



Shadow Strategic Policy and Resources Committee

Report to:	Shadow Strategic Policy and Resources Committee
Subject:	BCC Response to DoE draft Response to the draft Guidance for Local Government Performance Improvement 2015 – a consultation paper
Date:	Friday 20 th March 2015
Reporting Officer:	Ronan Cregan, Director of Finance and Resources
Contact Officer:	Emer Husbands, Strategic Performance Manager Sandra Donnelly, Strategic Planning and Policy Officer (Ext. 6189)

1.0	Purpose of Paper – Consultation Response
1.1	This paper provides an overview of the Council’s response (attached at Appendix A) to the DoE’s the draft Guidance for Local Government Performance Improvement 2015 – a consultation paper. In order to meet the response deadline today, March 20 th and subject to the outcome of this meeting, the attached response will be forwarded to the DoE this afternoon, with an understanding that it has yet to be ratified by full Council.
2.0	Background
2.1	Part 12 of the Local Government Act 2014, to take effect from the 1 st April, imposes a new duty on the Council to make arrangements to secure continuous improvement in the exercise of its functions and to set improvement objectives for each financial year. The Act sets out the framework for the operation of performance improvements.
2.2	As a Council we will be required to identify improvement objectives in our community plan (or the corporate plan in 2015-16), gather information to assess how we are performing and produce an annual report on performance against indicators that we set ourselves or those that have been set by government Departments. Evidence of improvement may also be taken from other non-quantifiable sources. This is not a new concept for Belfast as we have had a performance management framework in operation for a number of years. It is our intention to continue with this process and to incorporate the new duty within our framework.

2.3	<p>The Department has now issued draft guidance to assist Councils to comply with the requirements of the act during this first year of operation. This guidance has been circulated to Councils for comment and is included at Appendix 2 for reference. The restriction to one year is designed to enable the performance function to be undertaken in the context of Councils' corporate plans in year 1. In future years improvement activity will relate to the Community Plan. Performance improvement plans and the arrangements by which performance is delivered will be audited by the Local Government Auditor.</p>
3.0	<p>Summary of key issues raised in BCC Response</p>
3.1	<p>The Council welcomes this draft guidance and in particular the efforts to make specific arrangements for the 2015-16 period, before community plans have been developed, when Councils will be expected to measure performance in the context of their corporate plans. It is our understanding that further guidance on the duty will be developed in 2016 and will inform our performance duty in future years.</p>
3.2	<p>We agree that alignment of the performance duty to the Community Plan is crucial if we are to demonstrate achievement of the objectives within it. However we reiterate that according to the legislation neither the Council nor the Department will have the authority or remit to insist upon or measure the performance of other partner organisations. We also seek assurance that the performance guidance will continue to reflect any emergent changes in relation to the community planning duty, to which it is linked.</p>
3.3	<p>We are supportive of the recommendations made in respect of informing and agreeing improvement objectives and believe that we will be in a position to comply with these requirements during the 2015-16 period. We are also encouraged by the broad interpretation of 'improvement' and welcome the focus on ensuring that councils have in place 'arrangements to improve'. It is our view that an absolute 'duty to improve' would not only be difficult to measure or guarantee but might also stifle more innovative ways of working which may, in the short term, resulting, potentially, in setbacks to performance.</p>
3.4	<p>We are pleased to note the broad principles that the LGA's Code of Practice hopes to reflect - a consistent approach across all Councils, no unreasonable burden on Councils and a commitment to assisting Councils to comply with the Act. We are also reassured that we can expect that the LGA will work to ensure that its performance improvement responsibilities will be undertaken in a coordinated way with its other powers and functions. We understand that its 'voluntary statement of practice' (due in 2016) will provide more detail of what is required from</p>

3.5	<p>Councils and we look forward to working with them to develop a timetable that aligns with our existing planning and performance frameworks.</p> <p>There is still, however, some confusion around timelines and the specific requirements of the Council in respect of the LGA in the year ahead and we have reflected these in our response. We note the timetable for April to July 2015 and 2015 and understand that, in this period, the Council will be expected to produce an Improvement Plan (which may form all or part of its corporate plan) by 31st May 2015 and that the LGA will subsequently make an assessment on our' ability to progress the plan no later than 31st July 2015. Councils will not be required to produce a performance report in 2015-16 nor will the LGA carry out an Annual Improvement report in this first year. We seek clarification that November 30th 2016 will be the first occasion by which the LGA will produce a retrospective report on Councils' performance.</p>
4.0	Recommendations:
4.1	<p>It is recommended that the Committee:</p> <ul style="list-style-type: none"> • Considers and approves that the response, attached at Appendix A, be forwarded to the DoE today with an understanding that it remains subject to ratification by full Council.
5.0	Resource Implications
5.1	There are no additional resource requirements associated with the response to this consultation.
6.0	Equality and Good Relations Implications
6.1	There are no equality or good relations implications associated with the response to this consultation.
7.0	Call in
7.1	This report is subject to call in.
7.0	Documents attached
7.1	<p>Appendix A BCC Response.</p> <p>Appendix B Draft Letter and Guidance from DoE.</p>