of local freedoms and flexibilities. The Green Paper proposals for 10 merged authorities are rigid; although the Green Paper promotes voluntary mergers in Option 1, voluntary mergers would only be acceptable to the Welsh Government if they were on the prescribed footprint of 10 as specified in the Green Paper. This was specifically reinforced in a letter from the Cabinet Secretary on 17<sup>th</sup> May which stated:

*"I should also clarify an apparent misunderstanding, your letter suggested that the footprint meetings were proposed 'on the boundaries associated with option 3' of the Green Paper and were not supported because the WLGA has 'ruled out' that option. To be clear, the Green Paper proposes that the draft future footprint applies to all three options outlined."*

55. Although the WLGA supports voluntary mergers in principle, as this is a matter for local democratic discretion and negotiation, the WLGA does not however support the rigid constraints as proposed by the Welsh Government's merger proposals.

## **The flawed case for reform**

56. The WLGA agrees with the Welsh Government that the sustainability of public services is the significant challenge of the coming decade – funding has and continues to be drastically reduced at a time when demands and demographic pressures are increasing. The WLGA has commissioned independent research which provides a robust evidence-base to underpin this.
57. What this evidence and wider academic analysis shows is that it is the current and projected levels of council funding that is unsustainable<sup>3</sup> not the structure of local government.

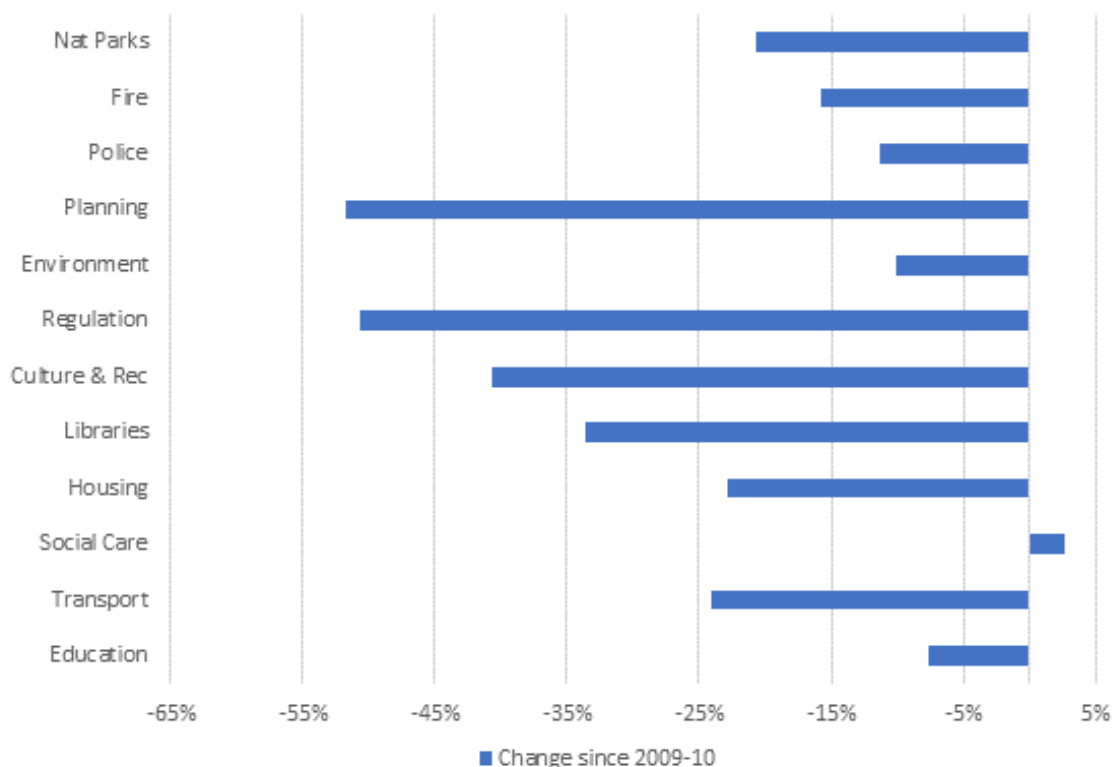
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<sup>3</sup> <http://www.walespublicservices2025.org.uk/files/2017/11/Local-Gvt-Report-Final-221117.pdf>  
<https://www.ifs.org.uk/uploads/publications/docs/IFS%20report%20R120.pdf>  
<https://www.ifs.org.uk/bns/bn131.pdf>

58. The WLGA therefore fundamentally disagrees with the Green Paper's central thesis that current structures are not only unsustainable but that reform would deliver financial sustainability.
59. The Green Paper's case for reform is based on the proposition that larger structures can "weather the financial storm" better than smaller authorities. In short, the argument is that larger scale bodies are inherently more sustainable.
60. Unfortunately, the evidence shows us that scale is not a prerequisite of sustainability and history (and the very recent history of public services) shows us that no organisation is too big to fail.
61. The sustainability argument cannot be made without reference to fair and sustainable funding; structures (whatever their scale) cannot be sustainable without sustainable resources. The real challenge to local public services is not scale but resources; whilst austerity has reduced the Welsh block, the Welsh Government has sought to increasingly invest in the health service rather than local government.
62. Before Easter, Prime Minister Theresa May announced she had accepted the case for a longer-term, and bigger financial commitment to the NHS and social care in England. The question is if significant consequential to the Welsh block grant follow, will the Welsh Government recognise that the NHS in Wales has had record levels of funding over the past 5 years while councils have done all the 'heavy lifting' on cuts? Will more resources be steered to the local government because next year's financial settlement is already predicated on an unacceptable -1%.
63. Larger, merged authorities would be no more sustainable if the inequitable and unsustainable distribution of funding continues. A larger social services department covering the proposed new 'Dyfed' would not be in any better position to face the demographic pressures of the future if its funding was merely the amalgamation of the cuts budgets being provided to the constituent councils of Carmarthenshire, Ceredigion and Pembrokeshire. In other unprotected service areas, bringing together sub-optimal services is based on a financial 'finger-in-the-air' assumption that 'two plus two will equal five'. Indeed, the costs of mergers could have a further destabilising impact.
64. If mergers are all about ensuring sustainability, then the Green Paper's timescales undermine the case for reform, unless there is a radical departure from the current funding projections. Even if the 'immediacy' of Option 3 was accepted, it offers no shelter from austerity as next year's financial settlement set provisionally at minus 1% will be crunch time for a range of councils this autumn. Furthermore, the idea that a programme of reorganisation up to 2026, as per Option 2, offers any short-term fix to funding pressures is unrealistic. Whatever the outcome of this debate it is resources not structures that will determine the future of Welsh councils.
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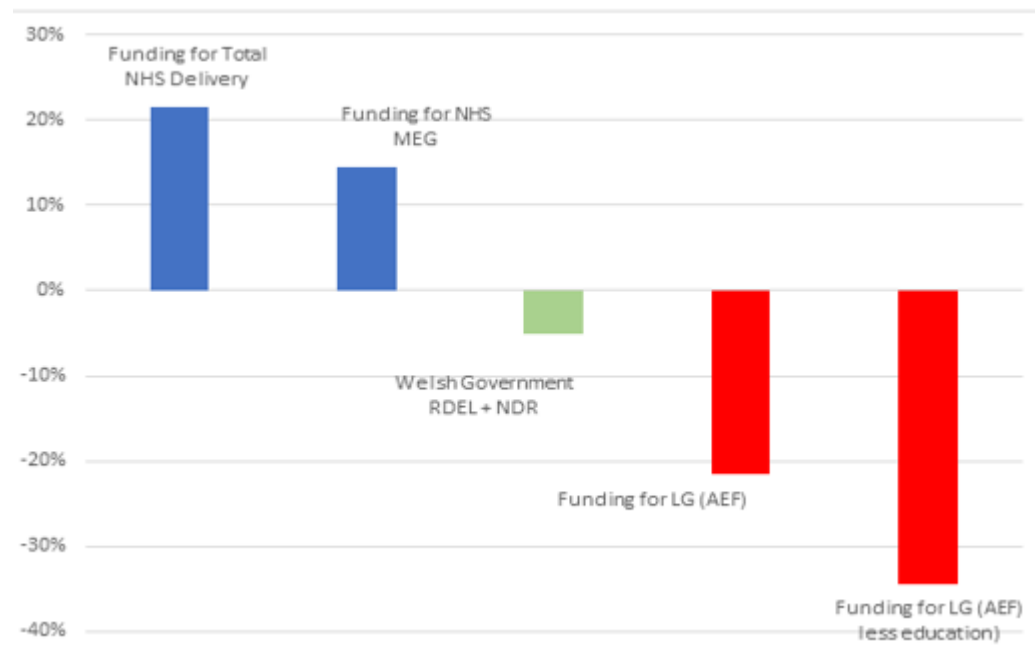
65. The 22 councils in Wales have been in the frontline of public expenditure cuts in Wales. The two tables below show the scale of expenditure reduction across services. Even in social care, where there has been a measure of relative protection, the Health Foundation calculate that an annual uplift of 4% over the next decade is required to deal with the scale of problems associated with chronic conditions, dementia, looked after children etc. Schools have also received protection in the same period but there is an emerging problem in terms of school deficits and the massive challenges to meet the teachers' pay award.

**Fig 1. Change in Local Government Spend, 2009-10 to 2017-18, adjusted for inflation**



66. In terms of austerity's selective impact in Wales the reality of Welsh Government budget decision making is set out in the table below.

**Fig 2: 10 Years of Austerity: Funding Changes from 2009-10 to 2019-20 (£m)**



67. The Welsh Government rightly states that Welsh local government services have received relative protection compared to England. However, Welsh local government budgets are now back to their 2003 levels and that 25,000 jobs have been lost since the onset of austerity in 2010.
68. The fact that the seven large local health boards have received a 22% uplift since 2012 raises significant questions. There is no straight read across in terms of the way that the NHS and local government are funded with the former not allowed to borrow, keep reserves and raise tax. However latest figures show that four Welsh health boards have a combined rolling deficit of £360m over three years. This has a direct parallel with social care. If bigger health boards are struggling with the increasing demands and costs of health care, why is there an assumption that bigger local authorities will fare any better with the increasing demands and costs of social care? The deep financial problems of large English county councils like Surrey (pop 1.1 million) Somerset (population 545,000) and the “bankrupt” condition of Northamptonshire (population 733,000) is salutary in this respect.
69. Equally there is no deficit funding model in councils who are required by law to set balanced budgets. It is to the considerable credit of all 22 councils that this has been achieved throughout austerity, with record levels of council tax collected and year on year improved performance on the official set of Welsh Government indicators. This despite massive service reductions and far fewer employees.
70. Local government has innovated and reformed during a period of significant contraction. Whilst local government has rejected the top-down mantra of mergers, it has not stood still and has delivered significant efficiencies, developed

collaborative ventures, managed and transformed services and supported communities through one of the most challenging periods in decades.

## **Overstated rewards, understated risks**

71. The Green Paper describes a future of a 'strong and empowered local government which can provide bold, determined and focused local leadership'.
72. The WLGA shares this vision of bolder, empowered and reinvigorated local government leading Wales' local communities but in turn argues that, through their resilience in the face of austerity and the leadership through regional regeneration, councils are already delivering on this ambition.
73. The Green Paper, like the White Papers before, frequently refers to the challenges of austerity. The Green Paper however describes mergers as a solution to austerity, whereas the WLGA believes that mergers will compound austerity, both in terms of disruption to council services but also the impact on Wales' communities and local economies.
74. Despite the references to austerity, the Green Paper makes no mention of Brexit and the uncertainty and risks this brings for public service delivery, regeneration funding and social cohesion. All public services, and local authorities in particular, are seeking to respond to the instability that Brexit has created and provide reassurance to businesses, employees and our service users.
75. Wholesale structural reform during Brexit will inevitably cause additional instability, undermining councils' ability to focus on core service delivery. There remain concerns that Brexit may have significant economic impacts on Welsh businesses and communities. Notwithstanding the additional pressures on public finances that Brexit brings, structural reform of local government during this period will not only cause distraction to those trying to mitigate the impacts of Brexit on communities, but may also further impact on the future resilience of local communities and economies.
76. The Green Paper describes how the Welsh Government values local government's workforce:

*"Across Wales, local authorities are valued employers and are often significant in local labour markets. When jobs are lost in a local authority, they are often difficult to replace. Employment in local government means fair work where individuals have a voice, are valued and serve their communities. For many, working for the council still has a resonance beyond the detail of the job or the name of the employer."*
77. The WLGA agrees with this statement wholeheartedly. Local government is the biggest employer in Wales, values its workforce and is one of the largest procurers of products and services from businesses in Wales.



78. The current structure of 22 local authorities ensures that many thousands of comparatively well paid, secure and stable jobs are distributed around Wales' communities, often to rural areas or deprived communities that have seen private sector employment opportunities decline during recent decades. In turn, this distribution benefits local economies in terms of individuals' spending power and the councils' procurement of local goods and services.
79. The Green Paper notes that "If we proceed with one of the options in this consultation, we recognise that change will be unsettling for those working in local government and will have implications for most if not all of them." The WLGA argues that all the options will have implications for all staff.
80. During the 2016 merger debate, Unison's former Head of Local Government Services in Wales warned of 15,000 job losses because of mergers. The Green Paper is however silent on the specifics of the inevitable job losses and the resultant impact this will have on Wales' most deprived communities in a post-Brexit Wales.
81. This is one of local government's biggest concerns, as the WLGA Leader noted in the WLGA's Council meeting in March:
- "History tells us that reorganisations are paid for by people's jobs. Thousands of local government jobs were lost in the 1990s and it will be the same again. What will that do for employment prospects of our young people in Newport, in Aberaeron, in Mold, in Pontypool, in Barry, in Llangefni, in Porth and dare I say it in Ebbw Vale? In employment terms, council jobs are the "golden thread" that runs through our communities and sustain our villages, towns and cities."*
82. The Green Paper is predicated on the 2015 Regulatory Impact Assessment (RIA) savings projections of between £430m and £915m between 2020-21 and 2029-30. The RIA noted that reducing the numbers of Chief Executives and Chief Officers could contribute a £23m saving. The remaining substantive savings can therefore only be made from a significant reduction in the wider workforce and a relocation of centres of employment in the new authority areas (i.e. to release assets and create economies of scale).
83. Mergers will therefore be a double-whammy of job losses for thousands of hard-working individuals and job losses to many of Wales' communities, including deprived and/or rural communities, communities who are already experiencing the employment and economic uncertainty of Brexit.

## **Devolution Success: Welsh Government - Local Government Partnership**

84. Much of the progress highlighted in the previous section has been achieved through partnership; councils working together and councils working with Welsh Government. A glance at the history of devolution over the past two decades shows that some of the most significant achievements of that period have been

achieved because of co-production between councils and Welsh government to deliver successful outcomes:

## **RECYCLING**

Policies jointly agreed with Welsh Government and introduced by Councils have seen Wales achieve recycling rates of 63.8% for municipal solid waste, which includes household plastic and other packaging, Wales is set to become the world leader for recycling by next year. The biggest public-sector procurement to date, Prosiect Gwyrdd, has seen councils sign a 25-year deal with Viridor on an Energy from Waste plant in Cardiff.

<https://www.walesonline.co.uk/news/wales-news/recycling-wales-rise-just-one-13522184>

## **SOCIAL CARE**

The Social Services and Wellbeing Act 2014 is the biggest piece of legislation since devolution. It was introduced following co-production between Welsh Government and Councils and seeks to improve the well-being of people who need care and support, and carers who need support, and for transforming social services in Wales. Local authorities are leading the reforms locally and seeking to drive regional reform and the integration of health and social care via the 7 Regional Partnership Boards.

<http://www.iwa.wales/click/2018/03/can-communities-contribution-care-wellbeing-maximised/>

## **HOUSING**

Welsh Government and Councils have used the Housing Wales Act, to innovate and to work with anyone facing homelessness, whether through family breakdown, rent or mortgage arrears or eviction, and to help all those who actually become homeless, rather than those who reach certain thresholds of priority need. This has been recognised as “trailblazing” across the UK. <https://www.theguardian.com/society/2016/apr/26/welsh-law-early-support-prevents-homelessness-crisis>

## **WORKFORCE**

Wales has a national Workforce Partnership Council (WPC), chaired by our First Minister. The vision for Public Services in Wales is shared by Social Partners – the Welsh Government, WLGA and Wales TUC - and we as local government employers are proud to have rejected outsourcing, supported the Trade Union Act and reverse the divisive UK approach which has been viewed an attack on workers’ rights

<http://gov.wales/newsroom/improvingpublicservices/2017/170718-tradeunionbill/?lang=en>

## **21<sup>st</sup> CENTURY SCHOOLS**

Across Wales, 21st Century schools stand out in our communities as a signal of our massive commitment to the future of our children. All children deserve the best school environment to enhance their life chances to grow and learn. It is a unique collaboration between Welsh Government, the WLGA, local authorities, colleges and dioceses.

<https://www.veredus.co.uk/news/how-has-wales-benefitted-from-the-21st-century-school-s-programme--news-17263>

## **WELSH LANGUAGE AND CULTURE**

Local government has embraced the Welsh Government's 2050 ambition and strategic approach to the Welsh language. Local government has a long tradition in promoting and supporting Welsh culture and collectively, through the WLGA, provides national funding for the Urdd and National Eisteddfods. Local authorities, working constructively with the Welsh Government and the Welsh Language Commissioner, has successfully implemented the Welsh Language Standards. There had been some speculation that the roll out of the Standards would meet some resistance, however, despite some administrative challenges, councils have led the way at the vanguard of the reforms and have been commended by the Commissioner.

<http://www.comisiynyddygydraeg.cymru/English/News/Pages/Welsh-Local-Government-Association-and-the-Welsh-Language-Commissioner-acknowledge-an-improvement-in-Welsh-language-service.aspx>

## **PUTTING WALES ON A GLOBAL STAGE**

The achievements of the "Team Wales" approach in the staging of outstanding global events has seen councils at the heart of staging the 2010 Ryder Cup and the 2014 NATO Summit across Newport and Cardiff. Similarly, the 2017 UEFA Champions League Final focused worldwide attention on Cardiff with a hugely successful outcome. Such events have been repeated across Wales not least the innovative approach by all Welsh councils in securing the future of the National Eisteddfod through an agreement made with WLGA in 2006.

<https://www.walesonline.co.uk/sport/football/football-news/full-cardiff-champions-league-dossier-13157323>

## **COLLABORATION AND JOINT WORKING IN ECONOMIC DEVELOPMENT, SKILLS AND REGENERATION**

The city deal developments and growth bids are a clear demonstration of local government's commitment to and leadership of collaborative reform. These have grown from the bottom-up, local government leading a regional response, pooling expertise and resources and taking calculated risks for the collective good. Space precludes setting out the intensive work to date of the Cardiff Capital Region, Swansea Bay City Deal, North Wales Growth Bid and Growing Mid Wales. The key point is that these regional partnerships will deliver some of the most ambitious and transformative regeneration initiatives since devolution. These successes have demonstrated the ambition and commitment of local leadership and the benefit of constructive partnership between local government and the Welsh Government. <http://www.assembly.wales/laid%20documents/cr-ld11264/cr-ld11264-e.pdf>

## **Service Realities**

85. No one in local government disputes the scale of the challenges ahead. Authorities have struggled in key service areas over the past years with some placed in special measures in terms of Estyn inspections or adverse social services outcomes. Professor Leighton Andrews has subsequently admitted “that the case for reform rested to a large extent on system failure in education”. And yet since 2015 no authorities have been placed in special measures by Welsh Government in this function.
86. The nature of public services is characterised by complexity, diversity and risk. In the same period the Welsh Government has also experienced significant problems in terms of delivering successful outcomes with programmes like Communities First, problems selling publicly owned land, the largest LHB in special measures for three years, poor record keeping in terms of payments to companies, the problems of the race track in Ebbw Vale etc. Similar challenges in the Welsh NHS are well documented and failure is an ever-present threat in public services.
87. The 22 local authorities have shown considerable resilience with the ability to return to, and recover, an equilibrium following these outcomes. In the same vein they have demonstrated considerable adaptive capacity; in short, the ability of a system to manage and accommodate change, and to adapt to challenges. A key feature of this adaptive capacity is that councils make themselves resilient by continually varying their key functions and processes so that they are prepared to adapt to the needs of their communities when problems occur.
88. In respect of service challenges, local government has demonstrably proved its ability to take tough decisions and transform services over the recent period. Eleven authorities have transferred their housing stock, others have set up community trusts for leisure and libraries, back office services have been significantly downsized. It is patently the case, having saved in the region of £1billion pounds it is hard to envisage any anticipated savings from LGR coming close to this or such further amounts being saved without recourse to significant job losses. The heroic assumption that reorganisation can be paid for solely by reducing senior management and councillor numbers has been one of the persisting myths of this debate for over a decade. Previous restructures have taken place in an environment of growth in resources, but Welsh councils can only expect significant reductions in real-terms funding.

## **Next Steps**

89. The Cabinet Secretary has challenged local government to provide a radical response to the Green Paper. The WLGA argues in turn that local government is already embarking on a radical reform programme and remains on course to deliver the Welsh Government’s vision from 2016-17.

90. The WLGA remains fully committed to the collaborative reforms outlined by the Welsh Government in 2017, a reform programme based on regional service collaboration with the retention of the 22 'front-doors' to public services.
91. Collaboration and regionalisation is a means to an end and not an end to itself, so such reforms should be based on clear business cases, that lead to service improvements and/or greater efficiency, where local accountability is maintained through any regional governance arrangements and, most importantly, where there are demonstrable benefits to residents.
92. There is real and advanced innovation in the City Deals and growth bids across Wales could be hindered and undermined by the Green Paper's approach. Regionalism remains a key option as was powerfully argued by Councillor Debbie Wilcox in her speech addressed to the Cabinet Secretary at the WLGA Council in March 2018:

*"We have not rejected collaboration or regionalism. I repeat my invitation to you to attend a meeting of the Cardiff City Deal Cabinet to see the remarkable work being undertaken by that groups of councillors. If you accept, you will be the first member of the Welsh Government to do so. In North Wales Aaron Shotton, in the South West Rob Stewart and in mid Wales Ellen ap Gwynn and Rosemarie Harris are making similar significant strides. We didn't need the Welsh Government to mandate us to do this, we got on with it because we recognised it was in the interest of the people and communities we serve. Let us continue this journey together and let us work together to secure better outcomes for those we serve".*

93. The WLGA's position has been characterised by some as a rejection of regional reform; the WLGA's response however unequivocally confirmed our support but clarified that mandated collaboration was not supported and unnecessary.
94. Local government is already leading this reform, the city deals and growth bids are the clear evidence of local leadership and collaborative commitment delivering collective rewards. The WLGA's submission to the Welsh Government's initial policy consultation on regional collaboration in December 2016 highlighted other areas of collocative progress by authorities.<sup>4</sup>
95. The WLGA's position was that mandating through legislation would take too much time and was cumbersome (it would be 'one-size-fits-all and certain services that would suit a regional setting in North Wales, for example, might not be suitable across South East Wales); the WLGA's counter-proposal was for ambitious regional deals struck with the Welsh Government on what services would be delivered in different regions and by which timescales, timescales that could be delivered more quickly than legislation.
96. The WLGA was seeking to deliver on these proposed reforms through seeking negotiated regional deals with Welsh Government to ensure those services underpinned by evidenced business cases were delivered regionally, rather than a one-size-fits-all approach of mandated regionalism.

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<sup>4</sup> <http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=1012>

97. This proposal not only makes sense in terms of 'form following function', but also resonates with the Cabinet Secretary's stated commitment for local determination and flexibility.
98. Whilst the WLGA rejects wholesale mergers, it supports the concept of voluntary mergers; these are a matter for local discretion and if individual councils develop a business case, negotiate and agree a merger locally, then they should be supported in their local reforms. It is in this sense that WLGA Leader Councillor Wilcox has publicly stated to the Cabinet Secretary that WLGA are not wedded to an immutable 22 council structure across Wales. The Welsh Government's position that it would only accept voluntary mergers on its specified map is restrictive and contrary to principles of local democracy and local empowerment. The Welsh Government however should set out a clear national offer, outlining incentives and support, which is available for all authorities to consider. The WLGA supports any 'bottom-up' approaches, where reforms are generated at the local level and councils have the freedom to decide whether - and with whom - to merge. In this setting the LHB boundary constraint is an artificial construct.
99. The problem with all previous arguments from 1996 onward have been debates which have centred on lines on maps rather than resolve the central issue of what local government should look like, how it fits into a devolved settlement, how it should be resourced and what powers it should exercise. The failure to address the "form follows function principle" results in interminable arguments about the pros and cons of mergers undertaken with an evidence base that is weak and a debate that is all about politics.
100. WLGA fully recognises that there are studies which suggest that big savings could flow from mergers. A recent study by E Y Consulting put forward evidence that creating 27 unitary councils across the whole of England could save as much as £2.9bn, according to an independent analysis of local government reorganisation options undertaken for the County Councils Network. This is of course based on an assumption of moving to unitary councils; it should be remembered that the "savings" from this were banked in Wales in 1996.
101. Thus, while there is not a straightforward read across, at its most basic level, the argument is that a fewer councils will need fewer councillors and senior managers, smaller support functions, fewer offices and IT systems than the current 22. In addition, there is the proposition that using the process of establishing new authorities will act as the catalyst to deliver a 21st century digital model of local government offering the opportunity to deliver genuine transformation of the way in which local government in Wales operates. All Welsh councils recognise that there are significant attractions in such an approach and WLGA, SOCITM and Welsh Government are exploring this.
102. In terms of the Green Paper, for the reasons outlined above, the WLGA rejects the rationale for mergers and the constraints imposed by the 10 authority merger model; a one size fits all merger programme where the only 'options' available to local authorities are the timings of mergers – Option 1 would be voluntary, therefore at the choice of authorities, Option 2 by 2026 and Option 3

by the unachievable date of 2022. Voluntary mergers on that footprint are therefore unlikely to be sanctioned locally. This Green Paper again fails to address a range of core issues which are at the heart of the debate. The result is a top down approach from Welsh Government, which has been combined with an elusive narrative about “strengthening local government” but no tangible proposals to examine.

103. In a range of major policy areas there is a clear weakening of the local authority democratic role and growing centralisation. For example, the stealthy shift of responsibility from local authorities to Education consortia so that Welsh Government can control education more directly with its implications for the local accountability for education. In transport, an expected White Paper this autumn is anticipated to build on the recent statement by the Cabinet Secretary for Economy who has proposed “the public transport network will be increasingly directly-owned or operated by Transport for Wales”.
104. These proposals risk removing powers from local democratic oversight and directly elected councils to an appointed quango. For example, the Welsh Government will become the mandatory Concessionary Fares body, a role currently held by local authorities. It is reinforced by finance allocations where Transport for Wales has seen large increases to its budget based on five year allocations criteria. Local authority budgets however remain annual allocations and have been reduced.
105. The creeping return of the “Quango State” in Wales should be a concern for all concerned about democratic accountability and local democracy.
106. Where local government has sought major policy shifts such as replicating the situation in England where public health is in councils Welsh Government has not engaged in the debate. The same applies in terms of a scrutiny role in the NHS. One tangible proposal in the Green Paper which WLGA would welcome is a power of general competence but this has been in place in England since 2011 through the localism act which also saw a dramatic reduction in the scale of audit and inspection. In many policy areas far from strengthening local government it appears that Welsh Government is negating the local democratic role.
107. Before any significant progress can be made in terms of structural reform, the Welsh Government must address the following questions in order to develop a coherent business case prior to any proposals being presented in a White Paper and accompanying regulatory impact assessment:
  - How much will local government reform cost and who pays the up-front costs?
  - What will be the effect on council tax equalisation?
  - Will there be a damping grant to pay for this?
  - Will there be a up front financial settlements for authorities who consider merger to cover the period of the reorganisation transition which for example could be based on a no further cuts policy and positive settlement outcomes?
  - How could this be reconciled for those council tax payers in authorities where mergers are neither required or desired?

- Will there be a commitment to fund a national redundancy scheme because of local government reform as there was with the NHS reorganisation in Wales and in councils in 1996?
- Will there be national redeployment policies based on the principles of workforce planning agreed by the Workforce Partnership Council (for example in the NHS such employees retain the designation as a Redeployment Candidate for a maximum period of 3 months, unless they secure a substantive post in the intervening period)
- In terms of job evaluation who will meet the additional costs of upward pay harmonisation?
- What will mergers mean for existing regional arrangements. If a council is large enough and capable of delivering all functions – could these be dismantled as a result of local democratic choice as part of the “strengthening local government” agenda?
- How many elected members will be required in merged areas? What will be the savings, what it will mean for democratic accountability across Wales and what is the feasible timetable for the Boundary Commission to undertake a review?
- What will be the public consultation on the boundaries of the new authorities, could this be partly determined by local referendums?
- Why do mergers on health boundaries remain sacrosanct?

108. Many of these questions have been asked by local government, the WLGA or Assembly Committees in response to previous Welsh Government reform proposals (see previous WLGA consultation responses in the footnotes below<sup>5</sup>).

## Conclusion

109. Professor John Kingdon has argued that the policy process for public sector reform can be situated into three streams: **problems**, **policy** and **politics**. The result is that the possibility of change is at its highest when all three streams come together – when a policy window is open: problem is recognised, a solution available, and the political conditions are right”.

110. The WLGA would argue that when it comes to the Green Paper the nature of the problem is mis-diagnosed, the solution is contested and that, with Welsh politics in flux and continued opposition to reform in the Assembly and local government, the political conditions are uncertain and difficult. Wales will also have a new First Minister in 2019.

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<sup>5</sup> Local Government White Paper – April 2017

<http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=1008>

Draft Local Government (Wales) Bill 2016

<http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=62>

Local Government White Paper – April 2015

<http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=1454>

WLGA Evidence to Local Government Committee on Draft Local Government (Wales) Bill February 2016

<http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=1450>

WLGA Evidence to Local Government Committee on Local Government (Wales) Bill February 2015

<http://www.wlga.wales/SharedFiles/Download.aspx?pageid=62&mid=665&fileid=1452>



111. In summary, the WLGA's response:

- demonstrates that councils are already delivering a radical response to the challenges faced. The city deals and growth bids are some of the most ambitious, strategic regional regeneration programmes in a generation - these have come from local leadership, collective investment, risk and reward not top down mandation;
- clarifies that local government remains supportive of and is delivering the collaborative regional reforms of the Welsh Government's previous reform programme; local government did not believe in mandation, as this would have been too slow and too inflexible. Collaboration is a means to an end and works only when there is a clear business case and where outcomes can be improved. We therefore argue instead for regional deals with more ambitious timescales;
- supports voluntary mergers, as these are a matter for local discretion and local democratic choice - however, any such mergers should be on the footprint of councils' choosing;
- rejects the arguments for wholesale mergers and believes the Green Paper proposals should be withdrawn;
  - academic evidence is mixed at best and shows that mergers lead to service disruption and costs are typically higher than hoped for and savings are limited, if achieved at all;
  - the WLGA does not believe mergers will improve prospects for sustainability, but that mergers may further undermine sustainability;
  - previous reorganisations have occurred during periods of growth, not during periods of cuts - austerity and the uncertainty of Brexit are major risks;
  - mergers would hit staff and hit the most deprived and rural communities. Unison's former Head of Local Government Services in Wales previously warned of 15,000 job losses as a result of mergers. The possible impact on jobs is scarcely mentioned in the Green Paper. Mergers would see centralisation to achieve savings through economies of scale and the rationalisation of assets and estates. This would be a double whammy of job losses for individuals and job losses for some communities at a time of economic uncertainty with Brexit; and
  - the Green Paper does not include an evidenced business case or a detailed cost benefit analysis.
- outlines that it is council funding that is unsustainable, not council structures. Even if councils merged, the resource and service challenges would remain if councils continued to receive the same levels of funding. Sustainable funding

is the only option and local government needs more equitable funding leading to greater stability. Local government has done all the heavy lifting on cuts over the past seven years. We recognise the record investment in the NHS whose budgets have increased but local government budgets have declined impacting on vital preventative services. Whilst the WLGA recognises that austerity is a UK Government policy, the Welsh Government determines its own priorities and how and where its budget is spent;

- welcomes the Cabinet Secretary's commitment to empower councils, but notes that few powers have been transferred in recent years. The General Power of Competence has long been promised, but was introduced in England in 2012 and in Wales it still only features as a Green Paper proposal;
- expresses concern that, despite promises of additional powers, councils are losing functions and Wales is seeing the creeping return of the quango state in areas such as post-16 education, transport and the growing Welsh Government influence over how we manage our school improvement;
- argues that new powers and greater freedoms for councils should be given now, not later as an inducement to mergers. Such powers and freedoms are needed to mitigate the impact of austerity, to help put services on a more sustainable footing and help improve outcomes for our communities. Holding these powers back is a false economy and will only adversely affect Welsh communities and the most vulnerable in our society; and
- demonstrates what has and can be achieved through constructive partnership governance. Significant progress, major public service reforms and improved outcomes have been delivered in the past decade of devolution through shared local and national leadership, councils working together and councils working with the Welsh Government.

112. The WLGA is therefore willing to work with Welsh Government to create a policy window. The Association is fully prepared to accept that no structure is immutable and councils have a strategic responsibility to continually adapt and reform. We have accepted that 22 councils may not suit the needs of Wales going forward. It is often stated that no one would have started with 22 councils but the reality is that the structure does exist and that improving the current system is more effective than the risk of the costs and disruptions of replacing it. We therefore recognise that the Cabinet Secretary's desire for a national debate on this is laudable and to be applauded.

113. The WLGA believes that the Welsh Government should withdraw the proposed merger programme and footprint set out in the Green Paper and commence a national debate on reform based on empowering councils and examining areas where councils could be immediately strengthened to achieve greater sustainability. The WLGA is prepared to work with the Welsh Government and co-construct a new prospectus to support this work through the formation of a politically-led national forum for reform.

Please find attached the response to the above Green Paper from Wrexham County Borough Council.

This was agreed by the Council at their meeting on 22 May 2018.

Regards

Craig Stevens

Scrutiny Facilitator/Hwylusydd Craffu

Finance Department / Yr Adran Cyllid

01978 292253

Wrexham County Borough Council, Guildhall, Wrexham LL11 1AY

Cyngor Bwrdeistref Sirol Wrecsam, Neuadd y Dref, Wrecsam LL11 1AY

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When considering these proposals the Council has concluded that it does not support them and would strongly oppose any future re-organisation of the Authority on the basis proposed.

The justification for these proposals is not considered to be adequately supported by the information provided and just as importantly does not set out how they will benefit the people of Wales and the areas affected.

These proposals appear to be presented as a panacea for the problems faced by Local Government in Wales, which stems largely from the continued imposition of cuts in funding and the on-going culture of austerity. It is not demonstrated that these proposals will deliver a level of savings that will make up the shortfall between what is required to provide the services and what is currently available. The history of re-organisation in both Local Government and other public services in Wales provides ample evidence that financial savings predicted are not realised at the levels expected, if it all.

In order to meet the challenges that have been imposed by budget cuts and the culture of austerity the Council has sought solutions, which if built upon and further developed, will provide a more sustainable and stable model for

future service provision, within the constraints imposed by falling funding. This entails working in partnership and collaboration with other Councils and organisations on a best fit basis. This model does not contain the dangers implicit in the proposals, which will include, financial risks, organisational upheaval, job losses and a deficit in local democracy. Importantly the model currently used will provide a more stable environment, both financially and organisationally and retain local accountability.

The suggested benefits of these proposals, which are seriously questioned, are not deliverable and will not deliver existing services on lesser resources. There is also no existing public support or groundswell of opinion for local government to be re-organised. There is a real risk that these proposals, if enacted, will actually provide poorer services at an increased cost whilst also decreasing public support for Local Government.

If these proposals are to be progressed far greater detail of the anticipated benefits, which should be fully evidenced, should be provided, including full impact assessments that outline the expected effects on finances, governance, accountability and employment and most importantly the public and democracy. There is no evidence of public support for the proposals and ultimately it is the public who will be impacted upon by any change.

Given the lack of such assessments and the establishment of a public appetite for these proposals we have endeavoured to respond to the question posed in the consultation document. These responses are listed below, but these should only be considered in light of this Council's fundamental and great opposition to the changes proposed.

## **Question 1**

- a) **What practical steps could the Welsh Government take to make current regional working easier and more effective, for example in relation to education consortia, social services and the City Regions and City and Growth Deals?**

Regional working is something that Wrexham, along with other North Wales authorities has embraced. Current arrangements for some forms of regional working are considered to work well across North Wales and we continue to work to provide and instil good practice in this area. The Wales Audit Office have acknowledged and recognised positive examples of regional working, such as the North Wales Safer Communities Board. The Council has worked as part of the following partnerships/groups:-

Gateway to Libraries in Wrexham (GaLW)  
North East Wales Schools Library Service  
North Wales Libraries Partnership  
Homes Improvement Loans' National Steering Group  
Pontcysllte Aqueduct & Canal World Heritage Site

Economic Ambition Board  
Consortium of Local Authority in Wales  
Mersey Dee Alliance  
North East Wales Destination Marketing Group  
Partnership with National Museum Of Wales and National Library of Wales  
Royal Welch Fusiliers Museum Trust  
Tourism Partnership North Wales - Visit Wales  
Regional committees for the Supporting people programme  
LAPA (Local Authority Partnership Agreement)  
14-19 Network- Children and Young Peoples Service  
Wrexham Youth Justice Service Management Board  
North Wales Adoption Service  
North Wales Safeguarding Children Board  
North Wales Resilience Forum  
North & Mid Wales Trunk Road Agency  
North Wales Area Planning Board

Examples such as these could be expanded upon and used to inform further developments in regional working, where there is a sound rationale to do so. Examples of where there could be a rationale for increased regional working could be fostering, some forms of social care and the expansion and strengthening of the regional and national purchasing of goods and services via the national procurement framework.

Regional service provision can remove the costs of a merger and provide benefits that would address problems identified as justifications for merger in relation to savings, budgets, culture.

Issues around regional working have been addressed by organic arrangements that did not require any formal pressure to be applied. At present, Gwynedd and Ynys Mon have developed a common LDP as they identified the benefits of such an approach for both Authorities.

Regional working, however, may not always be effective or may take some time to become effective. We would suggest that GwE is an example of regional working that has yet to realise improved services to users and partners.

Work needs to be done to identify how regional bodies can be held to account effectively on a local level. Regional service delivery does not always lend itself to scrutiny on a local basis. Poor performance in smaller areas can be masked by overall performance and it can make direct comparisons of like-for-like service delivery difficult.

Fundamentally, budget reductions are not helping Local Authorities to progress toward effective regional working. Local Authorities need a fairer allocation of funding in comparison with Health. We do not currently feel helped by Welsh Government in this respect.

**b) What are your views on the common elements to the process of mergers we outline in this section?**

The promotion of mergers to address the problems and issues that face Local Government are not considered to be the panacea that is suggested.

The current move to forced mergers would appear to contradict the previous Welsh Government view that regional working would give local authorities more resilience in terms of staffing and finance and also ensure that services are planned and delivered on the right scale.

The process of proposed mergers will increase the current problems experienced with regard to the retention and recruitment of staff and could lead to instability in both the current and any new Authorities, over both the short and medium term. This could be particularly detrimental in areas where there are already difficulties in recruitment. This could be expected with regard to social care, professional services and higher levels of management.

**c) What are your views on the options for creating fewer, larger authorities which we have set out?**

We have not seen clear evidence that previous reorganisations realised the cost savings and efficiencies that were originally predicted for them. There is no evidence quoted within the Green Paper of benefit for service users or that larger Councils provide better services or deliver better value for money. Investigations that have taken place into the relationship between the size of Authorities and the quality of the services that they deliver have provided no proof that this link exists. Some smaller Authorities may see this proposal as a means to work in the future but larger Authorities, such as Wrexham County Borough Council, are considered to be able to deliver services effectively based on their existing footprint.

Neither does there appear to be a groundswell of public opinion to reduce the number of local Councils.

Reorganisation of the Welsh Health Service on a regional basis in North Wales has been considered to be less than effective. This has been evidenced by the number of years this service has been placed in special measures. The Local Health Board has recognised problems with service delivery over a wider area through their recent introduction of regional hubs. Natural Resource Wales have experienced problems with their regional delivery and this has had an impact on the variety and level of service that they can provide. Pursuing a similar agenda for Local Government in North Wales is considered to be a major risk and the problems experienced in these other sectors of public services would suggest that there is a distinct possibility that the problems would be replicated.

Reducing the number of Councillors, which would arise from mergers, would be expected to lead to larger ward areas and an increase in the number of constituents for each Councillor. Existing ward sizes require large amounts of

time to properly represent and increasing these would reduce the linkage between Councillor and constituent and reduce time for proper representation. As such, larger wards will decrease contact between local members and constituents and contribute to a deficit in local democracy. This will contribute to an increased perception that decisions are removed from the local level and that local concerns are not adequately addressed or properly considered.

The creation of larger Authorities will lead to issues around the various levels of savings predecessor Authorities have had to make, levels of Council tax, amount of balances, competing priorities and organisational culture. These singularly or combined can take extended periods of time to address and during this can impact on services provided and their users.

It must be considered that the costs of reorganisation are long term and that, for example, Local Authorities are still making payments for staff related costs that arose from the reorganisation that was undertaken in 1996.

**d) Are there other options for creating fewer, larger authorities we should consider?**

Reorganisation is considered to be costly and highly disruptive. It would be better if service provision was reviewed and decisions taken as to which ones should be provided on a national, regional or local basis.

Thought should be given to the negative impact that mergers will have on local identity and the need to reduce any such impact.

The options outlined for direct mergers with neighbouring Authorities are considered the least acceptable. If there were to be merged Authorities, these would be better aligned and justified if their boundaries were established via a boundary review and not simply by amalgamation of existing Councils. Any review should consider population and geography. In North Wales the geography is wide so the practicalities of having large local authorities over wide geographic areas is not sustainable, as residents will not be able to access services locally.

An enlarged Wrexham taking in areas of North Powys and South Denbighshire would be a preferred option rather than a merger, as proposed, with Flintshire.

**e) Do you have evidence on costs, benefits and savings of each option which can inform decision- making? If so, please provide details**

This consultation document should contain the required information before these questions can be properly responded to.

It is also difficult to outline cost benefits at this stage because of the timings of this consultation. Local Authorities have staff working to close down the 2017/18 financial accounts.

Any costings that are investigated and arrived at will need to use Council Tax levels as they currently stand. There is a bigger gap today in Council tax levels between Wrexham and Flintshire than is indicated in the document. This would result in a large increase in Council Tax levels in Wrexham and there is no evidence to suggest that this level of increase would be spent in improving services for the people of Wrexham.

Wrexham County Borough Council continues to pay around £2.2 m a year in respect of the costs of the 1996 Local Government Reorganisation.

In terms of the estimated costs of a Reorganisation then CIPFA undertook work for Conwy and Denbighshire in 2014. An estimate of 5.5m was presented and it was stressed that council tax harmonisation may well add to these costs. Similarly, the harmonisation of staff terms and conditions would be likely to add to these costs. Further costs associated with the harmonisation of key services such as schools, education (non-schools), social services and waste were also likely to occur as a result of any merger.

Harmonisation of Council Tax may occur under a number of scenarios i.e. authorities could level down to the lowest, they could equalise around the weighted average or they could level up to the highest. To assist with financial stability then the third option is the most prudent. This could result in council tax payers in Wrexham County Borough Council paying 8% more on top of any jointly agreed annual increase. Although untested, if this were to be the scenario then Welsh Government must apply some form of transitional relief to assist those households in Wrexham with such an increase purely as a result of merger.

This issue will also be mirrored with regard to rent levels that are set for tenants in council housing stock. Rents that are currently charged will have to be equalised and this will invariably lead to increases for some tenants and effectively decreases for others, who would then be receiving the same service.

Together with these points it is also noted that there are substantial pay differences which exist between Local Authority staff and these would need to be addressed at some additional cost.

It must be noted that the re-organisation of Local Authorities in Wales and other public services has never delivered the expected level of savings that were used to justify them.

## **Consultation Question 2**

**Chapter 4 has explained the need for clarity on the future footprint for local government and the range of factors which should be taken into account to determine a new configuration. It sets out a suggested future footprint for local government, which could be reached via each of the options set out in the previous chapter.**



**a) Do you agree that providing clarity on the future footprint of local government is important?**

The existing 1996 re-organization footprint has provided clarity for local government and this has delivered organisational and political stability. The removal of a tier of government allowed for a better delivery of service by Unitary Authorities.

Previous indications were given by the Welsh Government that there would be no further reorganisation of Local Government for at least 10 years and Authorities have made short and medium term plans on this basis.

Confusion has now arisen with the announcement of these proposals, following previous statements to the contrary.

No true footprint has been provided; this is simply a series of mergers that have been put forward for consideration.

**b) Do you agree with the factors we have identified to inform our thinking? Would you change or add any?**

Factors that have been identified are considered to be statements without any related detailed justification. These same factors apply across the whole range of government services in Wales.

The factors identified are similar to those that were used to justify the reorganisation of the Health Service in Wales, which has not delivered the improvements in performance that were expected.

The factors which should be considered are those relating to service delivery and preservation of local accountability.

**c) What are your views on the new areas suggested in this section?**

This would reduce the localism aspect of local government and lead to significant job losses which will detrimentally affect the local economy.

**d) Do you have alternative suggestions and, if so, what is the evidence to support these as an alternative?**

Wrexham is the largest town in North Wales and this should be recognised in any proposals that are considered for merging Authorities. The Town provides a focal point for people as a destination beyond its current boundaries across all of North Wales.

New boundaries could be considered more favourably than those currently proposed. Areas of North Powys would be considered a better fit for amalgamation with Wrexham, due to their closer proximity to here rather than their administrative centre of Llandrindod Wells. Due to its proximity to

Wrexham it is also considered that the area up to and including Llangollen would better reside in an expanded Wrexham Council.

These suggestions are considered to have been driven primarily by the need to reduce the number of Authorities by the means of adopting boundaries based on those existing for the merged Councils. This is considered to be less effective than the adoption of boundaries for new Authorities that could be arrived at following a full review by the Boundary Commission.

There needs to be consideration of population and geography. In North Wales our geography is wide so the practicalities of having large local authorities over wide geographic areas is not sustainable, as residents will not be able to directly access services locally.

- e) **In the context of these proposals, are there other ways we should simplify and streamline joint working arrangements at regional level and among public bodies within the new authority areas? If so, what are they?**

No comment is offered as we do not support the proposed boundaries but elsewhere in this response we do make comment on streamlined joint working arrangements at regional level and amongst public bodies.

### **Consultation Question 3**

**This section sets out the proposed approach to transition and implications for establishing Transition Committees and elections to Shadow Authorities under each option.**

- a) **Do you agree with the proposed process of transition: namely establishing Transition Committees and ensuring elections to Shadow Authorities can be held ahead of vesting day for the new authorities?**

This question points towards the acceptance of mergers and is not considered to be an effective balanced consultation question. We disagree with the proposals as they are presented.

- b) **Do you agree that, if option 1 were pursued, we should set a date by which voluntary merger proposals should come forward in each electoral cycle?**

Please see above response.

- c) **Do you have any other thoughts on the proposed process?**

Please see above response.

### **Consultation Question 4**

**The consultation suggests holding any local government elections in June 2021.**

**Are there any reasons why June 2021 would not be a suitable date? If so, please suggest an alternative date with the reasons why that would be more suitable.**

The proposed timetable will not provide enough time for these elections to be held. This would be considered to be an even greater issue for the election and effective operation of a Shadow Authority.

A change on the level of that proposed would require elections to be held over a longer period, to allow for adequate time for discussions to be undertaken and any necessary arrangements to be put in place.

No further detailed response is included as the proposal for merger is not supported.

#### **Consultation Question 5**

**The Welsh Government recognises that there are some plans or assessments, for example the preparation of assessments of wellbeing by Public Service Boards, which are linked to electoral cycles. We will make provision to make sure these tie into any new electoral cycles going forward. Are there any other plans or matters which might be tied into the electoral cycle which we need to consider?**

This question was considered to be poorly specified.

As it is considered that these proposals should not progress as currently suggested no further comment is made.

#### **Consultation Question 6**

**What are your views on the approach which should be taken to determining the parameters of electoral reviews?**

Electoral reviews are not considered to be the issue that requires prime focus at this time. Service delivery across the existing Authorities should be the priority to address the reasons identified for these proposals.

If electoral reviews are to be required it is recommended that these should be part of a broader review of boundaries and not be constrained by those that currently exist.

Any reviews that are undertaken should fully reflect the views expressed by the public.

#### **Consultation question 7**

**a) How can councils make more effective use of their elected members' knowledge of, and connections in, their communities?**

It is already considered that the Council makes the most effective use of their elected members knowledge and connections in their communities.

At present it is thought that there is an adequate level of local representation which allows Members to have an effective profile and identity in their ward. Larger wards, which would be a likely by-product of the proposed mergers, would erode this, to the detriment of Councillor/ Constituent relationships.

**b) How could we better recognise the level of responsibility involved in being a local councillor? What changes to the remuneration and support councillors receive would enable a wider range of people to become involved in local democratic representation?**

It has to be noted that there is a cost to be borne for providing local democracy and that these proposals will likely require an increase in this respect. This will be hard to justify to the public during a period of reduced budgets, austerity and reductions in service.

A move to larger wards would require increased levels of remuneration as the existing roles of Councillors are considered to be taxing and time intensive enough. On this basis any Councillors, elected to a merged Authorities will probably be required to fulfil the role on a full time basis, due to their wards being larger in size and containing more constituents. This would increase costs.

The issue of introducing more multi-member wards to address those areas which would have greater numbers of constituents would not reduce negative impacts outlined above. Multi-member wards do also raise issues of representation which can prove problematic to both Councillors and constituents.

The make-up and mix of Council Members has not changed significantly over the long term. There are barriers, for example, to younger people, single parents and full time workers standing for the position of Councillor. Existing allowances to help them would need to be increased to allow them to overcome these barriers.

The effects of larger wards on Councillors that represent them could have particular implications for those that are disabled. Larger areas to cover may make Councillors or prospective Councillors that have restricted mobility not wish to represent areas that they may have difficulty accessing due to the distances involved.

The lack of transition payments which are available to MPs and AMs would prove a barrier to people giving up a full time job to stand as a Councillor, as they would not have any degree of financial certainty beyond the end of their term of office

If larger wards with greater numbers of constituents were introduced it must be realised that there could be a requirement for additional resources, office support etc, to allow Councillors to effectively carry out their duties.

Details of required Councillor remuneration, if these proposals were progressed, should be considered by the specified body - the Independent Remuneration Panel for Wales.

### **Consultation Question 8**

**a) Are there other powers which local government should have? If so, what are they?**

The granting of additional powers does not require a re-organisation of Local Government. It is not thought that this should be part of this process.

The ability to provide incentives around the level of business rates levied would allow for the better support of local businesses which would benefit the local economy.

The ability to set local levels of Council tax should be retained.

The ability of Council operated functions to make a profit for re-investment in Council services.

The planning process should be determined at a local level.

Local Authorities, Schools, fire and Police should receive the money raised by the apprenticeship levy to allow them to invest in training resources in their areas.

Any additional powers that are conferred on Authorities, particularly those that can affect finances, should be introduced so as not to disadvantage poorer areas. Discussions are already taking place on a regional and sub-regional level around this issue.

**b) Are there other freedoms or flexibilities which local government should have? If so, what are they?**

Local Authorities currently only have power to enter into joint committees with each other and not with other bodies whether public or corporate e.g. the North Wales Growth Board will comprise all 6 local authorities forming the joint committee but the governance agreement includes also the colleges & universities and in addition the North Wales & Mersey Dee Business Council who can only participate in an advisory capacity.

### **Consultation Question 9**

**a) Which areas offer the greatest scope for shared transactional services?**

There have been numerous examples of this working across North Wales but there is no easy means of establishing transactional services, as one size or type does not fit all.

There could be scope for some shared services relating to corporate services, including IT, Human Resources, Legal and Finance. This approach lends itself primarily to back office functions.

Any developments in this area must consider that the centralised transactional services operated within the Health environment have led to dissatisfaction with service standards and consequent duplication of tasks at the local level.

**b) How might such arrangements be best developed?**

The best approach would appear to be on a regional and voluntary basis.

A major hindrance to the approach has been the example of the North Wales Adoption Service. This was a regional service that then became a National one, which was then located in Cardiff.

Development of regional transactional services, if developed, must have the guarantee that they do not become subsumed into a national service which is then relocated to South Wales.

**Consultation Question 10**

**a) In ensuring we deliver a consistent approach across Wales, where consistency is important, how do you think the advice and support on each of these matters could be best provided?**

Consistency should not try to be established, where it would not allow flexibility to meet local needs and demands.

This exercise is considered to have been carried out without sufficient forethought and Local Authorities should have received a longer period of notice to respond.

**b) Are there any other challenges or opportunities from structural change or providing additional powers and flexibilities that have not been identified above? If these areas require support, what form should this support take?**

“Shared delivery” emphasises the requirement to meet “need and not demand” this approach should be replicated in this process.

**c) Which of the issues identified above or in your response should be prioritised for early resolution?**

No comment.

**Consultation Questions 11-15**

There has been no comment in relation to these questions as they are difficult to answer without the required detailed information to identify how these areas will be affected. This lack of detail does not allow an intelligent and full response in these areas.