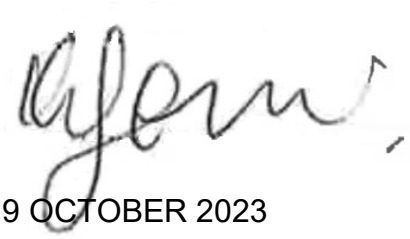
SOUTH EAST WALES CORPORATE JOINT COMMITTEE

SUMMONS TO ATTEND A MEETING OF THE SOUTH EAST WALES CJC	9 OCTOBER 2023
GWŶS I FYNYCHU CYFARFOD CBC DE-DDWYRAIN CYMRU	9 HYDREF 2023

You are summoned to attend a meeting of the **SOUTH EAST WALES CORPORATE JOINT COMMITTEE** which will be held via Microsoft Teams between 11.30am-12.30pm on 9 October 2023 to transact the business set out in the agenda attached. The meeting may be accessed via Microsoft Teams.

KELLIE BEIRNE
PROPER OFFICER



9 OCTOBER 2023

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RECORDING OF MEETING

This meeting will be recorded for subsequent broadcast on the CJC's website. The whole of the meeting will be recorded, except where there are confidential or exempt items.

If you make a representation to the meeting you will be deemed to have consented to being filmed and/or recorded.

If you have any queries regarding the recording of this meeting, please contact ELIZABETH FITZGERALD on 07974 211817 or email Elizabeth.Fitzgerald@cardiff.gov.uk

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

South East Wales Corporate Joint Committee

11.30am-12.30pm on Monday 9 October 2023 via Microsoft Teams

Agenda

1.	Welcome and Apologies	
2.	Declarations of Interest *The Declarations of Interest process is provided in the attached procedural note*	Attached
3.	Minutes of the Previous Meeting held on 11 September 2023	Attached
4.	2023/24 Month 04 Budget Monitoring Update and Proposed 2024/25 Budget Strategy *To receive the report of the Interim s151 Officer*	Attached
5.	2023-24 Annual Business Plan - Quarter 1 Performance Report *To receive the Report of the Interim Chief Executive, SEW CJC*	Attached
6.	South East Wales Corporate Joint Committee Transition Plan *To receive the Report of the Interim Chief Executive, SEW CJC*	Attached
7.	The South East Wales Corporate Joint Committee Interim Constitution *To receive the Report of the Interim Chief Executive, SEW CJC*	Attached
8.	Pay Policy 2023/24 *To receive the report of the Interim Chief Executive, SEW CJC*	Attached
9.	South East Wales Corporate Joint Committee: Regional Transport Plan & Strategic Development Plan *To receive the Report of the Interim Chief Executive, SEW CJC*	Attached
10.	Appointment of Interim Monitoring Officer *To receive the Report of the Interim Chief Executive, SEW CJC*	Attached

Kellie Beirne
Interim Chief Executive
South East Wales Corporate Joint Committee
9 October 2023

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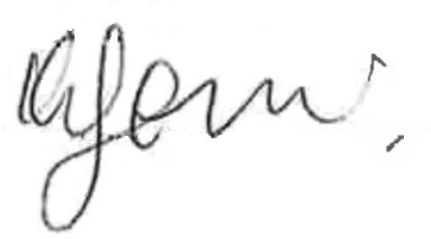
CYDBWYLLGOR CORFFORAETHOL DE-DDWYRAIN CYMRU

GWŶS I FYNYCHU CYFARFOD CBC DE-DDWYRAIN CYMRU	9 HYDREF 2023
SUMMONS TO ATTEND A MEETING OF THE SOUTH EAST WALES CJC	9 OCTOBER 2023

Cewch eich gwyso i fynychu cyfarfod o **GYD-BWYLLGOR CORFFORAETHOL DE-DDWYRAIN CYMRU** a gynhaliwyd yn Microsoft Teams a 11:30-12.30 ar 9 Hydref 2023 i drawsweithredu'r busnes a nodir yn yr agenda sydd ynghlwm. Gellir gweld y cyfarfod drwy Microsoft Teams.

KELLIE BEIRNE
PRIF WEITHREDWR DROS DRO



9 HYDREF 2023

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RECORDIO'R CYFARFOD

Bydd y cyfarfod hwn yn cael ei recordio i'w ddarlledu wedyn ar wefan y CBC. Bydd y cyfarfod cyfan yn cael ei recordio, ac eithrio pan fo eitemau cyfrinachol neu eithriedig.

Os byddwch yn gwneud sylwadau i'r cyfarfod, ystyrir eich bod wedi cydsynio i gael eich ffilmio a/neu recordio.

Os oes gennych unrhyw ymholiadau ynghylch recordio'r cyfarfod hwn, cysylltwch ag ELIZABETH FITZGERALD trwy ffonio 07974 211817 neu drwy e-bostio Elizabeth.Fitzgerald@caerdydd.gov.uk

Mae'r ddogfen hon ar gael yn Saesneg / This document is available in English

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

Cydbwyllgor Corfforaethol De-ddwyrain Cymru

11.30-12.30 ar Ddydd Iau 9 Hydref 2023 a Microsoft Teams

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1.	Croeso ac Ymddiheuriadau	
2.	Datgan Buddiannau *Darperir y broses Datgan Buddiannau yn y nodyn gweithdrefnol atodedig*	Atodedig
3.	Cofnodion y cyfarfod a gynhaliwyd ar 11 Medi 2023	Atodedig
4.	2023/24 Mis 04 Diweddariad Monitro Cyllideb a'r Strategaeth Gyllideb 2024/25 Arfaethedig Derbyn Adroddiad Swyddog Adran 151, CBC DDdC	Atodedig
5.	Cynllun Busnes Blynyddol 2023/24 – Adroddiad Perfformiad Chwarter 1 *Derbyn adroddiad Prif Weithredwr Dros Dro, CBC DDdC*	Atodedig
6.	Cydbwyllgor Corfforaethol De-ddwyrain Cymru Cynllun Pontio *Derbyn adroddiad Prif Weithredwr Dros Dro, CBC DDdC*	Atodedig
7.	Cyfansoddiad Dros Dro Cyd-bwyllgor Corfforaethol De-ddwyrain Cymru *Derbyn adroddiad Prif Weithredwr Dros Dro, CBC DDdC*	Atodedig
8.	Polisi Tâl 2023/24 *Derbyn adroddiad Prif Weithredwr Dros Dro, CBC DDdC*	Atodedig
9.	Cydbwyllgor Corfforaethol De-ddwyrain Cymru: Y Cynllun Trafnidiaeth Rhanbarthol a'r Cynllun Datblygu Strategol *Derbyn adroddiad Prif Weithredwr Dros Dro, CBC DDdC*	Atodedig
10.	Penodiad Dirprwy Swyddog Monitro Dros Dro *Derbyn adroddiad Prif Weithredwr Dros Dro, CBC DDdC*	Atodedig

Kellie Beirne
Prif Weithredwr Interim
Cydbwyllgor Corfforaethol De-ddwyrain Cymru
9 Hydref 2023

Mae'r ddogfen hon ar gael yn Saesneg / This document is available in English

South East Wales Corporate Joint Committee
Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

South East Wales Corporate Joint Committee

11.30am-12.30pm on Monday 9 October 2023 via Microsoft Teams

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Kellie Beirne
Interim Chief Executive
South East Wales Corporate Joint Committee
9 October 2023

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

Cydbwyllgor Corfforaethol De-ddwyrain Cymru

11.30-12.30 ar Ddydd Iau 9 Hydref 2023 a Microsoft Teams

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Kellie Beirne
Prif Weithredwr Interim
Cydbwyllgor Corfforaethol De-ddwyrain Cymru
9 Hydref 2023

Declarations of Interest

Procedural Note for Elected Members

All members are required by law to complete a declaration of interests form to register their financial and other interests that could potentially conflict with their role as local councillor, including their membership of the Joint Committee. In addition, each Council has its own process for recording such interests, as well as its own adopted members' code of conduct. If in doubt, members should seek advice from their Council's Monitoring Officer in the first instance.

In addition to completing a declaration of interests form, members are also required to declare any interests at the start of a meeting of the Joint Committee, where that particular interest conflicts with some or all of the business to be discussed at that meeting. When making a declaration of interest, members should state whether the interest is personal or prejudicial. It is a matter for the member whether or not they choose to declare an interest, and whether or not that interest is personal or prejudicial. Members should refer to their Council's Code of Conduct and seek advice from their Council's Monitoring Officer prior to the start of meeting. If members become aware of a potential interest during the course of the meeting, they should make a declaration at the earliest opportunity and seek advice from the legal representative of the Accountable Body if required.

In respect of personal interests, member may remain in the meeting and take part in any debate and vote on the item of business. In respect of prejudicial interests, then they must leave the meeting immediately, not take part in the discussion of or vote on those items in which they have declared a prejudicial interest.

The interest will be recorded in the minutes of the meeting.

Datgan Buddiannau

Nodyn Gweithdrefnol ar gyfer Aelodau Etholedig

Mae'n ofynnol yn ôl y gyfraith i bob aelod lenwi ffurflen datganiad buddiannau i gofrestru eu diddordebau ariannol a diddordebau eraill a allai o bosibl wrthdaro â'u rôl fel cynghorydd lleol, gan gynnwys eu haelodaeth o'r Cyd-bwyllgor. Yn ogystal, mae gan bob Cyngor ei broses ei hun ar gyfer cofnodi diddordebau o'r fath, yn ogystal â'i god ymddygiad aelodau mabwysiedig ei hun. Os oes amheuaeth, dylai'r aelodau ofyn am gyngor gan Swyddog Monitro eu Cyngor yn y lle cyntaf.

Yn ogystal â chwblhau ffurflen datgan buddiannau, mae'n ofynnol hefyd i aelodau ddatgan unrhyw ddiddordebau ar ddechrau cyfarfod o'r Cyd-bwyllgor, lle mae'r diddordeb penodol hwnnw'n gwrthdaro gyda rhywfaint neu'r holl fusnes i'w drafod yn y cyfarfod hwnnw. Wrth wneud datganiad o fudddiannau, dylai'r aelodau ddatgan a yw'r diddordeb hwnnw yn un personol neu'n rhagfarnol. Mae'n fater i'r aelod p'un a ydynt yn dewis datgan buddiant ai peidio, ac a yw'r diddordeb hwnnw'n bersonol neu'n ragfarnol ai peidio. Dylai aelodau gyfeirio at God Ymddygiad eu Cyngor a gofyn am gyngor gan Swyddog Monitro eu Cyngor cyn dechrau'r cyfarfod. Os daw aelodau'n ymwybodol o ddiddordeb posibl yn ystod y cyfarfod, dylent wneud datganiad ar y cyfle cyntaf a gofyn am gyngor gan gynrychiolydd cyfreithiol y Corff Atebol os oes angen.

O ran diddordebau personol, gall aelod aros yn y cyfarfod a chymryd rhan mewn unrhyw ddadl a phleidleisio ar eitem busnes. O ran diddordebau rhagfarnol, yna mae'n rhaid iddynt adael y cyfarfod ar unwaith, peidio â chymryd rhan wrth drafod na phleidleisio ar yr eitemau hynny y maent wedi datgan diddordeb rhagfarnol ynddynt.

Bydd y diddordeb yn cael ei gofnodi yng nghofnodion y cyfarfod.

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

South East Wales Corporate Joint Committee

11.30am-12.15pm on Monday 11 September 2023 via Microsoft Teams

Minutes

Committee Members

Julian Stedman (Teams)	Chair of Planning Committee	Bannau Brycheiniog NPA
Cllr Stephen Thomas (Teams)	Leader	Blaenau Gwent CBC
Cllr Huw David OBE (Teams)	Leader	Bridgend CBC
Cllr Huw Thomas	Leader	Cardiff Council
Cllr Sean Morgan	Leader	Caerphilly CBC
Cllr Geraint Thomas	Leader	Merthyr Tydfil CBC
Cllr Mary Ann Brocklesby (Teams)	Leader	Monmouthshire CC
Cllr Jane Mudd, Vice Chair	Leader	Newport CC
Cllr Ann Crimmings (Teams)	Cabinet Member	Rhondda Cynon Taf CBC
Cllr Anthony Hunt, Chair	Leader	Torfaen CBC
Cllr Lis Burnett (Teams)	Leader	Vale of Glamorgan Council

Officers in Attendance

Mark Shephard (Teams)	Chief Executive	Bridgend CBC
Ellis Cooper (Teams)	Chief Executive	Merthyr Tydfil CBC
Paul Matthews (Teams)	Chief Executive	Monmouthshire CC
Paul Mee (Teams)	Chief Executive	Rhondda Cynon Taf CBC
Kellie Beirne	Interim Chief Executive	SEW CJC
Christopher Lee (Teams)	Interim Section 151 Officer / Acting Chief Executive	SEW CJC / Cardiff Council
Mary Cormack (Teams) (MC)	Solicitor	Accountable Body
Gareth Gates	Accountant	Accountable Body
Hrjinder Singh	Head of Finance, Risk & Assurance	Office of the CCR
Liz Fitzgerald (minutes)	Business Development & Partnership Officer	Office of the CCR

Apologies

Cllr Andrew Morgan OBE	Leader	Rhondda Cynon Taf CBC
Catherine Mealing-Jones	Chief Executive	Bannau Brycheiniog NPA
Damien McCann	Interim Chief Executive	Blaenau Gwent CBC
Christina Harrhy	Chief Executive	Caerphilly CBC
Paul Orders	Chief Executive	Cardiff Council
Beverly Owen	Chief Executive	Newport CC
Stephen Vickers	Chief Executive	Torfaen CBC
Rob Thomas	Chief Executive	Vale of Glamorgan Council
Ian Allwood	Head of Finance / Acting s151 Officer	Accountable Body / SEW CJC
Gill Brown	Group Accountant	Accountable Body
James Williams	Interim Monitoring Officer	SEW CJC

Recording of the meeting was started at 11:34

1. Welcome and Apologies

Cllr Hunt opened the meeting and apologies were noted.

2. Declarations of Interest

No declarations of interest were received.

3. Minutes of the Previous Meeting held on 31 July 2023

(1) The minutes of the previous meeting held on 31 July 2023 were agreed as a true and accurate record of the meeting.

(2) Future minutes will record the attendance of Members, Accountable Body Officers, Observers and core CCR Officers only.

4. Confirmation of Decisions in Relation to Statutory Sub-Committees and Scrutiny Arrangements

(1) MC introduced the item.

(2) Julian wished to note that the BBNPA was involved in the scrutiny process for matters that related to the Strategic Development Plan (SDP). MC noted that the Scrutiny Committee was constituted of the 10 local authorities but that other members may be co-opted, as in the case of the BBNPA for the matters relating to the SDP

(3) Leaders agreed to accept the recommendations of the report. Cllr Hunt obtained confirmation by a show of hands, with no objections or abstentions.

(4) It was resolved that the South East Wales Corporate Joint Committee:

(1) endorsed the proposal that the JOSC be appointed as the Joint Overview and Scrutiny Committee of the CJC, subject to the agreement of the constituent authorities of the CJC;

(2) authorised the Interim Monitoring Officer to make arrangements with the constituent authorities as are necessary to progress the proposal, above;

(3) noted the progress made towards establishing the statutory sub-committees;

(4) delegated the statutory functions of the statutory Standards Sub-Committee of the CJC to Cardiff Council's Standards & Ethics Committee;

(5) authorised the Interim Chief Executive to conclude a Service Level Agreement with Cardiff Council to facilitate recommendation 4, above;

(6) endorsed the proposed method of recruitment of elected and lay members of the Governance & Audit Sub-Committee;

(7) noted the renumeration payable to lay members of the Governance & Audit Committee;

(8) approved and adopted the CJC Member Code of Conduct which is attached as Appendix 1 to the report on Statutory Sub-Committees dated 31 July 2023, which itself is attached as Appendix 2 to this report.

Recording of the meeting ended at 11:44

Date of Next Meeting: 11.30am on Monday 9 October 2023

South East Wales Corporate Joint Committee
Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

9 OCTOBER 2023

2023/24 MONTH 04 BUDGET MONITORING UPDATE AND PROPOSED 2024/25 BUDGET STRATEGY

TO RECEIVE THE REPORT OF THE SEW CJC INTERIM SECTION 151 OFFICER

AGENDA ITEM: 4

Reason for this Report

1. To update the South East Wales Corporate Joint Committee (the CJC) on the 2023/24 Month 04 Revenue Budget Monitoring position and projected out-turn, as at 31 July 2023.

2. To set-out the CJC's proposed 2024/25 Budget Strategy and timetable which will to allow detailed budgets to be prepared over the autumn period and for appropriate consultation to take place, ahead of the Budget being presented to the CJC for consideration and approval, no later than the 31 January 2024.

3. To provide an update on the key elements of the finance workstream within the overall CJC Transition Plan, which subject to the successful implementation of the 'Lift & Shift' model will require the CJC to consider a number of practical and regulatory implications ahead of the financial year 2024/25.

Background

4. The South East Wales CJC Regulations 2021 came into force on 1 April 2021 which established the corporate legal entity of the CJC, consisting of the 10 constituent Cardiff Capital Region (CCR) local authorities and, for the purposes of the Strategic Development Plan (SDP), the Bannau Brycheiniog National Park Authority (BBNPA).

5. The CJC is responsible for carrying out the Strategic Development Planning (SDP) function and preparing a Regional Transport Plan (RTP) (the "New Functions") as well as having a wider Economic Wellbeing role across the South East Wales region. These Economic Wellbeing powers have provided the opportunity to 'Lift & Shift' the Cardiff Capital Region City Deal (CCRCD) from the existing arrangements to the new corporate entity through which multiple programmes, investments and functions could be developed and delivered on a regional basis.

6. At its meeting of the 30 January 2023, the CJC adopted a 'Building Foundations' approach to setting its 2023/24 budget and in doing so, approved a revenue budget of £255,662. This approach was designed to minimise the impact of any detriment incurred by the CJC whilst the technical issues remained outstanding. Therefore, for the 2023/24 budget a nominal sum of £25,000 was approved for each of the CJC

operational areas, for the commencement of the Strategic Development Plan (SDP) and the Regional Transport Plan (RTP).

7. In addition, the 2023/24 budget included additional sums to build on the CJC's Standing Orders, for example to review the arrangements for sub-committees, which are required under the regulations. However, the report noted that whilst the CJC operates on a Building Foundations basis, the work programme for its various sub-committees is likely to be limited and decisions around the formal commencement date for each of the sub-committees would be considered later in the year.

8. Therefore, as in prior years, the key aspect of the 2023/24 budget revolved around the resources needed for CJC management and overheads required to support the CJC's overall governance and decision-making processes. Furthermore, the budget approved included sums to allow the CJC to be compliant with wider legislation such as the preparation (and audit) of its accounts under the Accounts & Audit Regulations 2014.

Issues

9. Table 1.0 below sets out the position against the 2023/24 approved CJC revenue budget at Month 04 (31 July 2023) and the projected out-turn to the end of the financial year.

South East Wales Corporate Joint Committee Operational Budget - Building Foundations

Description	2023/24 Budget £	Month 04 Actual £	Month 04 Commit' £	Month 04 Revised £	23/24 Forecast £	23/24 Variance £
1. New Functions						
Strategic Development Plan - CJC	25,000	-	-	-	25,000	-
Regional Transport Plan - CJC	25,000	-	-	-	25,000	-
Economic Wellbeing	-	-	-	-	-	-
New Functions Sub-Total	**50,000**	**-**	**-**	**-**	**50,000**	**-**
2. Governance & Sub-Committees						
Governance & Audit Committee	6,500	-	-	-	12,470	5,970
Standards Committee	500	-	-	-	5,000	4,500
Scrutiny Committee	500	-	-	-	5,000	4,500
Translation Services	500	-	-	-	500	-
Other - Travelling Expenses	-	-	-	-	250	250
Governance & Sub-Committee Sub-total	**8,000**	**-**	**-**	**-**	**23,220**	**15,220**
3. Corporate Duties						
Maintaining CJC Corporate Duties	5,000	-	1,684	1,684	14,317	9,317
Corporate Duties Sub-total	**5,000**	**-**	**1,684**	**1,684**	**14,317**	**9,317**
4. Management & Overheads						
CCR SLA: CJC Officer & Cabinet Support	58,531	-	19,510	19,510	88,656	30,125
CC SLA: Statutory Officers & HR Advisory	36,100	-	1,833	1,833	5,500	- 30,600
RCT SLA: Transactional Support & Systems	46,031	-	7,010	7,010	36,031	- 10,000
CJC Insurances & Broker Fees	20,000	4,251	11,156	15,407	15,407	- 4,593
External Audit	2,000	-	-	-	2,100	100
Contingency	30,000	- 1,502	1,522	20	20,431	- 9,569
Management & Overheads Sub-total	**192,662**	**2,749**	**41,031**	**43,780**	**168,125**	**- 24,537**
Total Annual Budgets	**255,662**	**2,749**	**42,715**	**45,464**	**255,662**	**- 0**
6. Funded By						
SEW CJC Constituent LAs	- 255,123	- 255,123	- 42,626	- 45,370	- 255,123	-
Bannau Brycheiniog National Park Authority	- 539	- 539	- 89	- 94	- 539	-
Total	**- 255,662**	**- 255,662**	**- 42,715**	**- 45,464**	**- 255,662**	**-**
NET SURPLUS/DEFICIT	**-**	**- 252,913**	**-**	**0**	**- 0**	**- 0**

10. Table 1.0 summarises that at Month 04 the revised expenditure amounted to £45,464, which represents 17.8% of the approved budget. In summary, Month 04 position is that the budget is on target to be fully spent during 2023/24. The overall position

includes a number of favourable and adverse variances against individual budget head, which can be summarised as follows:

New Functions (On Target)

11. Whilst the CJC has undertaken a range of preparatory work (assessment of the emerging Welsh Government (WG) guidance, meetings with WG and Constituent Councils etc.) on both the Strategic Development Plan (SDP) and the Regional Transport Plan, it has yet to incur any costs in relation to the £25,000 budget approved for each function.

12. However, as the RTP Implementation Plan (31 October 2023) and the SDP Delivery Agreement (early 2024) are developed and submitted in the second half of the year, it is projected that both budgets will be fully spent in 2023/24. In addition, submission of these documents will allow WG to confirm its position in relation to any grant funding support that it may choose to make available in 2023/24 and beyond.

Governance & Sub-committees (+£15,220)

13. During the first part of the year, the CJC has approved a number of recommendations in respect of the arrangements for the CJC's Audit & Governance Sub-Committee and its Standards Sub-Committee. These are being progressed and at Month 04 it is projected that full year costs may be in the region of £23,220 in 2023/24, which exceeds the approved budget of £8,000. The projection includes costs in relation to recruiting a lay Chair and Vice-Chair and the costs associated with holding a minimum of one meeting. In addition, the projection includes an estimate of the cost which may be payable to Cardiff Council for the provision of the CJC's Standards Committee.

Corporate Duties (+9,317)

14. The Governance Manager has progressed discussions with a range of government agencies to assess the proportionate requirements which the CJC will need to put in place in respect of a wide range of corporate duties. The exact requirements are still being worked through but will reflect the CJC's maturity and current operating parameters i.e., that it is at the 'Building the Foundations' phase of evolution. At Month 04 the cost of the Governance Manager's time (based on an average of 1 day per week from July 2023) has been recorded against this budget. The full year projection (£14,317) has been prepared on this basis and will need to be reviewed and updated as the arrangements agreed with the various agencies are agreed and costed.

Management, Support & Overheads (-£24,537)

15. The 3 key Service Level Agreements agreed with Cardiff Capital Region City Deal (CCRCD), Cardiff Council (CC) and Rhondda Cynon Taf (RCT), amount to £140,662 and represent over 73% of the total Management, Support & Overhead budget for 2023/24. As at Month 04 the combined spend against these budgets amounted to £28,353 or 20.2% of the approved budget. However, as activity ramps up through the course of the year, spend of £130,187 is projected across these 3 areas in 2023/24.

16. The remaining budgets consist of CJC Insurances (including broker fees), the External Audit fee and Contingency budget, which amount to £52,000. The full year projected spend against these budget heads amount to £37,938 at Month 04. The Insurance premium and broker fees have been paid for the year (£15,407) and it has been

confirmed that these will not be increased in 2023/24 to reflect the appointment of the Chief Executive and wider Executive Board.

17. The position for next year is being discussed with the broker and any increase will need to be built into the 2024/25 budget. On this basis a net underspend of £24,537 is projected against the Management, Support & Overheads budget.

Funding (On Target)

18. To assist with the CJC's cashflow requirements, funding due from the Constituent Councils (£255,123) and the BBNPA (£539) was invoiced in the early part of the financial year. These sums have been received in full and the appropriate amounts have been released to the CJC's revenue account to meet the expenditure incurred to-date.

19. The figures outlined above are all shown net of VAT (where applicable) and reflect the CJC's s33 VAT status. The CJC is yet to formally register itself for VAT with HMRC and in the meantime continues to reclaim its VAT via the s126 Notice process.

20. The budget position will continue to be monitored through the remaining part of the financial year and further updates will be reported to the CJC as appropriate.

CJC 2024/25 Proposed Budget Strategy

21. The challenges faced by the public sector to balance their in-year budgets and set a balanced budget for 2024/25 (and the medium term) is well documented. Public sector budgets have reduced in real terms, at a time when demand for services is at unprecedented levels due to the Cost-of-Living Crisis, coupled with increasing pressures such as inflation (the Consumer Price Index (CPI) stood at 6.7% in the 12 months to August 2023). In addition, the cost of servicing public sector debt has soared in past 12-18 months and Adult and Social care budget overspends continue to represent a real challenge to managing local authority finances.

22. Subject to the successful completion of the Lift & Shift, 2024/25 will represent the CJC's first year of operation, where it seeks to bring together the CCRCD and CJC New Functions under the direction of a single independent legal entity. In-light of this and given the context of Local Government finances, a number of sessions have been held with Regional Cabinet/CJC Board to consider the 'Options & Choices' available in order to develop the 2024/25 Budget Strategy.

23. In summary terms, the sessions set-out the:

- current and estimated future expenditure;
- funding available;
- 'gap' to be met.

24. The budget strategy discussions focused on setting out how CCRCD and the CJC New Functions will merge and evolve as the two funding programmes are brought together under a single corporate entity from the 1st April 2024.

25. Leaders were keen to demonstrate that the key principle which underpins the strategy is the requirement to demonstrate the effective use of resources across the two programmes. This aim will be achieved by ensuring the CJC develops a single

governance structure which incorporates both the requirements of the CCRCD and the CJC Regulations. In addition, new CJC Executive Board and wider management structure will service both programmes and transactional services will be provided by RCT Council on a marginal cost recovery basis.

26. On this basis the proposed strategy has been developed in two parts. The first part of the strategy concentrates on the existing base budgets of the two programmes and seeks to develop the 2024/25 budget on the basis of the existing resource envelope. This amounts to a sum of £3.18 million and detailed costings will need to be prepared on a 'zero base budgeting' basis to ensure this sum can accommodate the following:

    - 24/25 Pay & Price Inflation;
    - 24/25 Salary Increments and any full-year staffing effects;
    - the appointment of the CJC Executive Team and the wider senior management arrangements;
    - non-staffing related expenditure such premises, transport, supplies & services etc.;
    - the cost of servicing existing Boards and Committees;
    - CJC Transactional Support, whilst most of these costs will be met from savings from the Accountable Body budget, there will be ongoing requirement in 2024/25 maintain a residual budget to meet the finance and ICT costs associated with preparing the 2023/24 Statement of Accounts and the external audit of those accounts.

27. The second part of the strategy concentrates on identifying and costing the potential budget growth required in 2024/25 to meet statutory requirements in respect of the Strategic Development Plan (SDP) and the Regional Transport Plan (RTP).

28. In addition, the cost of setting-up and servicing new sub-committees, compliance with CJC corporate duties and related insurances has been identified as a further component that will need be funded as a 'growth item'. This recognises the important point that the CJC is NOT a change of Accountable Body, but a legal corporate entity in its own right. As a result, the CJC will have to discharge a number of corporate duties and ensure it complies with all regulatory requirements directly, some of these are requirements (CCRCD programme) will have been previously managed via Accountable Body arrangements at a nil or marginal cost basis.

29. The Options & Choices session initially considered six options (or a combination of options) to address these requirements. The options acknowledged the immediate budget pressures faced by Constituent Councils, but also recognised that one-off, short-term solutions do not provide a sustainable financial platform from which the CJC can look to develop its base budget over the medium term. This position recognises that the delivery agreements required to deliver the plans outlined above, typically span a period of 2 – 7 years and therefore, the budget will need to be increased, year on year, to allow the CJC to put in place, a sustainable financial base.

30. For these reasons, Members have noted the need to explore in more detail the deliverability of three options. The additional growth requirement of these options range from £437k to £962k and includes sums in respect of the SDP, RTP and the new corporate duties set out above. In progressing these options, Leaders have outlined the importance of developing a 'mixed funding' solution, which includes elements from the options considered to-date, but crucially, includes funding support provided by

Welsh Government over the life of any delivery agreements, which the CJC are required to commit to.

31. With the above in mind a number of CJC Leaders met with the Deputy Minister for Climate Change, where the following key messages were highlighted:

    - CJCs are a legal duty and the duty on both plans is prescribed as a statutory instrument, which has been in effect since 2021;

    - there is a clear expectation therefore, that these are delivered in line with the timeframes set out in the Welsh Government guidance, this is not optional;

    - the budget pressures are understood – however, £125k will be made available across the two plans – but require an implementation plan (Oct 2023) and a delivery agreement (early 2024) to be submitted to the Welsh Government;

    - resources have been made available within Transport for Wales (TfW) and CJCs should access this support, which will allow for a more collegiate relationship and minimise the need to appoint consultants;

    - there was a suggestion that financial support would continue over the period of time required to shape the RTP at least.

32. In-light of these discussions and the work completed to-date, approval of the proposed strategy will allow detailed budget preparation work to be undertaken over the autumn period and periodic updates reported back to the CJC on the potential financial implications. During this period Constituent Councils and the BBNPA will be kept informed of the emerging position, so this can be factored into local budget setting processes and the resulting budget implications understood ahead of the proposed 2024/25 Budget being considered by the CJC by the statutory deadline of the 31 January 2024.

33. Separately, the BBNPA will need to meet its share of the 2024/25 CJC Strategic Development Plan budget in-line with the regulations and a briefing session has been held with officers and members to that effect. As the detailed budget work is progressed over the autumn period, further updates will be shared with the BBNPA as appropriate. It is proposed that the basis for calculating the amount due will reflect the methodology employed in previous years, updated to reflect any Welsh Government guidance made available since budgets were last calculated.

Medium Term Financial Plan (MTFP)

34. Whilst much of the detail outlined above relates to the financial year 2024/25, the importance of the CJC to developing its Medium Term Financial Plan (MTFP) is fully recognised, a point reinforced by the Constituent Council s151 Officers at the 6 September meeting.

35. Therefore, work on developing the indicative revenue costs and funding contributions over the next four financial years (2025/26 to 2028/29) will also be developed over the autumn period. This will provide the CJC, Constituent Councils and BBPNA with visibility on how the base budget may need to be increased over this period in order to establish the required financial platform to enable the CJC to discharge its statutory duties and associated requirements.

36. At its meeting of the 9 October 2023 the CJC will be considering a separate report on the immediate requirements and next steps in relation to the RTP and SDP. The report sets out an initial way forward on these matters, recognising the medium-term nature of the endeavour and therefore, the implications for a Medium Term Financial Plan. This report provides a proposed way forward that carefully recognises all of the above factors and is in line with the budget considerations set out above.

2024/25 Capital Programme and Treasury Management

37. In-line with previous years it expected that there will be a nil requirement for capital resources in respect of the CJC's New Functions. However, as outlined above, 2024/25 is anticipated to be first financial year, where the CCRCD funding programme is 'lifted and shifted' to the CJC. The CCRCD has an established capital programme developed as part of its Wider Investment Fund (WIF). The capital element totals £445 million and is a fully funded programme, with costs being met from a combination of HM Treasury grant funding (£325 million) and capital contributions of £120 million from Constituent Councils.

38. Therefore, in preparation for 2024/25 the CJC will need to put in place the necessary practical and regulatory arrangements (policies, procedures, approvals, documentation etc) to allow it to manage the WIF and associated cash balances. There will be no requirement for the CJC to undertake any borrowings itself, but rather to ensure that sufficient cash balances are held at all times to service the WIF's requirements and that any surplus cash held is properly managed in line with the CJC's Treasury Management Strategy.

39. These practical and regulatory requirements have been captured in the CJC Transition Plan and further updates on the proposed arrangements and any decisions required will be brought back to the CJC for consideration and approval as required.

Reasons for Recommendations

40. To update the CJC on the 2023/24 Budget Monitoring position at Month 04 and likely projected out-turn position for the year. In addition, to set-out the proposed budget strategy to develop the CJC's 2024/25 budget, with a detailed report being brought back for detailed consideration and approval no later than 31 January 2024.

Financial Implications

41. The report provides an update on the CJC's 2023/24 Budget Monitoring position and projected out-turn as at Month 04 and details the early work completed on the preparation of the CJC's likely 2024/25 budget requirement.

42. Given the subject of this report, the financial implications are clearly set out in the body of the report. In particular, the report outlines the need to achieve an appropriate balance between immediate budget pressures being faced by Constituent Councils and the need to build-up a sustainable financial platform to allow the CJC to operate and meet its statutory duties. This will be a key consideration in developing the CJC's Medium Term Financial Plan.

43. Subject to the approval of this report, detailed costings will be prepared from a zero base to understand the budget required in 2024/25 to deliver the required activity levels

and how this will be funded within the parameters of the budget strategy discussed with the CJC to-date. Further updates will be provided over the comings months and the 2024/25 budget report will be presented to the CJC to consider and approve, no later than the statutory deadline of the 31 January 2024.

44. Finally, the report highlights that the CJC will need to put in place a range of practical and regulatory requirements for 2024/25 and these have been captured within the CJC Transition Plan. The initial work on these areas has been completed with the CJC's Treasury Management advisors and an initial briefing note has been prepared for the CJC's Interim s151 officer. The briefing note will be jointly developed between the CJC, Cardiff Council (in role of Accountable Body) and RCT to ensure that the appropriate arrangements are put in place to mange these requirements in preparation for the proposed transfer date of 1 April 2024.

Legal Implications

45. Regulation 16 of the South East Wales Corporate Joint Committee Regulations 2021 requires the CJC to calculate its budget requirements for 2024/25 by 31 January 2024.

Well-being of Future Generations (Wales) Act 2015

46. In considering this matter regard should be had, amongst other matters, to:

    (a) the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards;

    (b) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties authorities must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; I. Religion or belief – including lack of religion or belief.

    (c) the Well Being of Future Generations (Wales) Act 2015. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their duties under the Act, each public body listed in the Act (which includes the CJC) must set and published wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, the CJC should consider how the proposed decision will contribute towards meeting the wellbeing objectives set by each Council and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the Councils to act in accordance with a 'sustainable development principle'. This principle requires the Councils to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply,

this means that CJC must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, CJC must:

- look to the long term.
- focus on prevention by understanding the root causes of problems.
- deliver an integrated approach to achieving the 7 national well-being goals.
- work in collaboration with others to find shared sustainable solutions.
- involve people from all sections of the community in the decisions which affect them.

47. The CJC must be satisfied that the proposed decision accords with the principles above. To assist the CJC to consider the duties under the Act in respect of the decision sought, an assessment has been undertaken, which is attached at Appendix 1.

RECOMMENDATIONS

48. It is recommended that the South East Wales Corporate Joint Committee:

(1) notes the 2023/24 Month 04 Budget Monitoring position and projected out-turn position as set out in this report;

(2) approves the proposed 2024/25 Budget Strategy set-out in this report, which will allow detailed budget work to be undertaken over the autumn period along with appropriate consultation with Constituent Councils and the Bannau Brycheiniog National Park Authority over this period;

(3) notes that in-line with the CJC Regulations, the proposed 2024/25 Budget will need to be considered and approved no later than the 31 January 2024.

Chris Lee
Interim Section 151 Officer
South East Wales Corporate Joint Committee
9 October 2023

Appendices
Appendix 1 Well-being of Future Generations Assessment

Future Generations Assessment Evaluation

Appendix 1

(includes Equalities and Sustainability Impact Assessments)

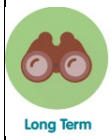
Name of the Officer completing the evaluation:	**Please give a brief description of the aims of the proposal**
Hrjinder Singh **Phone no:** 07890 027492 **E-mail:** h.singh@cardiff.gov.uk	To update the South East Wales Corporate Joint Committee (the CJC) on the 2023/24 Month 04 Revenue Budget Monitoring position and projected out-turn, as at 31 July 2023. To set-out the CJC's proposed 2024/25 Budget Strategy and timetable which will to allow detailed budgets to be prepared over the autumn period and for appropriate consultation to take place, ahead of the Budget being presented to the CJC for consideration and approval, no later than the 31 January 2024.
Proposal: It is recommended that the SEW CJC: 1. notes the 2023/24 Month 04 Budget Monitoring position and projected out-turn position as set out in this report; 2. approves the proposed 2024/25 Budget Strategy set-out in this report, which will allow detailed budget work to be undertaken over the autumn period along with appropriate consultation with Constituent Councils and the Bannau Brycheiniog National Park Authority over this period; 3. notes that in-line with the CJC Regulations, the proposed 2024/25 Budget will need to be considered and approved no later than the 31 January 2024.	**Date Future Generations Evaluation form completed:** 9 October 2023

1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The report details the Financial Position at the end of Period 4 being the 31 July 2023. The report sets out the next steps in the development of the principles of the South East Wales Corporate Joint Committee (SEW CJC). Budget 2024/25.	The SEW CJC will bring together the CCR City Deal and the CJC into one coherent model of regional economic governance that will exist to maximise the opportunities for collaboration, ensure the best use of resources, increasing opportunity and generating jobs and GVA in the South East Wales economy.
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	As above.	As above
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	As above.	As above
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	As above.	As above.
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	As above.	As above.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	As above.	As above.
A more equal Wales People can fulfil their potential no matter what their background or circumstances	As above.	As above.

2. How has your proposal embedded and prioritise the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	The current arrangements provide for an interim set of Standing Orders which will be in place as the region completes the transition process to the SEW CJC. By its nature, the report provides assurance of the balancing of short-term and long-term planning and goals. The three main tenets of the SEW CJC of strategic development planning, the Regional Transport Plan and the empowerment of the SEW CJC to take direct action around economic well-being will ensure that the activity in the region is balanced and far-reaching.	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
Working together with other partners to deliver objectives	Partnership working has been at the heart of the Cardiff Capital Region's work, working with UK and Welsh Governments, local authorities and private and public sector organisations and communities. In addition, the SEW CJC approach will formalise the connection with the Brecon Beacons National Park Authority (BBNPA), who have voting rights, alongside the CCR Regional Cabinet, on matters pertaining to the SEW CJC's Strategic Development Plan.	
Involving those with an interest and seeking their views	The current commitment to transparent partnership working will be strengthened by the SEW CJC. The CJC will also inherit statutory obligations to consult and seek the views of the public which can only add to and strengthen the position going forward.	
Putting resources into preventing problems occurring or getting worse	The paper proposes that the business planning approach the budget for 2024/25 will include resources to the CJC Transition Plan to be executed, now that the outstanding technical issues have been resolved and an effective date for implementing the Lift & Shift Model has been established.	
Considering impact on all wellbeing goals together and on other bodies	The SEW CJC will provide formal powers for the region to act on matters relating to economic well-being and to have a direct impact on well-being goals long-term. The commencement date for these duties was the 30th June 2022.	

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Not relevant in this context since the principles, approach and ways of working apply to all prospective interests and stakeholders.		Diversity and inclusion into all partnerships and relationships will help ensure the protected characteristics agenda is embedded in ways of working and the culture that is created.
Disability	As above.	As above	As above.
Gender reassignment	As above.	As above	As above.
Marriage or civil partnership	As above.	As above	As above.
Pregnancy or maternity	As above.	As above.	As above.
Race	As above.	As above.	As above.
Religion or Belief	As above.	As above.	As above.
Sex	As above.	As above.	As above.
Sexual Orientation	As above.	As above	As above.
Welsh Language	As above.	As above	As above.

4. Safeguarding & Corporate Parenting. Are your proposals going to affect either of these responsibilities?

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	Not directly relevant; however, building the future economy should have a profoundly positive impact on ability to safeguard the future of our residents.		

Corporate Parenting	Not directly relevant; however, building strength in the economy should create opportunities for all of the young people entrusted in our care and make a direct contribution to well-being.		

5. What evidence and data has informed the development of your proposal?

As above.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

In the main, the proposal is building a stronger, more collaborative and supportive future for the region that will widen opportunities across the spectrum.

7. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	At least annually in light of the 'Building the Foundations' approach being taken at this time.

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

9 OCTOBER 2023

2023-24 ANNUAL BUSINESS PLAN - QUARTER 1 PERFORMANCE REPORT

REPORT OF THE INTERIM CHIEF EXECUTIVE

AGENDA ITEM: 5

Reason for this Report

1. To inform SEW CJC of the Quarter 1 reporting position against the 2023/24 Cardiff Capital Region Business Plan.

2. To recommend that SEW CJC approves the Quarter 1 report.

Background

3. The SEW CJC approved its 2023/24 Annual Business Plan at its meeting in January 2023. The 2023/24 Annual Business Plan for the first time, is an integrated Business Plan for the Cardiff Capital Region, detailing all its different facets – CJC transition, CCRCD programme, Shared Prosperity Fund and so much more. Therefore, it adheres to both the provisions of the Joint Working Agreement for the Cardiff Capital Region City Deal – and the activity required to allow the policy position of 'lift and shift' into the new Corporate Joint Committee (CJC) to be enacted. This thus represents a single point of integrated reporting – as per the reports to Regional Cabinet and SEW CJC of 30 January 2023. The 2023/24 Annual Business Plan sets out the combined set of activities, tasks and objectives to be delivered in the period, alongside an assessment of the resources required to deliver. This report seeks to update solely on the CJC-specific components of the Annual Business Plan for Q1.

4. The combined CCR Annual Business Plan 2023/2024 and the priority actions contained within it, form the basis of the Quarterly Performance Monitoring Reports. The 23/24 Business Plan outlines key priorities that must be met in order to operationalise the CJC and enable lift and shift into a fully functioning CJC in April 24. The key priorities for 23/24 allied to CJC transition were as follows:

    - commencement of early preparation work via the CJC on a Strategic Development Plan and Regional Transport Plan;

- create a phased single entity Transition Plan including a Target Operating Model to facilitate bringing in all current staff and all corporate activity, projects, and investments;
- create an updated organizational governance model that simplifies the current model;
- conduct Corporate IT Tools and Technology review and make recommendations.

Summary of Progress – Quarter 1

5. A summary of progress is outlined below:

Objective 1: Commencement of early preparation work via the CJC on a Strategic Development Plan and Regional Transport Plan **Q1 Milestone(s):** • Convene RTA officer group (Jan 23) • Brief RTA Members Group (Feb 23) • Agree ToR and initial scope of work
Narrative: Both the SDP and the RTP are progressing in line with guidance and engagement with Welsh Government and work within the regional partnership. The RTA has been keeping abreast of developments of the RTP and early engagement on the SDP with LA Planning officers has begun. Constraints such as a lack of direct guidance on either element or a clear funding commitment from Welsh Government in the first quarter have meant slower progress than expected.
Objective 2: Create a phased single entity Transition Plan including a Target Operating Model to facilitate bringing in all current staff and all corporate activity, projects, and investments. **Q1 Milestone(s):** • Identify all Transition activities • Begin phased implementation of Transition Plan • Begin preparation of the existing portfolio for transition into the new corporate structure
Narrative: The Transition Plan has continually evolved over the period and a more settled approach through the following 6 workstreams has helped develop a milestone plan, identifying key decisions that are required and when to enable Lift and Shift. The programme is working toward operationalising the CJC in October / November and enacting the full lift and shift for the 1st April 2024. CJC Workstreams are:

1. People 2. Corporate and Governance 3. Finance 4. Investments and Project Delivery 5. Subsidiary Corporate Structures 6. Stakeholder Engagement & Communications
Objective 3: Create an updated organisational governance model that simplifies the current model and ensures advantage is taken of the freedoms, flexibilities, and additional powers available through the CJC legislation
Narrative: In this period, an initial internal workshop was held to identify the core requirements of any future governance model and how it would align with the future constitution of the organisation. This early work will help inform ongoing discussions at the CJC on what the future governance model will look like, how it will work with the current CCRCD arrangements as well as giving the appropriate level of assurance to all parties.
Objective 4: Conduct Corporate IT Tools and Technology review and make recommendations **Q1 Milestone(s):** Identify & Document Corporate IT requirements relating to tools and technology (Data Storage, File Sharing, CRM etc.)
Narrative: Begun Corporate IT Tools & Technology Review with recommendations for Corporate IT requirements in the CJC expected in Q2. In order to start this area of work, some initial staff engagement has resulted in a high-level core set of requirements for any future IT model. This work has recognised the constraints within which the CJC currently operates and gives maximum consideration to achieving the best outcomes at the best value to the organisation. This has directly led to 2 engagements, firstly with RCTCBC on the provision of the base IT service to the CJC and secondly, the engagement of an internal Task and Finish Group to give a clear steer to the development of the initial requirements into an operating scope.

Financial Implications

6. There are no direct financial implications arising from this report, which seek to provide an update against the CJC component of the 2023/24 Cardiff Capital Region Annua Business Plan.

7. Regular budget monitoring reports are prepared and presented to both the CJC and the CCRCD in respect of their 2023/24 approved revenue budgets. The CJC

budget amounts to £255,662 and includes resources to deliver the business plan activities outlined above. In addition, the CCRCD has approved a separate Transition Budget amounting to £234,481 in respect of 2023/24. These budgets provide a total resource envelope of £490,143 to cover both operational activities and transition arrangements.

Legal Implications

8. The report sets out the Quarter 1 performance and is submitted to CJC for consideration. There are no direct legal implications for this report.

Well-being of Future Generations (Wales) Act 2015

9. In considering this matter regard should be had, amongst other matters, to:

   (a) the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards;

   (b) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties authorities must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are : a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; I. Religion or belief – including lack of religion or belief, and;

   (c) the Well Being of Future Generations (Wales) Act 2015. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their duties under the Act, each public body listed in the Act (which includes the CJC) must set and published wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, the SEW CJC should consider how the proposed decision will contribute towards meeting the wellbeing objectives set by each Council and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the Councils to act in accordance with a 'sustainable development principle'. This principle requires the Councils to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Regional Cabinet must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, CJC must:

      - look to the long term;

- focus on prevention by understanding the root causes of problems;
- deliver an integrated approach to achieving the 7 national well-being goals;
- work in collaboration with others to find shared sustainable solutions;
- involve people from all sections of the community in the decisions which affect them.

10. SEW CJC must be satisfied that the proposed decision accords with the principles above. To assist SEW CJC to consider the duties under the Act in respect of the decision sought, an assessment has been undertaken, which is attached at Appendix 1.

RECOMMENDATIONS

11. It is recommended that the South East Wales Corporate Joint Committee:

    (1) notes the updates in line with the integrated Annual Business Plan for 2023/24.

Kellie Beirne
Interim Chief Executive
South East Wales Corporate Joint Committee
9 October 2023

Appendices
Appendix 1: Well-being of Future Generations Assessment

Future Generations Assessment Evaluation
(includes Equalities and Sustainability Impact Assessments)

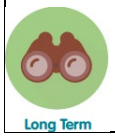
Name of the Officer completing the evaluation:	**Please give a brief description of the aims of the proposal:**
Kellie Beirne **E-mail:** kellie.beirne@cardiff.gov.uk	1. To inform CJC Board of the Quarter 1 reporting position against the 2023/24 Cardiff Capital Region Business Plan.
Proposal: CJC – Q1 Update	**Date Future Generations Evaluation form completed:** 9 October 2023

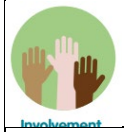
1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The report and appendices set out a progressive approach for driving prosperity within the region as it evolves its functions to embed CJC provisions and regulations.	In order to maintain business continuity and a seamless transition the report is focused on concurrence and the principles of transition and adaptation.
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	The central contention of the report is that covid-19, climate and low growth all poses a conundrum about the forward and how some of the behaviours around working together, innovating quickly and rapidly adapting can be maintained as a positive legacy in the new working arrangements.	A CJC will allow more freedom and flexibility and it is envisaged that climate and renewable energy for clean growth will be a key lever in this context. The report highlights the responsibilities of the CJC going forward and how the organisation is setting itself up to be able to manage those duties appropriately and proportionally.
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Inclusion is a core theme of the approach and balancing a focus on levelling up the region with other regions in the UK to ensure CCR accesses all of the opportunities available to it – thus supporting not just sectors and industries but communities and people.	ESG and equality and diversity focus to ensure emphasis on societal and community needs. CJC will develop its own corporate policies in response to key duties in respect of WFG Act Wales, Equality and Human Rights and Nature and Biodiversity

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Putting in place a framework for regional cohesion whilst enhancing localism will support delivery of scale projects that make a difference across the geography, in tandem with local policies and levers that ensure citizens can benefit.	Work on the Northern Valleys will continue to be a key theme of CJC work – as will the emphasis on distributed, inclusive and resilient growth. CJC will also pick up the mantle on approval of key mechanisms such as the Regional Investment Plans for the Shared Prosperity Fund.
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	The principles look outward and focus on the FDI and international opportunities, which are particularly important post-EU exit.	Proposal for eventual radical decentralization of business functions and units currently operating at national level.
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	The document represents a distinctive regional strategic approach to developing the economy.	CJC will develop its own corporate policies in response to key duties in respect of WFG Act Wales, Equality and Human Rights and Nature and Biodiversity
A more equal Wales People can fulfil their potential no matter what their background or circumstances	The approach focuses on economic inclusion, levelling-up and a mission-driven approach capable of not just tackling economic problems – but societal ones too.	The CJC will begin to produce its own policies for equality and diversity and ensuring these are not just factors in assessing impact – but become central to the task of increasing productive capacity and inclusive growth in the first place.

2. How has your proposal embedded and prioritized the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	The CJC is a long-term construct and requires thinking ahead, however in the short-term a 'bare minimum' model is being put in place.	This will be subject to the first phases of work and the transition plan as well as the proposed interim first phase of operation.

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
Working together with other partners to deliver objectives	The principles of the structure recommended situate partnerships and the building of new institutional capacity at the heart of the new framework.	As the regs develop this will be further progressed. As work commences on immediate duties around the Strategic Development and Regional Transport Plans – consultation and engagement processes will be developed accordingly.
 Involving those with an interest and seeking their views	The plan will be backed by a wider comms plan which has already included meeting with the various CCR Partnership groups.	Challenge funds will be another perspective to bring to bear in this context.
Putting resources into preventing problems occurring or getting worse	The mission-driven/ challenge-led approach embedded will be a key means of experimenting in the prevention space	At project and programme level – there are a number of options the CJC will be looking at in quick time, regarding regional bus services and transport demand management. There is also work moving forward on Local Area Energy Planning to ensure prevention is prioritized.
Considering impact on all wellbeing goals together and on other bodies	The proposed impact assessments will give a comprehensive and ongoing overview of benefits, costs and results. Outcome focused reporting and accountability will be key to this.	This can be further reinforced in the CJC budget setting and when Cabinet and partners have access to greater freedoms and flexibilities and the full 'lift and shift' CJC model.

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Not relevant in this context since the principles, approach and ways of working apply to all prospective interests and stakeholders	As projects and programmes develop under the CJC, each will be subject to comprehensive assessments against the plans and procedures put in place to protect certain characteristics.	A full ESG agenda and diversity and inclusion reviews into partnerships and groups will help ensure this agenda is embedding in ways of working and the culture that is created. A full training and development programme will also be devised in order to embed and 'bring to life' such considerations – not just as part of project assessments, but in seeking to address such concerns and issues as part and parcel of project business cases that are developed.
Disability	As above	As above	As above.
Gender reassignment	As above	As above	As above.
Marriage or civil partnership	As above	As above	As above.
Pregnancy or maternity	As above	As above	As above.
Race	As above	As above	As above.
Religion or Belief	As above	As above	As above.
Sex	As above	As above	As above.
Sexual Orientation	As above	As above	As above.
Welsh Language	As above	As above	As above.

4. Safeguarding & Corporate Parenting. Are your proposals going to affect either of these responsibilities?

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	**Describe any negative impacts your proposal has on safeguarding and corporate parenting**	**What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?**
Safeguarding	Not directly relevant –however, building the future economy should have a profoundly positive impact on ability to safeguard the future of our residents		This is dependent upon the brief for regional education consortia and whether or not, it is intended to be grouped within CJCs.
Corporate Parenting	Not directly relevant – however building strength in the economy should create opportunities for all of the young people entrusted in our care and makes a direct contribution to wellbeing.		

5. What evidence and data has informed the development of your proposal?

As above.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

As above, the main implications will be in the delivery of this work.

7. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	Scrutiny by the CJC and quarterly performance – Lift and Shift anticipated to take place in 2023/24

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

9 OCTOBER 2023

SOUTH EAST WALES CORPORATE JOINT COMMITTEE TRANSITION PLAN

REPORT OF THE INTERIM CHIEF EXECUTIVE

AGENDA ITEM: 6

Reasons for Report

1. To update the South East Wales Corporate Joint Committee (the CJC) on the transition of the Cardiff Capital Region City Deal (CCRCD) into the CJC.

2. Notes the proposed approach to the transition of the CCR City Deal Funding Award Letter

Background

3. Since the setup of the CJC, planning and activities to transition the CCRCD to the CJC have been developing and the CJC has made decisions to put in place the building blocks for 'Lift and Shift' including:

   (1) an annual business plan focussed on transition – moving from Bare Minimum to Building Foundations (Jan 2023);

   (2) setting up of sub committees (March 2023);

   (3) decisions on staffing matters (May 2023);

   (4) The CJC approach to scrutiny (July 2023).

4. During this period, the amendments to primary legislation were made by the UK government, removing the barriers to operation of the CJC, including Section 33 VAT status and the Government of Wales Act Section 150 Order. Both of these putting the 4 CJC's in Wales on a level footing with Local Authorities on areas including VAT, Pensions and Taxation.

5. In order to deliver 'Lift and Shift' the Transition Steering Group has been brought together to be the engine room; it is made up of the 6 Workstream Leads:

	Title:	**Lead:**
WS 1	People	Chief HR Officer Cardiff Council

	Title:	Lead:
WS 2	Corporate & Governance	SEW CJC Interim Chief Executive and Cardiff Legal Services Legal Lead, Interim Monitoring Officer.
WS 3	Finance	Head of Finance, Risk & Assurance CCRCD
WS 4	Investments and Project Delivery	Head of Digital & Data Innovation CCRCD
WS 5	Subsidiary Corporate Structures	Chief Operating Officer CCRCD
WS 6	Stakeholder Engagement & Communications	Head of Governance, Policy and Communications CCRCD

6. The group initially met monthly, but this has now increased to a fortnightly basis and is responsible for:

   i. oversight and coordination of activities across the workstreams;

   ii. monitoring and highlighting:

      1. Progress against the Transition Plan,
      2. Risks,
      3. Opportunities,
      4. Interdependencies;

   iii. ensuring the best use of cross cutting resources;

   iv. managing the interactions of the Transition Plan and the CJC to ensure appropriate and timely decision making;

   v. giving the CJC assurance on the progress of the Transition Plan.

Update

What are the Key Milestones

7. The transition plan is focussed around 2 key points in time and the longer term, these are:

   (1) Day 1 – achieving operating status at 1st October 2023, the building blocks for 'Lift and Shift', which means the CJC:

      i. Has the ability to employ people
      ii. Employees have access to the tools to be productive
      iii. Can function as a corporate entity
      iv. Has the appropriate governance, scrutiny and support arrangements in place
      v. Is registered with the appropriate bodies

vi. CEO takes up position as a minimum – as per Workforce Update to the CJC meeting in May 2023. Finalisation of CEO transition being agreed.

(2) Year 1 – having a fully functioning status ready for the 1st April 2024 to enable 'Lift and Shift', this means:

i. all appropriate policies, procedures and operations in place, commensurate with a public body in Wales
ii. ability for all CCRCD employees to transition into the CJC structure
iii. the CJC being responsible for all activities currently undertaken by the Accountable Body for the CCRCD, this could mean the CJC undertaking those activities itself and/or making arrangements with 3rd parties in respect of these activities
iv. The portfolio of CCRCD projects is managed directly by the CJC
v. All CCRCD and CJC activities fully governed in the CJC
vi. The CJC is effectively standing on its own two feet.

(3) Future Years – Transition does not finish on 1st April:

i. There will likely need to be ongoing work, ensuring that the organisation remains fit for purpose, aligned with its strategic vision, and delivering its legal responsibilities.
ii. Setting the Strategic Vision for the future - The CJC provides an opportunity to develop something different and authentic that aligns with the evidence base and bold ambition set for the region as articulated in the Regional Economic and Industrial Plan. An approach to setting a Strategic Vision will be brought to the CJC. The approach will also take into account feedback from the recent OECD follow up workshop on regional working.

How do the Workstreams Deliver the Above?

8. Each workstream has a significant amount of work underway to achieve the 'Day 1' ambition for the CJC to be operational by the 1st October 2023 (see Appendix 1) shows an overview of the critical activities being delivered by each workstream to meet this milestone.

9. Table 1 below, lays out the progress so far per workstream, rating the activities and the resources to deliver as Red / Amber / Green to give an indication of the risk attached to each area.

Table 1:

Workstream 1 – People (Tracey Thomas)	RAG Rating:	Activities:	Resources:	Overall:
		Green	Amber	Amber

Activities:
As per previous updates, the two main areas of focus are putting in place the policies, procedures and systems required for Day 1/Year 1 and the formal activities around the TUPE transfer of staff to the CJC. There are many interdependencies, in particular with WS 3 (Finance) on areas such as payroll, pension enrolment where close working between all parties is required for a successful outcome.

Resources:
Resources from within the CCRCD team have been identified to support this activity, bringing much needed resource to this workstream. Focussing on the Organisational Development work to support the activities of the resources in the accountable body.

Workstream 2 – Corporate & Governance (James Williams / Kellie Beirne)	RAG Rating:	Activities:	Resources:	Overall:
		Amber	Amber	Amber

Activities:
There is a significant amount of work underway in this workstream to both deliver a functioning corporate body on Day 1, but also to ensure that these foundations are built on for the Year 1, the key components to this work are:

I. Developing an interim constitution for the CJC (Green)
II. Statutory Sub Committees in place (Green)
III. Governance Model Development (Amber)
IV. Target Operating Model Development (Amber)
V. ICT provision in place for Day 1 operation (Green)
VI. Strategic Vision definition approach preparation (Green)
VII. Work with the UK Government to transition CCRCD funding award letter – joint with WS 3 (Amber)

Work on the novation of the CCRCD funding award letter has been front and centre for the last period and continues to be the main focus for this workstream.

Resources:
Resources within the legal aspects of this have been resolved. A Governance Manager has recently joined CCRCD and will devote 50% of their time to support developing the CJC future governance approach. Resource to support other work is coming on stream, albeit slowly.
Statutory posts within the CJC:
The Monitoring Officer and the Section 151 Officer functions are currently filled via the Accountable Body and will continue to be until the substantive posts within the CJC structure are filled

Workstream 3 – Finance (Hrjinder Singh)	RAG Rating:	Activities:	Resources:	Overall:
		Green	Amber	Amber

Activities:
This workstream has by far the greatest number of activities underway and also carries the greatest number of interdependencies, progress includes:

I. Ensure there are proper arrangements in place to administer the CJC's financial affairs
II. Arrangements in respect of accounting, financial management, reporting and audit
III. Developing treasury management approach for the organisation
IV. Implementing capability required to manage these activities
V. Engagement with RCT on new functions including transactional support
VI. Engagement with CCC on closing out CCR function
VII. Arrangements for Pension Administration & Accounting
VIII. Arrangements for Payroll & Accounting

IX. Arrangements for VAT and taxation matters
X. Supporting the development of the CJC Constitution

Resources:
In order to help manage the activities above a temporary Finance Manager has been appointed to work alongside the Workstream Lead. However, a considerable effort will still be required from the small finance team to ensure the objectives for Day 1 are fully met. With this in mind, a detailed Finance Project Plan has been developed to manage the various activities and regular fortnightly meetings take place with Finance colleagues from RCT.

Workstream 4/5 – Portfolio Transition (Colan Mehaffey)	RAG Rating:	Activities:	Resources:	Overall:
		Green	Red	Amber

Activities:
The majority of work being undertaken in this phase is to carry out an assessment of the portfolio (all 25+ projects to date) to understand the legal and financial implications of transferring to the CJC. The assessment is on track with a detailed plan now under development.

Resources:
This work relies heavily on external expertise in the form of specialist tax advice and CCRCD legal advisors, reviewing each project and the implications and mitigating actions to enable transfer

Workstream 6 – Stakeholder Engagement & Communications (Nigel Pompeus)	RAG Rating:	Activities:	Resources:	Overall:
		Green	Amber	Amber

Activities:
Activities to date include Stakeholder mapping, the development of regular internal comms and the building of a messaging framework

Resources:
Resources are now more readily available and the new workstream lead is developing the activities and support required to deliver them.

Key Decisions for the CJC – October and November/December

10. In October, the CJC will have a series of decisions to make, including the following items:

    (1) an interim Constitution for the CJC;

    (2) an approach to the development of the Annual Business Plan and proposed budget strategy for FY 2024/25 and over the medium-term;

    (3) updated approaches to the delivery of the RTP and the SDP.

11. In November/December the CJC will have a series of decisions to make, including:

    (1) securing CJC consent to enter into a deed of novation on the CCR City Deal Funding Award Letter with Welsh Government and Cardiff Council;

    (2) agree a draft deed of novation on the CCR City Deal Funding Award Letter with Welsh Government and Cardiff Council.

Key Dependencies:

12. The whole transition is built upon a cohesive plan of cross organisational working, key dependencies of that include:

13. Novation of the CCR City Deal Funding Award Letter. This is one of the key activities within the Transition Plan. An initial meeting has been held with UK and Welsh Governments to confirm the approach. This has led to a series of actions that need to happen concurrently with the transition plan in order to achieve. This will involve a series of coordinated decisions between all parties, the CJC, the CCRCD Regional Cabinet and Welsh Government, as laid out in Appendix 2, this may require the December CJC meeting to come forward slightly in to November.

14. HR and Finance (WS 1 & 3) - There are a wide range of dependencies between these workstreams. Aligning the payroll and HR systems is critical, this also links to the pensions and benefits. In order to ensure this is managed appropriately, strong links have been established between these two workstreams, and monthly sessions with the programme manager to ensure nothing falls between the gaps. Furthermore, detailed discussions are taking place Finance and HR colleagues within RCT to ensure that all interfaces are identified and managed in a timely way. The CJC has recently completed its registration with HMRC for its own PAYE reference number, allowing the CJC Payroll to be run in-line with Transition Plan dates as necessary.

15. Corporate Governance, Finance and People (WS 1, 2 & 3) - Setting up the corporate entity, with a new constitution and all that entails, impacts on a number of areas, in particular, finance and people elements of the constitution. Input from the People and already stretched Finance WS's is critical to the success of this piece of work. Secondly, ensuring the governance of the SEWCJC is appropriate and aligned to the finance and operational procedures of the organisational, matched with the appropriate skills and delegations. Mitigation: The delivery of the constitution of the new organisation is being done in house, reducing the reliance on outside legal advisors. This work is being led by the Interim Monitoring Officer. Fortnightly meetings between the Programme Manager and Interim Monitoring Officer and Interim Governance Manager ensure that this work is capturing all the required elements and progressing accordingly. The Finance WS is kept abreast of developments in this area and will input at the appropriate time in respect the key Financial Schedules etc.

16. Finance and Project Transition (WS 3 / 4 / 5) - The transition of the portfolio and the many contracts from the current set up to the new will involve a close link between the finance and project transition workstreams, ensuring that all potential risks are mitigated, opportunities are taken advantage of, and a seamless transition managed. Mitigation: joint sessions held with tax advisors, legal advisors and a jointly agreed package of work, overseen by the Programme Manager will help ensure that these dependencies are delivered within the

transition plan and ensure the extent of any taxation liabilities crystallising on transfer are kept to a minimum.

Key Risks and Opportunities:

17. The risks to the Transition Plan are:

(1) Resources (all workstreams)

i. Risk – across the whole transition approach there is a clarity on what has to be delivered, however the major constraint is capacity, the risk is that:

1. finance in particular have reduced capacity;
2. summer is a very busy period to prepare for Day 1 – 1st Oct 2023;
3. recruitment of resource can be protracted over the summer period;
4. challenges with recruitment due to the current national employment market;
5. specialist support for key activities (in particular WS 4/5) may have large costs.

ii. Mitigations:
1. a clear plan of what is required for each workstream to focus on for Day 1 – to ensure minimal wasted effort;
2. additional central resource to support all workstreams – doing activities that do not require specialist knowledge or skills;
3. a RAID log that captures risks, actions and issues and is regularly reviewed by the Transition Steering Group to ensure transparency;
4. finance has developed a Resourcing Plan and is in the process of implementing this over the summer period.

(2) Complexity (all workstreams)

i. Risk: Working between three organisations (CCC / RCT / SEWCJC) brings added layers of complexity. Therefore, the following have to be considered:

1. timescales;
2. governance;
3. decision making;
4. procurement.

ii. Mitigations: ensuring each decision required is clearly communicated to key stakeholders – to enable timing considerations and preparation to be carried out. A clearly communicated and defined overview is made available to the wider team to see where and when decisions are required in order for them to support appropriately.

(3) Lack of Clarity for our people and our stakeholders:

i. Risk: Our people are our most valuable asset, working through a change programme such as this, we need to support our staff. This is especially so with the current growth of the team, within what is a fairly loose structure;

ii. Mitigations: an internal communications plan is being developed in order to keep our internal CCR stakeholders engaged appropriately, and an active stakeholder engagement and management plan is being developed to keep our wider stakeholders engaged and to ensure a smooth transition.

18. The opportunities presented by the Transition to the CJC is enormous, to both set the CJC on a path that delivers the maximum for the Region, but also to ensure that the CJC delivers a truly regional proposition, with a vision that clearly articulates not only it's role and purpose, but also brings a level of clarity to the national and local agendas too.

Reason for Recommendations

19. In order to keep the CJC update on the progress on the transition of the Cardiff Capital Region City Deal (CCRCD) into the CJC

Financial Implications

20. The report provides an update on the transition of the Cardiff Capital Region City Deal (CCRCD) to the South East Wales Corporate Joint Committee (CJC), including details on current activities and statutory duties. These activities and duties were considered as part of the 2023/24 budget report approved by the CJC in January 2023.

21. In summary, the CJC approved a revenue budget amounting to £255,662 for the year and separately the CCRCD has approved a Transition Budget amounting to £234,481 in respect of 2023/24. These budgets provide a total resource envelope of £490,143 to cover both operational activities and transition arrangements. As part of the 9 October 2023 meetings both the CJC and CCRCD will be considering the position against their respective budgets as at Month 04 (31 July 2023). Details are fully set out in these two reports.

22. The activities and requirements set out in this report have been captured as part of the Month 04 budget updates. However, as outlined the transition is complex and dynamic and additional requirements (and potentially costs) are being identified as the transition gains momentum. Therefore, 203/24 budget position will continue to be monitored over the autumn period and further updates will be brought back to the CJC for consideration at regular intervals.

23. The report also sets out the approach in respect of the City Deal Funding Award Letter and how this is to be novated across to the CJC. This is critical activity the CJC's ability to enact the Lift and Shift is fully dependent on the completion of this novation, including the timing and sequencing outlined in above.

24. Therefore, in preparation for 2024/25 the CJC will need to put in place the necessary practical and regulatory arrangements (policies, procedures, approvals, documentation etc) to allow it to manage the implication arising from the novation of funding agreement. For example, the development and approval of the CJC's own Treasury Management Strategy which will set out the proper practices for managing the significant cash balance that will arise on the transfer of CCRCD to the CJC.

25. These practical and regulatory requirements have been captured in the CJC Transition Plan and further updates on the proposed arrangements and any decisions required will be brought back to the CJC for consideration and approval as required.

Legal Implications

26. There are no direct legal implications regarding the transition activities. The general implications are set out in this report. With regards the novation, any further legal implications will be set out in the November report.

Well-being of Future Generations (Wales) Act 2015

27. In considering this matter regard should be had, amongst other matters, to:

    a) the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards;

    b) public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties authorities must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. age; b. gender reassignment; c. sex; d. race – including ethnic or national origin, colour or nationality; e. disability; f. pregnancy and maternity; g. marriage and civil partnership; h. sexual orientation; I. religion or belief – including lack of religion or belief, and;

    c) the Well-being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their respective duties under the Act, each public body listed in the Act (which includes the CJC) must set and publish wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, the CJC should consider how the proposed decision will contribute towards meeting the wellbeing objectives set by each Council and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the Councils to act in accordance with a

'sustainable development principle'. This principle requires the Councils to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Put simply, this means that CJC must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, they must:

- look to the long term;
- focus on prevention by understanding the root causes of problems;
- deliver an integrated approach to achieving the 7 national well-being goals;
- work in collaboration with others to find shared sustainable solutions;
- involve people from all sections of the community in the decisions which affect them.

28. The CJC must be satisfied that the proposed decision accords with the principles above. To assist the CJC to consider the duties under the Act in respect of the decision sought, an assessment has been undertaken, which is attached at Appendix 3.

RECOMMENDATIONS

29. It is recommended that the South East Wales Corporate Joint Committee:

(1) notes the transition activities laid out in the report;

(2) notes the proposed approach to the novation of the City Deal Funding Award Letter, as laid out in paragraph 13 and Appendix 2.

Kellie Beirne
Interim Chief Executive
South East Wales Corporate Joint Committee
9 October 2023

Appendices

Appendix 1: CJC Day 1 Plan
Appendix 2: Novation of CCR City Deal Funding Award Letter - letter to Secretary of State for Wales laying out the approach
Appendix 3: Well-being of Future Generations Assessment

CJC Day 1 Plan

Appendix 1

April | May | June | July | 31st | Aug | Sep

CJC / CCR Meeting Dates

Regional Cabinet / CJC Set Agenda, Prepare Papers, Review and Distribute — 22

Regional Cabinet / CJC Set Agenda, Prepare Papers, Review and Distribute — 31

Regional Cabinet / CJC Set Agenda, Prepare Papers, Review and Distribute — 25

Leave

WS1

- CJC Staffing Paper Produced
- Staff TUPE engagements underway / Trade Union Briefings
- Policies and procedures broken down into those required for Day 1 / Year 1
- Day 1 Policies and procedures and Staffing T's & C's produced
- Policies, Procedures, T's & C's finalised ready for CJC Day 1

WS2

- TOM Development including: Structures Finalised for October appointments including statutory roles
- TOM finalised
- Governance Model Developed
- Governance Model Finalised
- CJC Statutory Committee – Scrutiny / Standards / Audit & Governance Preparation
- CJC Scrutiny Committee in place
- Audit & Governance prep continues
- CJC Updated Constitution Development
- Constitution Finalised
- Strategic Vision work defined
- Strategic Vision work commissioned
- ICT Recommendations for Day 1 developed alongside Year 1 plan
- UK Gov CD transition agreement in principle

WS3

- CJC Accounts Finalised + Filed with WAO
- CJC Management Accounts and reconciliation
- CJC Accounts Finalised – Post WAO
- Development of Finance Transactional and Advisory Services
- Finance Systems in place
- HMRC Registrations (VAT / PAYE / EORI / VRN / CIS)
- HMRC & Pension Registrations Complete
- Pension Transition
- Interim Budget in place

WS4/5

- Portfolio Defined
- Portfolio Assessment defined and tasked
- Legal and Financial Assessment of portfolio
- Portfolio
- Transition

WS6

- Development of the communications brief
- Implement communications
- brief

Go / No Go for October Milestone

01 October - CJC Day 1 Operations in place

Thank you both for your time on the 25th September to discuss the novation of the Cardiff Capital Region City Deal (CCRCD) Funding agreement from Cardiff as the Accountable Body to the programme to the South East Wales Corporate Joint Committee (the CJC).

It was an incredibly helpful meeting for us in terms of putting in to motion this novation, in order for us to be able to lift and shift the CCRCD in to the CJC. We hope that in the process of our correspondence over the course of this year and the session on the 25th, we were able to articulate both the benefits to doing this for the City Deal and ultimately the Region. Taking the positive steps outlined will be the first move in formalising the transition and is a critical step to get right and underway. It was important to be able to highlight to both parties that this is about changing form but not substance as the Funding Agreement is simply moving from a contractual joint committee to a legal corporate joint committee. This in turn means no substantive changes as Assurance Frameworks, IIF are still in place and part of a more robust governance framework, set within the CJC Constitution, the key principle is one of equivalence.

We articulated the approach to this, that in summary will follow broadly the following stages, each of which is equally critical to the success of the overall outcome:

	What is Required:	**How is this proposed to be achieved**	**When does this need to be done by:**
1.	Securing the agreement in principle from Welsh and UK Governments to the approach outlined	Meeting of the UK Government (UKG) Secretary of State for Wales and the Welsh Government (WG) Minister for the Economy	25th September 2023 **Agreement in principle given by both parties.**
2.	Welsh and UK Governments to confirm the consent for Welsh Government to enter into a deed of novation and that the agreement between the UK Government and the Welsh Government will allow the novation.	A letter from Welsh Government to CCRCD confirming Welsh Government consent to enter into a deed of novation and that the agreement between Welsh Government and UK government is in	31st October 2023

Rydym yn croesawu gohebiaeth yn y Gymraeg. Ni fydd gohebu â ni yn y Gymraeg yn golygu unrhyw oedi. Rhowch wybod i ni os ydych am ddefnyddio'r Gymraeg.

We welcome receiving correspondence in Welsh. Corresponding with us in Welsh will not lead to delays. Please let us know if your language choice is Welsh.

		place to enable the novation	
3.	Secure CCRCD Regional Cabinet consent to direct Cardiff Council as the Accountable Body to enter into the deed of novation	At a meeting of the CCRCD Regional Cabinet	Meeting of the CCRCD Regional Cabinet in November / December
4.	Secure CJC consent to enter into a deed of novation	At a meeting of the SEWCJC	A Special Meeting of the SEWCJC in November / December
5.	Draft and agree a deed of novation with all parties, with an effective date and any conditions to meet that.	A draft will be provided by CCRCD in October, with a view to being signed off at the CCRCD Regional Cabinet and SEWCJC meetings in December	Concurrently with the above with an end date of 4th December 2023
6.	All parties enter into deed of novation – ideally prior to the Effective Date	All parties, including WG to signing the actual deed of novation.	29th January 2024
7.	The terms of the Funding Award Letter to be lifted into the CJC constitution. Note: the Funding Award Letter requires CCR [CJC after novation] to use the Funding solely to support the objectives of the City Deal….in accordance with the arrangements set out in its Joint Working Agreement, Assurance Framework, Implementation Plan and Business Plan (together these are referred to as the "Purposes").	The Constitution will be developed over the period October 2023 to March 2024 and approved at the CJC meeting in March 2024. These agreements will need to be back-to-back in order that the requirements of the Funding Award Letter remain intact throughout	Concurrently with the above with an end date of 25th March 2024
8.	Effective Date occurs		1st April 2024
9.	The JWA and any remaining ancillary	TBC	TBC – post April 2024

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	documents will require to be terminated.		

Hopefully the above can give us all a clear pathway through the coming months, getting us to the collective goals we agreed when we met.

We look forward to working with you all over the coming weeks and months to achieve these goals.

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Rydym yn croesawu gohebiaeth yn y Gymraeg. Ni fydd gohebu â ni yn y Gymraeg yn golygu unrhyw oedi. Rhowch wybod i ni os ydych am ddefnyddio'r Gymraeg.

We welcome receiving correspondence in Welsh. Corresponding with us in Welsh will not lead to delays. Please let us know if your language choice is Welsh.

Future Generations Assessment Evaluation
(includes Equalities and Sustainability Impact Assessments)

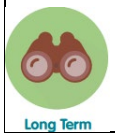
Name of the Officer completing the evaluation:	**Please give a brief description of the aims of the proposal:**
Kellie Beirne **E-mail:** kellie.beirne@cardiff.gov.uk	1. To update the South East Wales Corporate Joint Committee (the CJC) on the transition of the Cardiff Capital Region City Deal (CCRCD) into the CJC.
Proposal: CJC – Update	**Date Future Generations Evaluation form completed:** 9 October 2023

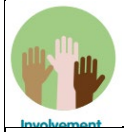
1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The report and appendices set out a progressive approach for driving prosperity within the region as it evolves its functions to embed CJC provisions and regulations.	In order to maintain business continuity and a seamless transition the report is focused on concurrence and the principles of transition and adaptation.
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	The central contention of the report is that covid-19, climate and low growth all poses a conundrum about the forward and how some of the behaviours around working together, innovating quickly and rapidly adapting can be maintained as a positive legacy in the new working arrangements.	A CJC will allow more freedom and flexibility and it is envisaged that climate and renewable energy for clean growth will be a key lever in this context. The report highlights the responsibilities of the CJC going forward and how the organisation is setting itself up to be able to manage those duties appropriately and proportionally.
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Inclusion is a core theme of the approach and balancing a focus on levelling up the region with other regions in the UK to ensure CCR accesses all of the opportunities available to it – thus supporting not just sectors and industries but communities and people.	ESG and equality and diversity focus to ensure emphasis on societal and community needs. CJC will develop its own corporate policies in response to key duties in respect of WFG Act Wales, Equality and Human Rights and Nature and Biodiversity

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Putting in place a framework for regional cohesion whilst enhancing localism will support delivery of scale projects that make a difference across the geography, in tandem with local policies and levers that ensure citizens can benefit.	Work on the Northern Valleys will continue to be a key theme of CJC work – as will the emphasis on distributed, inclusive and resilient growth. CJC will also pick up the mantle on approval of key mechanisms such as the Regional Investment Plans for the Shared Prosperity Fund.
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	The principles look outward and focus on the FDI and international opportunities, which are particularly important post-EU exit.	Proposal for eventual radical decentralization of business functions and units currently operating at national level.
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	The document represents a distinctive regional strategic approach to developing the economy.	CJC will develop its own corporate policies in response to key duties in respect of WFG Act Wales, Equality and Human Rights and Nature and Biodiversity
A more equal Wales People can fulfil their potential no matter what their background or circumstances	The approach focuses on economic inclusion, levelling-up and a mission-driven approach capable of not just tackling economic problems – but societal ones too.	The CJC will begin to produce its own policies for equality and diversity and ensuring these are not just factors in assessing impact – but become central to the task of increasing productive capacity and inclusive growth in the first place.

2. How has your proposal embedded and prioritized the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	The CJC is a long-term construct and requires thinking ahead, however in the short-term a 'bare minimum' model is being put in place.	This will be subject to the first phases of work and the transition plan as well as the proposed interim first phase of operation.

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
Working together with other partners to deliver objectives	The principles of the structure recommended situate partnerships and the building of new institutional capacity at the heart of the new framework.	As the regs develop this will be further progressed. As work commences on immediate duties around the Strategic Development and Regional Transport Plans – consultation and engagement processes will be developed accordingly.
 Involving those with an interest and seeking their views	The plan will be backed by a wider comms plan which has already included meeting with the various CCR Partnership groups.	Challenge funds will be another perspective to bring to bear in this context.
Putting resources into preventing problems occurring or getting worse	The mission-driven/ challenge-led approach embedded will be a key means of experimenting in the prevention space	At project and programme level – there are a number of options the CJC will be looking at in quick time, regarding regional bus services and transport demand management. There is also work moving forward on Local Area Energy Planning to ensure prevention is prioritized.
Considering impact on all wellbeing goals together and on other bodies	The proposed impact assessments will give a comprehensive and ongoing overview of benefits, costs and results. Outcome focused reporting and accountability will be key to this.	This can be further reinforced in the CJC budget setting and when Cabinet and partners have access to greater freedoms and flexibilities and the full 'lift & shift' CJC model.

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Not relevant in this context since the principles, approach and ways of working apply to all prospective interests and stakeholders	As projects and programmes develop under the CJC, each will be subject to comprehensive assessments against the plans and procedures put in place to protect certain characteristics.	A full ESG agenda and diversity and inclusion reviews into partnerships and groups will help ensure this agenda is embedding in ways of working and the culture that is created. A full training and development programme will also be devised in order to embed and 'bring to life' such considerations – not just as part of project assessments, but in seeking to address such concerns and issues as part and parcel of project business cases that are developed.
Disability	As above	As above	As above.
Gender reassignment	As above	As above	As above.
Marriage or civil partnership	As above	As above	As above.
Pregnancy or maternity	As above	As above	As above.
Race	As above	As above	As above.
Religion or Belief	As above	As above	As above.
Sex	As above	As above	As above.
Sexual Orientation	As above	As above	As above.
Welsh Language	As above	As above	As above.

4. Safeguarding & Corporate Parenting. Are your proposals going to affect either of these responsibilities?

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	**Describe any negative impacts your proposal has on safeguarding and corporate parenting**	**What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?**
Safeguarding	Not directly relevant –however, building the future economy should have a profoundly positive impact on ability to safeguard the future of our residents		This is dependent upon the brief for regional education consortia and whether or not, it is intended to be grouped within CJCs.
Corporate Parenting	Not directly relevant – however building strength in the economy should create opportunities for all of the young people entrusted in our care and makes a direct contribution to wellbeing.		

5. What evidence and data has informed the development of your proposal?

As above.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

As above, the main implications will be in the delivery of this work.

7. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	Scrutiny by the SEW CJC and quarterly performance – Lift & Shift anticipated to take place in 2023/24

South East Wales Corporate Joint Committee
Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

9 OCTOBER 2023

THE SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

REPORT OF THE INTERIM CHIEF EXECUTIVE

AGENDA ITEM: 7

Reasons for Report

1. To seek approval of the Interim Constitution of the CJC.

Background

2. At its meeting on 31 January 2022 the CJC approved Interim Standing Orders, to cover the period during which the CJC's activity would be kept to the bare minimum and until such time as outstanding technical matters had been resolved.

3. Those technical matters have now been resolved and the CJC is working towards the preferred governance and delivery model of 'lift and shift'.

4. This Interim Constitution will support the Building the Foundations phase of CJC development during 2023/2024. It will be in place until UK Government, Welsh Governernment, and the CJC are ready to 'lift and shift' into the new CJC. It replaces the Interim Standing Orders agreed on 31 January 2022.

5. A final Constitution, to support the 'lift and shift' to the South East Wales Corporate Joint Committee, will be brought to CJC for approval in advance of the CJC becoming fully operational on 1 April 2024.

Issues

6. The Interim Constitution is at Appendix A to this report and comprises 17 Sections together with 16 Appendices that contain more detailed procedure rules.

7. In addition to some re – ordering of the text, the main changes that have been made to the Standing Orders that were approved in January 2022 are:

Interim Constitution

Section 1 Introduction

8. This has been added to explain the purpose of the Interim Constitution.

Section 2 Members

9. This section has been expanded to provide more detail about who may be appointed as the Brecon Beacon member and how member vacancies may be dealt with.

Section 3 Meetings

10. This section lists the different types of CJC meeting. Text in the earlier Standing Orders relating to the calling and conduct of meetings has been moved to the Meeting Procedure Rules at Appendix 2 and text relating to access to agendas and minutes has been moved to the Access to Information Procedure Rules at Appendix 8.

Section 4 Statutory Sub – Committees

11. This section includes details of:

- the Governance and Audit Sub – Committee. Its terms of reference, which were agreed by the CJC on 27 March 2023 are at Appendix 3 to the Interim Constitution;
- the arrangements made with Cardiff Council, in accordance with the CJC's decision dated 27 March 2023, for its Standards and Ethics Committee to be the CJC's Standards Sub-Committee. The arrangements have been approved by Cardiff Council on an interim basis, subject to the terms of the arrangements being set out in a Service Level Agreement (SLA). The CJC has authorised the Interim Chief Executive to conclude the Service Level Agreement with Cardiff Council (CJC decision 31/07/2023) The terms of reference of the standards sub – committee, subject to the conclusion of the SLA, are at Appendix 4 to the Interim Constitution – paragraph (l) refers to standards functions for the CJC.

Section 5 Other Sub – Committees

12. This is a new section indicating that the CJC will establish Sub–Committees whose composition, delegated functions and terms of reference are set out in Appendix 5, and that Sub-committee meetings will be held in accordance with the Sub- Committee Meeting Procedure Rules at Appendix 6.

13. The only Sub - Committee currently included in Appendix 5 is the Appointments Sub - Committee that will be responsible for the appointment and dismissal of Chief Officers when the CJC begins to employ staff.

14. A more detailed governance structure will be required when the Economic Well – being, Regional Transport and Strategic Planning functions transfer to the CJC and details of these will be brought to a future meeting of the CJC for approval.

Section 6 Overview and Scrutiny

15. This section sets out the proposed scrutiny arrangements for the CJC, as endorsed by the CJC on 11 September 2023, namely the use of the existing Joint Overview and Scrutiny Committee established by the CJC's constituent councils in relation to the City Deal. This section of the Interim Constitution is subject to each of the 10 constituent councils agreeing an addition to the JOSC's terms of reference to encompass scrutiny of the CJC.

Section 7 Citizens' Rights

16. This section has been added to set out how the public can get involved in the work of the CJC.

17. Section 39 of the Local Government and Elections (Wales) Act 2021 requires the CJC to encourage local people to participate in the making of decisions by the CJC and the statutory guidance on CJCs states "Making it easier for members of the public to understand how a CJC functions; how it makes decisions; and how local people can follow proceedings, input their views and have them taken into account is vital"

Section 8 Petitions Scheme

18. Section 42 of the Local Government and Elections Act 2021 requires the CJC to make and publish a petitions scheme setting out:

    (a) how a petition may be submitted to the CJC;
    (b) how and by when the CJC will acknowledge receipt of a petition;
    (c) the steps the CJC may take in response to a petition received by it;
    (d) the circumstances (if any) in which the CJC may take no further action in response to a petition;
    (e) how and by when the CJC will make available its response to a petition to the person who submitted the petition and to the public.

    The proposed Petitions Scheme is at Appendix 9 to the Interim Constitution.

Section 11 Budget

19. This section has been expanded to include the elements that must be included in the budget.

Section 13 Financial Administration

20. The Audit and Accounts (Wales) Regulations 2014 require the CJC's Chief Financial Officer to determine its accounting control system which must include:

(a) measures to ensure that the financial transactions of the CJC are recorded as soon as reasonably practicable and as accurately as reasonably possible, measures to enable the prevention and detection of inaccuracies and fraud, and the ability to reconstitute any lost records;

(b) identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;

(c) procedures to ensure that uncollectable amounts, including bad debts, are not written off except with the approval of the responsible financial officer, or such member of that person's staff as is nominated for this purpose, and that the approval is shown in the accounting records; and

(d) measures to ensure that risk is appropriately managed.

21. This section has been amended to refer to the Financial Procedure Rules at Appendix 11 to the Interim Constitution. Draft Financial Procedure Rules will be brought to a future meeting of the CJC for approval. Meanwhile Section 17 of the Interim Constitution has provision for the CJC to refer to the policies and procedures of one of its Constituent Councils or theAuthority, should there be an operational need for a policy or procedure.

Section 14 Contracts and Procurement

22. Regulation 16 of the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2022 requires the CJC to make standing orders regarding the making of contracts for the supply of goods and materials and for the execution of works. Such standing orders must include provision for securing competition for such contracts and for regulating the manner in which tenders are invited.

23. This section refers to the Contract Procedure Rules at Appendix 12 to the Interim Constitution. Draft Contract Procedure Rules will be brought to a future meeting of the CJC for approval.

Section 15 Staffing

24. This section has been expanded to include more detail of the roles of the statutory officers, namely the Chief Executive, Monitoring Officer and Chief Financial Officer. It also refers to the Employment Procedure Rules, the Employees Code of Conduct and the Protocol on Member/Officer relations at Appendices 13 - 15 to the Interim Constitution.

Section 16 The Common Seal

25. This is a new section setting out the arrangements for the execution of deeds (primarily large contracts and certain property transaction documents) that will need to be sealed on behalf of the CJC.

Records Scheme

26. Text in the Standing Orders approved in January 2022 that relates to the records scheme has been removed. Whilst the CJC is required to produce a Records Scheme this does not need to be included in the Interim Constitution. A draft Records Scheme will be brought to a future meeting of the CJC for approval.

Reason for Recommendations

27. To seek approval of the South East Wales Corporate Joint Committee Interim Constitution.

Financial Implications

28. There are no direct financial implications arising from this report. Whilst the Financial Procedure Rules and Procurement Procudure Rules will be brought to a future meeting for approval, the CJC has the ability to utilise the policies, procedures, sysems, processes and documentation of any of its Constituent Councils.

Legal Implications

29. Section s37 Local Government Act 2000 requires the CJC to prepare a constitution and keep it up to date. The constitution should include the CJC's standing orders, a copy of its code of conduct, any other information the CJC deems appropriate and any other information that the Welsh Ministers may direct.

30. The South East Wales Corporate Joint Committee Regulations 2021 (the "Establishing Regulations") make provision about the CJC's constitution and what should be included in such constitution, and require the CJC to make standing orders for any proceedings or business not covered in the Establishing Regulations or other legislation. Further secondary legislation passed since 2021 has provided further detail on the CJC's constitutional requirements and has applied various powers and duties from existing law relating to local authorities in Wales.

31. The proposed constitution appended to this Report has been developed by the CCR in-house legal team, under arrangements with Cardiff Council's in-house legal services, in this context.

32. Statutory guidance issued for CJCs encourages a proportionate approach to constitutional and operational arrangements. In accordance with that proportionate approach, this revised Constitution provides significant development from the previous minimal approach. A further report on additional governance structures will be brought back when the full operational elements of the CCR City Deal are transferred to the CJC.

Well-being of Future Generations (Wales) Act 2015

33. In considering this matter regard should be had, amongst other matters, to:

a) the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards;

b) public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties authorities must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. age; b. gender reassignment; c. sex; d. race – including ethnic or national origin, colour or nationality; e. disability; f. pregnancy and maternity; g. marriage and civil partnership; h. sexual orientation; I. religion or belief – including lack of religion or belief, and;

c) the Well-being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales – a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally resp–nsible. In discharging their respective duties under the Act, each public body listed in the Act (which includes the CJC) must set and published wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, the CJC the wellbeing objectives set by each Council and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the Councils to act in accordance with a 'sustainable development principle'. This principle requires the Councils to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Put simply, this means that CJC must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, CJC must:

- look to the long term;
- focus on prevention by understanding the root causes of problems;
- deliver an integrated approach to achieving the 7 national well-being goals;
- work in collaboration with others to find shared sustainable solutions;
- involve people from all sections of the community in the decisions which affect them.

34. CJC must be satisfied that the proposed decision accords with the principles above. To assist CJC to consider the duties under the Act in respect of the decision sought, an assessment has been undertaken, which is attached as an appendix to this report.

RECOMMENDATIONS

35. It is recommended that the South East Wales Corporate Joint Committee:

(1) considers and approves the Interim Constitution and its Appendices at Appendix A to this report, to replace the Standing Orders approved on 31 January 2022;

(2) notes that Section 6 and Appendix 7 of the Interim Constitution are subject to the 10 constituent councils of the CJC approving the terms of reference of the Joint Overview and Scrutiny Committee that will scrutinise the CJC;

(3) notes that the standards sub-committee arrangements set out within Section 4 and Appendix 4 of the Interim Constitution are subject to the conclusion of a Service Level Agreement between the CJC and Cardiff Council (to be concluded under officer delegated authority); and

(4) notes that it will receive further updates and revisions to the Interim Constitution during 2023-24 in order to allow for implementation of the preferred governance and delivery model.

Kellie Beirne
Interim Chief Executive
South East Wales Corporate Joint Committee
9 October 2023

Appendices

Appendix A: Draft Interim Constitution and Appendices
Appendix B: Well-Being of Future Generations Assessment

Appendices to the Interim Constitution:

Appendix 1: Members Code of Conduct
This is the revised Code of Conduct approved by the CJC on 11 September 2023

Appendix 2: Meeting Procedure Rules
This is a new Appendix setting out how CJC meetings are arranged and conducted

Appendix 3: Governance and Audit Sub-Committee Terms of Reference
This contains the terms of reference agreed by the CJC on 27 March 2023

Appendix 4: Standards & Ethics Committee Terms of Reference
This contains the terms of reference of Cardiff Council's Standards and Ethics Committee which is also the CJC's Standards Sub – Committee

Appendix 5: Non – Statutory Sub Committees
This contains the terms of reference of Cardiff Council's Standards and Ethics Committee which is also to be the CJC's Standards Sub – Committee on an interim basis, subject to the

agreement of a Service Level Agreement – paragraph (l) of the terms of reference sets out the committee's functions in relation to the CJC.

Appendix 6: Sub – Committee Meeting Procedure Rules
This is a new Appendix setting out how sub – committee meetings are to be conducted

Appendix 7: Joint Overview and Scrutiny Committee Terms of Reference
This contains the terms of reference agreed by the 10 constituent councils of the CJC in relation to scrutiny of the CJC.

Appendix 8: Access to Information Procedure Rules
This is a new Appendix setting out how the public may access documents and meetings of the CJC and its sub – committees.

Appendix 9: Petitions Scheme
This Appendix contains the proposed Petitions Scheme.

Appendix 10: Scheme of Delegations
The Scheme of Delegations approved by the CJC in January 2022 has been expanded to add powers delegated to the Chief Financial Officer and the Monitoring Officer and to add delegations relating to staffing to the Chief Executive's powers.

Appendix 11: Financial Procedure Rules
To follow at a future meeting

Appendix 12: Contract Procedure Rules
To follow at a future meeting

Appendix 13: Employment Procedure Rules
The Employment Procedure Rules set out how employees of the CJC will be recruited and appointed and the statutory disciplinary processes applying to the statutory officers.

Appendix 14: Employees Code of Conduct
The Employees Code of Conduct is in the form prescribed by the Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001

Appendix 15: Protocol on Officer/Member Relations
This sets out the different roles and responsibilities of Officers and Members of the CJC and their working relationships

Appendix 16: Webcasting Protocol
To follow at a future meeting

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

1. INTRODUCTION

1.1 This Interim Constitution supports the Building the Foundations phase of CJC development during 2023/2024. This Interim Constitution will be in place until UK Government, Welsh Governernment, and the CJC are ready to 'lift and shift' into the new CJC. It replaces the Interim Standing Orders for the initial minimalistic period of operation of the South East Wales Corporate Joint Committee (CJC) which were agreed on 31 January 2022.

1.2 The CJC has adopted this Interim Constitution and all of its appendices as set out in the list appended to this document which are hereby incorporated into this Interim Constitution.

1.3 This Interim Constitution sets out how the CJC operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the CJC to choose.

1.4 This Interim Constitution sets out the basic rules governing the CJC's business. More detailed procedures and codes of practice are included in the appendices to this document.

1.5 A final Constitution, to support the 'lift and shift' to the South East Wales Corporate Joint Committee, will be brought to CJC for approval in advance of the CJC becoming fully operational on 1 April 2024.

2 MEMBERS

2.1 The members of the CJC are the executive leaders of the 10 Constituent Councils:

Cardiff County Council

Monmouthshire County Council

Blaenau Gwent County Borough Council

Bridgend County Borough Council

Caerphilly County Borough Council

Merthyr Tydfil County Borough Council

Newport County Borough Council

Rhondda Cynon Taff County Borough Council

Torfaen County Borough Council

The Vale of Glamorgan Council

("the **Council Members**") and

the Brecon Beacons Member; and

any Co-opted Member

(together, the "**CJC**").

2.2 The Brecon Beacons Member will be appointed by the Brecon Beacons National Park Authority (the "**Authority**") and must be one of the following office-holders:

2.2.1 The Chair of the Authority;

2.2.2 The Deputy Chair of the Authority; or

2.2.3 The Chair of a committee with responsibly for planning matters as may be established by the Authority.

2.3 Each Council Member will act as a member of the CJC in relation to all of the CJC's functions.

2.4 The Brecon Beacons Member will act as a member of the CJC only in relation to the Strategic Development Plan Function.

2.5 The Brecon Beacons member will be invited to attend meetings and participate only where the Strategic Development Plan Function is being discussed, other than where agreed by the Council Members on an individual meeting basis.

2.6 Where a Council Member is suspended or is unable to act as a Council Member for any period, the Constituent Council of which they are a member may appoint a member of its executive as a substitute member of the CJC for that period.

2.7 Where a Constituent Council has a vacancy in the office of executive leader it must appoint another member of its executive as its Council Member of the CJC until such time as the vacancy is filled.

2.8 Where the Brecon Beacons Member is suspended or is unable to act as the Brecon Beacons Member for any period, the Authority may appoint another of the office-holders mentioned in paragraph 2.2 as a substitute member of the CJC for that period.

2.9 The CJC can co-opt one or more individuals as members of the CJC ("**Co-opted Members**" and each a "**Co-opted Member**").

2.10 Council Members, the Brecon Beacons Member and any Co-opted Member of the CJC (together the "**Members**" and each a "**Member**") shall have a duty to comply with the Members Code of Conduct adopted by the CJC, a copy of which is at Appendix 1 and the Protocol on Officer/Member Relations at Appendix 15.

2.11 In addition to complying with the provisions relating to the registration of personal interests in the CJC's Members Code of Conduct, Council Members and the Brecon Beacons Member must register any personal interests they have in the business of the CJC by giving written notice to the monitoring officer of the Constituent Council of which they are also a member (in the case of the Council Members) or the Authority (in the case of the Brecon Beacons Member).

3 MEETINGS

3.1 There are three types of CJC meeting:

(a) the annual meeting;

(b) ordinary meetings;

(c) extraordinary meetings

and they will be conducted in accordance with the Meeting Procedure Rules, as set out in Appendix 2.

4 STATUTORY SUB-COMMITTEES

Governance & Audit Sub-Committee

4.1 The CJC will establish a Governance and Audit Sub-Committee to review and scrutinise the CJC's financial, risk management, governance and performance management arrangements, along with any such other functions as the CJC may specify.

4.2 The terms of reference of the Governance and Audit Sub-Committee have been adopted by the CJC as set out in Appendix 3.

Standards Sub-Committee

4.3 The CJC has established a standards sub-committee with Cardiff Council, known as the Standards & Ethics Committee.

4.4 The terms of reference of the Standards & Ethics Committee have been adopted by the CJC as set out in Appendix 4.

5. OTHER SUB-COMMITTEES

5.1 The CJC will establish Sub–Committees whose composition, delegated functions and terms of reference are set out in Appendix 5.

Sub-committee meetings will be held in accordance with the Sub- Committee Meeting Procedure Rules at Appendix 6.

6. OVERVIEW AND SCRUTINY

6.1 The Constituent Councils have established a Joint Overview and Scrutiny Committee to provide the necessary oversight and scrutiny of the CJC's activities. Its terms of reference are set out in Appendix 7

7. CITIZENS' RIGHTS

7.1 Citizens have the rights listed below. Their rights to information and to participate are explained in more detail in the Access to Information Procedure Rules at Appendix 8.

- To raise a matter with the CJC by submitting a petition in accordance with the CJC's Petitions Scheme.
- To attend meetings of the CJC and its Sub-Committees except those parts of meetings where confidential information or exempt information is likely to be disclosed, and that business is conducted in private
- To see reports and background papers of meetings held in public, and any records of decisions made by the CJC
- To inspect the CJC's accounts and make their views known to the external auditor
- To contribute to investigations by the Joint Overview and Scrutiny Committee
- To complain to the CJC under its Complaints Policy;
- To complain to the Ombudsman about any injustice they have suffered as a result of maladministration, but they are encouraged to use the CJC's own Complaints Policy first;
- To complain to the Ombudsman where they believe a Councillor or co-opted member of the CJC has breached the Member's Code of Conduct

8. PETITIONS

8.1 The CJC has adopted the Petitions Scheme at Appendix 9 which sets out how the CJC will handle and respond to petitions.

9. DELEGATIONS

9.1 Subject to Standing Order 10 below, the CJC may arrange for the discharge of its functions by-

9.1.1 A sub-committee;

9.1.2 A member of staff;

9.1.3 Any other corporate joint committee;

9.1.4 Any county or county borough council in Wales.

9.2 Subject always to Standing Order 9 below, the CJC delegates operational decisions on the discharge of its functions and anything that is required to facilitate or is conducive or incidental to the discharge of its functions as set out in the Scheme of Delegations at Appendix 10.

10. RESTRICTIONS ON DELEGATION

10.1 The CJC may not delegate any of the following to any other person or sub-committtee:

10.1.1 Its function in relation to developing policies under the relevant provisions of the Transport Act 2000 ("**Transport Policy Function**");

10.1.2 Its function in relation to preparing a Strategic Development Plan under the relevant provisions of the Planning and Compulsory Purchase Act 2004 (the "**Strategic Development Plan Function**");

10.1.3 The decision to agree the CJC budgets and contributions of the Constituent Councils and the Authority.

11. BUDGET

11.1 For each financial year, the CJC must calculate its budget for its functions:

a) Strategic Development Plan Function (the "**Strategic Development Plan Budget**")

b) Other functions (the "**General Budget**")

11.2 The budget shall be agreed at a meeting of the CJC no later than 31st January each year and must include:

11.2.1 The amount the CJC estimates it will spend in the exercise of its functions;

11.2.2 The amount raised for contingencies;

11.2.3 The amount held in reserve for expenditure in future financial years;

11.2.4 Any amount necessary to meet liabilities outstanding in respect of previous financial years; and

11.2.5 Any amounts the CJC estimates it will receive from sources other than the Constituent Councils and the Authority

11.3 Revisions may be made to the budget during the financial year to which that budget relates. Any revisions must be approved by the CJC, at a meeting of the CJC.

11.4 The Strategic Development Plan Budget requirement must be paid by the Constituent Councils and the Authority, the proportion to be paid by each to be decided by the unanimous agreement of the Council Members and the Brecon Beacons Member.

11.5 The General Budget requirement must be paid by the Constituent Councils, the proportion to be paid by each to be decided by unanimous agreement of the Council Members.

12. GENERAL FUND

12.1 The CJC must establish and maintain a fund to be known as the CJC's General Fund.

12.2 Any sums received or paid by the CJC, other than for specific external funds set out in relevant legislation, must be made through the CJC's General Fund.

12.3 The CJC must keep an account of receipts into and payments out of its General Fund.

13. FINANCIAL ADMINISTRATION

13.1 The management of the CJC's financial affairs will be conducted in accordance with the Financial Procedure Rules at Appendix 11.

14. CONTRACTS AND PROCUREMENT

14.1 The CJC will carry out all contracting and procurement in accordance with the Contract Procedure Rules at Appendix 12.

15. STAFFING

15.1 The appointment and management of staff must be carried out in accordance with the CJC's Employment Procedure Rules at Appendix 13.

15.2 All CJC Officers must comply with the Employees' Code of Conduct and the Protocol on Officer/Member Relations set out in Appendices 14 and 15.

Statutory Officers

15.3 The CJC will designate officers for the statutory posts of Chief Executive, Chief Finance Officer and Monitoring Officer.

15.4 The CJC must provide the Chief Executive, the Monitoring Officer and the Chief Finance Officer with the officers, accommodation, and other resources they require to perform their statutory duties.

Chief Executive Officer

15.5 The Chief Executive must keep the following matters under review:

(a) the manner in which the exercise by the CJC of its different functions is co-ordinated,

(b) the CJC's arrangements in relation to—
- (i) financial planning,
- (ii) asset management, and
- (iii) risk management,

(c) the appointment, organisation and management of the staff required by the CJC for the exercise of its functions.

15.6 Where the Chief Executive considers it appropriate to do so, he/she must make a report to the CJC setting out his/her proposals in respect of any of the above matters, which must be considered by a meeting of the CJC held within 3 months from receipt of the report

Chief Finance Officer

15.7 The Chief Finance Officer is responsible for the administration of the financial affairs of the CJC.

15.8 After consulting with the Chief Executive and the Monitoring Officer, the Chief Finance Officer will report to the CJC and the CJC's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the CJC is about to enter an item of account unlawfully.

Monitoring Officer

15.10 The Monitoring Officer may not be the Chief Executive or the Chief Finance Officer.

15.11 After consulting with the Chief Executive and Chief Finance Officer, the Monitoring Officer will report to the CJC if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. The report must be considered by a meeting of the CJC held within 21 days from receipt of the report. Provided that the decision has not already been implemented such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered

15.12 The Monitoring Officer is responsible for receiving and where necessary co-ordinating action on reports made by the Public Services Ombudsman for Wales and decisions of the case tribunals. Any CJC Member or Officer to whom such reports may be addressed must forward them to the Monitoring Officer.

15.13 The Monitoring Officer will conduct investigations into matters referred by the Ombudsman and make reports or recommendations in respect of them to the Standards & Ethics Sub-Committee. The Monitoring Officer shall also conduct an investigation into any allegation of misconduct by a Member where he/she has reason to believe that it may be appropriate for the CJC to exercise its powers of self regulation, and report to the Standards and Ethics Sub-Committee as appropriate.

15.14 The Monitoring Officer will monitor and review the operation of the Interim Constitution to ensure that the aims and principles of the Interim Constitution are given full effect, and will advise the CJC accordingly.

16 The Common Seal of the CJC

16.1 The Common Seal of the CJC will be kept securely in the custody of the Monitoring Officer and may be applied through the use of a secure electronic sealing system. A decision of the CJC, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Monitoring Officer should be sealed. The affixing of the Common Seal will be attested by the Monitoring Officer or some other employee authorised by him/her.

17 Policies and Procedures

17.1 Where there is an operational need for a policy or procedure other than as set out in this Interim Constitution or in legislation, the CJC will refer to the policies and procedures of one of its Constituent Councils or the Authority as determined by the Chief Executive Officer, Chief Financial Officer, and Monitoring Officer as appropriate (the “Executive Team”) and with such amendments necessary for and applicable to the circumstances of the CJC.

SCHEDULE 1

LIST OF APPENDICES TO THE INTERIM CONSTITUTION

1.	Members Code of Conduct	
2.	Meeting Procedure Rules	
3.	Governance and Audit Sub-Committtee Terms of Reference	
4.	Standards & Ethics Committee Terms of Reference	
5.	Non – statutory Sub – Committees' Terms of Reference	
6.	Sub – Committee Meeting Procedure Rules	
7.	Joint Overview and Scrutiny Committee Terms of Reference	
8.	Access to Information Procedure Rules	
9.	Petitions Scheme	
10.	Scheme of Delegations	
11.	Financial Procedure Rules	To follow
12.	Contract Procedure Rules	To follow
13.	Employment Procedure Rules	
14.	Employee Code of Conduct	
15.	Protocol on Officer/Member Relations	
16.	Webcasting Protocol	To follow

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION
APPENDIX 1 - MEMBERS CODE OF CONDUCT

PART 1
INTERPRETATION

1

(1) In this code—

"CJC" means the South East Wales Corporate Joint Committee

"independent member" ("*aelod annibynnol*"), in relation to a relevant authority, means a person who is not a member of the authority but who—

(a) is a co-opted member of any committee or sub-committee of the authority, or

(b) is a co-opted member of, and represents the authority on, any joint committee or joint sub-committee of the authority,

and who is entitled to vote on any question which falls to be decided at any meeting of that committee or sub-committee. (An independent member may also be referred to as a co-opted member but is not a full member of the relevant authority);

"meeting" ("*cyfarfod*") means any meeting—

(a) of the relevant authority,

(b) of any executive or board of the relevant authority,

(c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or

(d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

"member" ("*aelod*") includes, unless the context requires otherwise, an independent member;

"register of members' interests" ("*cofrestr o fuddiannau'r aelodau*") means the register established and maintained under section 81 of the Local Government Act 2000;

"registered society" means a society, other than a society registered as a credit union, which is—

(a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or

(b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

"relevant authority" ("*awdurdod perthnasol*") means—

(a) a county council,

(b) a county borough council,
(c) a community council,
(d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,
(e) a National Park authority established under section 63 of the Environment Act 1995;
(f) a Corporate Joint Committee

"you" ("*chi*") means you as a member or independent member of the CJC

PART 2
GENERAL PROVISIONS

2

(1) Save where paragraph 3(a) applies, you must observe this code of conduct—
  (a) whenever you conduct the business, or are present at a meeting, of the CJC;
  (b) whenever you act, claim to act or give the impression you are acting in the role of member of the CJC ;
  (c) whenever you act, claim to act or give the impression you are acting as a representative of the CJC ; or
  (d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

3

Where you are elected, appointed or nominated by the CJC to serve—
(a) on another relevant authority, or any other body, which includes a Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or
(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4

You must—
(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
(b) show respect and consideration for others;
(c) not use bullying behaviour or harass any person; and
(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, the CJC.

5

You must not—
(a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;

(b) prevent any person from gaining access to information to which that person is entitled by law.

6

(1) You must—

(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or the CJC into disrepute;

(b) report, whether through the CJC's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, the CJC which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

(c) report to the CJC's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, the CJC.

(2) You must comply with any request of the CJC's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7

You must not—

(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;

(b) use, or authorise others to use, the resources of the CJC—

(i) imprudently;

(ii) in breach of the CJC's requirements;

(iii) unlawfully;

(iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the CJC or of the office to which you have been elected or appointed;

(v) improperly for political purposes; or

(vi) improperly for private purposes.

8

You must—

(a) when participating in meetings or reaching decisions regarding the business of the CJC , do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by the CJC's officers, in particular by—

(i) the CJC's Chief Executive;

(ii) the CJC's chief finance officer;

(iii) the CJC's monitoring officer;

(iv) the CJC's chief legal officer (monitoring officer) (who should be consulted when there is any doubt as to the CJC's power to act, as to whether the action proposed lies within the policy framework agreed by the CJC or where the legal consequences of action or failure to act by the CJC might have important repercussions);

(b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the CJC.

9

You must—

(a) observe the law and the CJC's rules governing the claiming of expenses and allowances in connection with your duties as a member;

(b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by the CJC), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

PART 3
INTERESTS

10 Personal Interests

(1) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.

(2) You must regard yourself as having a personal interest in any business of the CJC if—

(a) it relates to, or is likely to affect—

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than the CJC, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in the CJC's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between the CJC and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of the CJC;

(vii) any land where the landlord is the CJC and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by the CJC;

(ix) any—

(aa) public authority or body exercising functions of a public nature;

(bb) company, registered society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within the CJC's area,

in which you have membership or hold a position of general control or management;

(x) any land in the CJC's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

(b) a decision upon it might reasonably be regarded as affecting—

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors; or to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the CJC's area

11 Disclosure of Personal Interests

(1) Where you have a personal interest in any business of the CJC and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of the CJC and you make—

(a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of the CJC regarding that business, you should include details of that interest in the written communication; or

(b) oral representations (whether in person or some form of electronic communication) to a member or officer of the CJC you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of the CJC and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to the CJCin accordance with any requirements identified by the CJC's monitoring officer but, as a minimum containing—

(a) details of the personal interest;

(b) details of the business to which the personal interest relates; and

(c) your signature.

(5) Where you have agreement from the CJC's monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that the CJC's monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of the CJC.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

12 Prejudicial Interests

(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of the CJC you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—

(a) relates to—

(i) another relevant authority of which you are also a member;

(ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;

(iii) a body to which you have been elected, appointed or nominated by the CJC;

(iv) your role as a school governor unless it relates particularly to the school of which you are a governor;

(v) your role as a member of a Local Health Board where you have not been appointed or nominated by the CJC;

(b) relates to—

(i) the functions of the CJC in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;

(ii) the functions of the CJC in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989;

.

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

13 Overview and Scrutiny Committees

(1) You also have a prejudicial interest in any business before an overview and scrutiny committee of the CJC (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by the CJC's executive, board or another of the CJC's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

14 Participation in Relation to Disclosed Interests

(1) Subject to sub-paragraphs (2), (2A), (3) and (4), where you have a prejudicial interest in any business of the CJC you must, unless you have obtained a dispensation from the CJC's standards committee—

(a) withdraw from the room, chamber or place where a meeting considering the business is being held—

(i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

(2) Where you have a prejudicial interest in any business of the CJC you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(2A) Where you have a prejudicial interest in any business of the CJC you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under a statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that the CJC may adopt for the submission of such representations.

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if—

(a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or

(b) you have the benefit of a dispensation provided that you—

(i) state at the meeting that you are relying on the dispensation; and

(ii) before or immediately after the close of the meeting give written notification to the CJC containing—

(aa) details of the prejudicial interest;

(bb) details of the business to which the prejudicial interest relates;

(cc) details of, and the date on which, the dispensation was granted; and

(dd) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to the CJC in reliance upon a dispensation, you must provide details of the

dispensation within any such written or oral representation and, in the latter case, provide written notification to the CJC within 14 days of making the representation.

PART 4
THE REGISTER OF MEMBERS' INTERESTS

15 Registration of Personal Interests

(1) Subject to sub-paragraph (4), you must, within 28 days of—

(a) the CJC's code of conduct being adopted or the mandatory provisions of this model code being applied to the CJC; or

(b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in the CJC's register of members' interests by providing written notification to the CJC's monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in the CJC's register of members' interests by providing written notification to the CJC's monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in the CJC's register of members' interests by providing written notification to the CJC's monitoring officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).

(5) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in the CJC's register of members' interests by providing written notification to the CJC's monitoring officer.

16 Sensitive Information

(1) Where you consider that the information relating to any of your personal interests is sensitive information, and the CJC's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify the CJC's monitoring officer asking that the information be included in the CJC's register of members' interests.

(3) In this code, “sensitive information” (“*gwybodaeth sensitif*”) means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

17 Registration of Gifts and Hospitality

(1) You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of the CJC, provide written notification to the CJC's monitoring officer of the existence and nature of that gift, hospitality, material benefit or advantage.

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 2 - MEETING PROCEDURE RULES

1. BUSINESS OF CJC MEETINGS

1.1 The agenda for any CJC Meeting shall be agreed in accordance with these Rules by the chairperson at least 6 Working Days prior to the date of the CJC meeting.

1.2 The chairperson may make any amendments to the draft agenda as he/she sees fit.

2. ANNUAL GENERAL MEETING

2.1 The CJC must hold an annual general meeting in each financial year on a date determined by the CJC.

2.2 The Annual Meeting will:

(a) elect a person to preside at the meeting if the existing chairperson or the vice-chairperson is not present;

(b) elect the new chairperson;

(c) appoint the new vice-chairperson;

(d) approve the minutes of the last meeting;

(e) receive declarations of interests from Members

(f) receive announcements from the chairperson (if any);

(g) decide on any amendment to sub -committees of the CJC, including amendments to their size and terms of reference;

(h) receive nominations of members to serve on each of the sub-committees and make such appointments

(i) elect a chairperson and a vice-chairperson for each of the sub-committees

(j) approve a programme of ordinary meetings of the CJC for the year

(k) approve a provisional programme of ordinary meetings of sub-committees for the year;

(l) consider other matters which the chairperson has certified urgent or appropriate

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3. ORDINARY MEETINGS

3.1 The CJC may hold other meetings as agreed from time to time ("Ordinary Meetings").

Ordinary Meetings will:

(a) approve the minutes of the last meeting;

(b) receive any declarations of interest (in accordance with the Members Code of Conduct)

(c) receive any petitions in accordance with the CJC's Petitions Scheme;

(d) receive any announcements from the chairperson

(e) receive any reports from the CJC's Sub-Committees introduced by the relevant Sub-Committee chairperson, and deal with questions and answers on any of those reports;

(f) receive reports from any of the CJC's statutory officers;

(g) consider any other business in the summons to the meeting; and

(h) consider such other matters as the chairperson certifies as urgent or appropriate.

4. EXTRAORDINARY MEETINGS

4.1 An extraordinary CJC meeting may be called at any time by any person entitled to vote on a matter to be decided at that meeting.

4.2 Any request to call an extraordinary meeting must specify the business to be transacted at the meeting and be accompanied by a copy of any report for the meeting.

5. TIME AND PLACE OF MEETINGS

5.1 The time and place of meetings will normally be determined by the CJC or in the case of an Extraordinary Meeting by the chairperson.The place of a meeting shall include provision enabling meetings to be attended remotely by persons who are not in the same physical place

5.2 The date, time and place of meetings may be varied in case of urgency or at the request of the chairperson, subject to reasonable notice of the change having been given

5.3 CJC meetings must be open to the public unless the public are excluded in accordance with the Access to Information Procedure Rules.

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6. NOTICE OF AND SUMMONS TO MEETINGS

6.1 The CJC will give notice to the public of the time and place of any meeting

6.1.1 at least three clear days before the meeting, or

6.1.2 if the meeting is convened at shorter notice, at the time the meeting is convened.

6.2 At least 3 clear days before a meeting, a summons (notice of meeting) will be sent by email to every Member. The summons will give the date, time and place of each meeting, including details of how the meeting may be accessed remotely by persons who are not in the same physical place, will enclose the agenda and be accompanied by connected reports.

6.3 The CJC must give public notice of a CJC meeting:

6.4 The notice must be published electronically.

7. CHAIRING MEETINGS

7.1 The appointment of the chairperson and vice-chairperson must be confirmed, or a new chairperson and vice-chairperson must be appointed at each Annual General meeting.

7.2 The chairperson and vice-chairperson must each be a CJC Member and must be appointed, or confirmed by the CJC Members, and any other Member entitled to vote on the matter.

7.3 All meetings of the CJC must be chaired by the chairperson or, if the chairperson is absent, by the vice – chairperson.

7.4 The chairperson shall have discretion to conduct meetings to secure proper, full and effective debate of business items. This discretion shall operate in precedence to any other Rule in the Meeting Procedure Rules.

7.5 If there is a general disturbance making orderly business impossible, the chairperson may adjourn the meeting for as long as he/she thinks necessary. If a member of the public interrupts or disrupts proceedings, the chairperson will warn the person concerned. If they continue to interrupt or cause disruption, the chairperson may order their removal from the meeting.

7.6 A person appointed as chairperson or vice-chairperson may at any time resign that office by notice in writing given to the other Members.

7.7 If a vacancy arises in the office of chairperson or vice-chairperson, a new chairperson or vice-chairperson (as applicable) must be appointed at the first meeting of the CJC held after the vacancy has arisen.

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7.8 If the office of chairperson is vacant, the vice-chairperson may carry out the functions of chairperson until the vacancy is filled.

7.9 Where the offices of both chairperson and vice-chairperson are simultaneously vacant, the next meeting of the CJC must be chaired by the Member for Blaenau Gwent County Borough Council until one of the vacancies is filled.

8. QUORUM

8.1 All persons entitled to vote must be present for:

8.1.1 a meeting to decide the amounts payable by the relevant CJC Members for the Strategic Development Plan Budget and for the General Budget; and

8.1.2 for decisions to change voting procedures.

8.2 For any other matters, no fewer than 70% of the persons entitled to vote must be present.

8.3 If fewer than the quorum attend the meeting or if during any meeting the chairperson counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at the next meeting or a time and date fixed by the chairperson.

9. DECLARATIONS OF INTEREST

9.1 A Member may at any time declare a personal interest under the Members' Code of Conduct and when a Member indicates to the chairperson that he/she wishes to make a declaration he/she shall be heard immediately and shall be allowed to make the declaration without interruption.

10. OFFICER ADVICE

10.1 Any report placed for decision before the CJC should contain all necessary advice to enable Members to take a decision. Reports will be circulated in advance of the meeting and if a Member requires clarification on an issue related to the report, this should be sought prior to the meeting.

10.2 Further officer advice will only be available at the meeting of CJC with the consent of the chairperson, in consultation with the Chief Executive. If there is a need for further detailed legal or financial advice to be provided, the meeting should be adjourned.

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11. VOTING

11.1 The number of Co-opted Members entitled to vote may not exceed the number of other Members entitled to vote.

11.2 Each person entitled to vote has one vote.

11.3 Other than the matters listed in 12.4 and 12.5 below, any vote is to be decided by simple majority and if a vote is tied the matter is not carried.

11.4 The funding of budget decisions shall be determined by the unanimous agreement of the Members entitled to vote. If the Members cannot reach agreement, the proportions are to be determined by the Welsh Government.

11.5 Any change to voting arrangements requires the unanimous agreement of all Members entitled to vote on the matter.

11.6 Where the matter relates to the Strategic Development Plan Function and a vote is tied, the chairperson has the casting vote.

11.7 The CJC may adopt an alternative voting procedure for any decision other than a decision on the budget or a decision to change the voting procedure itself.

12. MINUTES

12.1 The names of the Members present at a CJC meeting must be recorded.

12.2 Minutes of the proceedings of a CJC meeting must be drawn up and recorded. The minutes must be approved by the person chairing the CJC meeting or the person chairing the next suitable such meeting by signing the minutes, or by electronically signifying approval.

13. ATTENDANCE

13.1 Members will be regarded as present at a meeting where they attend that meeting either physically at the place specified on the meeting summons or remotely, by means of video conferencing software which enables persons who are not in the same place to speak to and be heard by each other and to see and be seen by each other.

13.2 All Members present during the whole or part of a physical meeting must accurately record their attendance on the record of attendance provided for that purpose.

13.3 Any Members attending the meeting remotely will have their attendance recorded electronically via the meeting software, and must leave the meeting if they will not be present for any extended period of time during the meeting.

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14. ELECTRONIC BROADCAST AND RECORDING OF MEETINGS

14.1 CJC meetings shall be webcast as they take place, in accordance with the Webcasting Protocol at Appendix 16 of the Interim Constitution, so that members of the public not in attendance at the meeting can see and hear the proceedings. The webcast shall be available electronically on the CJC's website for a period of 12 months after the meeting.

14.2 Other filming, recording and use of social media is permitted during CJC meetings, provided that

(i) The recording or transmission must create no disturbance, disruption or distraction to the good order and conduct of the meeting

(ii) Notice has been given (on the meeting agenda and signage outside the meeting) so that everyone attending the meeting is made aware that they may be recorded and that by attending the meeting they are deemed to consent to this;

(iii) Any recording must be overt, not covert;

(iv) There is to be no recording or transmission of proceedings dealing with any exempt or confidential information;

(v) The chairperson shall have discretion, subject to proper consideration of any relevant representations and legal advice, to prohibit a recording or exclude anyone reasonably considered to be in breach of these rules; and

(vi) The person making the recording or transmission shall be solely responsible for complying with all applicable legal obligations arising from their actions.

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SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 3 – GOVERNANCE AND AUDIT SUB – COMMITTEE TERMS OF REFERENCE

1. PURPOSE OF SUB-COMMITTEE

1.1 The Governance & Audit Sub-Committee is a key component of the CJC's corporate governance. It is important that political decision-making within the CJC is transparent and the CJC is able to be held to account and is able to be challenged for the decisions that it takes. The purpose of the Governance & Audit Sub-Committee is to review and scrutinise the CJC's financial affairs and to provide an independent focus on the audit, assurance, performance and reporting arrangements that underpin good governance and financial standards.

2. SPECIFIC RESPONSIBILITIES

The Governance & Audit Sub-Committee will:

2.1 Review and scrutinise the CJC's financial affairs;

2.2 Make reports and recommendations in relation to the CJC's financial affairs;

2.3 Review and assess the risk management, internal control, performance management and corporate governance arrangements of the CJC;

2.4 Make reports and recommendations to the CJC on the adequacy and effectiveness of those arrangements;

2.5 Review and assess the CJC's ability to handle complaints effectively;

2.6 Make reports and recommendations in relation to the ability of the CJC to handle complaints effectively;

2.7 Oversee the CJC's internal and external audit arrangements;

2.8 Review any financial statements prepared by the CJC; 2.9 Exercise such other functions as the CJC may specify;

2.10 Review any draft self-assessment report prepared by the CJC setting out its consultations as to the extent to which it met the performance requirements during that financial year, and make any recommendations it sees fit;

2.11 Review any draft response to a report prepared by any panel appointed by the CJC to assess the extent to which the CJC is meeting its performance requirements;

2.12 Review any report from the Auditor General produced following a special inspection of the CJC, and review any response from the CJC to such report;

2.13 Have regard to any guidance issued by the Welsh Government in relation to any functions relating to the assessment of the CJC's performance requirements;

MEMBERSHIP OF THE SUB-COMMITTEE

Membership of the Governance & Audit Sub-Committee will be constituted in the following way:

4.1 The Governance & Audit Sub-Committee will have 12 members.

4.2 None of the members of the Governance & Audit Sub-Committee can also be a Member of the CJC.

4.3 None of the members of the Governance & Audit Sub-Committee can also be a member of any other sub-committee of the CJC.

4.4 A minimum of one third of the total membership must be persons who are not also members of a county council or county borough council in Wales.

4.5 A minimum of two thirds of the total membership must be members of the 10 Constituent Councils but cannot be either a Member of the CJC or a member of the executive of a Constituent Council.

4.6 Where a member of the Governance & Audit Sub-Committee is also a member of one of the 10 Constituent Councils, they will cease to be a member of the Governance & Audit Sub-Committee if they cease to be a member of a Constituent Council.

MEETING PROCEDURE RULES

5.1 **Chairperson / Deputy Chairperson:** A Chairperson and Deputy Chairperson will be nominated and appointed from amongst the members of the Governance & Audit Sub-Committee during the first meeting.

5.2 The Chairperson must be an independent member who is not a member of a county council or county borough council in Wales.

5.3 If the Chairperson is absent, the Deputy Chairperson can chair the meeting. In the absence of both the Chairperson and the Deputy Chairperson, the Governance & Audit Sub-Committee can appoint any of its members present to chair the meeting.

5.4 **Quorum:** No business is to be transacted in relation to a matter to be decided at a meeting of the Governance & Audit Sub-Committee with fewer than 70% of the persons entitled to vote being present.

5.5 **Voting:** Each member of the Governance & Audit Sub-Committee will carry one vote. Matters will be decided by a majority vote. Members can only abstain from voting where a conflict of interest exists. In the event of a tie, the

Chairperson, or Deputy Chairperson in the absence of the Chairperson, will have the casting vote.

MEETING ARRANGEMENTS

6.1 The Governance & Audit Sub-Committee is required by law to meet once in every calendar year as a minimum. More meetings can be scheduled as and when the need arises.

6.2 In addition to the requirements in 6.1, the Governance & Audit Sub-Committee will be required to meet if the CJC determines that it will meet or if at least one third of the Governance & Audit Sub-Committee members send a request for a meeting in writing to the Chairperson.

6.3 Meetings will normally take place remotely, but arrangements may be made for in person meetings, provided hybrid arrangements are in place to facilitate remote attendance by members who wish to do so.

6.4 Support officers, representatives of Audit Wales and advisory team members can attend and participate as required. Members and staff of CJC may be required by the Governance & Audit Sub-Committee to attend meetings and answer questions and will have a duty to comply with this requirement within limits.

6.5 Meetings will be held in public and arrangements for the publication of and access to documents will be the same as for meetings of the CJC as set out in the CJC's Standing Orders and the relevant legislation.

REPORTING

7.1 The Governance & Audit Sub-Committee will report to a meeting of the CJC at least annually on matters within the remit of the Terms of Reference.

7.2 The Governance & Audit Sub-Committee will issue reports to external bodies as required but will need to notify the CJC of any such reports and to whom and for what reason they are being issued

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION
APPENDIX 4 - TERMS OF REFERENCE STANDARDS & ETHICS COMMITTEE

Standards & Ethics (Cardiff Council)	(a) To monitor and scrutinise the ethical standards of the Authority, its Members, employees and any associated providers of the Authority's services, and to report to the Council on any matters of concern. (b) To advise the Council on the content of its Ethical Code and to update the Code as appropriate. (c) To advise the Council on the effective implementation of the Code including such matters as the training of Members and employees on the Code's application. (d) To consider and determine the outcome of complaints that Councillors and co-opted members have acted in breach of the Code in accordance with procedures agreed by the Standards Committee, including the imposition of any penalties available to the Committee. (e) To oversee and monitor the Council's whistleblowing procedures and to consider ethical issues arising from complaints under the procedure and other complaints. (f) To grant or refuse requests for dispensations in respect of Members' interests under the Members Code of Conduct in accordance with the relevant statutory provisions. (g) To undertake those functions in relation to community councils situated in the area of the Council and members of those community councils which are required by law (h) To recommend to Council and the Cabinet any additional guidance on issues of probity. (i) To hear and determine any complaints of misconduct by Members or a report of the Monitoring Officer, whether on reference from the Ombudsman or otherwise. (j) To recommend the provision to the Monitoring Officer of such resources as he/she may require for the performance of his/her duties. (k) To monitor compliance by political group leaders with their duties in relation to Member conduct (under section 52A(1) of the Local Government Act 2000), and to advise, train or

	arrange training for political group leaders in relation to those duties. (l) In relation to the South East Wales Corporate Joint Committee ('the SEWCJC'), to: (i) Promote and maintain high standards of conduct by its membersand co-opted members; (ii) Assist its members and co-opted members to observe the SEWCJC's code of conduct; (iii) Advise the SEWCJC on the adoption and revision of a code of conduct; (iv) Monitor the operation of the SEWCJC's code of conduct; (v) Advise, train or arrange to train its members and co-opted members on matters relating to the SEWCJC's code of conduct; and (vi) Make an annual report to the SEWCJC describing how its functions have been discharged during the financial year. All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 5 - COMPOSITION AND TERMS OF REFERENCE OF NON–STATUTORY SUB–COMMITTEES

Sub-Committee	Composition	Terms of Reference
Appointments Sub – Committee (to be convened as and when required)	At least 3 and not more than 5 Members of the CJC	To discharge the functions of the CJC in respect of the appointment and dismissal of Chief Officers and Deputy Chief Officers (as defined in the Local Authorities (Standing Orders) (Wales) Regulations 2006), in accordance with the Employment Procedure Rules and any other relevant CJC policies and procedures.

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 6 - SUB-COMMITTEE MEETING PROCEDURE RULES

1 ESTABLISHMENT OF SUB - COMMITTEES AND ALLOCATION OF SEATS

1.1 Establishment

The establishment, terms of reference and allocation of seats of Sub - Committees will be determined by the CJC in accordance with the CJC Meeting Procedure Rules.

1.2 Chair and Deputy Chair

The chair and where the terms of reference allow, the deputy chair, of each sub-committee shall be elected by the CJC in accordance with the CJC Meeting Procedure Rules.

1.3 Period of Office
The period of office of the chair, deputy chair and members of sub-committees will continue until the first meeting following the Annual Meeting of the CJC.

1.4 Substitute Members
Substitute members may be appointed, in accordance with the Appointment of Substitute Members Procedure Rule at Annex A, to take the place of a Sub-Committee Member who is unable to attend a meeting. A substitute member must speak and vote in his or her own capacity, and is under the same obligations as any other Member in respect of declaring personal interests and complying with the Members' Code of Conduct and all relevant procedure rules.

2 ORDINARY MEETINGS

Ordinary meetings of each Sub-Committee will take place in accordance with a programme decided at the CJC's Annual Meeting.

Ordinary meetings of Sub-Committees will (as appropriate):-

(a) elect a person to preside if the chair and deputy chair are not present;

(b) approve the minutes of the last meeting;

(c) receive any announcements from the chair;

(e) deal with any business from the last meeting of the sub- committee;

(f) receive reports from the CJC and from any of the other sub-committees and advice reports from employees of the CJC;

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(g) put questions to the chair or relevant employees of the CJC where appropriate on items of business before the sub-committee and receive responses;

(h) consider requests from members of the sub-committee for items of business to be considered;

(i) consider any other business specified in the agenda of the meeting; and

(j) such other matter or matters which the chair has certified as being urgent.

3. EXTRAORDINARY MEETINGS

3.1 Calling extraordinary meetings

(a) Those listed below may request the proper officer to call a meeting of the sub-committee in addition to ordinary meetings:-

(i) the CJC by resolution;

(ii) the chair of the sub-committee;

(iii) the Chief Executive;

(iv) the Monitoring Officer;

(v) one half of the membership of the sub-committee if they have signed a requisition and presented it to the proper officer.

(b) Any request presented in accordance with this Rule must be in writing, specify the business to be transacted at the meeting and be accompanied by a copy of any report to the meeting.

3.2 Business

Any extraordinary meeting called pursuant to Rule 3.1 will:-

(a) elect any person to preside if the chair and deputy chair are not present;
(b) consider the item or items of business specified in the request; and
(c) consider any other matter or matters which the chair has certified as being urgent.

4. TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined by the proper officer and notified in the agenda. The place of a meeting shall include provision enabling meetings to be attended remotely by persons who are not in the same physical place.

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5. NOTICE OF AND AGENDA FOR MEETINGS

The proper officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules. At least three clear days before a meeting, the proper officer will send a summons (notice of meeting) signed by him or her by post to every member of the sub- committee or leave it at their usual place of residence or at a place nominated by the member. The agenda will give the date, time and place of each meeting, including details of how the meeting may be accessed remotely by persons who are not in the same physical place, and specify the business to be transacted, and will be accompanied by such reports as are available.

6. CHAIR OF MEETINGS

6.1 Chair of the meeting

The chair of the sub-committee will chair a meeting of the sub-committee and in his or her absence the meeting will be chaired by the deputy chair of the sub- committee (if any). In the absence of the chair and the deputy chair of the sub- committee, the sub-committee will choose a chair to chair the meeting. The person presiding at the meeting may exercise any power or duty of the chair.

6.2 Conduct of the meeting by the chair

The chair shall conduct the meeting to secure a proper, full and effective debate of business items particularly where a decision is required.

7. QUORUM

The quorum of a meeting will be one quarter of the whole number of members (rounded up to the nearest whole number). If fewer than the quorum attend the meeting or if during any meeting the chair counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

8. DECLARATIONS OF INTEREST

A member may at any time declare a personal interest under the Code of Conduct and when a member indicates to the Chair that he/she wishes to make a declaration he/she shall be heard immediately and shall be allowed to make the declaration without interruption.

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9. VOTING

9.1 Majority

Unless this Interim Constitution or the law provides otherwise, any matter will be decided by a simple majority of those members voting and present at the time the question was put.

9.2 Show of hands/Electronic Voting

The chair will take the vote by show of hands or by use of an electronic voting system if available, whichever the chair decides, or if there is no dissent, by the affirmation of the meeting.

9.3 Voting on employee appointments

(a) In the event of there being more than two candidates for an appointment and no candidate receives the required majority on the first vote, the candidate with the least number of votes will be eliminated and a further vote will be taken. This procedure will be repeated until a candidate receives the required majority. If more than one candidate has the same number of votes and that is the lowest number of votes cast, a vote will be taken to decide the candidate to be eliminated from future votes.

9.4 Right to require individual vote to be recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

10. MINUTES

The chair will sign the minutes of the proceedings of the sub-committee at the next suitable meeting. The chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

11. ATTENDANCE

11.1 Members will be regarded as present at a meeting where they attend that meeting either physically at the place specified on the meeting agenda or by remote means, which enables persons who are not in the same place to speak to and be heard by each other.

11.2 All Councillors present during the whole or part of a physical meeting must accurately record their attendance on the record of attendance provided for that purpose.

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11,3 Any Members attending the meeting remotely will have their attendance recorded electronically via the meeting software, and must leave the meeting if they will not be present for any extended period of time during the meeting.

12. MEMBERS OF THE PUBLIC

12.1 Exclusion of members of the public

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules or under Rule 12.2.

12.2 Disturbance by public

(a) If a member of the public interrupts or disrupts proceedings of a sub-committee, the chair will warn the person concerned. If they continue to interrupt or causes disruption, the chair will order their removal from the meeting.

(b) If there is a general disturbance in any part of the meeting open to the public, the chair may call for that part to be cleared.

13. ELECTRONIC BROADCAST AND RECORDING OF PROCEEDINGS OF SUB-COMMITTEES

13.1 Sub-Committee meetings shall be webcast by the CJC, in accordance with the Webcasting Protocol at Appendix 16 to the Interim Constitution, so that members of the public not in attendance at the meeting can see and hear the proceedings. Webcasts shall be available electronically on the CJC's website for a period of 12 months after the meeting.

13.2 Other filming, recording and use of social media is permitted during Sub-Committee meetings, provided that:

(i) The recording or transmission must create no disturbance, disruption or distraction to the good order and conduct of the meeting;

(ii) Notice has been given (on the meeting agenda and signage outside the meeting) so that everyone attending the meeting is made aware that they may be recorded and that by attending the meeting they are deemed to consent to this;

(iii) Any recording must be overt, not covert;

(iv)There is to be no recording or transmission of proceedings dealing with any exempt or confidential information;

(v) The Chair shall have discretion, subject to proper consideration of any relevant representations and legal advice, to prohibit a recording or exclude anyone reasonably considered to be in breach of these rules; and

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(vi)The person making the recording or transmission shall be solely responsible for complying with all applicable legal obligations arising from their actions.

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Annex A

Appointment of Substitute Members Procedure Rules

1. A member of a sub-committee who is unable to attend a sub-committee meeting may submit a request to the Monitoring Officer to appoint a substitute Member, provided that the substitute Member is from the same authority.

2. A request to appoint a substitute Member must:

   (i) State the name of the Member making the request and the name of the proposed substitute Member;

   (ii) Specify the sub-committee meetings (including the dates of the meetings) which the substitute Member is to attend;

   (iii) Explain the reasons why the substitution is required (having regard to paragraph (e) below);

   (iv) Confirm the agreement of the proposed substitute Member to attend the specified sub-committee meetings as a substitute; and

   (v) Be received by the Monitoring Officer by no later than 9am on the fourth working day before the day of the meeting.

3. A substitute Member must be eligible for appointment to the sub-committee under any other rules of the interim constitution or by law

4. Subject to compliance with this rule and provided he/she is satisfied that substitution is appropriate, the Monitoring Officer shall exercise his/her delegated authority to appoint a substitute in accordance with the request and arrange to notify the Leader of the substitute member's authority and the Chair of the sub - committee of the substitution.

5. For the purposes of this procedure rule, substitution will only be appropriate when an appointed Member is unable to attend specified sub-committee meetings over an extended period of time (a period covering more than one sub-committee meeting) due to one (or more) of the following:

   (i) Unavoidable family or work commitments;

   (ii) Serious illness;

   (iii) Maternity, paternity or adoption leave;

   (iv) Other Family Absence, approved under the Family Absence Procedure Rules;

   (v) Caring responsibilities; or

   (vi) Some other good reason.

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6. A substitute Member may attend a sub-committee meeting in that capacity only:

   (i) To take the place of the ordinary Member for whom they are the designated substitute; and

   (ii) Where the ordinary Member will be absent for the whole of the meeting.

7. The substitution shall last for the duration of the specified meeting/s, unless otherwise expressly requested and agreed by the Monitoring Officer.

8. A substitute Member attending a meeting must speak and vote in his or her own capacity, and is under the same obligations as any other Member in respect of declaring personal interests and complying with the Members' Code of Conduct and relevant procedure rules

9. A substitute appointed under this procedure rule by the Monitoring Officer upon the request of a Sub-Committee Chair (or Deputy Chair) is to fulfil the role of Sub - Committee member only, and not to discharge the role of Chair (or Deputy Chair), unless they are elected or appointed to that role by the CJC or the Sub-Committee.

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SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 7 - TERMS OF REFERENCE OF THE JOINT OVERVIEW AND SCRUTINY COMMITTEE

Definitions

1. For the purposes of these Terms of Reference:

   'CJC' – The South East Wales Corporate Joint Committee

   'Appointing Authorities' are the constituent councils of the CJC

   'Host Authority' means Rhondda Cynon Taff CBC, or such other authority as the Appointing Authorities may agree from time to time;

Introduction

2. The Joint Overview and Scrutiny Committee of the South East Wales Corporate Joint Committee ("the JOSC") was established by the agreement of the Appointing Authorities pursuant to the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.

Members

3. The JOSC shall consist of one non-executive member from each Appointing Authority.

4. It is a matter for each Appointing Authority, from time to time, to nominate, or terminate the appointment of its nominated member serving on the JOSC. Each Appointing Authority shall be entitled, from time to time, to appoint a deputy for its member representative to the JOSC but such deputy shall only be entitled to vote at meetings of the JOSC in the absence of their corresponding principal.

5. The length of appointment is a matter for each Appointing Authority.

Quorum

6. The quorum necessary for a meeting of the JOSC is at least 5 out of the 10 JOSC members, present at the relevant time. Election of a Chair

7. The JOSC shall elect a Chair and Vice Chair annually.

Rules of Procedure

8. The procedure rules will be those of the Host Authority for its Scrutiny Committees.

Members' Conduct

9. Members of the JOSC will be bound by their respective Council's Code of Conduct. Declarations of Interest

10. Members of the JOSC must declare any interest either before or during the meetings of the JOSC (and withdraw from that meeting if necessary) in accordance with their Council's Code of Conduct or as required by law.

Confidential and Exempt Information / Access to Information

11. The Host Authority's Access to Information Procedure rules shall apply subject to the provisions of the Local Government Act 1972.

Openness and Transparency

12. All meetings of the JOSC will be open to the public unless it is necessary to exclude the public in accordance with Section 100A (4) of the Local Government Act 1972.

13. All agendas, reports and minutes of the JOSC will be made publicly available, unless deemed exempt or confidential in accordance with the above Act.

Functions to be exercised by the Joint Overview and Scrutiny Committee

14. The JOSC shall be responsible for exercising the functions of a Joint Overview and Scrutiny Committee[1] pursuant to the Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013.

15. Any member of the JOSC may refer to the JOSC any matter which is relevant to its functions provided it is not a local crime and disorder matter as defined in section 19 of the Police and Justice Act 2006.

16. Any member of any of the Appointing Authorities may refer to the JOSC any local Government matter which is relevant to the functions of the JOSC, subject to the following conditions:

    a. The matter relates to one of the functions of the Appointing Authority and is relevant to the functions of the JOSC,

    b. It affects the electoral area of the member or it affects any person who lives or works there; and

    c. It is not a local crime and disorder matter as defined in section 19 of the Police and Justice Act 2006.

17. When considering whether to refer a matter to the JOSC a member should first consider if it falls within the remit of a single overview and scrutiny committee within the member's local authority, and if that is the case the member should raise the matter there. Members should only refer a matter to the JOSC if it falls clearly within the responsibilities and terms of reference of the JOSC and if there is no scrutiny of the issue in the local authority to which the member belongs.

Administrative Arrangements

18. It shall be the responsibility of the Head of Democratic Services of the Host Authority to ensure that an appropriate level of officer support and other resources to the joint overview and scrutiny committee are in place at all times. The cost of providing these resources will be met by the CJC. 1. 1 For the avoidance of doubt, these functions relate to all matters which are the responsibility of the CJC.

1 For the avoidance of doubt, these functions relate to all matters which are the responsibility of the CJC

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 8 - ACCESS TO INFORMATION PROCEDURE RULES

1. Summary of Rights

1.1 These rules are a written summary of the rights of the public to attend meetings and the rights of the public and Members of the CJC to inspect and copy documents.

2. Scope

2.1 These rules apply to all meetings of the CJC and its sub – committees, all of which may be attended remotely by persons who are not all in the same physical place, using an online meeting platform.

2.2 Each responsible or contributing author shall be the Proper Officer for the purposes of all statutory and regulatory provisions relating to the identification, listing and availability of background papers for any report within the scope of these Rules.

3. Openness Policy

3.1 The CJC wishes to be as open as possible in terms of sharing access to information both with Members and with the public, as permitted within the law and with respect to the rights of others. These rules seek to complement and supplement and not detract from any statutory rights to information (for example within the Data Protection Act 2018 and the Freedom of Information Act 2000) which members and the public are afforded from time to time.

3.2 These rules do not affect any more specific rights to information contained elsewhere in this Interim Constitution. In the case of any omission or conflict between these rules or the Interim Constitution and statutory rights, statutory rights will always prevail.

4. Rights of the Public to attend Meetings

4.1 Members of the public may attend all meetings subject only to the exceptions in these rules. Where meetings are open to the public and held either wholly or partly through remote means, members of the public will be given details of how to access the meeting remotely.

4.2 The right to attend meetings is subject to the CJC's right to exclude persons if their conduct is disorderly or if they misbehave at the meeting. The Press may attend that part of any meeting open to the public.

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5. Broadcast Filming, Recording and Social Media

5.1 Meetings which are open to the public under these rules may be webcast by the CJC. The Webcasting Protocol at Appendix 16 shall apply to all meetings which are webcast.

5.2 Other filming, recording and use of social media is permitted during meetings which are open to the public under these rules, provided that:

(i) The recording or transmission must create no disturbance disruption or distraction to the good order and conduct of the meeting;

(ii) Notice has been given (on the meeting agenda and signage outside the meeting) so that everyone attending the meeting is made aware that they may be recorded and that by attending the meeting they are deemed to consent to this;

(iii) Any recording must be overt, not covert;

(iv)There is to be no recording or transmission of proceedings dealing with any exempt or confidential information;

(v) The Chair shall have discretion, subject to proper consideration of any relevant representations and legal advice, to prohibit a recording or exclude anyone reasonably considered to be in breach of these rules; and

(vi)The person making the recording or transmission shall be solely responsible for complying with all applicable legal obligations arising from their actions.

6. Notice of Meetings

6.1 The CJC will give at least three clear days' notice of any meeting by posting details of the meeting on the CJC's website.

6.2 Where the meeting or part of the meeting is open to the public and;

(i) If the meeting is held through remote means only, the notice will give details of the time of the meeting and how to access it;

(ii) If the meeting is held partly through remote means or is not held through remote means, the notice will give details of the time and place of the meeting and how to access it.

6.3 Where the meeting is not open to the public and;

(i) If the meeting is held through remote means only, the notice will give details of the time of the meeting, and the fact that it is being held through remote means only and is not open to the public.

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(ii) If the meeting is held partly through remote means or is not held through remote means, the notice will give details of the time and place of the meeting and the fact that it is not open to the public.

6.4 Special Urgency: If a matter is considered by the Monitoring Officer to be so significantly urgent and unexpected that a decision must be taken and that it is not possible to provide 3 clear days' notice of the date of the meeting at which the decision must be taken, then with the agreement of the Chair, the Monitoring Officer is authorised to call such a meeting, subject to the agenda and reports being available to the public at the time at which the meeting is convened.

7. Access to Agenda and Reports before a Meeting

7.1 The CJC will make copies of the agenda and reports open to the public available for inspection on the CJC's website at least three clear days before a meeting. If an item is added to the agenda later, the designated officer shall make each such report available to the public as soon as the report is completed and sent to members.

7.2 Where a meeting is open to the public and is not held through remote means only, the CJC will make available for use by members of the public present at the meeting a reasonable number of copies of the agenda and reports for the meeting.

8. Supply of Copies

8.1 The CJC will supply to any person, on payment of a charge for postage and other justified costs, copies of:

(a) any agenda and reports that are open to public inspection;

(b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and

(c) if the Monitoring Officer thinks fit, copies of any other documents supplied to members in connection with an item.

9. Access to Minutes and Other Documents after a Meeting

9.1 Within 7 working days after a meeting, the CJC will publish on its website a note setting out:

(a) the names of the members who attended the meeting, and any apologies for absence;

(b) any declarations of interest;

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(c) any decision taken at the meeting, including the outcomes of any votes, but excluding any exempt information.

9.2 The CJC will publish on its website copies of the following documents for a period of 6 years after a meeting:

(a) the minutes of the meeting excluding any part of the minutes or proceedings which disclose exempt or confidential information;

(b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;

(c) the agenda for the meeting; and

(d) reports relating to items when the meeting was open to the public.

10. Background Papers

10.1 List of background papers

The Proper Officer will set out in every report, or part of a report, which is open to public inspection under Rule 7 or 9 above a list of those documents (called "background papers") relating to the subject matter of the report, or that part of the report, which in his/her opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) that have been relied on to a material extent in preparing the report. but not including published works or those that disclose exempt or confidential information (as defined in Rule 11)

10.2 Public Inspection of Background papers

The CJC will publish background papers on its website, unless it is not reasonably practicable to do so. Background papers shall remain accessible for public inspection for 6 years after the date of the meeting.

11. Confidential and Exempt Information

11.1 Confidential Information – Requirement to Exclude Public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Confidential information means information given to the CJC by a Government Department (including the Welsh Assembly Government) on terms which forbid its public disclosure or information which cannot be publicly disclosed by virtue of any enactment or Court Order.

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11.2 **Exempt Information – Discretion to Exclude Public**

The public may be excluded from a meeting whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed. Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6. Due regard will be had to the wishes of the individual should they elect that the hearing be held in private where the law permits.

11.3 **Meaning of Exempt Information**

Exempt information is defined in Schedule 12A, Part 4, of the Local Government Act 1972 as information falling within the following 7 categories (subject to any qualification):

	CATEGORY	**QUALIFICATION**	**LEGISLATIVE REFERENCE**
1.	Information relating to a particular individual	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Paragraph 12 of Schedule 12A, Local Government Act 1972
2.	Information which is likely to reveal the identity of an individual	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Paragraph 13 of Schedule 12A, Local Government Act 1972
3.	Information relating to the financial or business affairs of any particular person (including the CJC) Note: 'financial or business affairs' includes contemplated, as well as past or current, activities	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under:	Paragraph 14 of Schedule 12A Local Government Act 1972

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		(a) the Companies Acts (as defined in Section 2 of the Companies Act 2006) (b) the Friendly Societies Act 1974 (c) the Friendly Societies Act 1992 (d) the Industrial and Provident Societies Acts 1965 to 1978 (e) the Building Societies Act 1986 (f) the Charities Act 2011	
4.	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority Note: 'Labour relations matters' are as specified in paragraphs (a) to (g) of Section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 i.e. matters which may be the subject of a trade dispute	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Paragraph 15 of Schedule 12A, Local Government Act 1972
5.	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings		Paragraph 16 of Schedule 12A, Local Government Act 1972
6.	Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information	Paragraph 17 of Schedule 12A, Local Government Act 1972
7.	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	Exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public	Paragraph 18 of Schedule 12A, Local Government Act 1972

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		interest in disclosing the information	

11.4 **Public Interest**

Information within Categories 1 to 4, 6 and 7 set out in Rule 11.3 may only be treated as exempt if an assessment of the public interest has been made.

11.5 The public interest will be assessed on a case by case basis having regard to all relevant factors including but not limited to the following: to ensure a proper balance is achieved between the right to know, the right to personal privacy and the delivery of effective government.

11.6 In making such an assessment the Monitoring Officer shall have regard to any relevant prejudice which may be caused to the CJC or any other party if the information were disclosed, having regard to the full context of any disclosure. Account may be taken of whether disclosure would breach any obligation of confidence not within Rule 11.3, or the rights of any individual under the Data Protection Act 2018 or the Human Rights Act 1998.

11.7 Account will be taken of the fact that the public interest test may be served by allowing access to information which would:

(a) further the understanding of and participation in debating issues of the day;

(b) facilitate transparency and accountability in and enhance scrutiny of decisions taken by the CJC;

(c) facilitate transparency and accountability in the spending of public money;

(d) help individuals understand the decisions made by the CJC affecting their lives

11.8 In making such an assessment the following factors shall be regarded as irrelevant:

(a) possible embarrassment to the CJC or its Officers;

(b) possible loss of confidence in the CJC or another public body;

(c) the seniority of persons involved in the subject matter

(d) the risk of the public misinterpreting the information.

11.9 **Exclusion of the Public:** any decision to exclude the public from a meeting under this Rule shall be made in accordance with the CJC Meeting Procedure Rules or the Sub - Committee Meeting Procedure Rules as appropriate.

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11.10 **Disclosure by Members**

Members will not make public Confidential or Exempt Information without the consent of the CJC or divulge information given in confidence to anyone other than a Member or Officer entitled to know it unless otherwise authorised by law.

12. Exclusion of Access by the Public to Reports

12.1 Prior to a meeting, if the Monitoring Officer thinks fit, the CJC may exclude access by the public to the whole or any part of a report which in his or her opinion relate to items of business during which, in accordance with Rule 11, the meeting is likely not to be open to the public.

12.2 Such reports or parts of reports will be marked “Not for Publication” together with the category of information likely to be disclosed. After the meeting access to the Report is subject to Rule 9. Where the decision to exclude access has required a determination of the public interest the Monitoring Officer shall keep a note of his or her reasons for the decision

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SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION
APPENDIX 9 - PETITION SCHEME

OVERVIEW

Petitioning is one way that individuals, community groups and organisations can participate in the democratic process, by raising issues of public concern with the CJC and allowing Members to consider the need for change. It is acknowledged that petitions can have positive outcomes that lead to change or inform debate.

1. WHO CAN RAISE A PETITION?

1.1 Anyone who lives, works, owns a business or studies in the CJC area can sign or submit a petition, including those under the age of 18. Anyone who lives in the area of a neighbouring Council may also sign or submit a petition IF they could reasonably be expected to be affected by the subject matter of the petition. Petitions may be submitted on paper or electronically using an online petition system which meets the requirements of a valid petition, or a combination of the two.

2. CONSIDERATION OF A PETITION

2.1 A petition may be considered at a meeting of the CJC or by a sub-committee if the topic of the petition relates to the specific role of that sub-committee.

2.2 The CJC's Chief Executive, in consultation with the Monitoring Officer, will consider the petitions submitted and determine if the petition is admissible based on the following criteria for a valid petition.

3. REQUIREMENTS OF A VALID PETITION

LEAD PETITIONER

3.1 All petitions require a lead petitioner to be identified who will act as the contact point for the petition. The following are the requirements necessary for a lead petitioner:

3.1.1 The lead petitioner must be an individual who lives, works or studies within the CJC's area or an organisation based in the CJC area.

3.1.2 The lead petitioner's full home, work, study postal address or the organisation's postal address, must be included and a personal email address or contact information to which any communications concerning the petition can be sent.

THE PETITION

3.2 The CJC will consider all petitions with more than 10 signatories that fall within the scope of this Scheme. Petitions can be submitted to the CJC either on paper or electronically, with the general requirements of the Scheme applying to both paper and e-petitions. The petition must:

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3.2.1 contain a clear, short statement covering the subject of the petition. The petition will be returned if it is unclear;

3.2.2 call for CJC to take some specific action, for example: "We call on CJC to…" This must be repeated on every page of a paper petition;

3.2.3 provide the names and postal addresses of those signing the petition, including postcodes;

3.3 A suggested petition template is shown at Annex A to this Petitions Scheme.

3.4 Petitions must not contain:

3.4.1 Language which is offensive, intemperate or provocative. This not only includes obvious profanities, swear words and insults, but any language which a reasonable person would regard as offensive;

3.4.2 Potentially false or potentially defamatory statements;

3.4.3 Information which is prohibited from being published by an order of a court or a body or person with similar power;

3.4.4 Material which is potentially confidential, commercially sensitive, or which may cause personal distress or loss;

3.4.5 Any commercial endorsement, promotion of any product, service or publication or statements that amount to advertisements;

3.4.6 The names of officials of public bodies, unless they are part of the senior management of those organisations;

3.4.7 The names of family members of elected representatives or officials of public bodies;

3.4.8 The names of individuals, or information where they may be identified, in relation to criminal charges; or

3.4.9 Issues for which a petition is not the appropriate channel (for example, correspondence about a personal issue or an issue subject to court proceedings).

PETITIONS THAT ARE NOT ADMISSIBLE UNDER THIS SCHEME

3.5 The following are not admissible:

3.5.1 Petitions relating to anything the CJC is not responsible for;

3.5.2 Statutory petitions, or petitions relating to Local Authority Referendums which fall under the Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001, for which separate arrangements apply within relevant local authorities;

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3.5.3 Petitions asking the CJC to adjudicate, arbitrate or mediate personal or staffing issues or commercial interests where this is the role of a court or tribunal;

3.5.4 Petitions on matters that are subject to legal proceedings in the courts;

3.5.5 Petitions on matters that are already subject to determination by an Ombudsman (or person with similar powers);

3.5.6 Petitions that are essentially freedom of information (FOI) requests, comments, compliments or complaints, which will be passed to the appropriate officer for a suitable response; or

3.5.7 Petitions which raise issues of possible CJC Member or employee misconduct. These will be taken as complaints arising under the Local Government Act 2000 and will be reported to the Monitoring Officer rather than considered under this petition scheme.

3.6 When a petition has been presented to the CJC, no further petition on a similar topic and seeking a similar outcome, shall be considered within six months of the date on which the petition was first considered or the petitioner heard.

PETITION SIGNATORIES

3.7 An appropriate signatory is an individual who lives, works, owns a business or studies in the CJC area, or who lives in the area of a neighbouring Council and could reasonably be expected to be affected by the subject matter of the petition.

3.8 An individual can only sign a petition once. People must not sign both an online and a paper petition, and duplications may be removed if it is found that a petitioner has signed twice.

4. SUBMITTING A PETITION

4.1 Paper or electronic petitions which are to be considered by the CJC are to be submitted to the CJC's Monitoring Officer

5. HOW AND BY WHEN THE CJC WILL ACKNOWLEDGE RECEIPT OF A PETITION

5.1 Receipt of a paper petition or submission of an electronic petition will be acknowledged within 5 working days provided that the contact details of the lead petitioner are provided at the same time.

6. CONFIRMING A VALID PETITION

6.1 The Monitoring Officer or a person authorised by him/her will undertake initial checks to confirm that a submitted petition meets the requirements of the Scheme.

6.2 If a number of petitions are received on a similar topic with similar desired outcomes, only one lead petitioner will be able to present their petition to the CJC. The lead petitioner for each petition will be notified by the Monitoring Officer and requested

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to liaise with each other to consider options to amalgamate petitions and determine which lead petitioner will present the petition to the CJC. If agreement is not reached the petitioner with the largest number of signatures will have the right to present the petition to the CJC.

6.3 Any concerns regarding the validity of the petition will be raised with the Monitoring Officer.

6.4 If a petition is invalid the lead petitioner will be informed within 10 working days of receipt of the petition, why it cannot be progressed.

7. THE STEPS THE CJC MAY TAKE IN RESPONSE TO A PETITION RECEIVED BY IT

7.1 A petition with 10 – 100 signatures will be referred to the Chief Executive to respond to. A response will be provided to the lead petitioner within 20 working days of receipt.

7.2 A petition with 101 – 500 signatures will be referred to the Chair of the CJC to respond to. A response will be provided to the lead petitioner within 20 working days of receipt.

7.3 A petition with more than 500 signatures will be referred to a meeting of the CJC.

7.3 Where a petition is considered at a meeting the petition presenter may outline the request of the petitioners, the reason for the request and the number of the signatories. In any event the lead petitioner may not speak under this rule for more than one minute.

7.4 The meeting may decide to:

- Take the action the petition requests
- Take no further action
- Refer the matter to the Joint Overview and Scrutiny committee, a working group or an officer
- Request an officer to take any other step in relation to the matter

7.5 The decision of the meeting will be recorded in the minutes and provided in writing to the lead petitioner.

8. EXCEPTIONS

8.1 In the period immediately before an election or referendum we may need to deal with petitions differently. If this is the case we will explain the reasons and discuss any revised timescale which may apply.

9. ALTERNATIVES TO PETITIONS

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9.1 After reading the Petition Scheme an individual or organisation may consider that a petition is not the most appropriate avenue to achieve the desired outcome. Alternative options to enable members of the public to have their say include:

9.1.1 Writing to the appropriate CJC Member or the CJC's Chief Executive Officer

9.1.2 Responding to a Consultation

9.1.3 Making a suggestion through the CJC's website

10. DATA PROTECTION AND GDPR

10.1 All personal data will be handled in compliance with data protection laws and the CJC's our Privacy Notice. Hard copy and electronic petition information will be kept for 12 months and after that time it will be safely and securely destroyed.

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ANNEX A

SUGGESTED PAPER PETITION TEMPLATE

LEAD PETITIONER DETAILS

Name	

Full Postal Address	
Email address	
Telephone number (optional)	

PETITION DETAILS

A clear, short statement covering the subject of the petition. The petition will be returned if it is unclear.	
Call for the CJC to take some specific action	We call on the South East Wales Corporate joint Committee to … Note: to be repeated on every page of a paper petition

PETITION SIGNATORIES

We call on the South East Wales Corporate Joint Committee [insert call for specific action copied from petition details]

No.	Name	Full postal address	Postcode	Signature
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

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SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 10 - SCHEME OF DELEGATION

1 General Principles

1.1 This scheme delegates certain functions of the CJC to officers and should be interpreted widely.

1.2 In this scheme "officer" means the holder of any post named in this scheme as having delegated powers and duties, and for the avoidance of doubt, includes any individual who is not an employee of the CJC (for example, a locum, agency worker, specialist consultant, joint manager appointed with another organisation) who is engaged by the CJC to take responsibility for discharging the delegated powers and duties concerned, unless legislation provides that the relevant power or duty can only be carried out by an employee of the CJC.

1.3 Officers must keep Members properly informed of activity arising within the scope of these delegations. Officers should also inform Members of any significant delays to agreed schemes or projects.

1.4 When taking, or considering taking, delegated decisions all officers must have regard to the following questions:

(i) Does the decision involve significant expenditure to the CJC's budget?

(ii) Does the decision affect the CJC's reputation?

(iii) Does the decision carry a significant risk to the CJC?

(iv) Does the decision impact reputationally or financially on service users, partner organisations or committees outside the CJC

1.5 For highly significant or sensitive matters, officers must consider whether a report should be taken to the CJC.

1.6 In addition to functions delegated to officers under this scheme, the CJC may also decide to delegate certain functions and decisions to officers. Any such delegations to officers shall:

(i) be notified to the Monitoring Officer who maintains a record of all delegations; and

(ii) for the avoidance of doubt, any such officer delegations shall not be further delegated, unless expressly provided for in the resolution.

2 Limitations

2.1 Any exercise of delegated powers shall be subject to:-

(a) Any statutory restrictions

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(b) The CJC's Interim Constitution, including Financial Procedure Rules and Contract Procedure Rules

(c) The CJC's approved budget framework

(d) Any other CJC policies

(e) The Code of Conduct for Employees

2.2 Where an officer exercises delegated powers to award a contract or make a decision which incurs significant expenditure they shall as soon as practicable after making the decision produce a written record including all relevant details, in accordance with any corporate guidance given by the Monitoring Officer.

3. Further Provisions

3.1 In all cases delegated authority includes management of the human and material resources made available for their functions within the limitations of this scheme and subject to any specific delegations to another officer.

3.2 In all cases delegated authority includes the power to recommend the institution of legal proceedings before courts or tribunals, and to authorise officers to appear on behalf of the CJC, provided always that this is in accordance with the functional responsibilities of the officer concerned.

3.3 It shall always be open to an officer not to exercise delegated powers but to refer the matter to the CJC.

3.4 In exercising delegated powers, officers shall consult with such other relevant officers as may be appropriate and shall have regard to any advice given.

3.5 Unless expressly provided to the contrary, this scheme includes the power for officers further to delegate in writing all or any of the delegated functions to other officers (described by name or post) either fully or under the general supervision and control of the delegating officer. Sub-delegations shall be recorded in a register kept by the Monitoring Officer.

4. Delegations to Officers

(1) Chief Executive

1. To discharge the functions of appointment and dismissal of, and taking disciplinary action against, any member of staff, in accordance with the CJC's HR and financial procedures, except where such functions have been reserved to the Appointments Committee.

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2. To engage any individual, person, firm, partnership or company (and determine the terms of the contract), where the estimated value of appointments for any one project proposal does not exceed £100,000 and costs can be met from within approved budgets.

3. To make decisions on:

(i) employee Terms and Conditions, (including procedures for dismissal), except those relating to the Chief Executive, Chief Officers and other JNC for Chief Officer posts;
(ii) Changes to the CJC's corporate pay grade structure;
(iii) Changes to employee Terms and Conditions which are the subject of contention with the trade unions
(iv) applications for re-grading

4. All matters previously delegated to the Director of Cardiff Capital Region City Deal by the Cardiff Capital Region Cabinet.

5. Authority to consider and approve, as appropriate, in consultation with the s151 Officer and in accordance with the provisions of the Local Government Pension Scheme and the CJC's approved policy and criteria, the early retirement of staff (aged 55 or over) in the following circumstances:

   (1) in the interests of the efficiency of the service
   (2) who request voluntary retirement

6. To approve new operational HR employment policies and changes to existing policies as required.

7. To settle complaints made under the CJC's Complaints Policy where appropriate, which may include an apology, rectification, or in exceptional circumstances a monetary payment up to a maximum of £100; and to settle Ombudsman's recommendations under Section 21 of the Public Services Ombudsman (Wales) Act 2005, up to a maximum of £1,000.

8. In cases of urgency, in consultation with the Monitoring Officer and the Chief Financial Officer, to determine any matter which is not specifically reserved to the CJC.

Monitoring Officer

1. All proper officer functions not allocated to other officers and to act as Solicitor to the CJC

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2. To appoint proper officers or authorise an officer of the CJC for any purpose where statute requires that the officer should be appointed or authorised for that specific purpose.

3. To institute, defend, settle or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the CJC or in any case where he or she considers that such action is necessary to protect the CJC's interests.

4. To engage Counsel to represent the CJC in any proceedings.

5. To appear personally or authorise others to appear on the CJC's behalf in court or tribunal proceedings.

6. To sign any document that is necessary for any legal agreement, procedure or proceedings on behalf of the CJC.

7. To affix the Common Seal of the CJC

8. To make amendments to the Interim Constitution in order to:
   (a) enhance clarity and remove minor anomalies
   (b) reflect legislative changes and matters of record.

9. To discharge the functions of the CJC in respect of cancellation of family absence pursuant to Regulation 34 of the Family Absence for Members of Local Authorities (Wales) Regulations 2013

Chief Financial Officer

1. To be the Officer with responsibility for the proper administration of the CJC's financial affairs under Section 151 of the Local Government Act 1972.

2. To facilitate and manage the co-ordination of medium term financial planning, annual budget planning, budget monitoring and the preparation of statutory and other accounts, associated grant claims and supporting records.

3. To manage the CJC's financial affairs and services, including all matters relating to the General Budget, Strategic Development Plan Budget, Treasury Management, Reserves and Provisions, Subsidiary Accounts, and all other funds established under statutory requirements.

4. To operate the CJC's bank accounts for the prudent management of financial affairs and to nominate authorised signatories

5. To approve deductions from pay in suitable cases when requested by staff.

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SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 11 – FINANCIAL PROCEDURE RULES

To follow at future meeting.

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 12 - CONTRACT PROCEDURE RULES

To follow at future meeting.

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 13 - EMPLOYMENT PROCEDURE RULES

Interpretation

For the purposes of these Rules:

“Chief Officer” has the same meaning as in the Local Authorities (Standing Orders) (Wales) Regulations 2006, namely, the Chief Executive; the Monitoring Officer; a statutory chief officer mentioned in paragraph (a), (c) or (d) of section 2(6) of the Local Government and Housing Act 1989 (which includes the Chief Finance Officer); or a non-statutory chief officer within the meaning of section 2(7) of the same 1989 Act.

“Deputy Chief Officer” has the same meaning as in Section 2(8) of the Local Government and Housing Act 1989, being a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers (except for secretarial, clerical and support staff).

1 Recruitment and appointment

(a) Declarations

(i) With the intention of ensuring that employment processes are fully informed and transparent, the South East Wales Corporate Joint Committee (“CJC”) requires any candidate for appointment as an officer to state in writing whether they are related to or have any close personal association with any member or senior employee of the CJC.

(ii) Deliberate omission to make such a disclosure would disqualify the candidate, and if the omission is discovered after appointment, the candidate will be liable to dismissal.

(b) Seeking support for appointment

(i) the CJC will disqualify any applicant who directly or indirectly seeks the support of any member or employee for any appointment with the CJC. The content of this paragraph will be included in any recruitment information.

(ii) no member will seek support for any person for any appointment with the CJC. A member or an employee will not try to improperly influence the choice of a candidate for any appointment.

(iii) The impartiality of employees must be preserved. Accordingly members must not give written references to support a candidate seeking employment with the CJC.

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2. Recruitment of Chief Officers

(a) A vacancy for the post of Chief Officer must be reported to the CJC or a body delegated by it which will consider whether the post should be filled, and if so, subject to Rule 3, the terms and conditions of employment and method of appointment.

(b) Where the proposed remuneration of the Chief Officer post is £100,000 or more per annum, the CJC will arrange for the following to be prepared:-

(i) A statement of the duties of the officer concerned and the required qualifications or qualities to be sought in the person appointed, which is sent to any person on request; and

(ii) Public advertisement of the post to bring it to the attention of people who are qualified to apply, unless the proposed appointment is for a period of 12 months or less.

(c) Following advertisement, arrangements will be made either for all qualified candidates to be interviewed; or a shortlist to be prepared of qualified applicants and those candidates interviewed. If no suitably qualified person has applied, or if the CJC decides to re-advertise the appointment, the post will be re-advertised in accordance with paragraph (b) above.

3. Remuneration of Chief Officers

Any decision to determine or vary the remuneration of Chief Officers (or those to be appointed as Chief Officers) must be made by the CJC.

4. Appointment or Dismissal of Chief Officers, Deputy Chief Officers and the Monitoring Officer

(a) The appointment or dismissal of a Chief Officer, a Deputy Chief Officer or the Monitoring Officer will be made by the CJC or by a Committee of Members delegated by the CJC to make the appointment or dismissal.

(b) Where a committee is considering on behalf of the CJC the appointment or dismissal of the Chief Executive, the CJC shall approve that appointment before an offer of appointment is made, or as the case may be, must approve that dismissal before notice of dismissal is given.

5. Appointment of Officers below Deputy Chief Officer.

The appointment of officers below Deputy Chief Officer must be discharged by the Chief Executive or by an officer nominated by the Chief Executive. All CJC employees shall be appointed in accordance with the CJC's Recruitment and Selection Policy.

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6. Disciplinary Action - Chief Executive, Monitoring Officer and Chief Finance Officer

(1) No disciplinary action in respect of the Chief Executive, the Monitoring Officer or the Chief Finance Officer (a “relevant officer”), except action described in (2) below, may be taken by the CJC or on its behalf, other than in accordance with a recommendation in a report made by a designated independent person under Regulation 9 of the Local Authorities (Standing Orders)(Wales) Regulations 2006.

(2) The action mentioned in the above paragraph is suspension of the relevant officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension will be on full pay and will terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

(3) Where it appears that an allegation of misconduct which may lead to disciplinary action has been made against a relevant officer, the CJC shall appoint a committee ("an investigation committee") to consider the alleged misconduct.

(4) The investigation committee must consist of a minimum of 3 members of the CJC and must, within 1 month of its appointment, consider the allegation of misconduct and decide whether it should be further investigated.

(5) For the purpose of considering the allegation of misconduct, the investigation committee may make such enquiries of the relevant officer or any other person it considers appropriate; may request the relevant officer or any other person it considers appropriate to provide it with such information, explanation or documents as it considers necessary within a specified time limit; and may receive written or oral representations from the relevant officer or any other person it considers appropriate.

(6) Where it appears to the investigation committee that an allegation of misconduct by the relevant officer should be further investigated, it shall appoint a person ("the designated independent person") for the purposes of these Rules.

(7) The designated independent person who is appointed shall be such person as may be agreed between the CJC and the relevant officer within 1 month of the date on which the requirement to appoint the designated independent person arose; or where there is no such agreement, shall be such person as is nominated for the purpose by the Welsh Ministers.

(8) The designated independent person—

(a) may direct:

(i) that the CJC terminate any suspension of the relevant officer;

(ii) that any such suspension is to continue after the expiry of the period referred to in paragraph (2) above);

(iii) that the terms on which any such suspension has taken place are to be varied in accordance with the direction; or

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(iv) that no steps by the CJC or on its behalf by way of disciplinary action or further disciplinary action against the relevant officer, other than steps taken in the presence, or with the agreement, of the designated independent person, are to be taken before a report is made under sub-paragraph (d);

(b) may inspect any documents relating to the conduct of the relevant officer which are in possession of the CJC, or which the CJC has power to authorise the designated independent person to inspect;

(c) may require any member or member of staff of the CJC to answer questions concerning the conduct of the relevant officer;

(d) shall make a report to the CJC –

(i) stating an opinion as to whether (and, if so, the extent to which) the evidence obtained supports any allegation of misconduct against the relevant officer; and

(ii) recommending any disciplinary action which appears appropriate for the CJC to take against the relevant officer; and

(e) shall no later than the time at which the report is made under sub-paragraph (d), send a copy of the report to the relevant officer.

(9) Subject to paragraph (10), the relevant officer and the CJC shall, after consulting the designated independent person, attempt to agree a timetable within which the designated independent person is to undertake the investigation.

(10) Where there is no agreement under paragraph (9), the designated independent person shall set a timetable as that person considers appropriate within which the investigation is to be undertaken.

(11) The CJC shall consider the report prepared under paragraph (8)(d) within 1 month of receipt of that report.

(12) The CJC shall pay reasonable remuneration to a designated independent person appointed by the investigation committee and any costs incurred by, or in connection with, the discharge of functions under this Rule.

(13) For the purpose of this rule, any officer who was a relevant officer at the time of the alleged misconduct or when the reason for the proposed dismissal occurred (but is no longer so), shall be regarded as a relevant officer.

7. Dismissal and or Disciplinary Action - Other Employees

(a) Subject to Rules 4 and 6, the Chief Executive, or an officer nominated by the Chief Executive, is responsible for the dismissal of, and taking disciplinary action

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against, employees below Deputy Chief Officer in accordance with any relevant CJC policy and procedure.

(b) Members will not be involved in any disciplinary action of any officer other than the Chief Executive, the Monitoring Officer or the Chief Finance Officer, as set out above, except where such involvement is necessary for any investigation or inquiry into alleged misconduct, or where a right of appeal to members is allowed in respect of dismissal or demotion.

8. Right of Appeal

Any employee who has been dismissed with or without notice or relegated must be informed immediately of the right of appeal, in line with the CJC's agreed Disciplinary Policy and Procedures, which may confirm the action taken, withdraw it or substitute another disciplinary penalty.

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SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 14 - EMPLOYEES' CODE OF CONDUCT

General Principles

1. The public is entitled to expect the highest standards of conduct from all employees of the CJC. The role of employees is to serve the CJC in providing advice, implementing its policies, and delivering services in its area. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.

Accountability

2. Employees of the CJC work for the CJC and serve the whole of its area. They are accountable to and owe a duty to the CJC. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

Political Neutrality

3. Employees of the CJC, whether or not politically restricted, must follow every lawfully expressed policy of the CJC and must not allow their own personal or political opinions to interfere with their work. Where employees are politically restricted (by reason of the post they hold, the nature of the work they do, or the salary they are paid), they must comply with any statutory restrictions on their political activities.

Relations with members, the public and other employees

4. Mutual respect between employees and members is essential to good local government, and working relationships should be kept on a professional basis.

5. Employees of the CJC should deal with the public, members and other employees sympathetically, efficiently, and without bias.

Equality

6. Employees of the CJC must comply with policies relating to equality issues, as agreed by the CJC, in addition to the requirements of the law.

Stewardship

7. Employees of the CJC must ensure that they use public funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the CJC for personal use unless authorised to do so.

Personal Interests

8. Whilst employees' private lives are their own concern, they must not allow their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others. In particular, they must

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comply with:
(1) any rules of the CJC on the registration and declaration by employees of financial and non - financial interests,

(2) any rules of the CJC on the declaration by employees of hospitality or gifts offered to or received by them, from any person or organisation doing or seeking to do business, or otherwise benefiting or seeking to benefit from a relationship with the CJC. Employees must not accept benefits from a third party unless authorised to do so by the CJC.

Whistleblowing

9. In the event that an employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998, and with the CJC's confidential reporting procedure, or any other procedure designed for this purpose.

Treatment of Information

10. Openness in the dissemination of information and decision making should be the norm in the CJC. However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a CJC member, CJC employee or other person who is entitled to receive it or needs to have access to it for the proper discharge of their functions. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

Appointment of Staff

11. Employees of the CJC involved in the recruitment and appointment of staff must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, employees must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related, or with whom they have a close personal relationship outside work.

Investigations by Monitoring Officers

12. Where a monitoring officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000 an employee must comply with any requirement made by that monitoring officer in connection with such an investigation.

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SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION
APPENDIX 15 - PROTOCOL ON MEMBER/OFFICER RELATIONS

Basic Principles

1 The basic principle of good Member/officer relations in local government is trust, mutual respect and a common understanding of respective roles. CJC Members represent the whole of the CJC area and officers are appointed by the CJC to give creative, robust and impartial advice, which will assist Members in reaching the best decisions for that area.

2 The CJC's Code of Conduct for Members says that they should "show respect and consideration for others" and "must not do anything which compromises, or which is likely to compromise, the impartiality of the CJC's employees".

3 The CJC's Code of Conduct for Employees says that "Mutual respect between employees and Members is essential to good local government, and working relationships should be kept on a professional basis. Employees of the CJC should deal with the public, Members and other employees sympathetically, efficiently and without bias."

Councillors' Roles

4 All councillors who are members of the CJC undertake the CJC's functions and take the most important decisions the CJC can make, including approval of the budget and many will be involved in taking other more detailed CJC decisions.

5 Some councillors and lay members from local authorities in the CJC area, who are not members of the CJC have responsibility for maintaining an overview and scrutiny of CJC decisions and the efficient performance of CJC functions.

6 These roles will relate in slightly different ways to the officers of the CJC. These are set out in more detail below.

Officer Roles and Advice

7 CJC officers are employees of the whole CJC and have an obligation to give impartial advice and to carry out the CJC's lawful decisions. They have operational responsibilities which are generally set out in the CJC's scheme of delegations, or in their job descriptions. These will generally be of a managerial, technical or administrative nature, and are part of the normal day-to-day work of all CJC employees.

8 The CJC's Member Code of Conduct describes how Members should act when taking decisions and in particular in relation to advice from officers:-

"A member … must reach decisions having regard to any relevant advice by the CJC's officers…"

9 In advising, officers are free to give their professional advice wherever appropriate. Councillors may wish to test this advice by questioning and challenging something they do not agree with, but they should not, by their

conduct or actions, make employees feel intimidated or threatened. They should ensure that any challenge of advice given is made to an employee of suitable seniority, generally the Chief Executive, Monitoring Officer or s151 Officer. Employees should remember that councillors are democratically elected to secure their objectives and fully entitled to question advice given, and to receive a full and complete explanation. Employees should always seek to meet the CJC's objectives when advising, providing that this can be done legally and within financial resources.

10 If Members remain dissatisfied with the advice given, then they may refer the matter to the Chair or the relevant Sub - Committee Chair. Where necessary and appropriate, either by agreement with the Chief Executive, Monitoring Officer or s151 Officer, or following a decision of the CJC, professional advice can be commissioned by relevant officers (in consultation with relevant Members) from a reputable and suitably qualified source outside the CJC. Any subsequent report to the CJC will contain the professional advice of the Chief Executive or officer named as author, but will also contain any external professional view, clearly identified as such.

11 The CJC operates a system which requires advice on the legality and achievability (including financial matters) of the decision in advance of its consideration, and for that advice to be captured in reports to Members, Panels, Sub - Committees or the CJC. Officers should be permitted to give their complete advice, including a description of any relevant options and advice as to legal and financial probity. When oral advice is given, it should be recorded in writing by the officer concerned.

12 The CJC has three main statutory officers; the Chief Executive, the Monitoring Officer and the s151 Officer, who have duties to advise the CJC as a corporate body and have a statutory right to advise as they believe appropriate within their statutory duties.

Relationships between Officers and Members

13 As indicated above, although officers have a duty to serve the CJC as a corporate body, their working relationships will be different with different groups of Members. The following paragraphs identify and give guidance on key issues in this area.

14 **All Councillors** – all councillors and employees will demonstrate mutual respect and will deal with each other sympathetically, efficiently and without bias. Officers are responsible for advising the whole CJC but may occasionally be called upon by individual Members to advise or give information on particular issues. This is entirely proper and within available resources, advice will be given. Officers should not advise councillors on their individual positions or to assist them in personal capacities, but only in relation to CJC matters. The Monitoring Officer or his/her nominee may advise individual councillors on the Member Code of Conduct and their responsibilities in relation to the declaration of interests.

Individual Members may request that advice given to them is treated in confidence. They should make this clear at the start of any discussion or

correspondence with the officer concerned. The officer will then advise the Member as to whether the discussion or correspondence can be treated as confidential within the law and within CJC procedures, so that both parties have a clear understanding of the position. Information which indicates that the CJC may be in breach of a duty, involves the protection of vulnerable people or alleges misconduct, for example, may not be kept confidential, and may be reported to the proper person or authority.

15 **Chair and Officers** – the chair of the CJC and/or chairs of sub-committees have particular roles in relation to the business of the CJC or sub-committees, and officers will support them in those roles. Generally, and subject to the CJC's rules of procedure set out in Appendix 1 to the Interim Constitution, the Chair of any CJC body will finalise relevant agendas and the officer with responsibility for issuing the agenda will comply with the Chair's wishes in this respect. However, in certain instances, statutory officers have a right to have items included on relevant agendas, and these and any instructions issued by statutory officers in this respect will be followed.

16 **Co-opted Members and Members of the Standards & Ethics, Governance & Audit and Joint Overview and Scrutiny Committees and Officers** - Officers will deal with these members in the same way as they deal with all councillors and will be available to advise them as set out in paragraph 15 above, in respect of their particular statutory functions only.

Conduct and Effectiveness

17 If councillors have any concerns about the effectiveness or conduct of particular officers, they will take this up directly and confidentially with the Chief Executive, Monitoring Officer or s151 Officer, or the Chair if the issue relates to the Chief Executive. The issue will then be handled in accordance with the CJC's procedures and the Member and officer concerned will be advised of the outcome, unless there are legal reasons why they may not. Personal criticism (except in pursuance of a legal obligation) by Members of individual officers or identifiable groups of officers will not take place in public forums (including the media) as this could seriously affect the ability of the CJC to effectively defend its position as an employer and may in some circumstances render it liable to payment of compensation.

18 If any officer has concerns about the conduct of a particular Member, he/she will raise it in the first instance with the CJC's Monitoring Officer, who will then advise on whether it is appropriate for the issue to be referred to the Standards Commissioner for Wales under the Member Code of Conduct. No CJC officer will publicly criticise any councillor (except in pursuance of a legal obligation) as this would be a departure from the proper statutory process and may prejudice that process.

Access to Information and Documents

19 The CJC promotes openness and access to information by all its councillors. However, the law prevents the release of confidential or exempt information in certain circumstances, and both officers and members will abide by the CJC's

Access to Information Procedure Rules set out in Appendix 8 of this Interim Constitution. Confidential information or exempt information provided to Councillors must be used properly, and only for the purposes for which it has been released.

SOUTH EAST WALES CORPORATE JOINT COMMITTEE INTERIM CONSTITUTION

APPENDIX 16 – WEBCASTING PROTOCOL

To follow at future meeting.

Future Generations Assessment Evaluation

Appendix B

(includes Equalities and Sustainability Impact Assessments)

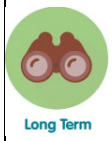
Name of the Officer completing the evaluation: Kellie Beirne **Phone no:** 07826 919286 **E-mail:** Kellie.Beirne@cardiff.gov.uk	**Please give a brief description of the aims of the proposal** The report provides an Interim Constitution for the CJC to support it during the Building Foundations stage of its development. The Interim Constitution will be in place until UK Government, Welsh Government, and the CJC are ready to 'lift and shift' into the new CJC. It replaces the Interim Standing Orders agreed on 31 January 2022.
Proposal: To seek approval of the Interim Constitution of the CJC.	**Date Future Generations Evaluation form completed:** 9 October 2023

1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	**Does the proposal contribute to this goal? Describe the positive and negative impacts.**	**What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?**
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The Interim Constitution details the mechanisms which will enable the well-being goals of the SEW CJC to be met throughout the building foundations period. The SEW CJC will bring together the CCR City Deal and the CJC into one coherent model of regional economic governance.	The Interim Constitution highlights the responsibilities of the CJC going forward and how the organisation is setting itself up to be able to manage those duties appropriately and proportionally. A final Constitution, to support this 'lift and shift' into the new CJC, will be brough to CJC for approval in advance of the CJC becoming fully operational on 1 April 2024.
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	As above.	As above.
A healthier Wales	As above.	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
People's physical and mental wellbeing is maximized and health impacts are understood		
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	As above.	As above.
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	As above.	As above.
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	As above.	As above.
A more equal Wales People can fulfil their potential no matter what their background or circumstances	As above.	As above.

2. How has your proposal embedded and prioritized the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	The Interim Constitution will support the CJC through the Building Foundations Period until UK Government, Welsh Government, and the CJC are ready to 'lift and shift' into the new CJC in 2024, at which point a final Constitution will be brought to CJC for approval. By its nature the report provides assurance of the balancing of short-term and long-term planning and goals. The Interim Constitution supports the three main duties of the SEW CJC: strategic development planning, the Regional Transport Plan and the empowerment of the SEW CJC to take direct action around economic well-being.	As above.
Working together with other partners to deliver objectives	Partnership working has been at the heart of the Cardiff Capital Region's work, working with UK and Welsh Governments, local authorities and private and public sector organisations and communities. The Interim Constitution reflects the formal connection with the Brecon Beacons National Park Authority (BBNPA), who have voting rights, alongside the CCR Regional Cabinet, on matters pertaining to the SEW CJC's Strategic Development Plan.	The details of the future governance model are being developed and will further embed the strong Partnership working already in place. These will be brought to CJC for approval as part of the final Constitution in advance of the 'lift and shift' into the new organisation.
Involving those with an interest and seeking their views	The SEW CJC's commitment to transparent partnership working will be strengthened by the SEW CJC.	The CJC will be developing a public participation strategy to ensure that there are opportunities for everyone in the region to contribute their views to the Committee.

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
Putting resources into preventing problems occurring or getting worse	The CJC annual budget currently includes the necessary resources required during this building foundations period to support the transition to the CJC and the to meet regulatory duties in terms of initial activities to prepare for the Strategic Development Plan and Regional Transport Plan. Separately, the CCR annual budget includes resources to support the CJC Transition Plan.	
Considering impact on all wellbeing goals together and on other bodies	The SEW CJC will provide formal powers for the region to act on matters relating to economic well-being and to have a direct impact on well-being goals long-term.	

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	No specific impact in this context as the CJC is largely focused on building foundations with delivery due to lift and shift to the new organisation from 1 April 2024. All proposals brought to the CJC Board relating to set up and transition are subject to Equality Impact Assessment.	None at this stage.	Considering diversity and inclusion as the governance model is developed will help ensure the protected characteristics agenda is embedded in ways of working and the culture of the CJC. We are in active discussion with the Equality & Human Rights Commissioner Wales to agree a timetable for developing our Corporate Strategic Equality Plan and Objectives.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Disability	As above.	As above.	As above.
Gender reassignment	As above.	As above.	As above.
Marriage or civil partnership	As above.	As above.	As above.
Pregnancy or maternity	As above.	As above.	As above.
Race	As above.	As above.	As above.
Religion or Belief	As above.	As above.	As above.
Sex	As above.	As above.	As above.
Sexual Orientation	As above.		As above.
Welsh Language	As above.		As above.

4. Safeguarding & Corporate Parenting. Are your proposals going to affect either of these responsibilities?

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	Not directly relevant; however, building the future economy should have a profoundly positive impact on ability to safeguard the future of our residents.		
Corporate Parenting	Not directly relevant; however, building strength in the economy should create opportunities for all of the young people entrusted in our care and make a direct contribution to well-being.		

5. What evidence and data has informed the development of your proposal?

As above.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

As above, we will be developing a Strategic Equality Plan and Objectives ready for publication by 1 April 2024 to support the lift and shift to the CJC. Specific implications will be seen in the future delivery of schemes and interventions, and these will be assessed at that time.

7. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	The Interim Constitution will be updated and a final version brought to CJC in advance of 1 April 2024. It is anticipated the Constitution will then be reviewed Annually at the Annual General Meeting of the CJC.

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

9 OCTOBER 2023

PAY POLICY 2023/24

REPORT OF THE INTERIM CHIEF EXECUTIVE

AGENDA ITEM: 8

Reason for this Report

1. To ask the CJC to approve the Pay Policy Statement for 2023/24 in accordance with the requirements of the Localism Act 2011.

Background

2. South East Wales Corporate Joint Committee (CJC) is required to have in place a Pay Policy Statement 2023/24 in order to recruit Chief Officers and Deputy Chief Officers directly by the CJC.

3. The CJC has a statutory requirement under the Localism Act 2011 to prepare a Pay Policy Statement on an annual basis. This is the first statement and future Pay Policy Statements will be produced by 31 March each year and subsequently published to ensure continued compliance with this legislation.

Issues

4. Under section 38 of the Localism Act 2011, a pay policy statement must include the policies relating to:

   - the level and elements of remuneration for each chief officer;
   - remuneration of chief officers on recruitment;
   - increases and additions to remuneration for each chief officer;
   - the use of performance-related pay for chief officers;
   - the use of bonuses for chief officers;
   - the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority; and
   - publication of and access to information relating to remuneration of chief officers.

5. The focus of the legislation is about transparency of pay for Chief Officers and how their pay compares with lower paid employees in the organisation. As this

is the first Pay Policy and there are no current employees it is restricted in its content for 23/24.

Reason for Recommendations

6. To respond to the legal requirement under the Localism Act 2011 by agreeing the Pay Policy Statement, the publication of which will also provide openness and accountability in how the CJC rewards its employees.

Financial Implications

7. There are no direct financial implications arising from this report, which seeks approval of the CJC's Pay Policy Statement in respect of 2023/24.

Legal Implications

8. s38 Localism Act requires the CJC to prepare and publish a Pay Policy Statement for each financial year. The Pay Policy Statement must be approved by the CJC before it comes into effect.

9. The CJC must comply with its Pay Policy Statement when making any determination relating to the remuneration or other terms and conditions of its Chief Officers.

HR Implications

10. The Pay Policy recommendation does not impact on employees across the CJC as it merely outlines in one policy, existing and agreed arrangements for pay and remuneration of employees.

Well-being of Future Generations (Wales) Act 2015

11. In considering this matter regard should be had, amongst other matters, to:

    a) the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards;

    b) public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties authorities must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. age; b. gender reassignment; c. sex; d. race – including ethnic or national origin, colour or nationality; e. disability; f. pregnancy and maternity; g. marriage and civil partnership; h. sexual orientation; I. religion or belief – including lack of religion or belief, and;

    c) the Well-being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act

places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their respective duties under the Act, each public body listed in the Act (which includes the CJC) must set and published wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, the CJC should consider how the proposed decision will contribute towards meeting the wellbeing objectives set by each Council and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the Councils to act in accordance with a 'sustainable development principle'. This principle requires the Councils to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Put simply, this means that CJC must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, Regional Cabinet must:

- look to the long term;
- focus on prevention by understanding the root causes of problems;
- deliver an integrated approach to achieving the 7 national well-being goals;
- work in collaboration with others to find shared sustainable solutions;
- involve people from all sections of the community in the decisions which affect them.

12. CJC must be satisfied that the proposed decision accords with the principles above. To assist CJC to consider the duties under the Act in respect of the decision sought, an assessment has been undertaken, which is attached as an appendix to this report.

RECOMMENDATIONS

13. It is recommended that the South East Wales Corporate Joint Committee:

(1) approves the attached Pay Policy Statement (2023/24) Appendix 1.

Kellie Beirne
Interim Chief Executive
South East Wales Corporate Joint Committee
9 October 2023

Appendices
Appendix 1: Pay Policy Statement 2023/24 and Annex 1
Appendix 2: Well-being of Future Generations Assessment

SOUTH EAST WALES CORPORATE JOINT COMMITTEE

PAY POLICY STATEMENT 2023/24

INTRODUCTION

1. The South East Wales Corporate Joint Committee ("the CJC") has prepared this Pay Policy Statement to comply with the statutory requirement under the Localism Act 2011 and will continue to do so on an annual basis. This Pay Policy Statement covers the period 9th October 2023 to 31st March 2024. It was approved by the CJC on 9th October 2023 and subsequent publication of the 2023/24 Pay Policy Statement ensures continued compliance with legislation.

2. This Pay Policy Statement provides the framework for decision making on pay, and in particular, decision making on senior officer pay within the CJC.

3. The CJC recognises the importance of managing pay fairly and consistently in a way that motivates employees to make a positive contribution to the CJC's business relating to economic well-being, strategic planning and the development of regional transport policies.

4. The decisions that are taken by the CJC regarding pay are crucial to maintaining equality across the organisation. The production of an annual Pay Policy Statement supports this approach and assists in providing both transparency and accountability.

SCOPE

5. In accordance with the requirements of the Localism Act 2011 this Pay Policy Statement covers all aspects of Chief Officer remuneration (including on ceasing to hold office), and that relating to the 'lowest paid' employees in the organisation. The relationship between the remuneration for Chief Officer posts and other employee groups employed by the CJC is explained.

6. In the interests of transparency and accountability the CJC has chosen to take a broader approach than that required by legislation and therefore this Pay Policy Statement covers all employee groups currently employed by the CJC.

7. This Pay Policy Statement does not apply to Members of the CJC as they are not employees and are governed by separate legislation and the requirements of the Independent Remuneration Panel for Wales.

KEY PRINCIPLES

8. This Pay Policy Statement aims to ensure that all employees are rewarded fairly and without discrimination for the work that they do. It reflects fairness and equality of opportunity, the need to encourage and enable employees to perform to the best of their ability and the commitment to operate a transparent pay and grading structure.

9. The CJC recognises that pay is not the only means of rewarding and supporting employees and offers a wider range of benefits, such as flexible working arrangements, access to learning and development, access to Health and Wellbeing initiatives and an Employee Assistance Programme.

10. To ensure these principles are embedded the CJC will ensure that there are clear and transparent processes for setting and reviewing salaries for all employees, and that there is sufficient flexibility to take into account the pay market and recruitment and retention factors.

11. Any policy statement on pay has to be affordable and support the provision of high-quality public services.

LEGISLATION

12. In determining the pay and remuneration of all its employees, the CJC will comply with all relevant legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, Agency Workers Regulations 2010 and where relevant the Transfer of Undertakings (Protection of Employment) Regulations 2006.

13. With regard to the Equal Pay requirements of the Equality Act, the CJC will ensure there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

DEFINITIONS

14. The Localism Act 2011 sets out the requirements for Pay Policy Statements and as part of this there are certain terms that are used to define different employee groups and in particular senior officers. This section explains these definitions and how they apply in this authority.

Chief Officers

15. The Localism Act 2011 defines ‘Chief Officer’ as the Chief Executive ,the Monitoring Officer, Statutory Chief Officers and Non-Statutory Chief Officers.

16. The CJC's Chief Officers are as follows:
    - Chief Executive
    - Monitoring Officer
    - Statutory Chief Officers:-
        - Strategic Director Resources who undertakes the role of Section151 Officer
    - Non-statutory Chief Officers – this refers to non-statutory posts that report directly to the Chief Executive
        - Deputy Chief Executive
        - Strategic Director – Policy, Impact and Partnerships

Deputy Chief Officers

17. The Localism Act 2011 defines 'Deputy Chief Officers' as those officers that report directly to statutory or non-statutory Chief Officers. At this time there are no posts within the CJC that meet this definition.

18. The CJC has no other senior management arrangements currently.

Lowest Paid Employees

19. The Localism Act 2011 requires the CJC to define its 'lowest paid employee' within the Pay Policy Statement. Within the CJC's pay structure the lowest paid employees would be those appointed on Spinal Column Point (SCP) 1 of the National Joint Council (NJC) for Local Government Services' nationally agreed pay scale. However, it is not envisaged that there will be any employees employed at this grade during 2023/24. It is not envisaged that there will be significant numbers of employees employed by CJC during 2023/24 and at this stage it is not possible to identify what the lowest grade employed will be.

Pay

20. The Localism Act 2011 defines 'pay' remuneration as 'salary, bonuses, charges, fees or allowances payable, any benefits in kind, increase or enhancement of pension entitlement. This definition is applied in this Pay Policy Statement.

ROLE OF THE CHIEF EXECUTIVE/

21. As the most senior officer the Chief Executive is responsible for a wide range of accountabilities with a total budget of £255,662 for 2023/24, which is referred to as the 'Building the Foundations' phase of the CJC's evolution. In particular they are responsible for:

    (a) the manner in which the exercise by the CJC of its different functions is co-ordinated,

    (b) the CJC's arrangements in relation to—
        (i) financial planning,
        (ii) asset management, and

(iii) risk management,

(c) the appointment, organisation and management of the staff required by the CJC for the exercise of its functions.

22. The role of Chief Executive is a full time and permanent appointment. Post holders are selected on merit, against objective criteria, following public advertisement. They are appointment by the Appointments Committee of the Council, comprising elected members.

23. The Chief Executive works closely with elected members to deliver the agreed programme of projects.

24. The Chief Executive routinely works outside of the standard Monday to Friday business week.

PAY DETAILS

Chief Executive

25. The Chief Executive is employed on Joint National Committee for Chief Executives of Local Authorities (JNC for Chief Executives) terms and conditions. The JNC for Chief Executives negotiates on national (UK) annual cost of living pay increases, and any award of the same is determined on this basis. These pay awards are effective from 1st April each year, however they are not normally confirmed in advance of this date.

Chief Officers and Operational Manager graded posts

26. Any new posts or transferees at graded in the pay structure at Operational Manager and above are employed on Joint National Committee (JNC) Chief Officer terms and conditions and pay levels for these posts have been evaluated using the Korn Ferry Hay (formerly Hay) Job Evaluation Scheme.

27. The JNC for Chief Officers negotiates on national (UK) annual cost of living pay increases for this group, and any award of same is determined on this basis. These pay awards are effective from 1st April each year, however they are not normally confirmed in advance of this date.

Chief Officer Pay Decisions

28. Although the annual cost of living pay awards, referred to in paragraphs 25 and 27 above, are part of the nationally agreed terms and conditions, the CJC's Employment Procedure Rules state that any decision to determine or vary the remuneration of Chief Officers (or those to be appointed as Chief Officers) must be made by the CJC.

29. Therefore, in accordance with these rules, the CJC will be asked to agree a Pay Policy Statement by the end of each March and that will constitute agreement to implement the cost of living pay increases determined by the relevant negotiating body effective from 1st April each year, as accounted for in the Budget set and agreed by the CJC each year.

30. Any additional financial implications arising from the national pay agreements determined after this date that cannot be met within the CJC's Revenue Budget will be referred to the CJC for consideration and decision.

Chief Officer and Operational Manager Pay

31. The following table shows the current pay rates for Chief Officers that it is expected may be employed by the CJC during 2023/24:

Post	**Salary**
Chief Officers – Spot Salary	
Chief Executive	£124,696
Any roles graded equivalent to Chief Digital Officer (as per Annex 1)	£112,352
Any roles graded equivalent to Assistant Director (as per Annex 1)	£95,474

32. The salary level for Chief Officer and Operational Managers is determined by an independent external evaluation process based on an assessment of relative job sizes and benchmarking against market comparisons for posts of similar size and complexity, using the Korn Ferry (previously Hay) Job Evaluation Scheme.

33. For Chief Officer positions, any report from the external evaluators on grading of new posts or changes to salary levels will be presented to the CJC for approval.

34. Requests for regrading are dealt with by the Chief Executive in accordance with the CJC's Scheme of Delegations at Appendix 10 to the CJC Constitution It has been agreed that any future such decisions shall be reported in this Pay Policy Statement for transparency.

35. In addition to the above, the Independent Remuneration Panel in Wales (IRP) has specific functions concerning the salary of the Chief Executive. Before making a change to the salary of the Chief Executive, which is not commensurate with a change to the salaries of the CJC's other employees, the CJC must consult the IRP about the proposed change and have regard to any recommendation received from the IRP when deciding whether or not to proceed with making the change.

36. To date during 2023/24 the CJC has not had the need to make a referral to the IRP.

'National Joint Council (NJC) (Green Book)' and 'Joint National Council (JNC) Craft' Employees

37. The pay grades for all former NJC Green Book and JNC Craft positions within the CJC will be evaluated using a job evaluation (JE) process using the Greater London Provincial Council (GLPC) scheme. The JE process uses a consistent set of criteria which ensures that the CJC's grading structure is fair, transparent, and equitable, and that men and women receive equal pay for work of equal value. The CJC will abide by National Collective Agreements in place with UNISON, GMB and Unite (NJC Green Book), and GMB, and Unite (JNC Craft) which set out the pay ranges for each grade, and also relevant terms and conditions.

38. The CJC agreed in May 2023 to replicate the pay and grading structure of Cardiff Council (one of the CJC's constituent Councils). This Pay and grading structure links the scores from the job evaluation process directly to the NJC pay structure. The national pay structure with effect from 1st April 2022 ranged from spinal column point (SCP) 1 to 43 which equates to £20,258 to £49,590. The pay award effective from 1st April 2023 is yet to be agreed.

39. The replicated pay and grading structure of Cardiff Council has in place a locally agreed pay scale which has 10 grades that span across SCPs 2 - 40 of the national pay structure. Overall, the current pay scale equates to £20,258 to £46,549, on 1st April 2022. Each grade has a number of incremental points.

40. The current agreed grades and associated salaries (pay award effective from 1/4/23 yet to be agreed) can be seen at Annex 1.

Pay Differentials

41. In future Pay Policy Statements information regarding pay differentials will be included. This is not possible in this initial statement as there are no current employees employed by the CJC.

42. The CJC does not use performance related pay or bonuses for Chief Officers

Incremental Progression – all employees

43. Incremental progression for 'Green Book', 'Craft' employees and Operational Managers is not automatic but is dependent upon a successful performance review. Following a successful performance review, increments are normally effective from the 1st April each year.

Salary on Appointment – all employees

44. Vacancies are advertised on the agreed grade for the post stating the minimum and maximum salary, or spot point, as appropriate to the post. All Chief Officers are appointed to the spot point. Where salary scales are in place appointments

are made at the bottom point of the range, but there is discretion to appoint at a higher point within the range. This would usually be to match a candidate's current level of pay, or other particular circumstances.

Additional payments

45. Additional payments made include car, motorcycle and bicycle allowances which have been harmonised for all employees using the single rate based on the HMRC arrangements paid for business mileage, i.e. currently 45p per mile.

ANNUAL LEAVE

46. The annual leave entitlement is 28 days, rising to 33 days after 5 years' service, and in addition, there are 8 public holidays.

PENSION SCHEME

47. All CJC employees are entitled to join the local government pension scheme (LGPS) which is offered by the Local Government Employers. If employees are eligible, they will automatically become a member of the scheme (to join they must have a contract for at least 3 months duration and be under the age of 75). Employees can decide to opt out of the scheme. The benefits and contributions payable under the Fund are set out in the LGPS regulations.

48. The current level of contribution to the scheme by employees is:

Contribution table 2023/24			
Band	**Actual pensionable pay for an employment**	**Contribution rate for that employment**	
		Main	**50/50 section**
1	Up to £6,500	5.50%	2.75%
2	£16,501 to £25,900	5.80%	2.90%
3	£25,901 to £42,100	6.50%	3.25%
4	£42,101 to £53,300	6.80%	3.40%
5	£53,301 to £74,700	8.50%	4.25%
6	£74,701 to £105,900	9.90%	4.95%
7	£105,901 to £124,800	10.50%	5.25%
8	£124,801 to £187,200	11.40%	5.70%
9	£187,201 or more	12.50%	6.25%

EXIT (REDUNDANCY/SEVERANCE) PAYMENTS

Voluntary Severance Scheme

49. The CJC will be an administered body of the Rhondda Cynon Taf Pension Scheme and will be covered by Rhondda Cynon Taf County Borough Council's 'Local Government Pension Scheme Discretions Policy'. This Policy provides details of the position on making discretionary payments on early termination of employment under Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. The policy also provides details of the Council's policy on increasing an employee's total pension scheme membership and on awarding additional pension under Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008.

50. The CJC's approach to statutory and discretionary payments on termination of employment, prior to reaching normal retirement age, apply to all staff including chief officers and is set out within the Rhondda Cynon Taf County Borough Council policy statement in accordance with Regulation 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and Regulations 30(6), 30(7) and 30(8) of the Local Government Pension Scheme Regulations 2013.

51. Applications under these schemes are made in accordance with the CJC' Constitution and Scheme of Delegations.

52. Redundancy Payments are made in accordance with the Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order 1999, for the purposes of continuous service, as is any such declared re-employment by a body covered by the Modification Order.

53. The Welsh Government recommends that full Councils should be offered the opportunity to vote before severance packages for chief officers of £100,000 and above are approved for senior staff leaving the organisation. This will apply for the CJC and any such packages will be reported to Committee for approval.

54. However, Members must be made aware of the statutory or contractual entitlements due to an employee and the consequences of non approval by Committee which may allow an employee to claim damages for breach of contract. The Welsh Government considers the following components of a severance package for chief officers should be included when determining whether the package exceeds £100k: (i) salary paid in lieu; (ii) lump sum redundancy / severance payment; and (iii) cost to the authority of the strain on the pension fund.

55. Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made in accordance with the Committee's Constitution and Scheme of Delegation.

RE-EMPLOYMENT OF STAFF

56. The CJC's agreed policy is that employees requesting voluntary redundancy have to agree to the condition that given the CJC's obligation to safeguard public funds, they will be precluded from returning to employment (which includes permanent, temporary, casual and agency) within the CJC for a period of 12 months from the date of their termination. Casual engagement includes contracts for services.

NON-GUARANTEED WORKING HOURS

57. In December 2016 the Welsh Government issued principles and guidance on the appropriate use of non-guaranteed hours arrangements in the devolved public services in Wales. These principles and guidance were developed by the Public Services Staff Commission in social partnership with the Welsh Government's Partnership Council and its sector groups.

58. The CJC is committed to the principles determined by Welsh Government which apply to those employees who are employed on a relief, casual or sessional basis. These employees are used in services where there is either a need to bring in an additional workforce in order to cover peaks in workload or where the workload is on a one-off basis.

ACCOUNTABILITY AND DECISION MAKING

59. The members of the CJC are responsible for decision making in terms of pay, terms and conditions and redundancy arrangements in relation to employees of the CJC100.In accordance with the Localism Act 2011, salaries and redundancy packages above £100,000 for Chief Officers must be agreed by the CJC. The redundancy package includes any redundancy payment (statutory and enhanced), contractual notice period and full cost of early release of pension (as required under Regulation 68(2) of the Local Government Pension Scheme).

60. Details of Chief Officers' pay, including any additional payments, will be published in the CJC's annual accounts from 2023/2024.

REVIEW OF THE POLICY

61. This Pay Policy Statement will be kept under review and developments considered in the light of external best practice and legislation. The Pay Policy Statement may also be reviewed as part of the CJC's existing Scrutiny arrangements. The CJC will ensure the Pay Policy Statement is updated on an annual basis in line with the requirement of the Localism Act 2011. The annual Pay Policy Statement will be submitted to the CJC for approval by the end of March of each year.

Salary Scales

SCP	Job Evaluation Scores (GLPC scheme)	FTE SALARY	MONTHLY	HOURLY (National Living Wage £10.42 from 01/04/2023)	Hourly Living Wage £10.90 from
NJC for Local Government (as at 1st April 2022)					£21,029
	GRADE 1				
2	1 - 247	20,441	1,703.42	10.60	
	GRADE 2				
3	248 - 286	20,812	1,734.34	10.79	
	GRADE 3				
3	287 - 327	20,812	1,734.34	10.79	
4		21,189	1,765.75	10.98	
5		21,575	1,797.92	11.18	
6		21,968	1,830.67	11.39	
	GRADE 4				
6	328 - 369	21,968	1,830.67	11.39	
7		22,369	1,864.09	11.59	
8		22,777	1,898.09	11.81	
9		23,194	1,932.84	12.02	
11		24,054	2,004.50	12.47	
	GRADE 5				
11	370 - 409	24,054	2,004.50	12.47	
12		24,496	2,041.34	12.70	
14		25,409	2,117.42	13.17	
15		25,878	2,156.50	13.41	
17		26,845	2,237.09	13.91	
19		27,852	2,321.00	14.44	
	GRADE 6				
19	410 - 454	27,852	2,321.00	14.44	
20		28,371	2,364.25	14.71	
22		29,439	2,453.25	15.26	
23		30,151	2,512.59	15.63	
24		31,099	2,591.59	16.12	
25		32,020	2,668.34	16.60	
	GRADE 7				
25	455 - 499	32,020	2,668.34	16.60	
26		32,909	2,742.42	17.06	
27		33,820	2,818.34	17.53	
28		34,723	2,893.59	18.00	
29		35,411	2,950.92	18.35	
30		36,298	3,024.84	18.81	
	GRADE 8				
30	500 - 544	36,298	3,024.84	18.81	
31		37,261	3,105.09	19.31	
32		38,296	3,191.34	19.85	
33		39,493	3,291.09	20.47	
34		40,478	3,373.17	20.98	
	GRADE 9				
34	545 - 589	40,478	3,373.17	20.98	
35		41,496	3,458.00	21.51	
36		42,503	3,541.92	22.03	
37		43,516	3,626.34	22.56	
	GRADE 10				
37	590 +	43,516	3,626.34	22.56	
38		44,539	3,711.59	23.09	
39		45,495	3,791.25	23.58	
40		46,549	3,879.09	24.13	
Other		0	0.00	0.00	

*** SCP 10, 13, 16, 18 & 21 are not i**

SCP	FTE SALARY	MONTHLY	HOURLY
JNC CHIEF OFFICERS (as at 1st April 2023)			
	OM2		
1	52,241	4,353.42	27.08
2	54,884	4,573.67	28.45
3	57,185	4,765.42	29.64
4	59,936	4,994.67	31.07
5	62,691	5,224.25	32.49
	OM1		
1	63,391	5,282.59	32.86
2	66,801	5,566.75	34.62
3	70,213	5,851.09	36.39
4	73,438	6,119.84	38.06
5	76,815	6,401.25	39.82
	Chief Officer/Assistant Director		
1	95,474	7,956.17	49.49
	Chief Digital Officer		
1	112,352	9,362.67	58.24
	Director		
1	139,463	11,621.92	72.29
	Corporate Director		
1	150,920	12,576.67	78.23
JNC CHIEF EXECUTIVE (as at 1st April 2022)			
	Chief Executive		
1	190,091	15,840.92	98.53

Future Generations Assessment Evaluation
(includes Equalities and Sustainability Impact Assessments)

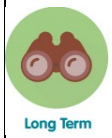
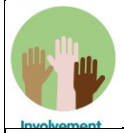
Name of the Officer completing the evaluation:	**Please give a brief description of the aims of the proposal:**
Kellie Beirne **E-mail:** kellie.beirne@cardiff.gov.uk	1. To ask Committee to approve the Pay Policy Statement for 2023/24 in accordance with the requirements of the Localism Act 2011.
Proposal: CJC Pay Policy 202324	**Date Future Generations Evaluation form completed:** 9 October 2023

1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The pay policy statement will ensure that staff are paid fairly and competitively	The pay policy statement is developed to be fair and transparent, and it should be clear how decisions about pay are made. This will help to build public trust and confidence in the CJC.
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	Fair pay helps to create a more stable and resilient society, where people are less likely to fall into or experience financial hardship.	As above
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Fair pay helps people to afford the basics of life, such as food, housing, and healthcare. This can lead to better health and well-being for individuals and families.	As above
A Wales of cohesive communities	Fair pay helps to create a sense of fairness and social cohesion. This can lead to stronger	As above

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
Communities are attractive, viable, safe and well connected	communities and better relationships between people.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Fair pay helps to reduce poverty and promote sustainable development around the world.	As above
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	Fair pay supports people to participate in cultural activities and learn the Welsh language. This can help to create a more vibrant and inclusive society.	As above
A more equal Wales People can fulfil their potential no matter what their background or circumstances	Fair pay helps to reduce income inequality and create a more just and equitable society.	As above

2. How has your proposal embedded and prioritized the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	By reviewing the pay policy statement annually, we can ensure that it is aligned with long-term strategic goals and objectives. This can help to ensure that the organization is able to attract and retain the talent it needs to succeed in the long term. For example, the organization may have a long-term goal of increasing the diversity of its workforce. The pay policy statement can be used to ensure that the organization is offering competitive salaries and benefits to attract and retain employees from diverse backgrounds.	
Working together with other partners to deliver objectives	The Pay Policy is developed with Trade Unions / employee representation groups etc. to implement a fair pay policy statement	
 Involving those with an interest and seeking their views	The Pay Policy is developed with Trade Unions / employee representation groups etc. to implement a fair pay policy statement	
Putting resources into preventing problems occurring or getting worse	A fair pay policy statement can help to prevent problems such as pay discrimination and pay inequality. By reviewing the pay policy statement annually, the CJC can identify and address any potential problems before they occur or get worse.	
Considering impact on all wellbeing goals together and on other bodies	An annually reviewed fair pay policy statement can help to achieve a number of important principles, including balancing short-term need with long-term planning for the future, working together with other partners to deliver objectives, involving those with an interest and seeking their views, putting resources into preventing problems occurring or getting worse, and considering impact on all well-being goals together and on other bodies.	

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Not relevant in this context since the principles, approach and ways of working apply to all prospective interests and stakeholders	As projects and programmes develop under the CJC, each will be subject to comprehensive assessments against the plans and procedures put in place to protect certain characteristics.	The decisions that are taken regarding pay are crucial to maintaining equality across the organisation. The production of an annual Pay Policy Statement supports this approach and assists in providing both transparency and accountability
Disability	As above	As above	As above.
Gender reassignment	As above	As above	As above.
Marriage or civil partnership	As above	As above	As above.
Pregnancy or maternity	As above	As above	As above.
Race	As above	As above	As above.
Religion or Belief	As above	As above	As above.
Sex	As above	As above	As above.
Sexual Orientation	As above	As above	As above.
Welsh Language	As above	As above	As above.

4. Safeguarding & Corporate Parenting. Are your proposals going to affect either of these responsibilities?

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	**Describe any negative impacts your proposal has on safeguarding and corporate parenting**	**What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?**
Safeguarding	Not directly relevant –however, building the future economy should have a profoundly positive impact on ability to safeguard the future of our residents		This is dependent upon the brief for regional education consortia and whether or not, it is intended to be grouped within CJCs.
Corporate Parenting	Not directly relevant – however building strength in the economy should create opportunities for all of the young people entrusted in our care and makes a direct contribution to wellbeing.		

5. What evidence and data has informed the development of your proposal?

As above.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

As above, the main implications will be in the implementation of this policy

7. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on: Annual Business Plan CJC Update Report	

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

9 OCTOBER 2023

SOUTH EAST WALES CORPORATE JOINT COMMITTEE: REGIONAL TRANSPORT PLAN & STRATEGIC DEVOPMENT PLAN

REPORT OF THE INTERIM CHIEF EXECUTIVE

AGENDA ITEM: 9

Reasons for Report

1. To update the South East Wales Corporate Joint Committee (the CJC) on the requirements and timescales regarding the Regional Transport Plan (RTP) and Strategic Development Plan (SDP).

2. To seek approval from Members for the resourcing approach detailed in this report to enable CCR to achieve the first milestones of the RTP and SDP, noting the position set out in relation to the CJC's proposed 2024/25 Budget Strategy and Medium Term Financial Plan as set out in Paragraph 61.

Background

3. In 2021, the Senedd passed the LG and Elections (Wales) Act 2021 to drive 'more coherent, consistent, simplified and democratically controlled mechanism for regional working' by establishing Corporate Joint Committees (CJCs).

4. Welsh Government's vision is for a strategic approach to both land-use and transport planning in a more joined-up way than has previously been achieved, and aligned tightly to ambitions around economic development. To that end, CJCs are required via statutory instrument to promote economic wellbeing, spatial planning and regional transport planning.

5. Specifically, in the statutory guidance for CJCs (published on 25 January 2022), there is a recognition of concurrence of some new statutory powers. This applies in the case of economic wellbeing duties, where constituent councils and CJCs have broadly the same powers. In this case, the CJC, "would seek to agree a process with its constituent councils that sets out how the exercise of concurrent functions will be managed."

6. However, for the non-concurrent powers strategic development planning and regional transport planning, "delivery of functions at the local level will be dependent on the decisions made regionally by CJCs; that is in terms of the nature of the decision and the timing of when decisions are made."

7. The guidance focussed on the statutory and constitutional arrangements for CJCs, as opposed to specific detail on the functions to be exercised. To that end, the CJC is required to develop a Strategic Development Plan (SDP) and Regional Transport Plan (RTP) following the publication of separate guidance specifically for these non-concurrent duties.

8. This paper outlines the delivery requirements and proposed timelines under the guidance that has since been published.

Regional Transport Plan

Policy Context

9. The requirement for local authorities to produce an Local Transport Plan is set out in the TransportAct 2000, as amended by the Transport (Wales) Act 2006. This duty was transferred to CJCs on 30th June 2022 by the Local Government and Elections (Wales) Act 2021. Statutory guidance is set out in the Corporate Joint Committee Statutory Guidance. The Corporate Joint Committees (Transport Functions) (Wales) Regulations 2021 set out how CJCs should prepare RTPs.

10. Although the duty to produce a RTP sits with the CJCs, the duty to deliver the RTP sits with the local authorities. Despite this, it is expected that the local authorities in each CJC will collaborate on a single collective delivery plan, a Regional Transport Delivery Plan (RTDP).

11. A CJC must develop policies for local authorities to implement the Wales Transport Strategy (WTS). These policies must include transport facilities and services that are:

    - required to meet the needs of people living or working in the region, visiting or travelling through the region;
    - required for the transportation of freight; and,
    - facilities and services for pedestrians.

12. The delivery mechanisms to realise the ambitions of the WTS are the National Transport Delivery Plan (NTDP) and the RTPs. NTDP is prepared by Welsh Government and sets out Welsh Government's programmes, projects and policies to deliver the WTS vision, ambitions and priorities across Wales over a five-year period.

13. The WTS includes nine mini-plans that set out actions for specific transport modes.To encourage integrated transport planning across modes there are four cross-cutting pathways to track actions on rural delivery, decarbonisation, equality and integrated journey planning.

14. It also incorporates the five ways of working set out in the Well-being of Future Generations Act (Wales) 2015.

Welsh Government Guidance

15. Detailed RTP Guidance was received from WG on 13 July 2023 and is attached at Appendix 1. The purpose of the Guidance is to set out the approach Welsh Government expects the CJCs to take in preparing RTPs. This includes:

    - the practical process to be followed in developing the RTPs;
    - how Welsh Government aims to support RTP production; and
    - the process to be followed to obtain approval from the Welsh Ministers.

    CJCs have a legal duty to take account of this guidance in the preparation of RTPs.

16. The Guidance includes 10 Key Points that must be taken into account when preparing the RTP, including a firm focus on modal shift; draw on existing analysis (including the work of Transport for Wales); and follow the five ways of working as set out in set out in the Well- being of Future Generations (Wales) Act 2015.

17. The Guidance also dictates that the RTP must be produced collaboratively across the CJC and not be written solely by consultants. There is an expectation that innovative approaches will be adopted in the production and implementation of the RTP.

    Requirement

18. The RTPs must consist of two concise elements - the RTP itself, incorporating the RTDP, and an Integrated Well-being Appraisal (IWBA) for the RTP.

19. The RTPs must include the following information:

    - **context and background** to the plan, including the link to relevant national and regional strategic plans and policies;
    - an **evidenced-based overview** of the current transport situation and likely changes over the plan period – closely tied to land use planning;
    - a **vision for the transport network** by the end of the plan period with a series of clear SMART objectives linked to this;
    - an overview of the **proposed policies and high-level interventions** and how theywill achieve the vision, including a brief summary of how those options were chosen (including any consultation and appraisal);
    - **RTDP**, listing the specific projects that will help to achieve the vision – ranked in order of priority;
    - information about **how projects will be delivered** and plans for monitoring and evaluation.

20. Supporting information should be included for the RTP, including key background data; IWBA; statutory impact assessments; and monitoring framework and baseline data.

21. RTPs and RTDPs should be prepared and submitted to WG by the start of the 2025-26 financial year.

22. Within the Guidance, WG has identified 6 key milestones that they consider are required to produce the RTP within their set timescale (noted below):

31 October 2023	CJCs to submit Implementation Plan to WG
29 February 2024	CJCs to submit RTP Case for Change including SMART objectives to WG
29 May 2024	CJCs to submit initial draft RTP, IWBA and RTDP to WG
31 October 2024	CJCs to submit final draft RTP, IWBA and RTDP to WG
29 March 2025	CJCs to submit final RTP, IWBA and RTDP to WG
30 June 2025	WG decision on approval of RTPs

23. CJCs must submit their RTPs to WG for approval by the Welsh Ministers. If the Welsh Ministers do not approve an RTP, the CJC will receive a statement of the reasons for its refusal. The CJC must then submit another RTP to Welsh Government for its approval within the timescale specified by Welsh Government.

24. If the Welsh Ministers approve an RTP, it has effect from when approval is given. No additional or revised information will be accepted after the submission, unless approved or requested by Welsh Government.

Timeline

25. The CJC legislation identified above is explicit in its requirement to have regard for any Guidance produced by WG in preparing an RTP. The Guidance is also explicit in its timeframe for the preparation and adoption of the RTP.

26. Following thorough consideration of the Guidance and what is required to deliver the RTP, the milestones as identified within the Guidance are unachievable.

27. Therefore, attached at Appendix 2 is an illustrative set of milestones, along with the identified tasks required to prepare the Plan. The preparation of the Implementation Plan timescale and the approval of the Plan timescale have not been amended following conversations with WG officers who have advised that these timescales are non-negotiable.

28. Whilst there is minimal room for slippage, the proposed alternative milestones could be achievable, subject to the relevant resource, both staff and funding, being made available.

First Milestone: Implementation Plan

29. In accordance with the Guidance, and following discussion with WG officers, by 31 October 2023, each CJC must produce an Implementation Plan, setting out how the RTP will be developed including work packages that are needed, the

governance arrangements, the timetable and milestones. It should include an engagement plan for the development of the RTP.

30. The Guidance also identifies the data available to CJCs from Transport for Wales (TfW), but also states that this is subject to discussion and agreement of scope with TfW. Any requests for data and analysis should be made to WG and TfW representatives working with CJCs across each region. However, there is no clear understanding as to whether this service is being offered free of charge. Furthermore, there are concerns that the current data is pre-covid data and post COVID data will not be available until March 2024 at the earliest.

Governance

31. The Guidance states that as well as a wider engagement process, CJCs will need a formal governance process for preparing the RTP. This ensures that key partners have the opportunitybe involved in, and formally agree, the RTP.

32. A review group should be established involving key staff from the authorities in the CJC.This group should ensure that CJCs have taken into account relevant information, including priorities plans and budgets. Other members should include representatives from Welsh Government and TfW. The regulations allow for others to be co-opted into the process such as partners from outside the region where there are shared interests.

Strategic Development Plan (SDP)

Policy Context

33. The statutory duty to prepare both a Local Development Plan (LDP) and an SDP is set out in the Planning and Compulsory Purchase Act 2004 (as amended). SDP Regulations were made (February 2022) enabling Corporate Joint Committees (CJCs) to prepare an SDP. The process for preparing an SDP will broadly mirror that of an LDP. Two Advisory Notes were issued in August 2021 covering governance and the plan preparation process.

34. 'Future Wales – The National Plan 2040' (FW2040) was published in February 2021 comprising part of the statutory development plan. All SDPs and LDPs have to be in general conformity with Future Wales, including any subsequent revision. This will be tested through the examination process.

35. FW2040 sets out the approach that CJCs should follow, with Policy 19 being clear about the scope and focus of matters to be addressed. These are the same as LDPs, albeit on a more strategic scale. It is important that LDP reviews do not undermine the longer-term direction of development, as they will essentially be the short to medium term component on an SDP.

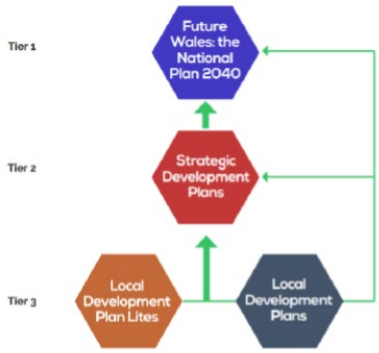
36. As a long-term plan (with a minimum range of 25 years), it is intended that the SDP will, ultimately, enable a more consistent, cost effective and efficient approach to land-use planning. The SDP will offer the opportunity to better plan

and deliver regionally important, strategic growth in a coordinated, cross-border manner, aligned with the Regional Transport Plan.

SDP Manual & Alignment with LDPs

37. A draft SDP Manual was issued to all Local Planning Authorities (LPAs) in autumn 2022. The Manual outlines in detail the context, core principles and SDP preparation process.

38. An informal consultation period has taken place and responses for CCR LPAs were collated by the South East Wales Planning Officers Group. The full and final Manual will be published in spring 2024. The Manual details a National Development Framework (NDF, see figure below) with the hierarch of plans, including 'Local Development Plan Lites', which should not formally commence until the SDP is adopted.



39. It is not anticipated that the SDP will be adopted until 2029, and Local Development Plans (LDPs) must be kept up to date, ensuring, for example, that investment and sustainable development can continue to take place in a Plan-led way, providing confidence to all stakeholders including investors, developers and our communities. It also provides a safeguard against speculative development proposals, for example, the loss of key employment sites to other types of development.

40. To that end, there have been discussions with LPA and WG colleagues, to ensure that there is a satisfactory dual track of SDP development and LDP review/ renewal, allied to alignment with WG policy. As LDPs are developed, WG requires evidence that the region's LDPs align and that the region's growth assumptions for homes and jobs are complementary across the region and are in general conformity with Future Wales.

41. An agreement has been reached at a regional officer level (and tabled with WG officers) that a report will be commissioned demonstrating and evidencing regional growth ambitions and their general conformity with FW2040. It is anticipated this will be delivered in early 2024. The report is being funded through the South East Wales Strategic Planning Group (SEWSPG).

Requirement

42. Per the Manual, SDPs must set out an overall vision and strategy for the plan area and identify a clear settlement hierarchy and strategic locations/places for future growth and change. They should also provide strategic guidance to LPAs through the articulation of sub-regional strategies and preferred strategy. A key purpose for SDPs is to plan across local authority boundaries, reflecting how people live and work.

43. Fundamental components of LDPLs, such as placemaking, the strategy, scale of homes/jobs, identification of key settlements and core issues must be clearly set out in the SDP. This must be evidence-based and tested through a public examination.

44. The content of the adopted SDP includes, but is not restricted to:

- plan period;
- regional and sub-regional strategies;
- LDPL Framework Policies;
- Regional Development Management Policies;
- strategic sites policies;
- Monitoring Framework.

Timeline

45. As a long-term endeavour, the timeline for the adoption of an SDP will vary, given the scale of the task for CCR. An indicative timetable is detailed below:

Key Stage		Timescales
Definitive		
Stage 1	**Delivery Agreement** Preparation and submission	Up to 4 weeks for WG approval (Usually shorter)
Stage 2	**Pre-Deposit** Preparation and involvement	Approximately 3 years
Stage 3	**Preferred Strategy** Public consultation	
Stage 4	**Deposit plan** Public consultation	Approximately 1 year
Stage 5	**Submission**	
Indicative		**Timescales**
		Approximately 12 months in accordance with Planning Environment Decisions Wales (PEDW) Procedural Guidance
Stage 6	**Examination**	
Stage 7	**Inspector's Report**	
Stage 8	**Adoption**	
		Total plan preparation time **5 YEARS**

First Milestone: Delivery Agreement

46. An official letter was issued to CJCs on 13 January 2023 setting out Welsh Ministers' expectations in relation to the development of the SDP. This includes the submission of a Delivery Agreement (DA) to Welsh Ministers by March 2024, and that the CJC demonstrate the commencement of technical work on plan preparation.

47. The Delivery Agreement (DA) marks the formal start of the plan preparation process. Per the manual, “The CJC must consider the aims, scope and priorities for the SDP and use the most effective and efficient forms of involvement, that are meaningful and sensitive to the scale of plan being prepared. The Welsh Government does not prescribe what methods to use when involving the community and stakeholders. This is a matter for the CJC to consider, reflecting on local knowledge and experience set in the context of staffing and financial resources available to prepare the SDP.”

48. Work is currently being undertaken to understand the resources required to meet the first milestone. There are two stages to the Delivery Agreement:

    1. preparation, including SDP timetable and Community Involvement Scheme (CIS);
    2. Approval, Agreement & Publication.

Governance

49. The Delivery Agreement process, allied to the establishment of CJC Governance, will establish proposals for governance around SDP development and adoption. This will cover the scale of elected Member involvement, such as the relationship between the CJC, plan preparation sub-committee, thematic working groups and officer technical team.

Resources for the Development of the RTP & SDP

50. There is work ongoing in CCR and with local authority officers to understand the resources required to deliver the SDP & RTP, both in regard to the first milestones as detailed and the year 2024-25 and beyond.

51. In regard to the first milestones, upon submission of an RTP Implementation Plan and appropriate Delivery Agreement Plan for the SDP, WG Ministers will make available £125k. This will be supplemented by £50k from current year CCR budget. By end of October 2023 there will be clarity on any further in-year resources requirements.

52. The CCR Infrastructure team will be charged with delivery of the RTP, working closely with the RTA and local authority officers. In regard to the SDP, it is recommended that expressions for a part-time secondment to lead this work is offered through the South East Wales planning fora (SEWSPG & SEWPOS).

53. For the financial year 2024-25, there is potential for follow-on funding from WG but this is unlikely to be sufficient to cover both the finalisation of the RTP and the commencement of the Pre-Deposit stage of the SDP. As part of the exercise detailed above, there will be further investigation of funding options.

54. The obligations are the same for all CJCs and, as such, they anticipate that they will also meet the first milestones for each. However, it is worth noting that the challenge of scale is significant for CCR, in terms of the number of local authorities and population.

55. CCR engage regularly with colleagues from other CJCs and will seek to, wherever possible, seek efficiency through cooperative working.

Reason for Recommendations

56. As noted above, strategic spatial and regional transport planning are non-concurrent statutory powers with associated duties. WG guidance has made clear the obligations of CJCs to enact these duties.

57. The RTP & SDP are critical in relation to CCR's strategic ambitions, as outlined in the Regional Economic & Industrial Plan, approved by Regional Cabinet in early 2023.

Financial Implications

58. At its meeting of the 9 October 2023, the CJC will be considering its Month 04 Budget Monitoring Update and Proposed 2024/25 Budget Strategy. That report sets out that at Month 04 the CJC is on target to fully spend its approved budget for the current year, which includes a sum of £50,000 in respect of the SDP and RTP work detailed in this report.

59. In addition, this report outlines Welsh Government's intention to make available grant funding of £125,000 to supplement the CJC budget above. In accepting such funding, the CJC will need to satisfy itself that it can meet the terms and conditions of the funding offer, for example the funding 'Purpose', the 'Terms for funding drawdown', etc. these will be key, as any restrictions imposed in this regard may act as a barrier to the CJC's ability to access and fully drawdown the funds.

60. The CJC's 2024/25 Budget Strategy and Medium Term Financial Plan (MTFP) highlights the challenges faced by Constituent Councils in balancing their local budgets in a sustained period of real term reductions and increasing demand for services. The report sets out the proposed strategy for addressing the CJC's 2024/25 budget requirement and includes three options in terms of the potential growth requirements identified at this time.

61. The CJC will be exploring these options in further detail over the autumn period in-light of the 'Options & Choices' available, however, central to the CJC's preferred way forward will be ability to secure funding from Welsh Government as part of a 'mixed funding' package to help deliver the SDP and RTP requirements set out in this report. Therefore, careful planning and sequencing will be required in the coming months to ensure that any commitments the CJC enters into, can be met from within the resource envelope, which the CJC is a position to approve.

Legal Implications

62. There are no direct legal implications regarding the proposed production of the SDP set out in this report. The report sets out the legal requirements generally with regards the RTP and SDP.

63. S112 Transport Act 2000 provides that the CJC must have regard to any guidance issued by the Welsh Ministers concerning the content of regional transport plans and the preparation of such plans.

Well-being of Future Generations (Wales) Act 2015

64. In considering this matter regard should be had, amongst other matters, to:

a) the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards;

b) public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties authorities must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. age; b. gender reassignment; c. sex; d. race – including ethnic or national origin, colour or nationality; e. disability; f. pregnancy and maternity; g. marriage and civil partnership; h. sexual orientation; I. religion or belief – including lack of religion or belief, and;

c) the Well-being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their respective duties under the Act, each public body listed in the Act (which includes the CJC) must set and publish wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, the CJC should consider how the proposed decision will contribute towards meeting the wellbeing objectives set by each Council and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the Councils to act in accordance with a 'sustainable development principle'. This principle requires the Councils to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Put simply, this means that CJC must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, they must:

- look to the long term;
- focus on prevention by understanding the root causes of problems;
- deliver an integrated approach to achieving the 7 national well-being goals;
- work in collaboration with others to find shared sustainable solutions;
- involve people from all sections of the community in the decisions which affect them.

65. The CJC must be satisfied that the proposed decision accords with the principles above. To assist the CJC to consider the duties under the Act in respect of the decision sought, an assessment has been undertaken, which is attached at Appendix 3.

RECOMMENDATIONS

66. It is recommended that the South East Wales Corporate Joint Committee:

(1) notes the statutory powers, associated duties and obligations in relation to spatial planning and regional transport as detailed in LG and Elections (Wales) Act 2021; and,

(2) approves the resourcing approach detailed in this report to enable CCR to achieve the first milestones of the RTP and SDP, noting the position set out in relation to the CJC's proposed 2024/25 Budget Strategy and Medium Term Financial Plan as set out in Paragraph 61.

Kellie Beirne
Interim Chief Executive
South East Wales Corporate Joint Committee
9 October 2023

Appendices
Appendix 1: RTP Guidance
Appendix 2: Implementation Plan Development table
Appendix 3: Well-being of Future Generations Assessment

Appendix 1

Llywodraeth Cymru
Welsh Government

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GUIDANCE TO CORPORATE JOINT COMMITTEES ON

REGIONAL TRANSPORT PLANS

2023

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

Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

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1 Introduction

1.1 Purpose

1.1.1 This guidance sets out the approach Welsh Government expects the Corporate Joint Committees (CJCs) to take in preparing Regional Transport Plans (RTPs).

1.1.2 The purpose of this guidance is to set out:

- the practical process to be followed in developing the RTPs;
- how Welsh Government aims to support RTP production; and
- the process to be followed to obtain approval from the Welsh Ministers.

1.1.3 CJCs have a legal duty to take account of this guidance in the preparation of RTPs.

1.2 Key Points

1. **We DO want the RTPs to be firmly focused on achieving modal shift.**
2. **We DO NOT want overly long documents written solely by consultants.**
3. **We DO want evidence of clear outcome-focused thinking.**
4. **We DO want you to use innovative approaches and technology in both developing and implementing the RTP.**
5. **We DO want you to draw on existing analysis and plans, including the work of the Transport for Wales (TfW) Geospatial and Strategic Transport Analysis unit (G-STAT).**
6. **We DO want you to work together as a CJC to produce the RTP.**
7. **We DO want you to follow the five ways of working set out in the Well-being of Future Generations (Wales) Act 2015.**
8. **We DO want you to use creative ways to engage people to achieve modal shift.**
9. **We DO want you to include disincentives for car use as well as incentives for more sustainable travel.**
10. **We DO want the Strategic Development Plans and the Regional Transport Plans to be developed together.**

1.3 Overview

1.3.1 Llwybr Newydd – The Wales Transport Strategy (WTS)[1] – sets out a vision for an accessible, sustainable, and efficient transport system in Wales.

1.3.2 The delivery mechanisms to realise these ambitions are the National Transport Delivery Plan (NTDP) and the Regional Transport Plans (RTPs).

1.3.3 The NTDP is prepared by Welsh Government and the RTPs are prepared by each CJC. The RTPs set the policies for implementing the WTS at a regional level.

1.3.4 The RTPs must include Regional Transport Delivery Plans (RTDPs) setting out how local authorities in Wales will deliver the policies set out in the RTPs.

1.3.5 RTPs must be approved by the Welsh Ministers. This approval will form part of the assessment process for local authorities to access Welsh Government grant funding for both local and regional transport schemes.

1.3.6 The existing Local Transport Plans (LTPs) remain live until the new RTPs are approved. There is no longer a duty for local authorities in Wales to produce LTPs.

1.3.7 A list of regional contacts to support the CJCs and LAs in the development of their RTPs and RTDPs is provided at Annex 1.

1.4 Statutory requirements and duties

1.4.1 The requirement for local authorities to produce an LTP is set out in the Transport Act 2000, as amended by the Transport (Wales) Act 2006.

1.4.2 This duty was transferred to CJCs on 30th June 2022 by the Local Government and Elections (Wales) Act 2021. Statutory guidance is set out in the Corporate Joint Committee Statutory Guidance[2]. The Corporate Joint Committees (Transport Functions) (Wales) Regulations 2021[3] set out how CJCs should prepare RTPs.

1.4.3 Although the duty to produce a RTP sits with the CJCs, the duty to deliver the RTP sits with the local authorities. Despite this, it is expected that the local authorities in each CJC will collaborate on a single collective delivery plan, an RTDP.

1.4.4 A CJC must develop policies for local authorities to implement the WTS. These policies must include transport facilities and services that are:

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[1] https://gov.wales/llwybr-newydd-wales-transport-strategy-2021

[2] Corporate Joint Committee: statutory guidance summary | GOV.WALES

[3] The Corporate Joint Committees (Transport Functions) (Wales) Regulations 2021 (legislation.gov.uk)

- Required to meet the needs of people living or working in the region, visiting or travelling through the region;
- Required for the transportation of freight; and
- Facilities and services for pedestrians.

1.4.5 RTPs must consider the transport needs of disabled persons (within the meaning of the Equality Act 2010[4]) and of persons who are elderly or have mobility problems, and more widely consider overcoming barriers.

1.4.6 In doing so, CJCs must comply with their other statutory duties, including:

- Wales Act 2017
- Conservation of Habitats and Species Regulations 2017 (Habitats Regulations)
- Environment (Wales) Act 2016
- Well-being of Future Generations (Wales) Act 2015
- Active Travel (Wales) Act 2013
- Welsh Language (Wales) Measure 2011 and Welsh Language Standards
- Equality Act 2010
- Rights of Children and Young Persons (Wales) Measure 2011
- Air Quality (Wales) Regulations (2000), as amended by the Air Quality (Wales) (Amendment) Regulations 2002) and Air Quality (Wales) Regulations (2010)
- Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 (SEA Regulations)

1.5 Approval

1.5.1 CJCs must submit their RTPs to Welsh Government for approval by the Welsh Ministers. The Welsh Ministers may only approve the RTP if they consider that:

- The RTP is consistent with the WTS;
- The policies contained in the RTP are adequate for the implementation of the WTS[5] within the region; and
- The RTP has taken account of this guidance.

1.5.2 If the Welsh Ministers do not approve an RTP, the CJC will receive a statement of the reasons for its refusal. The CJC must then submit another RTP to Welsh Government for its approval within the timescale specified by Welsh Government.

1.5.3 If the Welsh Ministers approve an RTP, it has effect from when approval is given.

1.5.4 No additional or revised information will be accepted after the submission, unless approved or requested by Welsh Government.

[4] https://www.legislation.gov.uk/ukpga/2010/15/contents

[5] The Corporate Joint Committees (Transport Functions) (Wales) Regulations 2021 sets out the requirements associated with preparation and approval of RTPs.

2 Strategic Context

2.1 Llwybr Newydd: The Wales Transport Strategy

2.1.1 The WTS sets out our vision to provide an accessible, sustainable and efficient transport system that is fit for future generations and places people and tackling climate change at the heart of decision making.

2.1.2 The vision is supported by four long-term ambitions with supporting objectives. These are to deliver a transport system that is good for:

- people and communities (equality, health, and safety and confidence)
- the environment (transport emissions, biodiversity and waste)
- places and the economy (place making and innovation)
- culture and the Welsh Language

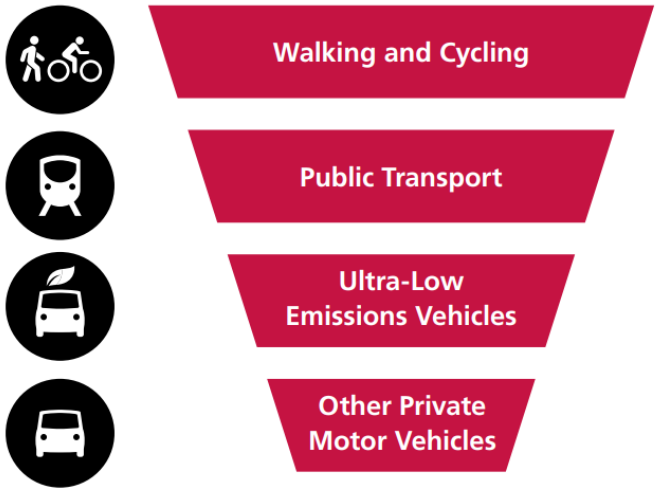
2.1.3 The four ambitions are supported by three short-term priorities:

- bring services to people in order to reduce the need to travel;
- allow people and goods to move easily from door to door by accessible, sustainable and efficient transport services and infrastructure; and
- encourage people to make the change to more sustainable forms of transport.

2.1.4 **The RTPs must include policies to support the vision and ambitions of the WTS, with an emphasis on the three short term priorities. The RTDPs must include actions to deliver these.**

2.1.5 The RTPs and RTDPs must include policies and actions to make best use of existing transport infrastructure by maintaining and managing it well, adapting it to a changing climate and upgrading it to support modal shift.

2.1.6 Where new infrastructure is needed, the RTPs and RTDPs must follow the Sustainable Transport Hierarchy.



2.1.7 **The RTPs must identify barriers to sustainable travel for different groups of people, using the COM-B model of behaviour change.**

2.1.8 The COM-B model states that to do a behaviour, an individual must have the **Capability** to do it, the **Motivation** to do it, and external factors must provide them with an **Opportunity** to do it. The RTPs and RTDPs must include policies and actions to give people:

- the Capability to use sustainable transport;
- the Opportunity to make sustainable transport choices; and
- the Motivation to shift away from private car use.

2.1.9 **RTPs and RTDPs must include policies and actions for a range of behaviour-change projects** to encourage people to make smarter travel choices to reduce congestion and increase use of sustainable modes of transport.

2.1.10 The WTS includes nine mini-plans that set out actions for specific transport modes. To encourage integrated transport planning across modes there are four cross-cutting pathways to track actions on rural delivery, decarbonisation, equality and integrated journey planning.

2.1.11 **The RTPs must include policies to support the mini-plans and cross-cutting pathways. The RTDPs must include actions deliver these.**

2.1.12 The WTS Monitoring Framework sets out measures to track progress against the WTS. These are based on the four ambitions in the WTS and the 7 goals set out in the Well-being of Future Generations (Wales) Act 2015.

2.1.13 **RTP policies and RTDP actions must maximise contribution to the measures in the WTS Monitoring Framework.**

2.1.14 The WTS incorporates the five ways of working set out in the Well-being of Future Generations Act (Wales) 2015.

2.1.15 **RTPs and RTDPs must be developed using five ways of working of the Well-being Act:**

- **Long term** – balancing short-term needs with the need to safeguard the ability to also meet long-term needs.
- **Prevention** – identifying root causes of problems and considering how to prevent them occurring or getting worse.
- **Integration** – considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.
- **Collaboration** – acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives.

- **Involvement** – involving people with an interest in achieving the well-being goals and ensuring that those people reflect the diversity of the area which the body serves.

2.2 The National Transport Delivery Plan

2.2.1 The National Transport Delivery Plan (NTDP[6]) sets out Welsh Government's programmes, projects and policies to deliver the WTS vision, ambitions and priorities across Wales over a five-year period.

2.2.2 **The RTPs and RTDPs must align with the NTDP.**

2.2.3 Given the overlapping publication cycles, it is expected that RTPs will inform subsequent versions of the NTDP. The current NTDP is due to be revised in 2027.

2.2.4 **The RTPs must draw on work already undertaken for other transport policies and plans in the region**, including Metro programmes, South Wales Transport Commission, North Wales Transport Commission and Bws Cymru.

2.2.5 Transport for Wales (TfW) is developing Metro programmes and associated business cases on behalf of Welsh Government and in collaboration with local government. Where they exist, Metro programmes will provide context for the RTPs in those regions to build on.

2.2.6 The Active Travel (Wales) Act 2013 **requires** CJCs to have regard to the Integrated Network Maps for active travel when formulating RTPs.

2.2.7 **RTPs and RTDPs must align with Welsh Government's response to the Roads Review recommendations and principles for future road investment.**

2.2.8 Annex 2 provides a list of modal plans and strategies that all RTP policies and RTDP projects must align with.

2.3 Strategic Development Plans

2.3.1 Transport is a key element in place-making, so it is important that RTPs and SDPs for each CJC are closely aligned.

2.3.2 The first WTS priority is 'to bring services to people to reduce the need to travel'. This involves planning ahead for better physical and digital connectivity, more local services, more home and remote working and more active travel to reduce the need for people to use their cars on a daily basis.

[6] National transport delivery plan: 2022 to 2027 | GOV.WALES

2.3.3 Both Planning Policy Wales and Future Wales include guidance on taking transport issues into account in land use planning including having regard to WelTAG and adopting the sustainable transport hierarchy.

2.3.4 **RTPs will provide a good platform for better integration with land use planning. RTPs must take account of:**

- Future Wales: the National Plan 2040[7] which sets the direction for development in Wales;
- Planning Policy Wales;
- the Wales Infrastructure Investment Plan[8]; and
- work undertaken to produce existing and new Local Development Plans (LDPs) and emerging work on their Strategic Development Plans (SDPs). LDPs and SDPs must take account of RTPs.

2.4 Other Policies and Plans

2.4.1 **CJCs must take account of other policies and plans, including:**

- Local Authority well-being assessments and well-being plans
- Regional Economic Frameworks[9]
- Net Zero Wales[10]
- A Healthier Wales[11]
- Clean Air Plan for Wales: Healthy Air, Healthy Wales[12]
- Noise and Soundscape Action Plan[13]

2.4.2 The RTPs should clearly demonstrate how they will enable access to, and deliver benefits in relation to, other local government and public services such as education and health.

[7] https://gov.wales/sites/default/files/publications/2021-02/future-wales-the-national-plan-2040.pdf

[8] https://gov.wales/wales-infrastructure-investment-plan-project-pipeline-2021

[9] Regional economic frameworks | GOV.WALES

[10] https://gov.wales/net-zero-wales

[11] https://gov.wales/healthier-wales-long-term-plan-health-and-social-care

[12] Clean Air Plan for Wales: Healthy Air, Healthy Wales | GOV.WALES

[13] noise-and-soundscape-action-plan.pdf (gov.wales)

3 Form and Content of Regional Transport Plans

3.1 Format

3.1.1 **The RTPs must consist of two elements:**

- The RTP itself, incorporating the RTDP; and
- An Integrated Well-being Appraisal (IWBA) for the RTP.

3.1.2 The RTP and IWBA **must** both be **easy to read and concise**. Please consider:

- What information **MUST** the reader have to understand the issues and options? **Include it**.
- What information **SHOULD** the reader have to improve understanding of the issue and options? **Be selective**.
- What information **COULD** the reader have, which would be nice to know, but not necessary to understand the issues and options? **Leave it out**.

3.1.3 Keeping the RTP concise is very important. You may use annexes, but these must also be concise and kept to a minimum.

3.1.4 Visuals such as diagrams and plans should illustrate the style, format and content of RTPs to a range of stakeholders and be easy to understand.

3.1.5 RTPs **must** be available in accessible formats, including an Easy Read version. The purpose of an Easy Read document is to give people access to information who have difficulty doing so from documents produced in a standard format.

3.1.6 RTPs, RTDPs and IWBA **must** be available in Welsh and English.

3.2 Content

3.2.1 **The RTPs must include the following information:**

- Context and background to the plan, including the link to relevant national and regional strategic plans and policies.
- An evidenced-based overview of the current transport situation and likely changes over the plan period – closely tied to land use planning. This should include opportunities and barriers to addressing the priorities in the WTS and fit with the NTDP. To support this, information is produced by Welsh Government and available via the Well-being of Future Generations Future Trends Report[14],

[14] https://gov.wales/future-trends-2021

Mobility in Wales[15], and WTS transport data and trends supporting information[16]. Datasets, analytics and regional modelling is available via TfW (Annex 3).

- A vision for the transport network by the end of the plan period with a series of clear SMART objectives linked to this. These should be linked back to the WTS.
- An overview of the proposed policies and high-level interventions and how they will achieve the vision, including a brief summary of how those options were chosen (including any consultation and appraisal).
- A Regional Transport Delivery Plan (RTDP), listing the specific projects that will help to achieve the vision – ranked in order of priority (in terms of greatest impact in meeting WTS priorities) and sequenced for delivery. This can be in the form of a detailed table. An example can be found in Annex 4 of this document.
- Information about how projects will be delivered, and plans for monitoring and evaluation. These **must** align with the WTS monitoring framework.

3.3 Supporting information

3.3.1 The supporting information for an RTP can include (but not be limited to):

- the key background data and research used to inform the issues and opportunities (this might include data from previous studies, modelling information, or land use planning information);
- an IWBA showing how well-being has been taken into account in developing the RTP including the five ways of working and the four WTS well-being ambitions;
- more detailed statutory impact assessments, technical studies, consultation and engagement summaries, or other information that have been used to inform the development of the RTP or IWBA; and
- a monitoring framework and set of baseline data.

3.4 Scope

3.4.1 For each high-level intervention identified in the RTP, the RTDP should set out the specific schemes proposed to deliver them. These should **only** include proposals for schemes that are within a local authority's remit and should not, for example, include schemes relating to the rail or trunk road network.

3.4.2 Where a local authority considers an intervention or scheme to have a sub-regional or regional impact, this should be identified in the RTP.

[15] https://gov.wales/llwybr-newydd-wales-transport-strategy-2021-mobility-wales

[16] https://gov.wales/sites/default/files/consultations/2020-11/supporting-information-transport-data-and-trends.pdf

4 How to Develop the Regional Transport Plan

4.1 Case for Change

4.1.1 Before starting work on developing the RTP, the CJC should develop a 'Case for Change'. This should set out the aim of the RTP and core SMART objectives. It should draw on the WTS and other current strategic plans, as well as on existing knowledge of issues and opportunities including previous plans.

4.2 Engagement

4.2.1 As part of the Case for Change, CJCs should develop an Engagement Plan showing who will be involved in developing the RTP and how they will be involved, including details of the formal consultation process and other engagement and involvement mechanisms.

4.2.2 RTPs should be developed collaboratively, drawing on knowledge and experience of previous local and regional transport plans. CJCs should also be in dialogue with each other during the process to share knowledge and avoid duplication.

4.2.3 The key partners will be each of the local authorities in the CJC. Other partners should include TfW, Welsh Government, and transport groups and operators in the private and third sectors across different transport modes. CJCs must engage with the public, using creative and innovative means of involving a diverse range of people.

4.2.4 There should be a formal governance process in place to involve key partners and agree the RTP (see below). There should also be a wider engagement process involving activities such as working groups, forums, face to face meetings and formal consultations.

4.2.5 **We expect CJCs to use creative ways of reaching people whose behaviour we want to change to achieve modal shift.**

4.2.6 It is particularly important that there is effective engagement with land-use planning colleagues developing Strategic Development Plans. The CJC should also seek to engage with stakeholders from other policy areas including education, health and well-being, such as through inviting colleagues to workshops to develop options.

4.2.7 The RTP should summarise the engagement process and show how the results of that engagement have informed the development of the RTP. The Integrated Well-being Appraisal (IWBA) should show how engagement across different sectors and policy areas has informed the social, environmental, economic, place-based and cultural impacts of the RTP.

4.3 Governance

4.3.1 As well as a wider engagement process, CJCs will need a formal governance process for preparing the RTP. This ensures that key partners have the opportunity be involved in, and formally agree, the RTP.

4.3.2 A review group should be set up involving key staff from the authorities in the CJC. This group should ensure that CJCs have taken into account relevant information, including priorities plans and budgets. Other members should include representatives from Welsh Government and TfW. The regulations allow for others to be co-opted into the process such as partners from outside the region where there are shared interests.

4.3.3 The CJC should appoint a Secretariat to co-ordinate basic administration, such as meeting arrangements, and a Project Manager to be responsible for and oversee the plan's production, including securing decision making/ approvals.

4.3.4 Welsh Government check-ins should be held at least twice during the development of a CJC's RTP to help ensure progress is being made and to raise any issues at an early stage. This could, for example, take place at draft and final plan stages prior to the submission of the RTP to the Welsh Government for approval. The Check-in approach should be agreed at the start of the RTP planning process with Welsh Government officials.

4.3.5 Details of the governance process should be included in the Implementation Plan.

4.4 Scoping and Implementation Plan

4.4.1 RTPs and RTDPs should be prepared and submitted to Welsh Government by the start of the 2025-26 financial year.

4.4.2 Following the publication of this guidance, CJCs should consider it, review previous work to ensure it is aligned, scope the likely work required and consider the resources needed to prepare their RTP.

4.4.3 By the end of October 2023, each CJC **must** produce an Implementation Plan and discuss it with Welsh Government transport officials and Transport for Wales.

4.4.4 The scoping exercise should identify the work packages needed to develop the RTP and supporting information including the IWBA.

4.4.5 The work packages could include:

- Background data and research including technical data from transport models, and baseline data on key WTS monitoring measures including air quality or noise.
- Initial advice on scheme development and options, including technical modelling of options including carbon emissions and air quality.
- Preparation of an initial IWBA to inform the choice of options and a final IWBA showing how well-being has been taken into account in the final RTP.
- More specific regulatory impact assessments such as Environmental Impact Assessment, Habitats Regulations Assessment, Equalities Impact Assessment, Welsh Language Impact Assessment and Heritage impact assessment as needed to inform the IWBA.
- Assistance with engagement and consultation.
- Assistance with drafting the plan and incorporating the results of more detailed work packages including the IWBA.

4.4.6 The milestones should include target dates for completing the following steps:

1. Drafting the initial Case for Change, mobilisation and scoping
2. Submitting the Implementation Plan to Welsh Government
3. Finalising the Case for Change and engaging with statutory bodies and others on the IWBA
4. Developing and refining proposals
5. Submitting the draft RTP and draft IWBA to Welsh Government for review
6. Publishing the revised RTP and IWBA for public consultation
7. Submitting the revised RTP, IWBA and consultation report to Welsh Government for approval by the Welsh Ministers
8. Publishing the approved RTP and IWBA.

4.4.7 Annex 5 provides key milestones.

4.4.8 The Implementation Plan should set out how the RTP will be developed including what work packages are needed, the governance arrangements, the timetable and milestones. It should include an engagement plan for the development of the RTP.

4.5 The Planning Process

4.5.1 Once the Case for Change has been established and the Implementation Plan has been agreed, the next step is for the CJCs to develop the regional policies and high-level interventions to achieve the vision and objectives of the RTPs.

4.5.2 These policies and high-level interventions will set the framework for the projects and programmes in the RTDPs. This will ensure that what we are delivering directly contributes to regional and national priorities.

4.5.3 It is important that RTPs are developed in-house wherever possible, and consultants and specialists are only brought in where needed.

4.5.4 It is also important not to duplicate work and make best use of existing information and knowledge.

4.5.5 Engagement and review are essential parts of the planning process and will help make sure that the policies, programmes and projects maximise well-being.

4.5.6 Modelling can be used to test the effectiveness of policies and interventions at meeting our objectives against a do nothing or do minimum scenario. Any modelling must be proportionate to the funding available to deliver the RTPs.

4.6 Regional Transport Delivery Plans

4.6.1 RTPs must set out both policies for transport in the region and more specific information about how those policies will be delivered by local authorities in its Regional Transport Delivery Plan (RTDP).

4.6.2 The RTDP should take the form of a list of schemes and be ranked in order of priority in terms of impact on delivering WTS priorities. These should be the schemes that local transport authorities intend to invest in to deliver the RTPs.

4.6.3 The RTDP must set out how local authorities will meet the revenue consequences of the capital investment.

4.6.4 As well as using their own resources, CJCs and local authorities are encouraged to be creative in seeking additional funding for transport investment. This could include private sector financing or funding from other funders.

4.6.5 Where Welsh Government funding is made available for local authority schemes once RTPs are in place, we would expect any schemes proposed for support to be identified and prioritised in the approved RTDP.

4.7 Monitoring and Evaluation Plan

4.7.1 The RTP must include a Monitoring and Evaluation Plan showing how regional progress in achieving the national priorities and ambitions in the WTS will be monitored, measured and evaluated. This must include the region's contribution to national decarbonisation and modal shift targets.

4.7.2 The Monitoring and Evaluation Plan should include a set of measures with baseline information for each. The measures can include qualitative outcomes and quantitative measures.

4.7.3 The measures should be based on the framework of measures used in the IWBA and updated if needed, drawing on the WTS Monitoring Framework adapted for regional needs. Transport for Wales published baseline data for the WTS Monitoring Framework and are reviewing and updating this on an ongoing basis.

4.7.4 CJCs must submit annual performance reports on RTPs to Welsh Government each year.

4.7.5 A comprehensive evaluation should be prepared after three years to assess whether the RTP is delivering its outcomes, providing value for money and whether there are any unintended consequences. This should follow published guidance and best practice on evaluation.

4.7.6 The results of this comprehensive evaluation will feed into the subsequent RTP for each CJC, and the subsequent NTDP.

5 Integrated Well-being Appraisal

5.1.1 RTPs **must** be supported by an Integrated Well-being Appraisal (IWBA). Current guidance on IWBA is set out in the new draft WelTAG guidance. This should be used until the final guidance is published.

5.1.2 An IWBA shows how well-being has been considered in the plan including social, environmental, economic and place based and cultural well-being, and the five ways of working. It should also show how the RTP will contribute to other outcomes such as NetZero and equality.

5.1.3 IWBA is not new. Welsh Government publish Integrated Impact Assessments for new policies and programmes and public bodies are required to consider well-being. Strategic Environmental Assessments (SEAs) are used for plans that set the framework for development consents.

5.1.4 The IWBA simply tailors that process to the needs of transport policies, programmes and projects in Wales by aligning it with the WTS and the Well-being of Future Generations (Wales) Act 2015. It includes considerations relevant to transport services including equalities impact assessment, Welsh Language impact assessment and impact on NetZero ambitions.

5.1.5 Public Service Boards already publish well-being plans and report against well-being targets. Those documents will provide a useful starting point for developing the RTP and assessing the impact of RTPs on well-being.

5.1.6 Providing the IWBA identifies, describes and evaluates the "likely significant effects on the environment of implementing the plan and reasonable alternatives, taking into account the objectives and geographical scope of the plan",[17] there may be no need for a separate Strategic Environmental Assessment.

5.1.7 In accordance with the Equalities Act 2010, the IWBA should summarise the foreseeable impacts of the RTP on people who share protected characteristics (including disabled people and people with limited mobility) and how any potentially negative impacts have been mitigated or avoided. They should also show how the RTP has addressed the socio-economic duty.

5.1.8 The IWBA should use an Integrated Well-being Appraisal Framework which incorporates the four well-being ambitions in the WTS and the measures in the WTS Monitoring Framework, including modal shift and decarbonisation targets.

[17] Environmental Assessment of Plans and Programs (Wales) Regulations 2004

5.1.9 These can be supplemented with regional ambitions and measures drawing on, for example, Public Sector Board Well-being Plans or Regional Strategic Plans.

5.1.10 The IWBA should also show how the RTP has used five ways of working set out in the Well-being of Future Generations (Wales) Act 2015.

5.1.11 The IWBA should not be prepared after the RTP is drafted. Instead, well-being should be considered each stage in developing the RTP including the Case for Change, exploring options, the choice of final proposals and plans for monitoring and evaluation.

5.1.12 The four main steps in preparing and IWBA for a RTP are:

Step 1 before work commences: the project manager should review the Case for Change, undertake scoping to establish what specialist work packages may be needed to develop the IWBA including any supporting statutory impact assessments, and develop a brief/s to commission that work and ensure it is fed into the process of developing the RTP.

Step 2 During the process of developing the RTP: an integrated well-being framework should be developed and agreed with key partners. Options for policies or projects should be reviewed against that framework.

Step 3 when the draft RTP is published for consultation: it should be accompanied by a draft IWBA report showing how well-being has been taken into account and how the five ways of working have been followed.

Step 4: when the final RTP is submitted to WG: it should be accompanied by a final IWBA report taking on board any consultation responses.

5.1.13 CJCs may wish to commission specialist impact assessments to explore particular topics in Schedule 2 of the environmental impact regulations or in relation to equality or Welsh language. They may also need specialist advice on calculating projected carbon emissions or health impacts. Information from these should be summarised in the IWBA which should take an integrated approach.

Annex 1: Regional Contacts

Transport Planning

For help with transport planning including RTP development and application of WelTAG:

	Welsh Government	Transport for Wales
North Wales	Corinna James*	Ruth Wojtan
	transportplanning@gov.wales	Ruth.wojtan@tfw.wales
Mid Wales	Matt Jones	Tracy Kearns
	transportplanning@gov.wales	Tracy.kearns@tfw.wales
South West Wales	Matt Jones	Ben George
	transportplanning@gov.wales	Ben.george@tfw.wales
South East Wales	Corinna James	Rob Jones
	transportplanning@gov.wales	Rob.jones@tfw.wales
		Amy Nichols (Cardiff)
		Amy.nichols@tfw.wales

*Temporary contact whilst a north Wales transport planner is appointed

North Wales Transport Commission

In developing north Wales transport policies, programmes and projects, the north Wales CJC and LAs must take account of the following documents:

- North Wales Transport Commission Interim Report https://www.gov.wales/sites/default/files/publications/2023-06/north-wales-transport-commission-interim-report-june-2023.pdf

Key Contact:

Welsh Government
Lea Beckerleg Lea.beckerleg@gov.wales

Annex 2: Modal Plans and Strategies

Active Travel

In developing Active Travel policies, programmes and projects, including Safe Routes in Communities, CJCs and LAs must take account of the following documents:

- Active Travel Act Guidance Active Travel Act guidance (gov.wales)
- Each local authority's Active Travel Network Map, as submitted on DatamapWales, Active Travel Network Maps | DataMapWales (gov.wales) and its associated scheme prioritisation schedule

Key Contacts:

Welsh Government	Transport for Wales
Natalie Grohmann activetravel@gov.wales	Matthew Gilbert activetravel@tfw.wales

Public Transport

In developing Public Transport policies, programmes and projects, CJCs and LAs must take account of the following documents:

- Bws Cymru Bws Cymru connecting people with places (gov.wales)
- Bus reform white paper One network, one timetable, one ticket: planning buses as a public service for Wales | GOV.WALES and any subsequent legislation
- A Railway for Wales: Meeting the needs of future generations a-railway-for-wales-the-case-for-devolution.pdf (gov.wales)

Key Contacts:

Welsh Government	Welsh Government
Joe Dooher bus@gov.wales	Jodye Kershaw / Jon Travis rail@gov.wales

Road Safety

In developing Road Safety policies, programmes and projects, CJCs and LAs must take account of the following documents:

- Road Safety Strategy for Wales Written Statement: Road Safety Strategy (15 December 2022) | GOV.WALES

We are developing a new Road Safety Strategy for Wales to align with the Wales Transport Strategy and Net Zero. We plan to launch the new strategy in early 2024.

We will provide a copy of the Road Safety Strategy for Wales once it is published.

Key Contacts:

Welsh Government
Ian Bradfield transportplanning@gov.wales

Ultra-low Emission Vehicles

In developing Ultra-low Emission Vehicle policies, programmes and projects, CJCs and LAs must take account of the following documents:

- Electric Vehicle Charging Strategy for Wales Electric Vehicle Charging Strategy (gov.wales)
- Electric Vehicle Charging Strategy for Wales Action Plan Electric vehicle charging strategy for Wales: action plan (gov.wales)

Key Contacts:

Welsh Government	Transport for Wales
Karine Boucher transportplanning@gov.wales	Steve Ward steve.ward@tfw.wales

Roads

In developing Road policies, programmes and projects, CJCs and LAs must take account of the following documents:

- Welsh Government response to the Roads Review Welsh Government response to the Roads Review | GOV.WALES

Key Contacts:

Welsh Government
Alison Thomas transportplanning@gov.wales

Freight

In developing Freight policies, programmes and projects, CJCs and LAs must take account of the following documents:

- Freight & Logistics Plan for Wales

We are developing a new Freight & Logistics Plan for Wales. The plan will be developed through joint working and consultation with key stakeholders such as The Rail Freight Group, Road Haulage Association and Logistics UK. We intend to launch the plan by 2024.

We will provide a copy of the Freight & Logistics Plan for Wales once it is published.

Key Contacts:

Welsh Government
Jonathan Moody aviationportsandlogistics@gov.wales

Annex 3: Data to inform Regional Transport Plans

Data available to CJCs from Transport for Wales

Subject to discussion and agreement of scope with Transport for Wales, the following data and analysis can be provided for use by CJCs. Requests should be made to Welsh Government and Transport for Wales representations working with CJCs across each region, who may engage with the Geospatial and Strategic Transport Analysis Unit (G-STAT)18.

Datasets

- Public Sector Geospatial Agreement (PSGA) data from OS, such as mapping tiles and AddressBase – note that this information can be supplied to CJCs if they (or their legally accountable body) are signed up to the PSGA and can use their own OS licence number on maps that are produced when they use this data.
- Bus route coverage / bus stop mapping, updated to Q3 2022.
- GPS-based journey time data for main road links and corridors (up-to-date and historic) – note that permission will need to be granted by the Welsh Government before Transport for Wales can release this data to CJCs.
- Summary annual rail demand for specific stations or specific rail corridors based on ticket sales data contained within MOIRA1, updated to year ending March 2022 – note that permission may need to be sought from GWR, Cross County or Avanti if CJCs wish to publish information for rail lines/stations served by those operators.
- Origin-destination mobile network data summary mapping at the MSOA census level, from summer 2018 / spring 2019 (pre-pandemic). More recent datasets (for summer/autumn 2022) will be available spring 2023.
- High level GB National Trip End Model (NTEM) forecasts from the DfT's TEMPro.

[18] Email: gstat@tfw.wales

Analytics

- Journey time accessibility isochrone mapping for public transport, walk, cycle access to specific destinations, by time of day. Similarly, journey time accessibility mapping for walk or cycle access to the public transport network. Based on Q3 2022 public transport networks.
- Catchment analyses, for populations within certain distances / times of bus stops and/or rail stations, using 2020 mid-year population estimates.
- Trip numbers and mode share estimates (2019) for each region.

Strategic transport modelling

- Base year travel demand matrices by time period (AM peak, inter-peak, PM peak), by mode (car, public transport) and by journey purpose (commute, business, other):
    - South East Wales Transport Model (SEWTM): 2015 base year (2022 version to be available mid-2023)
    - South West & Mid Wales Transport Model (SWMWTM): 2019 base year
    - North Wales Transport Model (NWTM): 2019 base year
- Scenario modelling / forecasts, following scoping discussions with Transport for Wales:
    - SEWTM: 2026/2036 (later forecast years to be available mid-2023)
    - SWMWTM: 2027/2042
    - NWTM: 2027/2042

Further information on the Wales Regional Transport Models is available at: Wales Regional Transport Models | TfW

Llwybr Newydd Wales Transport Strategy Monitoring Framework

Information on the national Wales Transport Strategy Monitoring Framework is available at: Wales Transport Strategy Monitoring | Transport for Wales (tfw.wales)

Annex 4: Regional Transport Plan Framework

1. Introduction

1.1 Plan Coverage and Period

Provide a brief introduction. Attach a location plan of area covered.

1.2 Links to Welsh Government Priorities

Provide information about links to priorities.

1.3 Review of Regional Transport Plan and Studies

Provide an overview of plans and studies reviewed.

1.4 Review of Policies and Other Plans

Provide a brief overview of documents reviewed.

2. Issues, Opportunities and Interventions

Issues and opportunities should relate to meeting the WTS priorities and targets for decarbonisation and modal shift, considering the well-being outcomes.

The interventions should focus on turning the WTS into action at a regional level. Whilst it will be the responsibility of local authorities to deliver the interventions in any approved RTP, the CJCs should answer key questions as part of the RTP process pertinent to affordability, deliverability and management.

In line with WelTAG, an evidence-based approach should be applied, considering each issue, opportunity and outcome in the context of the current and future trends.

The five ways of working set out in the Well-being of Future Generations (Wales) Act should be followed to help ensure CJCs 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. CJCs should refer to the relevant guidance published by the Future Generations Commissioner for Wales[19].

[19] https://gov.wales/well-being-future-generations-wales-act-2015-guidance

RTPs should include a Regional Transport Delivery Plan, using the format below. This should provide a reference number alongside relevant evidence, issues, opportunities and interventions.

Ref	Evidence	What is the issue or opportunity?	What do we want to achieve? (Well-being outcomes)	How do we intend to achieve this? (Affordability, deliverability, and management)	When do we intend to achieve this? (Timescale)

The WTS identifies **four** key areas critical to the delivery of Welsh Government priorities and ambitions – decarbonisation, equality, integrated journey planning and rural. These cut across the different modes and sectors.

There are a wide range of commitments relating to each of these throughout the WTS. Annex 3 of the NTDP provides a summary of the main NTDP initiatives that will be key to delivering each pathway.

The RTP should include a summary of the main RTP initiatives that will be key to delivering each pathway.

3. Statutory Checks

CJC should provide details of screening undertaken and summarise any necessary statutory checks.

An IWBA should accompany the RTP.

4. Engagement

CJCs should provide details of who has been consulted, summarise feedback and explain how comments have been taken into account. This should be based on an Engagement Plan completed as part of the RTP Implementation Plan, and recorded in a Consultation Report, to be undertaken and satisfied as part of the WelTAG and IWBA process.

5. Monitoring and Evaluation

A Monitoring and Evaluation Plan will be required which describes how each intervention and its impacts will be monitored. This should follow WelTAG guidance as appropriate.

Annex 5: Key Milestones

- 31st October 2023 – CJCs to submit Implementation Plan to Welsh Government.
- 29th February 2024 – CJCs to submit RTP Case for Change including SMART objectives to Welsh Government
- 29th May 2024 – CJCs to submit initial draft RTP, IWBA and RTDP to Welsh Government BEFORE public consultation
- 31st October 2024 – CJCs to submit final draft RTP, IWBA and RTDP to Welsh Government
- 29th March 2025 – CJCs to submit final RTP, IWBA and RTDP to Welsh Government
- 30th June 2025 – Welsh Government decision on approval of RTPs

Implementation Plan Timetable - *The Implementation Plan should set out how the RTP will be developed including what work packages are needed, the governance arrangements, the timetable and milestones. It should include an engagement plan for the development of the RTP.*

Tasks required to develop and deliver the RTP		Timescale
1.	Set up Governance arrangements via CJC Board	11th Oct 2023
2.	Provide secretariat for admin	Oct 2023
3.	Provide Project Manager for RTP	11th Oct 2023
4.	Set up a Review group to include LAs / WG / TfW / other partners	Dec 2023
5.	Prepare Case for Change	Feb 2024
6.	Prepare Draft Implementation Plan to be submitted to WG by 31st Oct 23 (to be discussed with WG & TfW)	31st Oct 2023
7.	Seek approval from CJC Board to submit Draft Implementation Plan to WG by the deadline of 31st Oct 2023	Oct 11th 2023
8.	Prepare a set of weighted criteria to prioritise against	Feb 2024
9.	Seek approval from CJC Board to adopt criteria	Feb 2024
10.	Prepare set of policies, objectives and interventions aligned with all of the Plans	Feb/Mar 2024
11.	Provide set of baseline data that the Plan will be measured against	May 2024
12.	Prepare draft IWBA	May 2024
13.	Finalise Case for Change and engage statutory bodies on draft IWBA	May / June 2024
14.	Seek more specific regulatory impact assessments such as EIA, HRAEIA, Welsh Language IA and Heritage IA as needed to inform the IWBA.	May - Sept 2024
15.	Prepare Engagement Plan	Feb 2024
16.	Prepare Monitoring & Evaluation Plan	May 2024

Tasks required to develop and deliver the RTP	Timescale
17. Prepare RTP content	May 2024
18. Seek approval from CJC Board to adopt draft IWBA	May 2024
19. Prepare RTDP content, including list of projects, funding mechanisms and timescales for delivery	Until Jun 2024
20. Model proposed interventions against evidence data and models	Jun - Sept 2024
21. Assess draft RTDP against agreed criteria and IWBA	Jun – Sept 2024
22. Submit Draft Plans to Governing Board for approval	Sept 2024
23. Check in session with WG as required	Sept 2024
24. Submit draft RTP and IWBA to WG for Review	Sept 2024
25. Seek approval from CJC Board for public consultation	Oct 2024
26. Publish bilingual and 'easy to read' revised RTP and IWBA for public consultation	Oct 2024
27. Revise RTP and IWBA following public consultation	Dec 2024 – Feb 2025
28. Check in session with WG as required	Feb 2025
29. Seek approval from CJC Board to submit final Plans to WG Ministers for approval	Mar 2025
30. Submit final RTP, RTDP and IWBA to WG for approval by Welsh Minister	March 2025
31. Publish approved RTP, RTDP and IWBA	June 2025

Future Generations Assessment Evaluation
(includes Equalities and Sustainability Impact Assessments)

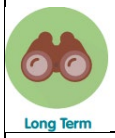
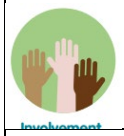
Name of the Officer completing the evaluation:	**Please give a brief description of the aims of the proposal:**
Kellie Beirne **E-mail:** kellie.beirne@cardiff.gov.uk	1. To update the South East Wales Corporate Joint Committee (the CJC) on the requirements and timescales regarding the Regional Transport Plan (RTP) and Strategic Development Plan (SDP). 2. To seek approval from Members to establish the resources required to reach the first milestones of the RTP and SDP.
Proposal: South East Wales Corporate Joint Committee: Regional Transport Plan & Strategic Development Plan	**Date Future Generations Evaluation form completed:** 9 October 2023

1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The report and appendices set out a progressive approach for driving prosperity within the region as it regards developing regional transport and strategic planning	CJC must work closely with WG to ensure the RTP & SDP are delivered
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	The proposal takes forward the SEWCJC approach to regional transport and strategic spatial planning	This will allow the opportunity for SEWCJC to greatly enhance regional infrastructure
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Inclusion is a core theme of the approach and balancing a focus on levelling up the region with other regions in the UK to ensure CCR accesses all of the opportunities available to it – thus supporting	ESG and equality and diversity focus to ensure emphasis on societal and community needs. CJC will develop its own corporate policies in response to key duties in respect of WFG Act

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
	not just sectors and industries but communities and people.	Wales, Equality and Human Rights and Nature and Biodiversity
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Putting in place a framework for regional cohesion whilst enhancing localism will support delivery of scale projects that make a difference across the geography, in tandem with local policies and levers that ensure citizens can benefit.	The plans address connectivity challenges that are barriers to inclusion across the region including the Northern Valleys and will continue to be a key theme of CJC work – as will the emphasis on distributed, inclusive and resilient growth.
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	The principles look outward and focus on the FDI and international opportunities, which are particularly important post-EU exit.	Proposal for eventual radical decentralization of business functions and units currently operating at national level.
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	The document represents a distinctive regional strategic approach to developing the economy.	CJC will develop its own corporate policies in response to key duties in respect of WFG Act Wales, Equality and Human Rights and Nature and Biodiversity
A more equal Wales People can fulfil their potential no matter what their background or circumstances	The approach focuses on economic inclusion, levelling-up and a mission-driven approach capable of not just tackling economic problems – but societal ones too.	The CJC will begin to produce its own policies for equality and diversity and ensuring these are not just factors in assessing impact – but become central to the task of increasing productive capacity and inclusive growth in the first place.

2. How has your proposal embedded and prioritized the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	The plans are long-term (the SDP is 25 years in duration) however in the short-a focus on development is required	This will be subject to the first phases of work and the transition plan as well as the proposed interim first phase of operation.
Working together with other partners to deliver objectives	The principles of the structure recommended situate partnerships and the building of new institutional capacity at the heart of the new framework.	As work commences on immediate duties around the Strategic Development and Regional Transport Plans – consultation and engagement processes will be developed accordingly.
 Involving those with an interest and seeking their views	The RTP & SDP will be backed by a wider comms plan which has already included meeting with the various CCR Partnership groups.	
Putting resources into preventing problems occurring or getting worse	The mission-driven/ challenge-led approach embedded will be a key means of experimenting in the prevention space	At project and programme level – there are a number of options the CJC will be looking at in quick time, regarding regional bus services and transport demand management. There is also work moving forward on Local Area Energy Planning to ensure prevention is prioritized.
Considering impact on all wellbeing goals together and on other bodies	The proposed impact assessments will give a comprehensive and ongoing overview of benefits, costs and results. Outcome focused reporting and accountability will be key to this.	This can be further reinforced in the CJC budget setting and when Cabinet and partners have access to greater freedoms and flexibilities and the full 'lift and shift' CJC model.

3. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Not relevant in this context since the principles, approach and ways of working apply to all prospective interests and stakeholders	As projects and programmes develop under the CJC, each will be subject to comprehensive assessments against the plans and procedures put in place to protect certain characteristics.	A full ESG agenda and diversity and inclusion reviews into partnerships and groups will help ensure this agenda is embedding in ways of working and the culture that is created. A full training and development programme will also be devised in order to embed and 'bring to life' such considerations – not just as part of project assessments, but in seeking to address such concerns and issues as part and parcel of project business cases that are developed.
Disability	As above	As above	As above.
Gender reassignment	As above	As above	As above.
Marriage or civil partnership	As above	As above	As above.
Pregnancy or maternity	As above	As above	As above.
Race	As above	As above	As above.
Religion or Belief	As above	As above	As above.
Sex	As above	As above	As above.
Sexual Orientation	As above	As above	As above.
Welsh Language	As above	As above	As above.

4. Safeguarding & Corporate Parenting. Are your proposals going to affect either of these responsibilities?

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	**Describe any negative impacts your proposal has on safeguarding and corporate parenting**	**What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?**
Safeguarding	Not directly relevant –however, building the future economy should have a profoundly positive impact on ability to safeguard the future of our residents		This is dependent upon the brief for regional education consortia and whether or not, it is intended to be grouped within CJCs.
Corporate Parenting	Not directly relevant – however building strength in the economy should create opportunities for all of the young people entrusted in our care and makes a direct contribution to wellbeing.		

5. What evidence and data has informed the development of your proposal?

As above.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

As above, the main implications will be in the delivery of this work.

7. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	Scrutiny by the CJC and quarterly performance – Lift and Shift anticipated to take place in 2023/24

South East Wales Corporate Joint Committee

Cyd-bwyllgor corfforaethol De-Dwyrain Cymru

9 OCTOBER 2023

APPOINTMENT OF INTERIM MONITORING OFFICER

REPORT OF THE INTERIM CHIEF EXECUTIVE

AGENDA ITEM: 10

Reasons for report

1. To seek approval of the appointment of a new Interim Monitoring Officer for the CJC.

Background

2. The CJC currently has arrangements in place with Cardiff Council for the provision of its Monitoring Officer and James Williams was appointed Interim Monitoring Officer of the CJC on 31 January 2022. Under separate arrangements, he is also the Monitoring Officer to the Cardiff Capital Region City Deal Joint Committee. A separate report has been taken to regional Cabinet.

3. James Williams has now resigned and will be leaving Cardiff Council at the end of October.

4. Until the CJC becomes fully operational it is expedient to continue to designate a Monitoring Officer on an interim basis.

5. Cardiff Council has sourced a suitably qualified Interim Monitoring Officer for City Deal and Corporate Joint Committee functions, namely Jayne La Grua, who is to be appointed by Cardiff Council as a locum and is due to start work on 11th October 2023.

6. Jayne is a barrister, who has specialised in criminal prosecutions, but has latterly focused her career on local government. Having suitable experience at a number of local authorities, Jayne has demonstrated that she has the knowledge and expertise to act as interim Monitoring Officer for this period.

7. There is to be a handover period of approximately 3 weeks and it is therefore proposed that Jayne La Grua be appointed Interim Deputy Monitoring Officer from 11th October 2023 and as Interim Monitoring Officer from 1 November 2023 (when the current Interim Monitoring Officer will have left the position).

8. Service Level Agreements have been entered into with Cardiff Council previously and/or continued to operate in practice and it is proposed that either the current Agreement will be amended or a new Service Level Agreement entered into to reflect the proposal set out in this report

Reason for Recommendations

9. To comply with the statutory requirement to designate a Monitoring Officer.

Financial implications

10. The cost of the replacement interim Monitoring Officer can be met from within existing resources approved in respect of the CJC's 2023/24 revenue budget. The relates to the Service Level Agreement between the CJC and Cardiff Council for the provision of Monitoring Officer services and amounts £20,000 in 2023/24.

Legal implications

11. Section 5 Local Government and Housing Act 1989 (as amended by the Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021, regulation 7) requires the CJC to designate one of its officers, to be known as the monitoring officer, as the officer responsible for performing the duties imposed by that section. Caselaw confirms that 'an officer' may or may not be an employee of the authority and may be engaged under interim consultancy arrangements. There is also statutory provision for placing the staff of local authorities at the disposal of other local authorities (section 113 of the Local Government Act 1972).

12. The statutory guidance for Corporate Joint Committees WG44355 (gov.wales) includes the following relevant guidance:

> '22. Statutory officers
> 22.1 In the same way as currently applies to local authorities, CJCs will have a requirement to put in place a number of statutory officers (see for example Monitoring Officer - para 12.15, and Chief Financial Officer – Chapter 5). This is not necessarily a requirement to directly employ an individual, or individuals, to fulfil these roles. It will be possible for a CJC to satisfy any statutory requirements in this regard in the same flexible way as is outlined for general staffing above. This might include via sharing of resources from within its constituent councils (or any other council), sometimes referred to as 'twin hatting'; commissioning the role from another body; or recruiting on a full time or part time basis as appropriate. It will be for the CJC to determine the approach to filling its statutory officer roles, where appropriate in consultation with its constituent councils.'

Well-being of Future Generations (Wales) Act 2015

13. In considering this matter, regard should also be had, amongst other matters, to:

a) the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards;

b) public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, authorities must, in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are: a. age; b. gender reassignment; c. sex; d. race – including ethnic or national origin, colour or nationality; e. disability; f. pregnancy and maternity; g. marriage and civil partnership; h. sexual orientation; I. religion or belief – including lack of religion or belief, and;

c) the Well-being of Future Generations (Wales) Act 2015. The Well-being of Future Generations (Wales) Act 2015 ('the Act') is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. In discharging their duties under the Act, each public body listed in the Act (which includes the CJC) must set and publish wellbeing objectives. These objectives will show how each public body will work to achieve the vision for Wales set out in the national wellbeing goals. When exercising its functions, the CJC should consider how the proposed decision will contribute towards meeting its wellbeing objectives and in so doing achieve the national wellbeing goals. The wellbeing duty also requires the CJC to act in accordance with a 'sustainable development principle'. This principle requires the CJC to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

   Put simply, this means that the CJC must take account of the impact of its decisions on people living their lives in Wales in the future. In doing so, the CJC must:

   - look to the long term;
   - focus on prevention by understanding the root causes of problems;
   - deliver an integrated approach to achieving the 7 national well-being goals;
   - work in collaboration with others to find shared sustainable solutions;
   - involve people from all sections of the community in the decisions which affect them.

14. The CJC must be satisfied that the proposed decision accords with the principles above. To assist the CJC to consider the duties under the Act in respect of the decision sought, an assessment has been undertaken, which is attached as an appendix to this report.

RECOMMENDATIONS

15. It is recommended that the South East Wales Corporate Joint Committee:

(1) subject to recommendations 2 and 3 below and the conclusion of the relevant legal agreements, approves the designation of Jayne La Grua as Interim Deputy Monitoring Officer of the CJC from 11th October 2023 and as Interim Monitoring Officer of the CJC from 1st November 2023;

(2) notes that Cardiff Council will make the necessary arrangements to engage Ms La Grua on behalf of the CJC; and

(3) authorises the Interim Chief Executive, on behalf of the CJC, to conclude or amend the service level agreement with Cardiff Council in relation to this matter.

Kellie Beirne
Interim Chief executive
South East Wales Corporate Joint Committee
9 October 2023

Appendices
Appendix 1: Well-being of Future Generations Assessment

Background papers
(1) SEWCJC report, 'Interim Executive Staffing Arrangements', 31 January 2022 CARDIFF COUNCIL (cardiffcapitalregion.wales)
(2) Welsh Government, Corporate Joint Committees: Statutory Guidance WG44355 (gov.wales)

Future Generations Assessment Evaluation
(includes Equalities and Sustainability Impact Assessments)

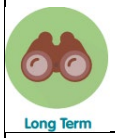
Name of the Officer completing the evaluation:	**Please give a brief description of the aims of the proposal**
Kellie Beirne **E-mail:** kellie.beirne@cardiff.gov.uk	To appoint a new Monitoring Offer for the SEWCJC
Proposal: To seek approval of the appointment of a new Interim Monitoring Officer for the CJC.	**Date Future Generations Evaluation form completed:** 9 October 2023

1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	The report sets the recruitment of specialist staff resources into the CJC to create the capacity, capability and resource to deliver against the core objectives of the CJC.	To develop cross-sectoral and multi-disciplinary teams that bring new knowledge and perspectives to add value.
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	The resource in the CJC will support the delivery projects which emphasise sustainable and inclusive growth to meet the well-being objectives	
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	As above	

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	As above.	
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	As above	
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation		
A more equal Wales People can fulfil their potential no matter what their background or circumstances	The resource within the CJC will seek to ensure that training and employment opportunities are provided for all regardless of their background and circumstances	Opportunities will be taken to advance the skills and talent within all communities, with an emphasis being placed in areas of most need.

2. How has your proposal embedded and prioritized the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 Balancing short term need with long term and planning for the future	The report identifies the immediate needs as well as longer term proposals for the specialist function of the Monitoring Officer	
Working together with other partners to deliver objectives	The change in personnel with a suitable handover period means that the relationships with partners remain intact to allow for the delivery of objectives.	
Involving those with an interest and seeking their views		Over the longer term, wider views on how this service may be provided may consider a different approach.
Putting resources into preventing problems occurring or getting worse	The transfer of staff as identified in the report provides continuity of resource which will mitigate challenges, issues and risks around continuity of delivery.	
Considering impact on all wellbeing goals together and on other bodies	The approach proposed will mean a continuation of the current service and therefore minimizes the impacts on the organisation and other partners and stakeholders.	

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	The proposals are neutral in their direct affect, however future plans around policies and procedures will support the recruitment and advancement of people with protected characteristics		
Disability	As above		
Gender reassignment	As above		
Marriage or civil partnership	As above		
Pregnancy or maternity	As above		
Race	As above		
Religion or Belief	As above		
Sex	As above		.
Sexual Orientation	As above		
Welsh Language	As above		

4. Safeguarding & Corporate Parenting. Are your proposals going to affect either of these responsibilities?

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	Not directly relevant –however, all staff employed have a safeguarding duty in their job description		

Corporate Parenting	Not directly relevant – however future policies introduced into the CJC will demonstrate the commitment to the corporate parenting responsibilities across the region.		

5. What evidence and data has informed the development of your proposal?

Legal and benchmarking advice.

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

The proposal will ensure continuity of delivery of projects which support the economic development and well-being of the region

7. MONITORING: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.

The impacts of this proposal will be evaluated on:	As per annual business plan objective