

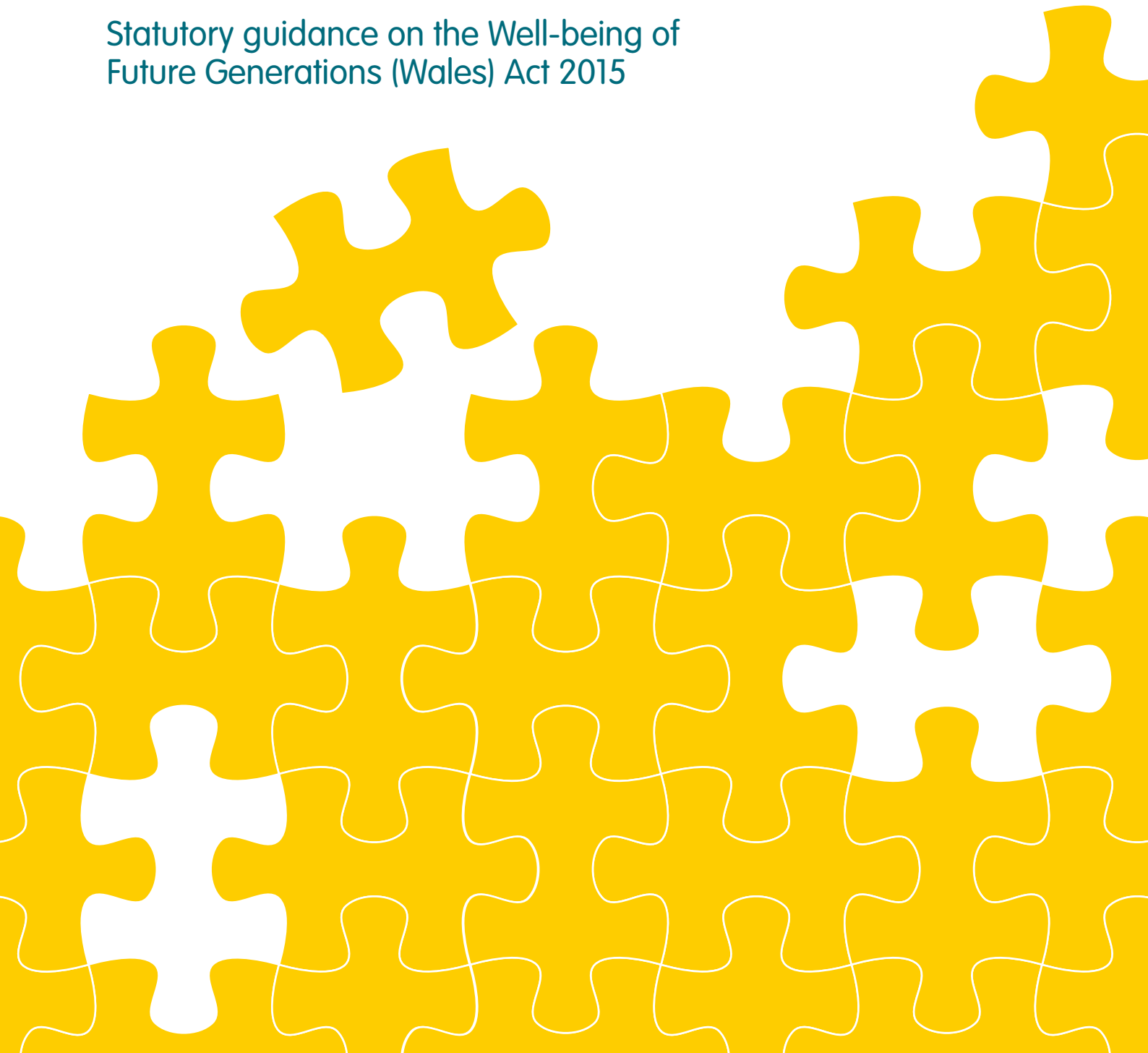
# SPSF 4: Collective role (Community councils)



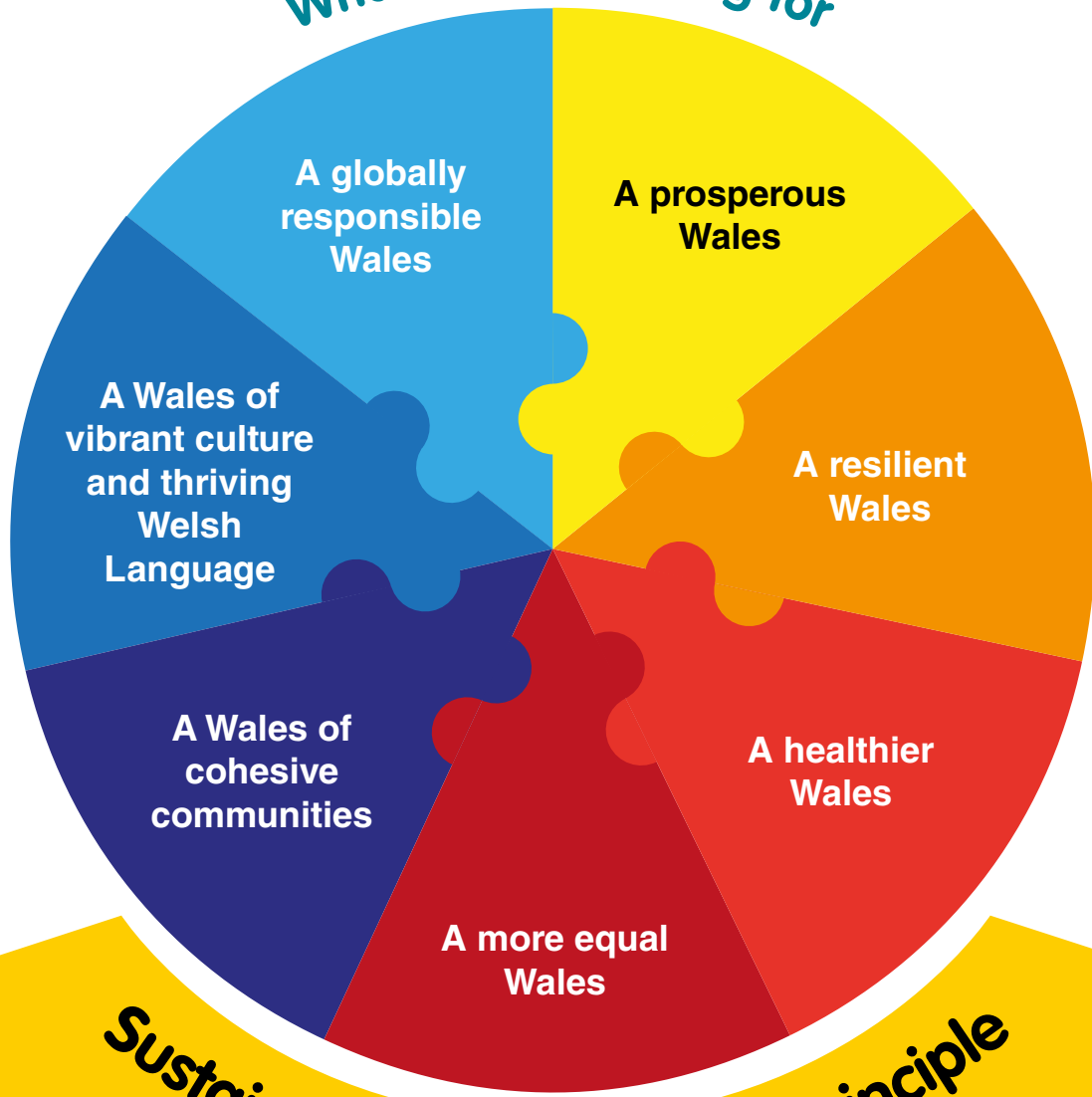
Llywodraeth Cymru  
Welsh Government

## Shared Purpose: Shared Future

Statutory guidance on the Well-being of  
Future Generations (Wales) Act 2015



# Well-being Goals What we are aiming for



## Sustainable Development Principle How we will deliver



Long Term



Prevention



Integration



Collaboration



Involvement

### Amendment to well-being goal (April 2024)

Section 20 of the Social Partnership and Public Procurement (Wales) Act 2023 amends the description of the “A Prosperous Wales” well-being goal in section 4 of the Well-being of Future Generations (Wales) Act 2015 by substituting “fair work” for “decent work”. This amendment took effect on 1 April 2024. This document was updated in April 2024 to reflect this change.

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

## **SPSF 4 - The Well-being of Future Generations (Wales) Act 2015 – Statutory Guidance for community and town councils**

This statutory guidance is issued under section 40(7) of the Well-being of Future Generations (Wales) Act 2015 (the Act). It provides specific guidance to community and town councils on their duties in relation to local well-being plans, if the duty in section 40(1) of the Act applies to them.

### **Summary**

#### **What does the Act do?**

The Act is about improving the social, economic, environmental and cultural well-being of Wales. It will make the public bodies listed in the Act think more about the long-term; work better with people and communities and each other; look to prevent problems; and take a more joined-up approach. This will help us to create the Wales that we all want to live in, now and in the future.

The Act establishes public services boards. Those boards are required to assess the state of economic, social, environmental and cultural well-being of the local authority area they serve and then prepare local well-being plans setting out objectives for improving the well-being of the area and the steps the members of the board propose to take to meet those objectives.

#### **What does the Act require community and town councils to do?**

The Act places a duty on certain community and town councils to take all reasonable steps towards meeting the local objectives included in the local well-being plan that has effect in their areas. A community or town council is subject to that duty only if its gross income or expenditure was at least £200,000 for each of the three financial years preceding the year in which the local well-being plan is published.

If a community or town council is subject to the duty, it must publish a report annually detailing its progress in meeting the objectives contained in the local well-being plan.

Community or town councils which do not meet the criteria for being subject to the duty in section 40(1) of the Act but which still wish to contribute towards meeting the local objectives in the local well-being plan are welcome to do so on a voluntary basis.

Any councils proposing to contribute towards meeting local objectives, whether under the duty or voluntarily, will need to consider whether the action they propose to take is within their powers.

#### **How will community and town councils get involved?**

All community and town councils are encouraged to get involved; as they all have an important role to play in improving the well-being of their area.

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The Act requires public services boards to involve community and town councils in the process of improving the well-being of their areas, regardless of whether the duty in section 40(1) of the Act applies to those councils. All community and town councils are classed as “other partners” of public services boards and must be consulted by those boards on the assessment of local well-being and subsequently on the local well-being plan. They will also have the opportunity of engaging with the public services board when invited to do so.

Community and town councils which are subject to the duty will need to liaise closely with the public services board for their area on the setting of objectives in the local well-being plan, given that they are required to take all reasonable steps in their areas towards meeting these objectives.

Councils which are not subject to the duty in section 40(1) of the Act are encouraged to consider what contribution they may be able to make towards meeting the local objectives adopted for their areas.

# 1. Overview of the Well-being of Future Generations (Wales) Act

## *Sustainable development*

1. In the Act, “sustainable development” means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle (see para 2 below) aimed at achieving the well-being goals (see para 3 below).
2. The Act sets out a “sustainable development principle” which is about how organisations should go about meeting their well-being duty under the Act. In the Act, any reference to a public body doing something “in accordance with the sustainable development principle” means that the body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

## *The well-being goals*

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

| <b>Well-being goal</b>  | <b>Description</b>  |
|-------------------------|---|
| A more prosperous Wales | An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing fair work. |
| A resilient Wales       | A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).  |
| A healthier Wales       | A society in which people’s physical and mental well-being is maximised   |

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|--|---|
|  | and in which choices and behaviours that benefit future health are understood.  |
| A more equal Wales                                     | A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).   |
| A Wales of cohesive communities                        | Attractive, viable, safe and well-connected communities.  |
| A Wales of vibrant culture and thriving Welsh language | A society that promotes and protects culture, heritage, and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.  |
| A globally responsible Wales                           | A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being. |

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

*The well-being duty of public bodies*

5. Specified public bodies must carry out sustainable development. As part of doing so they must:
- a. set and publish well-being objectives that are designed to maximise their contribution to achieving each of the well-being goals; and
  - b. take all reasonable steps, in exercising their functions, to meet those objectives.
6. For the purposes of Part 2 of the Act, the following are classed as public bodies and are subject to the well-being duty:

the Welsh Ministers  
 all principal councils in Wales  
 all Local Health Boards in Wales  
 the following NHS Trusts – Public Health Wales, Velindre  
 all National Park Authorities for National Parks in Wales

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all Welsh fire and rescue authorities  
the Natural Resources Body for Wales  
the Higher Education Funding Council for Wales  
the Arts Council for Wales  
the Sports Council for Wales  
the National Library of Wales  
the National Museum of Wales  
Welsh Ambulance Services University NHS Trust  
Digital Health and Care Wales  
Health Education and Improvement Wales  
Social Care Wales  
Welsh Revenue Authority  
Transport for Wales (company number 09476013)  
Centre for Digital Public Services Limited (company number 09341679)  
Qualifications Wales

### *Well-being duty on public services boards*

7. In addition to the well-being duty put on individual public bodies, the Act also puts a well-being duty on public services boards. That duty requires those boards to improve the economic, social, environmental and cultural well-being of their areas by contributing to the achievement of the well-being goals.
8. Public services boards' contribution to the achievement of the goals must include:
  - a. assessing the state of economic, social, environmental and cultural well-being in their areas;
  - b. setting local objectives that are designed to maximise their contribution within their areas to achieving those goals;
  - c. the taking of all reasonable steps by members of the board (in exercising their functions) to meet those objectives.
9. Each public services board must:
  - assess the state of well-being (economic, social, environmental and cultural) in its area;
  - prepare and publish a local well-being plan setting out local objectives to contribute to the well-being goals and the steps it proposes to take to meet them.
10. Anything the board does to comply with the well-being duty placed on it must be in accordance with the sustainable development principle.
11. An obligation or power of a public services board is a power or duty of the members of the board acting jointly. This means a board cannot publish its assessment of well-being or local well-being plan unless all its members have agreed to do so.

### *Assessments of local well-being*

12. Each public services board is required to undertake an assessment of the economic, social, environmental and cultural well-being of its area. The assessment must be published at least 12 months before it publishes its local well-being plan.
13. In practice, the assessment of local well-being would be published within the 12 months preceding each ordinary local government election because the Act provides that the local well-being plan must be published no later than one year after an ordinary election, as defined in section 26 of the Local Government Act 1972.
14. Each board will assess the well-being of the community areas within its area of the board as well as the well-being of the area as a whole. The communities can be determined by public services boards or by regulations made by the Welsh Ministers. The community areas defined within the assessment will not necessarily correspond with the community councils in the board's area.

*Local well-being plans*

15. The local well-being plan will set out objectives the public services board has decided will maximise its participants' collective contribution within its area to achieving the well-being goals. Each public services board's local well-being plan must be published no later than 12 months following an ordinary local government election.

## 2. Public services boards

16. Public services boards will not be corporate entities but will be made up of four statutory members:
  - a. the principal council for the Local Authority area;
  - b. the Local Health Board for an area any part of which falls within the Local Authority area
  - c. the Welsh Fire and Rescue Authority for an area any part of which falls within the Local Authority area
  - d. the Natural Resources Body for Wales.
  
17. The members will be required to invite certain persons to participate in the activities of the public services board. Those persons are:
  - a. the Welsh Ministers;
  - b. the chief constable of the police force for a police area any part of which falls within the Local Authority area;
  - c. the Police and Crime Commissioner for a police area any part of which falls within the Local Authority area;
  - d. certain providers of probation services;
  - e. at least one body representing relevant voluntary organisations (whether or not the body is known as a County Voluntary Council).
  
18. Each board will be able to invite any other person to participate in the public services board's activities provided the person exercises functions of a public nature. A person who accepts an invitation to participate in the activities of a board does not become a member of it by virtue of accepting the invitation. Participating in the activity of a board means working jointly with the board, any member of it or any invited participant on anything the board does under its duty to improve the economic, social, environmental and cultural well-being of its area by contributing to the achievement of the well-being goals.
  
19. The Act requires each public services board to engage with key partners (referred to as "other partners") in the area who have a material interest in the well-being of the area (or who deliver important public services) in the preparation, implementation and delivery of work of the board. Each board must seek advice from its other partners and otherwise involve them in the ways and to the extent it considers appropriate. All community councils are "other partners" of their public services board regardless of whether they are subject to the duty to take all reasonable steps in their areas towards meeting the local objectives in the local well-being plan for their areas.
  
20. All community and town councils in a public services board's area will therefore be consulted on both the assessment of local well-being and local well-being plan, regardless of whether they are under a duty to take reasonable steps to meet the local objectives.

21. The board's other partners are:

- a. Community or town councils in its area
- b. the Public Health Wales NHS Trust
- c. any Community Health Council for an area which (or any part of which) falls within the Local Authority area
- d. any National Park authority for a National Park in Wales any part of which falls within the Local Authority area
- e. the Higher Education Funding Council for Wales
- f. any institution in the further education sector or the higher education sector situated in whole or in part within the Local Authority area
- g. the Arts Council of Wales
- h. the Sports Council for Wales
- i. the National Library of Wales
- j. the National Museum of Wales

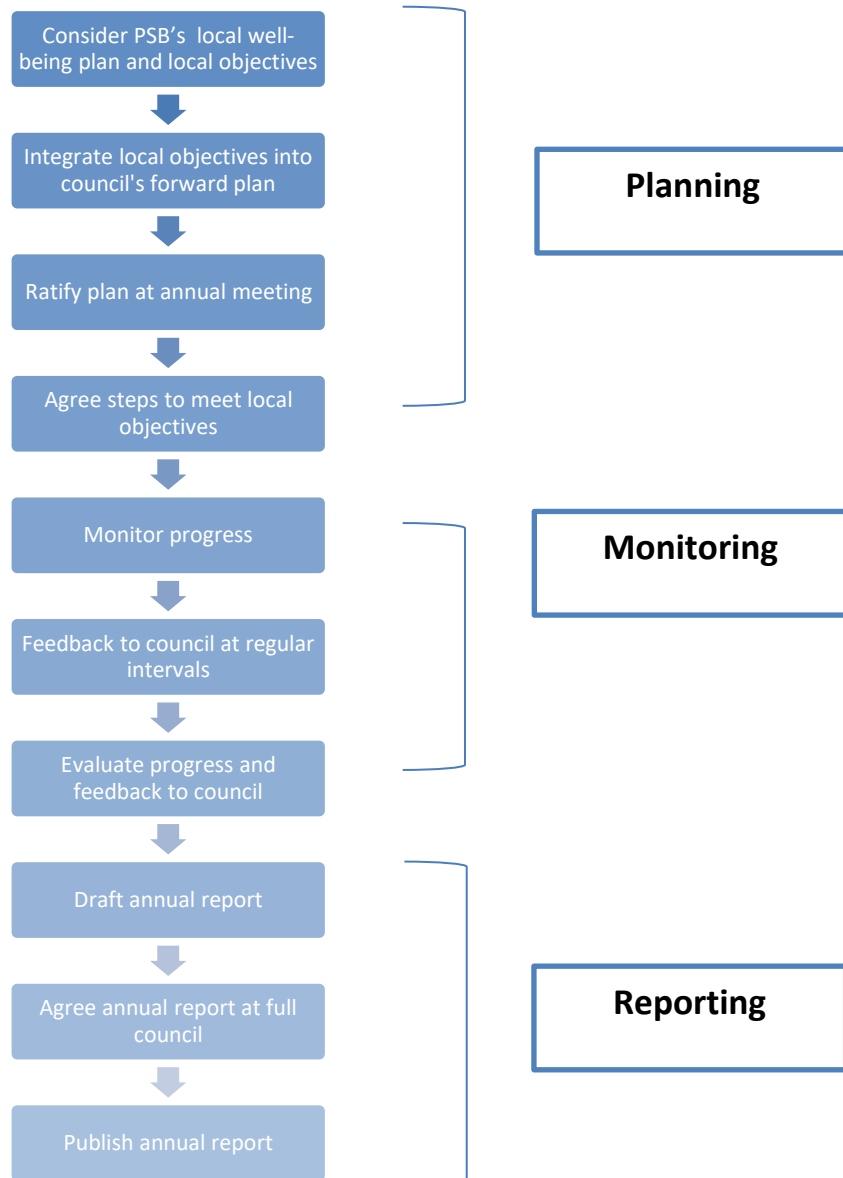
### **3. The duty on certain community and town councils**

22. Section 40 of the Act places a duty on certain community and town councils to take all reasonable steps towards meeting the local objectives in the local well-being plan that has effect in their areas. Community or town councils are subject to that duty only if they meet certain criteria.
23. A community or town council meets those criteria if, for each of the preceding three financial years prior to the local well-being plan for its area being published, either its gross income or its gross expenditure was at least £200,000. There is no definitive list of these councils since the list could vary from year to year. It will be for councils themselves to determine if the duty applies to them at the point when the local well-being plan is published.
24. Each community and town council subject to the duty must form its own judgement of what steps it would be reasonable for it to take towards meeting the local objectives in its area, on the basis of its own knowledge and consideration of the circumstances and characteristics of its area.
25. If a community or town council is subject to the duty, it must publish a report for each relevant financial year, detailing the progress it has made in meeting the objectives contained in the local well-being plan.

### **4. Meeting the duty**

26. Considering the local objectives, and identifying the steps that can reasonably be taken towards meeting them, should be integrated into a council or town council's existing mechanisms for planning, monitoring and reporting on what they do.
27. It is envisaged that while each community or town council might approach meeting the duty in their own way the planning cycle would follow these broad steps, starting from agreeing a forward plan to implementation and delivery:

**Suggested planning cycle for community and town councils:**



*Considering the objectives contained in the local well-being plan and integrating them into the council's forward plan*

28. Public services boards must consult all community and town councils in their areas on their local well-being plans by providing them with a draft copy of those plans. Community and town councils can respond to that consultation, including making representations about the proposed objectives. The requirement on public services boards to consult community and town councils means that community and town councils will have early sight of what local objectives those boards propose to set, although those proposed objectives may change as a result of the consultation responses.
29. Community and town councils should consider the local well-being plan when the plan is published and review the local objectives alongside their own objectives for the year ahead. There may be common threads or similarities between the two sets of objectives which mean that they may be easily integrated to form the community or town council's objectives. Councils should note that no new or additional forward planning process is required. The inclusion of local objectives should fit in seamlessly with the council's annual forward planning process. It would be appropriate, for example, for the steps the council decides to take towards meeting the local objectives in the well-being plan to relate to activities and services that it already provides.
30. The duty in section 40(1) of the Act is to contribute to the achievement of the **local objectives** in the local well-being plan applying in the particular council's area, rather than directly to the well-being goals. However, the aim of contributing to the well-being goals will underlie the local objectives. At the time this guidance is published, public services boards have not yet identified their local objectives.
31. It is important to stress that the community or town council subject to the duty is responsible for deciding for itself how it will take "all reasonable steps" towards meeting the objectives in the well-being plan. This allows the council to take ownership for the objectives and affords the discretion to perform this duty in a manner best suited to its capacity and capability.
32. It is for the community or town council to decide if it wishes to seek further advice from the public services board on the local objectives it has chosen to take steps towards meeting.
33. The council may also consider whether it wishes to collaborate with any of the "other partners" in meeting the specified well-being objectives.

*Considering funding implications*

34. The steps taken towards meeting the local objectives may entail funding considerations. It is expected that any proposed budget allocation will be considered as part of the overall annual budget decisions for the forthcoming year. It is for the community or town council to consider the staffing and other resource

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implications of steps to meet the local objectives and decide how best to implement the steps it plans to take.

### *Engaging with the community*

35. Although it is not a requirement of the Act, the Welsh Ministers would strongly encourage community and town councils to engage with their communities on the local objectives and the proposed steps by which the council intends to contribute to these objectives.
36. Current engagement methods such as the use of websites, social media, public meetings and work shops, focus groups, and local notice boards would all play their part.
37. Should councils require further guidance, the National Principles for Public Engagement in Wales<sup>1</sup> and the Practitioners' Manual for Public Engagement<sup>2</sup> have been endorsed by the Welsh Government and joint public and third sector groups such as the new National Principles for Participation and Engagement<sup>3</sup> in Wales.

### *Agreeing steps*

38. The full spectrum of objectives in the council's forward plan and the resulting action plan will need to be reviewed and approved by full council. Thereafter, implementation of the steps may be delegated to a committee or sub-committee to be delivered.
39. Although it is not a requirement of the Act, the Welsh Ministers would recommend that community and town councils publish their forward plans on their websites.

### *Implementation and monitoring progress*

40. Depending on the decision made by the council, the implementation and monitoring of the steps to be taken may be delegated to a council committee or sub-committee with administrative support provided by the clerk. However, it may be that the clerk takes responsibility for these functions.
41. Progress should be monitored throughout the year with regular reports to full Council.
42. The progress made by the end of the reporting period should be evaluated and the extent the council has met the commitments on the steps to be taken made at the outset of the year to meet objectives in the local well-being plan should be assessed.
43. This information should be fed back to the full council to inform the content of the Annual Report.

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<sup>1</sup> [http://www.participationcymru.org.uk/media/288784/national\\_principles\\_for\\_public\\_engagement\\_aug1\\_.pdf](http://www.participationcymru.org.uk/media/288784/national_principles_for_public_engagement_aug1_.pdf)

<sup>2</sup> <http://www.participationcymru.org.uk/national-principles/practitioners-manual-for-public-engagement>

<sup>3</sup> <http://www.tpascymru.org.uk/partnerships-2/national-principles-for-public-engagement-in-wales/>

*Preparing an Annual Report*

44. For the purpose of the Act, the annual report of a community and town council to whom the duty in section 40(1) of the Act applies needs to detail progress made in the council's area in taking steps towards meeting the local objectives included in the local well-being plan.
45. Some community and town councils already publish annual reports, or newsletters, and the duty to report on progress could be incorporated into that.. Should the council wish to widen the scope of the annual report so that it also covers the activities of the council which do not specifically relate to the local objectives in the local well-being plan, the steps taken towards those objectives will need to be clearly identifiable.
46. The following is a possible format for an annual report which could be followed:
- A foreword, to include an introduction to the role of the Council and its vision and the local objectives in the local well-being plan.
  - Mayor/Chair's and/or Clerk's report on the steps the council decided to take towards meeting the local objectives in the local well-being plan.
  - Progress made in achieving these steps towards meeting the local objectives.
47. The Wales Council for Voluntary Action (WCVA) has produced guidance on annual reports which councils may find helpful<sup>4</sup>.
48. A committee or sub-committee may be delegated responsibility for drafting the annual report. It should however be approved by full council before it is finalised.
49. It must be published as soon as reasonably practicable following the end of the financial year to which the report relates. Councils which currently produce hard copy or e-mail newsletters could publish their annual report as part of, or attached to, these. Annual reports could also be posted on the council website. Social media and local press could be used to advertise the location of the annual report
50. The annual report at year end should be submitted to the public services board for it to consider in producing its own annual report. These reports will help the boards to review overall progress in achieving their objectives.
51. Community and town councils may also wish to produce quarterly monitoring reports as feedback on progress to the public services board.

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<sup>4</sup> <http://www.wcva-ids.org.uk/wcva/1077>

## **5. Seeking the advice of the Future Generations Commissioner**

52. The Future Generations Commissioner for Wales' role is to act as a guardian for the interests of future generations in Wales, and to support the public bodies listed in the Act in working towards achieving the well-being goals.
53. In drafting their local well-being plans, the public services boards must seek the advice of the Commissioner on how to take steps to meet their local objectives in a manner which is consistent with the sustainable development principle.
54. Community and town councils may find it helpful to refer to the Commissioner's advice which will be published at the same time as the public services board's local well-being plan.
55. The Commissioner may provide advice or guidance to anyone who the Commissioner considers is taking (or wishes to take) steps that may contribute to the achievement of the well-being goals.
56. This means community and town councils to whom the duty in section 40 of the Act applies can seek advice or assistance from the Commissioner about how they can comply with their duty to take all reasonable steps in their areas towards meeting the local objectives in the local well-being plans.