



# Well-being of Future Generations (Wales) Act 2015

2015 anaw 2

## PART 4

### PUBLIC SERVICES BOARDS

#### CHAPTER 1

##### ESTABLISHMENT, PARTICIPATION AND SCRUTINY

#### **29 Public services boards**

- (1) There is to be a public services board for each local authority area in Wales.
- (2) The members of each board are—
  - (a) the local authority;
  - (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.
- (3) In this Part, a reference to a “public services board” (or “board”) is a reference to the members of that board acting jointly; accordingly, a function expressed as a function of a public services board is a function of each member of the board that may only be exercised jointly with the other members.

#### **30 Invitations to participate**

- (1) A public services board for a local authority area must invite the following persons to participate in the activity of the board—

---

*Status: This is the original version (as it was originally enacted).*

---

- (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) a person required by arrangements under section 3(2) of the [Offender Management Act 2007 \(c.21\)](#) to provide probation services in relation to the local authority area;
  - (e) at least one body representing relevant voluntary organisations (whether or not the body is known as a County Voluntary Council).
- (2) Each board may invite any other person who exercises functions of a public nature to participate in the activity of the board, even if that person also exercises other functions.
- (3) In this section and section 31, a reference to participating in the activity of a public services board is a reference to working jointly with the board, any member of it or any other person who accepts an invitation to participate under this section, on anything the board does under section 36 (Well-being duty on public services boards).
- (4) In subsection (3), “working jointly” includes—
- (a) making representations to the board about the content of—
    - (i) an assessment under section 37, or
    - (ii) a local well-being plan, a draft plan or proposed amendments to a plan (see sections 43(1) and 44(4)),
  - (b) taking part in meetings of the board (which includes, upon the invitation of the members of the board and subject to paragraphs 2(1) and 3(1) of Schedule 3, charring meetings), and
  - (c) providing other advice and assistance to the board.
- (5) A person who accepts an invitation to participate in the activity of a public services board—
- (a) is referred to in this Part as an “invited participant”; but
  - (b) does not become a member of the board by virtue of accepting the invitation.
- (6) The reference in subsection (4)(c) to providing assistance does not include providing financial assistance.

### **31 Invitations to participate: issue, response and duration of participation**

- (1) An invitation under section 30(1) must be issued as soon as is reasonably practicable following—
- (a) the first meeting of a public services board (see paragraph 2(1) of Schedule 3), and
  - (b) each meeting held under paragraph 3(1) of that Schedule.
- (2) An invitation under section 30(1) or (2)—
- (a) may be in such form as the board determines; but
  - (b) must specify the person to whom a response is to be sent.
- (3) An invited participant may participate in the activity of a board in the period—

---

*Status: This is the original version (as it was originally enacted).*

---

- (a) beginning with the date on which the response accepting the invitation is received by the person to whom it is to be sent, and
- (b) ending on the date on which the next ordinary election is held under section 26 of the [Local Government Act 1972 \(c.70\)](#) (election of councillors).

### **32 Other partners**

- (1) A public services board's other partners are—
  - (a) a community council for a community in an area which (or any part of which) falls within the local authority area (but see also section 40);
  - (b) the Public Health Wales NHS trust;
  - (c) a Community Health Council for an area which (or any part of which) falls within the local authority area;
  - (d) a 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) an 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.
- (2) In exercising its functions, a board—
  - (a) must seek advice from its other partners, and
  - (b) must otherwise involve them in such manner and to such extent as it considers appropriate.
- (3) In subsection (1)(f), “further education sector” and “higher education sector” have the same meaning as in the [Further and Higher Education Act 1992 \(c.13\)](#).

### **33 Changes in participation**

- (1) The Welsh Ministers may, by regulations, amend section 29(2), 30(1) or 32(1) by—
  - (a) adding a person,
  - (b) removing a person, or
  - (c) amending the description of a person.
- (2) But the Welsh Ministers may amend section 29(2), 30(1) or 32(1) by adding a person only if that person exercises functions of a public nature.
- (3) If the Welsh Ministers amend section 29(2), 30(1) or 32(1) so as to add a person who has functions of a public nature and other functions, this Part applies to that person only in relation to those of the person's functions that are of a public nature.
- (4) Before making regulations under subsection (1), the Welsh Ministers must consult—
  - (a) the members, invited participants and other partners of the public services board to which the proposed regulations relate, and
  - (b) if such regulations are to amend section 29(2), 30(1) or 32(1) so as to add a person, that person.

---

*Status: This is the original version (as it was originally enacted).*

---

### **34 Meetings and terms of reference**

Schedule 3 makes further provision about public services boards (including provision about their meetings and terms of reference).

### **35 Overview and scrutiny committee of local authority**

- (1) Executive arrangements by a local authority under Part 2 of the [Local Government Act 2000 \(c. 22\)](#) must ensure that its overview and scrutiny committee has power—
  - (a) to review or scrutinise decisions made, or other action taken, by the public services board for the local authority area in the exercise of its functions;
  - (b) to review or scrutinise the board’s governance arrangements;
  - (c) to make reports or recommendations to the board with respect to the board’s functions or governance arrangements;
  - (d) to consider such matters relating to the board as the Welsh Ministers may refer to it and to report to the Welsh Ministers accordingly;
  - (e) to carry out such other functions in relation to the board as are imposed on it by this Act.
- (2) An overview and scrutiny committee must send a copy of any report or recommendation made under subsection (1)(c) to—
  - (a) the Welsh Ministers;
  - (b) the Commissioner;
  - (c) the Auditor General for Wales.
- (3) An overview and scrutiny committee may, for the purpose of exercising a power mentioned in subsection (1), require one or more of the persons who may attend a meeting of the public services board (see paragraph 7 of Schedule 3), or anyone designated by such a person, to attend a meeting of the committee and provide it with explanations of such matters as it may specify.
- (4) Where a local authority has more than one overview and scrutiny committee, the references in this Part to its overview and scrutiny committee are to the committee that the local authority designates for the purposes of this section.