

Consultation Response Form - Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021

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Q1. Are the draft regulations clear – Yes / No?

If no, please provide details of how they can be made clearer.

Now that they will become separately constituted statutory bodies, the Corporate Joint Committees (CJCs) should be added to the list of organisations in the Future Generations Act to which it applies. Welsh Government has the power to do this by regulation under Section 52 of the WBFGA

<https://www.legislation.gov.uk/anaw/2015/2/section/52/enacted>.

As noted in [our previous response](#) on this subject, it must be clear how CJCs will operate alongside Regional Partnership Boards and avoid duplication of work. This is an important issue, but there is still no clarity about it in either regulations or guidance. We offer more detail about these concerns in our answer to Q4.

Q2. Do they clearly provide for;

- a) the roles of certain ‘executive officers’ (Chief Executive, Monitoring Officer and Chief Financial Officer) to support the work of the CJC – Part 1. Yes / No?**

If no, please provide details of how they can be made clearer.

The Monitoring Officers must ensure scrutiny committees have open, accessible routes for engagement so all stakeholders, including the voluntary sector, are able to engage. Budgeting processes must also support transparency and be published in accessible formats.

- b) general provisions in relation to the staff of a CJC – Part 2. Yes / No?**

If no, please provide details of how they can be made clearer.

- c) the discharge of functions of a CJC by other persons – Part 3. Yes / No?**

If no, please provide details on how they can be made clearer

As noted in our previous response, if CJCs will be taking on the functions of local councils for specific purposes, they should be required to have measures in place to support the same levels of transparency, accountability and participation.

**d) the regulation of meetings and proceedings of a CJC – Part 4. Yes / No?
If no, please provide details of how they can be made clearer.**

It is welcome that the sector can be 'co-opted' to a CJC. Any representatives who are co-opted in this way must be offered support and resource to ensure they are able to maximise the impact this role may offer. We would like to see clearer direction about this in the regulations. It still appears there is no obligation for CJC leaders to co-opt additional members or engage with other stakeholders.

The regulations still state that, should a CJC adopt alternative voting procedures, the number of votes from co-opted members should not exceed those from council members. As we commented previously, this potentially leaves some co-opted members without a vote. This may well include members with Protected Characteristics under the Equality Act, or those who are first-language Welsh speakers. To achieve full fairness, all representatives, including those co-opted, should be given equal voting rights.

**e) the small number of miscellaneous and consequential amendments identified, including the changes to the regulations establishing the CJsCs – Part 5. Yes / No?
If no, please provide details of how they can be made clearer.**

Q3. Do you have any views on the specific effects the draft Corporate Joint Committees (General) (No. 2) (Wales) Regulations 2021 might have on the Welsh Language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English, we would welcome your views.

Q4. If you have any related issues which we have not specifically addressed, please feel free to provide those also.

During our engagement work on Welsh Government's White Paper on Rebalancing Care and Support, the voluntary sector expressed concern that the makeup of the CJsCs (elected members, Natural Resources Wales, etc) could mean that established partnerships and relationship with Health Boards (often hard won) and the sector would be compromised, and that there would be a lack of co-operation and co-production. Also, creating another bureaucratic level may hinder national clarity nor ensure that the Social Services and Well-being Act is implemented as intended. It is unclear what functions would be transferred from Regional Partnership Boards to CJsCs and what functions are taken forward by an RPB or other newly created body, particularly for social care.

We will be responding to the consultation on CJC guidance. In this, we will have more to say about how CJsCs should work and engage with the voluntary sector.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: