

## Best Value Programme Board

TITLE	SERVICE	ITEM NO	Date
Best Value Plan Update	Sharon Godman, Divisional Director, Strategy, Policy, Equalities and Partnership		23 <sup>rd</sup> January 2017

### 1. **INTRODUCTION**

- 1.1 This report provides an update on the progress in implementing the outstanding actions from the Council's Best Value Action Plans which respond to the Secretary of State's Directions. The final Best Value Action Plan will be submitted to the Secretary of State on 17<sup>th</sup> March 2017.

### 2. **FOR THE BOARD TO CONSIDER**

The Board is asked to:

1. Note the 'minded to letter' from the Secretary of State on the Council's third submission (Appendix 1) and the Mayor's response to this (Appendix 2);
2. Note and comment on the progress in completing outstanding activities in the Best Value Action Plan as discussed through the workshops held on 6<sup>th</sup> December 2016 and 17<sup>th</sup> January 2017.

### 3. **BACKGROUND**

- 3.1 The Council's third six monthly update to the Secretary of State was submitted on 19<sup>th</sup> September 2016. This noted overall progress against the six areas as detailed below:

Grants	Procurement	Comms	Property	Org Culture	Elections
100%	100%	97%	92%	93%	100%

- 3.2 The Mayor's covering letter highlighted the Council's considerable progress made in addressing both the specific failings identified by the Best Value Inspection and the organisational culture that allowed them to happen.
- 3.3 Both the Council's submission to the Secretary of State and the Commissioners response to the Mayor were considered by the Best Value Board at their meeting in October 2016. Since then the Secretary of State has provided an initial response to the Council's submission which is attached as Appendix 1. The response notes the progress made by the Council and based on the recommendations from the Commissioners the

Secretary of State was minded to revise the December 2014 Directions. This included handing back power for decision making on grants, revoking the procurement direction, acknowledging the successful delivery of two major elections and reducing the Commissioner Team.

- 3.4 The Mayor submitted a response to the Secretary of State on 15<sup>th</sup> December 2016, which is attached as Appendix 2. In his letter the Mayor welcomed the decision to revoke the procurement Direction and expressed the hope that, based on work completed on grants and elections, and in particular the successful delivery of the recent by-election, the Secretary of State will consider removing the Directions in these areas. The Council is currently waiting on a response to these issues from the Secretary of State.
- 3.5 A workshop involving the Commissioners and relevant officers was also held on 6<sup>th</sup> December 2016 to develop a collective understanding of what needed to be achieved over the coming months to complete the remaining actions and resolve outstanding issues in the Best Value Action Plan. This was welcomed by the Commissioners and has provided a clear steer on the outstanding issues that need to be addressed. The Council is working closely with the Commissioners to ensure these issues can be resolved by March 2017.
- 3.6 A second workshop has been organised for 17<sup>th</sup> January 2017 where the outstanding actions will be further discussed with the Commissioners. A summary of the areas of focus and activities that will be delivered by March 2017 is provided in the table below:

<b>Area of Focus</b>	<b>Activities</b>	<b>Deadline</b>
Statutory Monitoring Officer	Agree process for appointment of Statutory Monitoring Officer	January 2017
Communications	Communication Strategy & Action Plan	January 2017
Property	Action Plan for Community Buildings Policy	January 2017
	Action Plan for Asset Rental Account	January 2017
	Property portfolio validation of occupancy	On-going
Grants	Implement new grants decision making process	January 2017
Organisational	Clear up Team work completed	March 2017

Culture	Governance Review Working Group leading on governance issues	March 2017
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3.7 The response from the Secretary of State on the Council’s third submission is expected imminently, and may be available at the Best Value Board meeting. The response will help develop the future work programme of the Best Value Board and provide further guidance on work the Council needs to complete to fully comply with all Directions. The Council is currently undertaking the Annual Residents Survey 2017 and the results from the Staff Survey are expected soon. Alongside these a review of Partnership arrangements is being undertaken. These three workstreams will all help the Council to better understand the views of local people, our partners and staff about the progress the Council has made and to identify areas where we need to continue improving.

4. **COMMENTS OF THE CHIEF FINANCE OFFICER**

4.1 The Best Value Action Plan is a priority for the Council, and requisite resources have been identified within the budget in order to deliver the outcomes.

5. **LEGAL COMMENTS**

5.1 The Council is a best value authority within the meaning of Part 1 of the Local Government Act 1999. As a best value authority, the Council has an obligation under section 3 of the Local Government Act 1999 to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness” (the best value duty).

5.2 Where the Secretary of State is satisfied that an authority is not meeting its best value duty, the Secretary of State may: (1) direct the authority to take action to bring itself into compliance with that duty; (2) direct that specified functions be carried out by the Secretary of State or a nominee and that the authority follow the Secretary of State’s instructions and provide such assistance as may be required (Local Government Act 1999). In accordance with this power the Secretary of State gave directions to the Council on 17 December 2014, 29 April 2015 and 6 May 2015.

5.3 The directions are enforceable by the Secretary of State, who may seek an order in the High Court requiring the Council to remedy any

breach. In the circumstances, it is appropriate for the Council to take steps to comply with the directions and to monitor its compliance with the directions.

- 5.4 When taking action in response to the directions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). Compliance with this duty has been a feature, to the extent relevant, of the Council's action in response to the directions.

Appendix 1 Letter from Secretary of State  
Appendix 2 Letter from Mayor John Biggs