

Cabinet 6 th September 2016	 TOWER HAMLETS
Report of: Kevin Kewin, Interim Service Head, Corporate Strategy and Equality	Classification: Unrestricted
Best Value Plan Update	

Lead Member	Mayor John Biggs
Originating Officer(s)	Kevin Kewin
Wards affected	All wards
Community Plan Theme	All
Key Decision?	Yes

Executive Summary

This report provides an update on the council's Best Value Action Plans which respond to the Secretary of State's Directions. It is the Council's third 6 monthly update, which will be submitted to the Secretary of State later in September.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Agree the 6 monthly update prior to submission to the Secretary of State.

1. REASONS FOR THE DECISIONS

- 1.1 The Council is required to monitor these plans to comply with Secretary of State Directions.

2. ALTERNATIVE OPTIONS

- 2.1 The Council is required to comply with Secretary of State Directions.
- 2.2 The actions within the plans have been the subject of consultation with a range of parties, and the Commissioners, which has considered alternative options.

3. BACKGROUND

- 3.1 This is the latest in a series of update reports on the Council's progress in meeting the actions and milestones set out in the Best Value Action Plans. The last update of this kind was provided in March 2016. Since then activity has intensified to deliver the outstanding actions. In particular, this update addresses key issues identified by the Commissioners and the Secretary of State in their letters to the Mayor in March 2016. The format of the report has also changed, with a greater focus on outcomes rather than milestones delivered; the content of each theme has been redrafted to reflect this.
- 3.2 In recent months, there has also been a strong focus on Organisational Culture. The Council is a more outward looking organisation, actively involved in sub-regional discussions, and the authority has already made significant progress in relation to transparency. The Council's transformation planning is further developed, supported by a new Workforce Strategy. The Council's approach to whistleblowing has been improved. Significantly, the Council now has developed an Organisational Culture Plan which sets out our future aims, actions and how the Council will track progress.
- 3.3 There has been strong progress in other areas. In recent weeks, the Commissioners have indicated that they are now satisfied to recommend that the relevant Directions should be lifted in respect of Procurement. In terms of Communications, the Council is now fully compliant with Code of Recommended Practice on Local Authority Publicity and the first issue of the new quarterly publication 'Our East End' was published in June.
- 3.4 In relation to grants, transitional arrangements towards Executive decision making are progressing. This includes a proposal for the Mayor (or his delegate) to chair the Decision Making Meetings in public to consider officer recommendations on grants. There is also progress on the remaining areas of the Property work-stream.

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. The report relevantly informs members of progress and appropriately indicates that Cabinet approval will be sought before presenting the required update to the Department of Communities and Local Government.
- 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.
- 5.5 There are no immediate legal implications arising from this report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The Council needs to deliver its functions, including in relation to those elements transferred to the Commissioners through Directions, with due regard to equality and the need of groups with protected characteristics. For example, changes to the way in which the Council awards grants and publicises its activity has the potential to impact on equality and cohesion in the borough. Any significant policy changes emerging from the improvement planning activity will be subject to an equality impact assessment.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

7.1 No specific environmental implications.

8. RISK MANAGEMENT IMPLICATIONS

8.1. Delivering the actions within the Plans will mitigate risks to the Council in delivering best value.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

9.1 No specific crime and disorder implications.

10. EFFICIENCY STATEMENT

10.1 Through ensuring the Council meets its best value duty, the plans will improve efficiency and effectiveness of the key functions covered within them.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- **Best Value Action Plan –third six monthly update report (June 2016)**

**Background Documents – Local Authorities (Executive Arrangements)
(Access to Information) (England) Regulations 2012**

- None

Officer contact details for documents:

- Kevin Kewin, Interim Service Head, Corporate Strategy and Equality