

## Best Value Improvement Board

TITLE	Author	ITEM NO	Date
Terms of Reference	Afazul Hoque Interim Service Manager Strategy, Policy & Performance		14 <sup>th</sup> June 2017

### **1. Summary**

- 1.1 This report sets out the Best Value Improvement Board (BVIB) Terms of Reference.

### **2. RECOMMENDATIONS**

The Board is asked to:

- Note the Terms of Reference that the Mayor has been asked to agree as an Individual Mayoral Decision

### **3. DETAILS OF REPORT**

- 3.1 The Council as part of its final submission to the Secretary of State for DCLG outlined proposals to set up a Best Value Improvement Board. The aim of the Board is to drive sustainable improvement across the organisation by providing oversight, support and challenge.
- 3.2 The objectives of the Board are to demonstrate sustainable progress against the Best Value Duty by:
- Submitting quarterly reports to the Secretary of State from 30<sup>th</sup> June 2017 on all outstanding actions in the Best Value Action Plan and Improvement Plan 2017-18;
  - Setting up an independent review of achievement against the Best Value Action and Improvement Plan 2017 – 18 to be submitted to the Secretary of State by 1<sup>st</sup> August 2018;
  - Considering progress in, and corporate assistance to, improvement priority areas across the Council, identified by, or referred to, the Mayor and Chief Executive;
  - Challenging progress, pace and impact.
- 3.3 The Board will be chaired by the Mayor and meet on a quarterly basis and in public and its membership includes Cabinet Members, opposition group leaders, Chair of Overview and Scrutiny Committee and external representations provided by the Local Government Association.
- 3.4 The BVIB's Terms of Reference are attached in Appendix 1.

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

- 4.1 Any costs associated with external representations provided by the

Local Government Association and additional officer time to support the work of the Board will be met from the Councils reserves. The cost of additional officer resources is estimated to be £85k per annum and will be drawn down from reserves and managed by the corporate director of Governance as part of the usual budget monitoring process. This budget will pay for approximately 1.5 FTE to support the Board.

## **5. LEGAL COMMENTS**

- 5.1 The Council's Constitution provides that all executive functions of the Council are vested in the Mayor and the Mayor may exercise those functions himself, or may delegate specified executive functions to be exercised by the Cabinet meeting, a Cabinet Committee/ Sub-Committee/ Panel or Board, an individual Cabinet Member or an officer; or under the provisions of Section 236 of the Local Government and Public Involvement in Health Act 2007 only, by a ward councillor.
- 5.2 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).
- 5.3 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. Revised directions were also given on 16 January 2017.
- 5.4 Although those Directions have now been revoked and the specified functions which were carried out by the Commissioners on behalf of the Secretary have been returned to the authority, the Secretary of State issued fresh directions to the Council for it to take specific action which were considered necessary or expedient to secure the Council's compliance with its best value duty without specifying that specified functions be carried out by the Secretary of State or a nominee. These include setting up a new Best Value Improvement Board, chaired by the Mayor, with cross party representation and external representatives to provide suitable challenge to improve all Council activities.
- 5.5 The new 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 Mayor to take steps to comply with these new directions and to monitor its compliance with the directions and this includes setting up an Executive Board that includes non-Executive Members with the attached Terms of Reference.



**TOWER HAMLETS BEST VALUE IMPROVEMENT BOARD  
TERMS OF REFERENCE**

<b>NAME</b>	Tower Hamlets Best Value Improvement Board
<b>DATE</b>	April 2017 – March 19
<b>CHAIR</b>	Mayor John Biggs
<b>FREQUENCY</b>	Quarterly public meetings
<b>MEMBERS</b>	<p>Mayor  Statutory Deputy Mayor &amp; Cabinet Member for Housing Management &amp; Performance  Cabinet Member for Education &amp; Children’s Services  Group Leaders  Cabinet Member for Resources  Overview and Scrutiny Committee Chair  Independent Chair of Tower Hamlets Children’s Services Improvement Board  Local Government Association representative  External representative  Chief Executive  Divisional Director Strategy, Policy and Partnership</p>
<b>Attendees</b> responsible for delivering improvement and being held to account	<p>Cabinet Members as appropriate  Corporate Directors as appropriate  Divisional Director HR and Transformation  Divisional Director Finance, Procurement &amp; Audit  Divisional Directors as appropriate  Secretariat support</p>
<b>AIM</b>	To drive sustainable improvement across the Council by providing oversight, support and challenge.
<b>ROLE</b>	<p>To provide a Council-wide approach to setting, reviewing and implementing improvement activity by:</p> <ul style="list-style-type: none"> <li>• Acting as the Council’s Best Value Improvement Board providing focus, advice and challenge as a “critical friend” on the adequacy of the Council’s Improvement Plans, monitoring the pace and impact;</li> <li>• Assessing, challenge and support the robustness of the improvement activity and related implementation plans;</li> <li>• Maintaining an overview of performance against the detailed improvement activity;</li> <li>• Ensure there is sustainable improvements across the Council</li> <li>• Holding cabinet members and officers to account;</li> <li>• Meeting in public every quarter to ensure transparency and accountability in relation to progress being made;</li> <li>• Submitting a progress report quarterly to Department for Communities and Local Government.</li> </ul>
<b>OBJECTIVES</b>	<p>To demonstrate sustainable progress against the Best Value Duty by:</p> <ul style="list-style-type: none"> <li>• Submitting quarterly reports to the Secretary of State from 30<sup>th</sup> June 2017 on all outstanding actions in the Best Value Action Plan and Improvement Plan 2017-18;</li> <li>• Setting up an independent review of achievement against</li> </ul>

	<p>the Best Value Action and Improvement Plan 2017 – 18 to be submitted to the Secretary of State by 1<sup>st</sup> August 2018;</p> <ul style="list-style-type: none"> <li>• Considering progress in, and corporate assistance to, improvement priority areas across the Council, identified by, or referred to, the Mayor and Chief Executive;</li> <li>• Challenging progress, pace and impact.</li> </ul>
<b>STANDARD AGENDA ITEMS</b>	<p>Review minutes, actions and matters arising</p> <p>High level progress against all activities in the Best Value Improvement Plan 2017-18</p> <p>Review of risks</p> <p>Review progress reports to be submitted to Secretary of State and other Government Departments.</p> <p>Forward Plan</p>
<b>OFFICER SUPPORT</b>	<p>Officers will meet with the Mayor every six weeks to maintain pace, delivery and unblock issues.</p> <p>The Strategy, Policy and Partnership Service will support the work of the Best Value Improvement Board.</p>
<b>SERVICING OF MEETINGS</b>	<p>The servicing of meetings will be undertaken by the Democratic Services Team and will include:</p> <p>(a) dispatch of agenda and reports;</p> <p>(b) taking of minutes and recording of actions/decisions;</p> <p>(c) dissemination of minutes and decisions; and</p> <p>(d) audio recording of meetings.</p> <p>Officers preparing reports for consideration must liaise with Democratic Services in good time to ensure that meetings are able to be convened as required to consider reports.</p>
<b>PREPARATION AND PRESENTATION OF REPORTS</b>	<p>The lead Corporate Director/ Divisional Director will be responsible for preparing and presenting reports. This will include:</p> <p>(a) preparing reports and recommendations;</p> <p>(b) obtaining legal and financial clearance of reports;</p> <p>(c) sending completed reports to Democratic Services for dispatch;</p> <p>(d) presenting reports ; and</p> <p>(e) implementing actions/decisions agreed.</p>
<b>RECORD OF ATTENDANCE</b>	<p>All members of the Tower Hamlets Best Value Improvement Board present during the whole or part of a meeting must sign their names on the attendance sheet before the conclusion of every meeting to assist with the record of attendance.</p>
<b>PROCEEDINGS</b>	<p>The Tower Hamlets Best Value Improvement Board will meet in public and conduct its proceedings in accordance with the relevant rules of procedure contained in the Council's Constitution.</p>
<b>DECLARATIONS OF INTEREST</b>	<p>The Council's Members Code of Conduct requires Members to declare disclosable pecuniary interests and any other interest that they may have within the published register of interests and also any items for consideration by the Board.</p>