



BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

WEDNESDAY, 22ND MARCH 2006 AT 6.00PM

COMMITTEE ROOM, THE COUNCIL HOUSE, BROMSGROVE

AGENDA

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MEMBERS: Councillors R. Hollingworth (Executive Leader), Mrs. J. M. L. A. Griffiths (Deputy Executive Leader), Miss D. H. Campbell J.P., Mrs. M. A. Sherrey J.P., Mrs. C. J. Spencer, Mrs. M. M. T. Taylor and P. J. Whittaker.

1. To receive apologies for absence
2. Declarations of Interest
3. To confirm the Minutes of the Executive Cabinet held on 22nd February 2006
4. Public Questions
5. To receive the Minutes of the Tenders Committee dated 21st February 2006
6. To receive the Minutes of the Performance Management Board dated 17th and 20th February 2006
7. 2006/07 Internal Audit Plan
8. Monitoring of the Revenue and Capital Budget 2005/06
9. Communications Strategy
10. Customer First Strategy
11. Task Groups of the Cabinet
12. Amendment of the Council's Constitution

13. To consider any other business, details of which have been notified to the Head of Legal and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

S. NIXON
Chief Executive

The Council House,
Burcot Lane,
BROMSGROVE
Worcs.
B60 1AA

14th March 2006

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE EXECUTIVE CABINET

Wednesday, 22nd February 2006 at 6.00 p.m.

PRESENT: Councillors R. Hollingworth (Executive Leader), Mrs. J. M. L. A. Griffiths (Deputy Executive Leader), Miss D. H. Campbell J.P., Mrs. M. A. Sherrey J.P., Mrs. C. J. Spencer, Mrs. M. M. T. Taylor and P. J. Whittaker.

OBSERVER: Councillor N. Psirides J.P.

162/05 **MINUTES**

The Minutes of the Meeting of the Executive Cabinet held on 18th January 2006 were submitted.

RESOLVED: that the Minutes of the Meeting be approved and confirmed as a correct record.

163/05 **TENDERS COMMITTEE**

The Minutes of the Meeting of the Tenders Committee held on 18th January 2006 were submitted.

RESOLVED: that the Minutes be noted.

164/05 **PERFORMANCE MANAGEMENT BOARD**

At the invitation of the Executive Leader, the Chairman of the Performance Management Board, Councillor B. L. Fuller C.B.E.,Q.F.S.M., presented the Minutes of the Performance Management Board held on 24th January 2006 and referred to draft Minutes of the Performance Management Board held on 17th and 20th February 2006 which would be formally submitted to the next meeting of the Cabinet.

Councillor Fuller drew attention to and expanded upon the recommendations set out in the Minutes and following discussion it was

RESOLVED:

- (a) that the Minutes of the Meeting held on 24th January 2006 be approved and adopted; and
- (b) that the recommendations set out in the draft Minutes of the Meetings held on 17th and 20th February 2006 be noted and endorsed and that the Minutes be formally submitted to the next meeting of the Executive Cabinet.

165/05 **2006/2007 BUDGET CONSULTATION**

Reference was made to the report on the results of a recent budget consultation exercise. It was felt that whilst the exercise had been useful and the findings had been taken into account during discussion on the budget, additional consultations were required in other areas of the District. It was

RESOLVED: that the report be noted and that a further report be submitted when consultations have been undertaken in other areas of the District.

166/05

MEDIUM TERM FINANCIAL PLAN – 2006/07 TO 2008/09

Consideration was given to the Medium Term Financial Plan (revenue and capital budgets) for 2006/07 to 2008/09. The Corporate Director (Resources) referred to an amendment to the savings in relation to the pest control service to £11,000 per annum. Following discussion it was

RECOMMENDED:

- (a) that the budget pressures identified as unavoidable and high in Appendix B to the report be included within the Medium Term Financial Plan as follows:
- 2006/07 - £1,697,964
 - 2007/08 - £1,832,325
 - 2008/09 - £1,437,261
- (b) that the initial savings/additional income generation identified in Appendix C to the report be included within the Medium Term Financial Plan as follows:
- 2006/07 - £297,963
 - 2007/08 - £345,891
 - 2008/09 - £445,582
- (c) that the recommended potential savings identified in Appendix D of the report be included within the Medium Term Financial Plan as follows:
- 2006/07 - £814,658
 - 2007/08 - £1,443,188
 - 2008/09 - £1,509,851
- (d) that the use of balances as set out in section 11.5 of the report be approved as follows:
- 2006/07 - £333,786
 - 2007/08 - £513,942
 - 2008/09 - £(19,455)
- (e) that other than the implementation of improvements to street cleansing as detailed in the Street Scene Strategy no further implementation of that strategy be undertaken at this time;
- (f) that a review of services be undertaken during the summer of 2006 as set out in section 11.8 of the report to explore alternative savings/additional income;
- (g) that the statutory resolutions (to be circulated following receipt of all precept notifications), setting a Council Tax for 2006/07 of £164.26 for a Band D property be approved;
- (h) that the fees and charges as set out in Appendix J be approved;
- (i) that the Corporate Director (Resources) be authorised to approve any further increases in fees and charges in consultation with the Portfolio Holder for finance and other Portfolio Holders as appropriate to the circumstances;
- (j) that the Capital Programme as set out in Appendix F (existing schemes) and Appendix G (new schemes) of the report be approved;
- (k) that the Corporate Director (Resources), in consultation with the Portfolio Holder for finance be authorised to release capital funds subject to a robust business case.

167/05

CONTRACT PROCEDURE RULES

The Cabinet considered a report on a proposal to update the Council's Corporate Procurement Processes as required by the Council's Procurement Strategy. Following discussion it was

RESOLVED:

- (a) that the Standards Committee be requested to recommend to the Council:
- (i) that the revised spending limits as set out in paragraph 3.1 (sections 1 to 5) of the report be approved; and
 - (ii) that the revised Contract Procedure Rules attached as Appendix 1 to the report and now incorporating the revised spending limits and provision to allow quotations and tenders to be received by email, be approved;

- (b) that it be noted that further reports will be submitted in relation to:
 - (i) updates to Official Journal of the European Union procurement limits or required procedures;
 - (ii) further revisions to the Contract Procedure Rules as appropriate;
- (c) that it be noted that the revisions to Contract Procedure Rules will mean that whilst the involvement of the Portfolio Holders in tender opening is still required, the need for a Tenders Committee is removed as awarded tenders will be reported direct to Cabinet.

168/05 **ANTI FRAUD AND CORRUPTION STRATEGY**

The Cabinet considered a report on a revised Anti Fraud and Corruption Strategy which would assist in embedding an effective anti fraud and corruption culture within the Authority. Following discussion it was

RECOMMENDED: that the revised Anti Fraud and Corruption Strategy be approved.

169/05 **PROCEDURE RULES OF AUDIT BOARD, SCRUTINY STEERING BOARD AND PERFORMANCE MONITORING BOARD**

Consideration was given to Procedure Rules for the Audit Board, Scrutiny Steering Board and the Performance Management Board. Following discussion it was

RESOLVED: that the Standards Committee be requested to recommend to the Council that the Procedure Rules for the Audit Board, Scrutiny Steering Board and the Performance Management Board be approved and incorporated into the Constitution, subject to the amendment of section 15 of the Audit Board Rules to allow either the Corporate Director (Resources) or the Head of Financial Services, together with the Audit Services Manager, to attend each Board meeting.

170/05 **FOOTPATH DIVERSION ORDER – STOURBRIDGE ROAD, BROMSGROVE**

Consideration was given to a report on two applications for the diversion/stopping up of Footpath 597 (formerly Footpath 121) Bromsgrove to enable the construction of a new First/Middle School with associated sports areas at Stourbridge Road, Bromsgrove. Following discussion and consideration of representations submitted, it was

RESOLVED:

- (a) that a Stopping Up Order be made under Section 257 of the Town and Country Planning Act 1990 in respect of "Option B" (the proposed alternative route to the South); and
- (b) that in view of the urgency of the matter and to minimise the possible delay to the carrying out of the development, the Cabinet's decision be not subject to the Council's call-in procedure.

171/05 **BYELAW – COSMETIC PIERCING AND SKIN COLOURING**

The Cabinet gave consideration to the report which requested that a byelaw be implemented to regulate businesses undertaking cosmetic piercing and skin colouring. It was

RECOMMENDED: that the Council adopts a byelaw under Section 120 and Schedule 6 of the Local Government Act 2003 for the regulation of cosmetic piercing and skin colouring businesses.

172/06

HACKNEY CARRIAGE FARES

Consideration was given to a report on a review of Hackney Carriage Fares which proposed the revision of the extra charges set out in the Table of Fares for Hackney Carriages relating to hirings between 12 midnight and 6.00 a.m. Following discussion and in view of the consultation responses and charges levied by other Authorities, it was

RESOLVED: that the extra charges outlined on the Table of Fares for Hackney Carriages relating to hirings started between 12 midnight and 6.00 a.m., as outlined below be approved with effect from 1st April 2006 and that the remaining fares stay the same:-

- £1.00 - For hirings begun between Midnight and 2.00 a.m. on days other than those specified.
- £2.00 - For hirings begun between 2.00 a.m. and 4.00 a.m. on days other than those specified.
- £3.00 - For hirings begun between 4.00 a.m. and 6.00 a.m. on days other than those specified.

173/06

INSTALLATION OF A WEST MERCIA POLICE AUTOMATED NUMBER PLATE RECOGNITION SYSTEM WITHIN BROMSGROVE CCTV CONTROL ROOM

Consideration was given to a report on a request from West Mercia Police that they be permitted to install Automatic Number Plate Recognition (ANPR) equipment within the Bromsgrove CCTV Control Room. The installation would also involve the CCTV Operators in monitoring the system. It was reported that it had recently come to light that there was a possibility that additional costs to this Council may be involved and this was now being investigated further.

RESOLVED:

- (a) that the installation and operation of ANPR equipment within the CCTV Control Room, including the linking of dedicated West Mercia Police cameras to the existing CCTV system be approved;
- (b) that the use of CCTV operatives to monitor and respond, where practical, to vehicles targeted locally or nationally by the ANPR system be approved;
- (c) that the Head of Culture and Community Services be authorised to agree the installation of all ANPR equipment, establish written operating protocols and guidelines for its operation in conjunction with the Police and to ensure that all operatives are provided with the necessary training via West Mercia Police; and
- (d) that the Head of Culture and Community Services in consultation with the Executive Leader and the Portfolio Holder for Culture and Community Services be authorised to give consideration to any financial implications for this Council which may emerge and, if necessary, to refer the issue back to Cabinet.

174/06

SUPPORTING PEOPLE

Consideration was given to the report on issues relating to the Supporting People programme including consultation responses received from interested parties on the Supporting People Strategy 2005-2010, the changes to the governance arrangements for the Supporting People Programme and details of the government consultation regarding future financial arrangements.

Concern was expressed regarding the proposal from the ODPM to move away from the current distribution formula and the detrimental effect the proposed formula would have on funding for Worcestershire and Bromsgrove. Following discussion it was

RESOLVED:

- (a) that the consultation responses and the resulting changes to the Supporting People Strategy 2005-2010 be noted and the final Supporting People Strategy 2005-2010 be adopted;
- (b) that the changes to the Supporting People governance arrangements be noted;
- (c) that in relation to changes to the funding distribution formula, in addition to the response to be submitted by Worcestershire Supporting People, a further response be submitted to the ODPM on behalf of this Council strongly opposing the changes proposed and pointing out the weaknesses in this approach. The response should also recommend adoption of the alternative option which dampens the full effect of the formula and request that the pace of change be elongated to prevent widespread instability in housing related support within Worcestershire; and
- (d) that the Portfolio Holder for Planning and Environment Services be requested to approach the local M.P. for her support on this issue.

175/06

HOUSING STRATEGY 2006-2011

The Cabinet considered a report on the Housing Strategy which included comments received from the Government Office West Midlands and consultation responses. Following discussion it was

RESOLVED:

- (a) that the comments received from the Government Office West Midlands and the consultation responses to the Housing Strategy 2005-2010 be noted;
- (b) that the Housing Strategy Document, as set out in Appendix III to the report, be approved for formal submission to the Government Office West Midlands.

176/06

PARKING OPERATION OVERVIEW

Consideration was given to the report on a proposed Parking Strategy for the District together with proposed enhancements to the current car parking operation. Proposals relating to the future operation of car parks in the District had been under consideration for some time and following discussion it was

RESOLVED:

- (a) that the draft Parking Strategy as set out in Appendix A to the report be approved;
- (b) that the cost of an excess charge notice be increased to £60, but reduced to £30 should payment be received by the Council within the 14 days following the issue of the excess charge and that the Car Parking Order be amended to reflect this change;
- (c) that an administration charge of £30 be made for the issue of any concessionary permit for those aged 60 or over and that the terms and conditions of use as set out in Schedule 3 of Appendix B be approved;
- (d) that the charge for annual and quarterly permits be increased to £300 (£75 per quarter), with a reduced charge of £200 (£50 per quarter) being made for permits issued for use on the Stourbridge Road car park and that the terms and conditions of use set out in Schedule 4 of Appendix B be approved;
- (e) that staff permits be included in the Car Parking Order and that the terms and conditions of use set out in Schedule 5 of Appendix B be approved;
- (f) that the revised Car Parking Order as set out in Appendix B be approved;
- (g) that the proposed tariff set out in Section 11.3 of the report be approved; and
- (h) that resolutions (b) to (g) above be implemented as from 1st May 2006.

(NOTE: The following Members declared a personal interest in this item as holders of concessionary car park permits; Councillors Miss D. H. Campbell J.P., Mrs. J. M. L. A.Griffiths, R. Hollingworth, Mrs. M. A. Sherrey J.P., Mrs. C. J. Spencer and Mrs. M. M. T. Taylor.)

177/06

CABINET SUB-COMMITTEES

(The Chairman agreed to the consideration of this item as a matter of urgency as a decision was required thereon before the next ordinary meeting of the Executive Cabinet.)

The Chairman reported that there was a need to establish Sub-Committees of the Cabinet to consider Town Centre Development and to review Planning Policies. It was also intended to establish a Sub-Committee to consider Waste Management issues and this would be the subject of a report to the next Cabinet meeting. Following discussion it was

RESOLVED: that two Sub-Committees of the Cabinet be established to consider Town Centre Development and to review Planning Policies.

178/06

MR. S. McGOWAN AND MR. P. ALLEN

The Chairman referred to the fact that both Mr. S. McGowan, Head of Human Resources and Organisational Development, and Mr. P. Allen, Interim Head of Planning and Environment Services, would shortly be leaving the Authority. He paid tribute to the work both Officers had undertaken and thanked them for their contribution to the Recovery process.

The Meeting closed at 7.55 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE TENDERS COMMITTEE

Tuesday, 21st February 2006 at 9.45 a.m.

PRESENT: Councillors G. H. R. Hulett and C. J. Tidmarsh.

23/05 **ELECTION OF CHAIRMAN**

RESOLVED: that Councillor C. J. Tidmarsh be elected Chairman of the Committee.

24/05 **APOLOGIES**

An apology for absence was received from Councillor R. Hollingworth.

25/05 **MINUTES**

The Minutes of the Meeting of the Tenders Committee held on 18th January 2006 were submitted.

RESOLVED: that the Minutes of the Meeting be approved and confirmed as a correct record.

26/05 **LOCAL GOVERNMENT ACT 1972**

RESOLVED: that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the Meeting during the consideration of the item of business the subject of the following Minute on the grounds that it involves the likely disclosure of "Exempt Information" as defined in Part I of Schedule 12A to the Act, the relevant paragraph of that part being as set out below:-

<u>Minute No.</u>	<u>Paragraphs</u>
27/05	7, 8 and 9

27/05 **TENDERS FOR THE PROCUREMENT OF TWO STREET CLEANING VEHICLES**

Following consideration of the report, it was

RESOLVED: that the contract for the supply of two street cleaning vehicles be awarded to the lowest tenderer at the cost set out in the report.

The Meeting closed at 9.50 a.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PERFORMANCE MANAGEMENT BOARD

Friday, 17th February 2006, at 1.15 p.m.

PRESENT: Councillors B. L. Fuller C.B.E., Q.F.S.M., (Chairman), P. M. McDonald (Vice-Chairman), G. N. Denaro, C. B. Lanham, Mrs. J. D. Luck (substituting for N. Psirides J.P.), and E. C. Tibby (substituting for Mrs. J. Dyer M.B.E.).

(NOTE: Councillors Mrs. C. J. Spencer, Mrs. M. M. T. Taylor and P. J. Whittaker were also in attendance.)

12/05 **APOLOGIES**

Apologies for absence were received from Councillors Mrs. J. Dyer M.B.E., N. Psirides J.P. and J. A. Ruck.

13/05 **MINUTES**

The Minutes of the Meeting of the Board held on 24th January 2006 were submitted.

RESOLVED: that the Minutes be approved and confirmed as a correct record.

14/05 **RECOVERY PLAN - UPDATE**

Consideration was given to three separate reports on the Council's Recovery Plan, encompassing (i) a general overview of the current situation; (ii) a Recovery Plan timetable; and (iii) a revised four-month Plan for the period January-April 2006.

Councillor Mrs. Taylor, as the Member responsible for Recovery and Strategic Partnerships, addressed the meeting and outlined the Minister's priority headings which the Council were charged with addressing, i.e., financial planning; strategic leadership; organisational development; performance management/risk management/procurement; communication and consultation; and service improvement.

Consideration was then given to the Recovery Plan document, and it was AGREED

- (1) that the question of joint attendance at conferences/seminars, community planning/leadership/partnership meetings (paragraph 2.6.2.) be referred to the Leader of the Council for discussion with other Group Leaders;
- (2) that, as a matter of record, the months of April to August in paragraph 3.7.3. should be shaded grey; and
- (3) similarly, the responsible Member listed under item 6 of the four month recovery plan (Development of a strategy for delivery of a sustainable service improvement to the street scene environment) should read MS (Councillor Mrs. M. A. Sherrey J.P.).

15/05 **BUSINESS PLANS**

The following Service Business Plans for the year 2006-07 were considered:-

- (a) Human Resources
- (b) Culture and Community services
- (c) Planning and Environment Services
- (d) Economic Development and Town Centre Management
- (e) Legal and Democratic Services

Officers were asked to give a brief overview of their report and each report was then considered in detail. Whereupon it was

RECOMMENDED: that the following comments be noted and/or the recommendations be forwarded to the Executive Cabinet for their due consideration:-

<u>Business Plan</u>	<u>Comment/Recommendation</u>
Human Resources	<p>(1) That the Executive Cabinet be advised that concern was expressed over the workload and timescale involved in the undertaking and completing the job evaluation exercise by April 2007, as effective performance management cannot happen until this has taken place;</p> <p>(2) that the Executive Cabinet be advised that the Board are of the opinion that, before any vacancy is filled, it should be examined and “signed off” by Senior Management Team to ensure that it is justified;</p> <p>(3) a list of comparable authorities (by population) be drawn up listing their employee numbers for the next ordinary meeting of the Board;</p> <p>(4) clarification was sought for the next meeting on what was meant by Local Indicator 7 (number of off-the-job training days facilitated by Human Resources) of 350 days;</p> <p>(5) it was agreed that a report on sickness levels would be submitted every quarter;</p> <p>(6) the Board wished to encourage the Executive Cabinet to ensure that the Council have in place a process for reviewing existing arrangements/working practices with Trade Unions;</p>
Culture and Community Services	<p>(7) that the Head of Culture and Community Services be requested to investigate the “panning” efficiency of the CCTV cameras and report back to a future meeting of the Board;</p> <p>(8) that the Executive Cabinet be advised that, in the opinion of the Board, a feasibility study should be undertaken on the setting up of a Charitable Trust for the management and operation of the Council’s leisure facilities before any further monies are spent;</p>
Planning and Environment Services	<p>(9) that the question of “value for money” from the current arrangements ongoing with the Bromsgrove District Housing Trust be looked at again in two month’s time with a view to adopting a more cohesive approach;</p>
Economic Development and Town Centre Management	<p>(10) that the Executive Cabinet be advised of this Board’s concern that a high priority area such as Economic Development has, under the recent restructure proposals, suffered a (slight) reduction in manpower and would encourage the continued support of the Council in real terms;</p>

Legal and Democratic
Services

(11) that it be suggested to the Executive Cabinet that once Section 106 Agreements are finalised, the relevant Ward Member(s) be notified in order to keep a “watching brief”;

NOTE:

(12) on a general note, it was recommended that for future Business Plans, a “standard” template be created.

The Meeting closed at 5.55 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PERFORMANCE MANAGEMENT BOARD

Monday, 20th February 2006, at 1.30 p.m.

PRESENT: Councillors B. L. Fuller C.B.E., Q.F.S.M., (Chairman), P. M. McDonald (Vice-Chairman), G. N. Denaro, Mrs. J. Dyer M.B.E., Mrs. J. D. Luck (substituting for N. Psirides J.P.), D. C. Norton (substituting for J. A. Ruck) and E. C. Tibby (substituting for C. B. Lanham).

(NOTE: Councillors Miss D. H. Campbell J.P., Mrs. K. M. Gall, Mrs. M. M. T. Taylor and Mrs. M. A. Sherrey J.P., were also in attendance.)

16/05

APOLOGIES

Apologies for absence were received from Councillors C. B. Lanham, N. Psirides J.P., and J. A. Ruck, and the Chief Executive.

17/05

BUSINESS PLANS

Further to the meeting held on the 17th February 2006, a number of other Business Plans for the year 2006-07 were considered and the following comments/recommendations were made:-

Business Plan

Comment/Recommendation

E-Government and
Customer Services

- (1) That the Executive Cabinet be informed that the Board has concerns concerning the capacity of the Customer Service Centre to take on the additional work of the Highways Partnership Unit or any other area of work without a more detailed investigation into the ramifications thereof, otherwise this could lead to under-performance.
- (2) That, further to (1) above, the Officers be requested to submit a report to the next meeting on the consequences of any such transfer of work insofar as it affects the future use of the Burcot Room;
- (3) that the Executive Cabinet be made aware that the Board are of the opinion that staff training and the acquisition of hardware need to be better co-ordinated;

Street Scene and Waste
Management

- (4) that the Officers submit a report to a future meeting on the number of phone calls and/or complaints received, together with prosecutions pursued, relating to dog fouling;
- (5) that the Executive Cabinet be reminded that the Waste Education and Awareness Programme which has been established will be a very limited programme unless resources are provided either by the Government or from our own budget;
- (6) that the Executive Cabinet be made aware of the Board's concern over the delay in fully implementing the refuse and recycling modernisation agreement;
- (7) that the Executive Cabinet be advised that the current situation regarding partnership working

with the County Council insofar as grass verges, paths and hedgerows is concerned, needs to be resolved at the earliest possible opportunity;

Financial Services (8) that the Executive Cabinet be advised that a fully automated accounting system is seen as essential by the Board.

Corporate Communications, Policy and Performance Team (9) It was agreed that the Assistant Chief Executive should submit a report to a future meeting on the attendance records of stakeholders in the Local Strategic Partnership and on its possible future structure and direction.

NOTES: (10) On a general note, it was agreed that the Executive Cabinet should have regard to the wider picture of the Council's objectives (through the Corporate Plan) and not simply consider its priorities piecemeal, Business Plan by Business Plan.

(11) It was also agreed that the Executive Cabinet be advised that the Board are concerned that there was not too much evidence of effective Project Management from the planning stage through to completion and that a Project Management methodology needs to be adopted by the Council.

18/05 **LOCAL GOVERNMENT ACT 1972**

RESOLVED: that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the Meeting during the consideration of the item of business the subject of the following Minute on the grounds that it involves the likely disclosure of "Exempt Information" as defined in Part 1 of Schedule 12A to the Act, the relevant paragraph of that part being as set out below:-

<u>Minute No.</u>	<u>Paragraph</u>
19/05	7

19/05 **BENEFITS FRAUD INSPECTORATE INSPECTION REPORT**

The Report of the Revenues and Benefits Manager outlining the progress made to date and the expected completion times for all the recommendations highlighted within the Benefit Fraud Inspectorate's report to the Council was submitted.

RECOMMENDED:

- (1) that the 18 recommendations, as set out in Annex A of the Report be noted;
- (2) that it be noted that an action plan is in place to deliver the 18 recommendations;
- (3) that the robust arrangements for monitoring progress against detailed quarterly action plans as set out in Annex C to the Report be noted and approved;
- (4) that it be noted that 50% of the recommendations made had been completed by the 31st December 2005;
- (5) that it be noted that significant improvements had been made to the benefits service and this had been clearly demonstrated in the latest performance figures;

- (6) that details of the number of benefit fraud prosecutions taken out, together with the time taken from depositing the papers with Legal to getting to Court be provided for consideration at a future meeting; and
- (7) that a further progress report be made to the Board in May 2006 and quarterly thereafter in line with the benefits action plan.

20/05

DATE OF FUTURE MEETINGS

RESOLVED: that the dates of future meetings of the Board be as follows:-

- Monday, 20th March 2006
- Friday, 21st April 2006
- Friday, 19th May 2006
- Friday, 16th June 2006
- Friday 14th July 2006
- Friday, 18th August 2006
- Friday, 15th September 2006
- Friday, 20th October 2006
- Friday, 17th November 2006
- Friday, 15th December 2006
- Friday, 19th January 2007
- Friday, 16th February 2007
- Friday, 16th March 2007

The Meeting closed at 5.30 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

22ND MARCH 2006

2006/07 INTERNAL AUDIT PLAN

Responsible Portfolio Holder	Councillor Roger Hollingworth
Responsible Head of Service	Head of Financial Services

1. Summary

1.1 To present the 2006/07 Internal Audit Plan.

2. Recommendation

2.1 The Executive Cabinet is recommended to note and approve the 2006/07 Internal Audit Plan, as detailed in the report.

3. Background

3.1 The Council is required under Regulation 6 of the Accounts and Audit Regulations 2003 to “maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control in accordance with the proper internal audit practices”.

3.2 To aid compliance with the regulation, the CIPFA Code of Practice for Internal Audit in Local Government in the United Kingdom 2003 details that “Internal Audit work should be planned, controlled and recorded in order to determine priorities, establish and achieve objectives and ensure the effective and efficient use of audit resources”.

4. Planning Process

4.1 Consultation into the production of the 2006/07 Internal Audit Plan began in January 2006 and involved meetings and discussions with the following:

- Chief Executive.
- Corporate Directors.
- Assistant Chief Executive.
- All Heads of Service.

The 2006/07 has also been presented to and discussed by the Corporate Management Team.

4.2 In January 2005, Internal Audit adopted an Audit Risk Model Policy. The document helps guide the planning process and enables a risk based audit plan to be produced. The planning process can be summarised as follows:

- All potential auditable areas are identified using budget details, Committee minutes and reports and meetings with various Council staff.
- Each area is then allocated a risk score based on the following areas:
 - Value of income and expenditure.
 - Number of employees involved and volume of transactions.
 - Risk impact on the organisation.
 - Impact of Management and staff.
 - Standard of Internal Control.
 - Likelihood of occurrence of risk.
 - Likely effectiveness of audit and length of time since previous audit.
 - Third Party Sensitivity and effectiveness of other assurance providers.
- The auditable areas are then ranked in order of risk, with the highest scoring areas being included in the plan.

4.3 The 2006/07 Internal Audit Plan will aid the effectiveness of the Internal Audit function and ensure that:

- Internal Audit assists the Authority in meeting its objectives by reviewing the high risk areas, systems and processes.
- Audit plan delivery is monitored on a weekly basis, appropriate action is taken and performance reports are issued on a regular basis.
- The key financial systems are reviewed annually, enabling the Authority's external auditors to place reliance on the work completed by Internal Audit.
- An opinion can be formed on the adequacy of the Authority's system of internal control, which is included in the statement of accounts.

4.4 Following the restructure, the Internal Audit section currently has two Auditor vacancies. Appointments will hopefully made during May 2006. Therefore, the available days for these two posts have been removed from the 2006/07 Internal Audit Plan.

4.5 The Audit Board will agree the annual Internal Audit Plan each year. The first Audit Board meeting is planned for the 28th March 2006, where the Internal Audit Plan will be presented and adopted.

5. **2005/06 Internal Audit Plan Summary**

5.1 During 2005/06 a number of issues impacted on the Internal Audit section. During the planning process for the 2006/07 Internal Audit Plan, these issues were considered and appropriate action taken to prevent these from occurring during 2006/07.

Issue	Action
90 days lost due to one member of the Internal Audit section completing a permanent move to the Corporate Communications, Performance and Policy Team.	Two permanent Auditors should be appointed and be in post by May 2006, following the current recruitment process.
43 days lost due to one member of the	Two permanent Auditors should be

Internal Audit section being redeployed to the Benefits Section, following the restructure.	appointed and be in post by May 2006, following the current recruitment process.
Additional time spent implementing Emergency Plan requirements.	Emergency Planning has been moved to the Planning and Environment Services for 2006/07.
New working practices and procedures being introduced and improving the section in line with the Recovery Plan.	Standard working practices and procedures are now in place. Additional work still needs to be done to complete Internal Audit's Recovery Plan actions, but this has been built into the 2006/07 Internal Audit Plan.
Work and assistance provided on internal investigations.	An investigation contingency element was built into the 2005/06 Internal Audit Plan. An increased amount of days has been included for 2006/07.
Additional management responsibilities placed on the Audit Services Manager, following the first stage of the restructure.	Audit management time has been built into the 2006/07 Internal Audit Plan.

5.2 Due to these unforeseen events, the following audit reviews were not completed during 2005/06:

Audit Review	Comment
Licensing & Taxi Licensing	Due to the low risk score and current Council priorities, this review will not be completed during 2006/07.
Petty Cash	Due to the low risk score and current Council priorities, this review will not be completed during 2006/07.
Contract Final Accounts	Following the Procurement review completed during 2005/06, a Contract Performance and Monitoring review is planned for 2007/08.
Electronic Government – Strategy / Policy	An ongoing E-Government Projects review is planned for 2006/07.
E-mail Policy	A review of the Council's E-mail Policy will be included in the IT Security (Software / Hardware / Back Up) for 2006/07.
IT Strategy & Policy	A review of the IT Strategy & Policy will be included during the ongoing ICT Infrastructure Project review.

6. Financial Implications

6.1 None outside existing budgets.

7. Legal Implications

7.1 The Council is required under Regulation 6 of the Accounts and Audit Regulations 2003 to “maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control in accordance with the proper internal audit practices”.

8. Corporate Objectives

8.1 To be an efficient and effective Council.

9. Risk Management

9.1 The Council is required under Regulation 6 of the Accounts and Audit Regulations 2003 to “maintain an adequate and effective system of internal audit of its accounting records and of its system of internal control in accordance with the proper internal audit practices”. Not fulfilling this requirement would have a negative impact on the Authority.

9.2 The Council is required to undertake certain judgmental audits each year as part of the managed audit arrangements. All other audit topics are risk assessed annually using an Audit Risk Model Policy and in accordance with the principals of risk management.

10. Other Sub Headings

10.1

Procurement Issues	None
Personnel Implications	None
Governance / Performance Management Considerations	None
Community Safety Considerations	None
Policy Considerations	None
Environmental Considerations	None
Equalities Implications	None

Background Papers

2005/06 Internal Audit Plan Cabinet report – 13.4.05.

Revised 2005/06 Internal Audit Plan Cabinet report – 30.11.05.

Contact officer

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2006/07 Internal Audit Plan

Description	Risk Score	Directorate	Section	Proposed Start Date
<u>Audit Reviews</u>				
Benefits	91.4	Resources	Financial Services	Quarter 4
Budgetary Control & Strategy	88.5	Resources	Financial Services	Quarter 3
Agency & Casual Staff	78.9	Resources	Human Resources & Organisational Development	Quarter 1
IT Security (Software / Hardware / Back Up)	74.0	Resources	E-Government & Customer Services	Quarter 4
Staff Leave (incl. Flexi & TOIL)	73.0	Resources	Human Resources & Organisational Development	Quarter 1
CCTV System (incl. Control Room)	69.5	Services	Culture & Community	Quarter 2
Data Protection	68.4	Resources	Legal & Democratic	Quarter 1
Development Control	68.0	Services	Planning & Environment	Quarter 2
Section 106 Monies	68.0	General	N/A	Quarter 4
Payroll	64.4	Resources	Human Resources & Organisational Development	Quarter 4
Sports Development	63.4	Services	Culture & Community	Quarter 2
General Ledger & Bank Reconciliations	62.6	Resources	Financial Services	Quarter 4
Information & Knowledge Management	62.1	Resources	Legal & Democratic	Quarter 2
Woodrush Dual Use Centre	60.4	Services	Culture & Community	Quarter 2
Financial Regulations	60.4	Resources	Financial Services	Quarter 2

Description	Risk Score	Directorate	Section	Proposed Start Date
Parks & Open Spaces	55.2	Services	Culture & Community	Quarter 2
Debtors	52.1	Resources	Financial Services	Quarter 4
Treasury Management	50.9	Resources	Financial Services	Quarter 3
Asset Management	49.0	Resources	Financial Services	Quarter 3
Creditors	47.2	Resources	Financial Services	Quarter 3
NNDR	44.2	Resources	Financial Services	Quarter 3
Housing Enabling	43.5	Services	Planning & Environment	Quarter 1
Council Tax	42.4	Resources	Financial Services	Quarter 4
Customer Service Centre	36.7	Resources	E-Government & Customer Services	Quarter 3
Museum and TIC	34.5	Services	Culture & Community	Quarter 2
Travel Concessions	26.0	Services	Street Scene & Waste Management	Quarter 1
Projects				
Risk Management	77.6	Resources	Financial Services	Ongoing
E-Government Projects	77.1	Resources	E-Government & Customer Services	Ongoing
Corporate Governance & Recovery Plan	58.2	ACE	N/A	Ongoing
ICT Infrastructure Project	40.5	Resources	E-Government & Customer Services	Ongoing

BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

22nd MARCH 2006

MONITORING OF THE REVENUE AND CAPITAL BUDGET 2005/06

Responsible Portfolio Holder	Councillor Roger Hollingworth
Responsible Head of Service	Head of Financial Services

1. **SUMMARY**

The purpose of this report is to inform Executive Cabinet of;

- 1.1 the financial position of the Revenue budget with comparison between actual spend and projected budget for the period April 2005 to December 2005 and
- 1.2 the progress made on capital schemes and the capitalisation direction and to present the capital monitoring statements with the variances against all capital schemes as at the end of December 2005. Expenditure has been compared to the revised Capital Programme for 2005/06 which comprises the Original Capital Budget as approved by Executive Cabinet on 16th February 2005, budgets carried forward from 2004/05, and additions as approved by Executive Cabinet and the resources made available under the capitalisation direction.

2 **RECOMMENDATIONS**

- 2.1 It is recommended that:
 - 2.1.1 the net revenue underspend of £164k for the period April 2005 to December 2005 be noted;
 - 2.1.2 the capital underspend of £727k against the Revised Capital Programme at December 2005 be noted;
 - 2.1.3 the progress made on capital schemes to date be noted.

3 **BACKGROUND**

3.1 **Revenue Budget 2005/06**

- 3.1.1 On 1st March 2005 Council approved a Revenue budget of £11.298m relating to the cost of General Fund Services. An increase of £682k was made to the budget in respect of capital charges for depot vehicles and plant. Table 1 shows the breakdown of the budget including the capital and excluding the recovery plan funds of £149k which are shown at 7.4 in this report.
- 3.1.2 In addition to this expenditure a return of £1.136m was expected as interest on investments.

3.1.3 As part of the medium term financial plan there were savings identified of £1.640m and financial pressures of £1.372m that were included in the budget for 2005/06. Monthly monitoring reports are now prepared for consideration and review by officers to ensure that savings are achieved and that any issues are addressed in a timely manner.

3.2 Capital Programme 2005/06

3.2.1 On 1st March 2005 Council approved the original Capital Programme for 2005/06 totalling £4.409m and on 28th September 2005 Executive Cabinet approved the carrying forward of budgets from 2004/05 totalling £1.386m. which included £35k for the Catshill Community Project and £171k for the Dolphin Centre Upgrade scheme, which were only approved in principle pending the receipt of further information by Executive Cabinet and the Corporate Director (Resources).

3.2.2 Appendix J shows the revised Capital Programme including the additional approvals by Executive Cabinet as detailed in the monitoring report of 30th November 2005.

3.2.3 The following additional Section 106 funded schemes, as approved by Executive Cabinet on 20th July 2005 have now been included in the December 2005 capital monitoring statement and the revised 2005/06 Capital Programme:

- Barnsley Hall – Provision of new play area £30k
- Barnt Green (Linthurst) Hewell Rd park improvements/ Bitterell Rd play area improvements £12k
- Belbroughton Recreation Centre sports storage facilities & external toilets £21.5k
- Bromsgrove Town FC portable goals for Lickey End Recreation Ground £1.7k
- Clent Parish Council provision of skate equipment £20k
- Hagley play area refurbishment £20k
- Stoke Prior play area refurbishment £2k

3.2.4 The following additional scheme, as approved by Executive Cabinet on 27th July 2005 has now also been included in the December 2005 capital monitoring statement and the revised 2005/06 Capital Programme:

- Hunters Hill School Blackwell Contribution to new indoor sports facilities £129.5k

3.2.5 On the 22nd June 2005 Executive Cabinet approved the use of £16.5k of revenue balances to increase the budget for the Shopmobility scheme to £99k and this amount has now been included in the December 2005 capital monitoring statement and the revised 2005/06 Capital Programme.

3.2.6 On 10th & 18th January 2006 Executive Cabinet approved additional ICT business cases and further capital schemes and these have also now been included in the revised 2005/06 Capital Programme. These schemes were:

- ICT Infrastructure Scheme £1.873m
- Internet/Intranet development £28k
- IT servers £34k

- Government Connect Scheme £30k
- Replacement Footbridge Spadesbourne Brook £12k
- Graffiti Removal System £25k

- 3.2.7 On the 1st March 2005 the Government (ODPM) granted a capitalisation direction allowing the Council to capitalise up to £2m of revenue expenditure relating to the restructure exercise which includes £750k for additional activity to support improvement.
- 3.2.8 The total Revised Capital Budget for 2005/06, including all capital schemes and the funds made available under the capitalisation direction, currently stands at £10.030m.
- 3.2.9 Capital monitoring statements are prepared on a monthly basis and circulated to budget holders and senior management to show the progress on each scheme for the year to date. The statements also include a summary as to the latest position for the Council as a whole and allows any corrective action which may be required to bring the programme back onto track to be taken.
- 3.2.10 It has also been agreed that Executive Cabinet be informed on a quarterly basis of the latest monitoring position on the 2005/06 Capital Programme.

4. **REVENUE MONITORING POSITION APRIL-DECEMBER 2005**

- 4.1 The financial position for the revenue services for the period April – December 2005/06 shows an overspend of £152k for the year to date. This is offset by the additional income achieved from the investments of £316k. This gives a financial underspend to December of £164k.
- 4.2 The variances at December 2005 have been calculated by comparing actual expenditure to December adjusted to take account of known spending patterns, for example all non domestic rate budgets are included as full years to match the full year spend. The summary by Department is shown at **Table 1** below with further detail at **Appendices A to I**:

Table 1

Service Department	Approved Budget 2005/06 £000	Profiled Budget April-December 2005/06 £000	Actual April-December 2005/06 £000	Variance April-December 2005/06 £000	Estimated Outturn Position 2005/06 £'000	Estimated Outturn Variation 2005/06 £'000
Corporate Services	609	556	581	25	641	31
Culture and Community Services	1,543	1,330	1,355	25	1,580	37
E-Government and Customer Services	1,031	774	825	51	1,077	46
Financial Services	1,761	1,338	1,220	-118	1,672	-89
Legal and Democratic Services	1,563	1,214	1,239	25	1,584	21
Organisational Development and Human Resources	465	349	252	-97	452	-13
Planning and Environment Services	1,260	1,028	986	-42	1,199	-61
Street Scene and Waste Management Services	3,599	2,658	2,941	283	4,051	452
TOTAL SERVICES	11,832	9,247	9,399	152	12,256	424
Interest on Investments	-1,136	-852	-1,168	-316	-1,500	-364
TOTAL REVENUE	10,696	8,395	8,231	-164	10,756	60

5. VARIATIONS TO DECEMBER 2005

5.1 The main reasons for the variations are:

Corporate Services – £25k underspend

The variance is due to the vacancies within the policy and performance team offset by the a shortfall on savings targets. Efficiency targets were allocated to Corporate Services but have been realised within departments over the year. The final outturn report presented during the closedown of accounts will identify the nature of all efficiency savings made.

Culture and Community Services - £25k overspend

The net overspend is due to a shortfall in the income generated from usage of the various leisure facilities within the district of £135k , offset by vacancy and service savings of £110k.

E-Government and Customer Services - £51k overspend

The overspend is due to software charges that were entered into before this financial year and consolidation of the software budget.

Financial Services - £118k underspend

The number of vacancies within Revenues & Benefits, financial accounts and audit have led to the underspend for the period. This trend is expected to continue to year end until the recruitment of the full establishment is in place.

Legal and Democratic Services – £25k overspend

The overspend relates to additional maintenance and repairs works that have been undertaken within the Council House building. These have included emergency drainage and plumbing services.

Organisation Development and Human Resources - £97k underspend

The level of the underspend relates to the corporate training budget that had not been allocated to the delivery of training and development. It is anticipated that this budget will be partially utilised during January – March 2006, however there will remain an underspend at year end.

Planning and Environment Services – £42k underspend

The services within Planning and Environment have a net underspend due to the following reasons;

- Vacancy savings within the department £126k
- Shortfall in income targets in respect of planning applications, building regulations fees and land charges £35k. It is anticipated that there will be a significant decrease over the period January – March 2006 in income generated with an outturn shortfall of approximately £153k.
- Emergency drainage and sewerage works £20k
- Taxi testing charges from the depot £11k
- Miscellaneous overspends £6k

Street Scene and Waste Management Services - £283k overspend

Within the street scene and waste management there are a number of factors that have resulted in the current overspend which are expected to continue during the remainder of the financial year.

The current position and the anticipated year end position includes overspends relating to the use staff, transport and reductions in income.

To the end of the financial year;

- there is an anticipated overspend of £279,000 against agency codes, however this is mitigated by an underspend on full time staffing costs of £264,000. In addition we have employed additional grounds maintenance staff to litter pick in front of mowers and there are extra medical and occupational health costs. This has resulted in an overspend of £28,000 against all staffing issues.
- vehicle repairs are anticipated to overspend by £53,000 due to an underestimation of the true costs of the second hand recycling vehicles purchased last year.
- fuel costs have increased by £140,000 primarily because of the additional costs incurred by the vehicle fleet for the recycling service.
- there has also been additional vehicle hire cost mainly due to permanent breakdowns of existing fleet vehicles and the theft of one vehicle.

Vehicles hired have included a cesspool tanker, a pavement sweeper, a kerbside recycling vehicle, a commercial waste refuse collection vehicle a skip vehicle and a supervisors van. Additional hire costs amount to £70,000 during 2005/06.

- the insurance cost of all vehicles has increased by £40,000 due to insurance companies reassessing risks associated with the services provided.
- income generation in general has decreased this year in a number of areas. The income for cesspool emptying has decreased by £11,000 due to problems earlier in the year when we were experiencing reliability with vehicles and unable to service customers. We have not generated the anticipated income from the transfer station and the income on bulky collections has reduced by £4,000. Income generated by the workshop has increased and internal works for highways has generated an additional £66,000.
- there are however reduced income for the rental of the Burcot room and the loss of income on BDHT for their ground maintenance work. In total income has reduced by £54,000 from that originally anticipated during the 2005/06 budget process.

The total additional overspend anticipated for the year as detailed above amounts to £452,000.

5.2 **Interest on Investments**

The target for interest on investments for 2005/06 is £1.136m which equates to a return of 4.75%. The Bank of England Base rate reduced from 4.75% to 4.5% in early August. It was widely anticipated that another reduction of 0.25% would follow but as yet this has not happened. The return on short term timed investments averaged between 4.51% and 4.52% peaking at 4.53%. The investments are held by Invesco and HSBC and have generated a surplus of £316k over the period April to December 2005.

5.3 **ESTIMATED OUTTURN 2005/06**

The current level of revenue overspend is offset by the surplus on investments to the end of December 2005. Heads of Service have been requested to reduce expenditure levels to budget for the remainder of the financial year and to mitigate, where possible, shortfalls in income. If these actions are achieved it is expected that the Council can reduce the impact of the predicted overspend in 2005/06.

5.4 **Impact on balances**

If the overspend is not reduced during the final period and remains at £60k for the financial year this shortfall will have to be met from balances.

The impact would be that the balances available to fund the medium term financial plan as approved by Council on 28th February 2006 would be reduced. The position at 1st April 2006 would be £2.201m and with the approved use of balances during the 2006/07 – 2008/09 a balance of £1.414m at 31st March 2009.

6. **THE POSITION OF THE CAPITAL PROGRAMME AT DECEMBER 2005**

- 6.1 The estimated outturn for the financial year 2006/07 is also shown in Table 2 and in Appendix J
- 6.2 The total financial position on capital expenditure at the end of December 2005 shows an underspend of £727k for the year to date compared to the Revised Capital Programme and the resources made available under the capitalisation direction and full details can be seen in Table 2.

Table 2

Department	REVISED CAPITAL BUDGET 2005/06 £ 000	PROFILED BUDGETED PAYMENTS TO DATE APR-DEC 2005/06 £ 000	ACTUAL PAYMENTS TO DATE APR-DEC 2005/06 £ 000	VARIATION TO DATE £ 000	ESTIMATED OUTTURN POSITION £'000	ESTIMATED OUTTURN VARIATION £'000
Financial Services	210	10	0	-10	200	-10
Legal & Democratic Services	45	15	0	-15	22	-23
Organisational development and Human Resources	5	5	0	-5	0	-5
E-Government & Customer Services	2,234	117	106	-11	2,097	-137
Culture & Community	1,492	423	476	53	1,210	-282
Street Scene & Waste Management	1,124	558	300	-258	741	-383
Planning & Environment	2,920	1,152	671	-481	2,131	-789
SUB-TOTAL CAPITAL PROGRAMME	8,030	2,280	1,553	-727	6,401	-1,629
CAPITALISATION DIRECTION						
Restructure	1,250	1,250	1,250	0	1,250	0
Recovery Plan	750	750	750	0	750	0
SUB-TOTAL CAPITALISATION DIRECTION	2,000	2,000	2,000	0	2,000	0
TOTAL CAPITAL RESOURCES	10,030	4,280	3,553	-727	8,401	-1,629

- 6.3 On 22nd February 2006 Executive cabinet approved an estimated outturn of the capital programme of £8.365m with a projected underspend of £1.665m. The current predicted underspend as reported in the attached Appendix J is slightly less than that expected in the report.

6.4 **Recovery Plan Funds**

Under the capitalisation direction, funds of £1.250m were made available for expenditure incurred on the restructure exercise. Following the approval of the final stage of the restructure at Executive Cabinet on 30th November 2005, the

allocated funds of £1.250m will be utilised to meet the severance costs associated with the restructure.

As part of the capitalisation direction received from the ODPM there were funds made available of £750k to utilise for areas where work was to be undertaken relating to the Recovery Plan. In addition to this a further £149k was allocated from the revenue budget to fund interim support required to deliver the recovery plan. The total allocated resource for 2005/06 is £899k. From April – December 2005 £814k of expenditure was incurred against this funding in the following areas:-

SERVICE AREA	Actual April-Sept 2005 £000
Corporate Services	340
E-Government & Customer Services	41
Financial Services	271
Legal Services	22
Street Scene & Waste Management Services	140
TOTAL	814

7 MONITORING 2006/07

7.4.1 There are a number of improvements to the current monitoring process that are to be implemented during 2006/07. The process will include:

- Monthly detailed reports to be produced (as at present)
- Summary reports to be circulated to portfolio holders
- Financial meetings to include both financial support staff and budget holders
- Key issues to be formally reported to Heads of Service and portfolio holders with a detailed action plan to address areas of concern
- Quarterly reports to Performance Monitoring board to include action plans
- Quarterly reports to include a prediction of the outturn position

8. FINANCIAL IMPLICATIONS

8.1 None other than in the body of the report.

9. LEGAL IMPLICATIONS

9.1 None.

10. OTHER SUB HEADINGS

10.1 None

Personnel Implications
Governance/Performance Management Considerations
Community Safety Considerations
Risk Management Considerations
Policy Considerations
Environmental Considerations
Equalities Implications

Background Papers

Report to Executive Cabinet 16th February 2005 – Medium Term Finance Plan.
Report to Executive Cabinet 16th March 2005 – New Play Area at Cofton Hackett.
Executive Cabinet Minutes 27th July 2005 – Urgent Section 106 Funded Schemes.
Executive Cabinet Minutes 24th August 2005 – Capital Budget Slippage.
Report to Executive Cabinet 28th September 2005 – Capital Outturn for 2004/05.
Agresso Financial Statements
Working papers

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APPENDIX A

	Approved Budget	Profiled Budget April-December	Revised Actual April-December	Variance April-December
	2005/06 £'000	2005/06 £'000	2005/06 £'000	2005/06 £'000
Corporate Services				
Corporate Management	332	343	410	67
Economic Development	90	67	71	4
Retail Market	7	10	7	-3
TOTAL SERVICE	429	420	488	68

Projected Outturn	Projected Variance
2005/06 £'000	2005/06 £'000
403	71
97	7
1	-6
501	72

APPENDIX B

	Approved Budget	Profiled Budget	Revised Actual	Variance
Corporate Services	2005/06 £'000	April-December 2005/06 £'000	April-December 2005/06 £'000	April-December 2005/06 £'000
Policy & Performance	181	136	93	-43
TOTAL SERVICE	181	136	93	-43

Projected Outturn	Projected Variance
2005/06 £'000	2005/06 £'000
140	-41
140	-41

APPENDIX C

	Approved Budget	Profiled Budget	Revised Actual	Variance	Projected Outturn	Projected Variance
	2005/06	April-December	April-December	April-December	2005/06	2005/06
	£'000	2005/06	2005/06	2005/06	£'000	£'000
		£'000	£'000	£'000		
Culture & Community Services						
Arts Services	184	138	154	16	186	2
Cemeteries	-74	-56	-51	5	-64	10
Community Safety	257	297	298	1	258	1
Culture & Community Services Management	181	174	139	-35	146	-35
Museums and TIC	86	66	40	-26	55	-31
Parks & Open Spaces	117	88	117	29	158	41
Spadesbourne Suite - General	48	39	12	-27	22	-26
Sport & Recreation General	121	91	25	-66	50	-71
Sports Centres	623	493	621	128	769	146
TOTAL SERVICE	1,543	1,330	1,355	25	1,580	37

APPENDIX D

	Approved Budget	Profiled Budget	Revised Actual	Variance
E-Government & Customer Services	2005/06 £'000	April-December 2005/06 £'000	April-December 2005/06 £'000	April-December 2005/06 £'000
Customer Service Centre	241	181	186	5
E-Government	790	593	639	46
TOTAL SERVICE	1,031	774	825	51

Projected Outturn	Projected Variance
2005/06 £'000	2005/06 £'000
241	-0
836	46
1,077	46

APPENDIX E

	Approved Budget	Profiled Budget April- December	Revised Actual April- December	Variance April- December	Projected Outturn	Projected Variance
Financial Services	2005/06 £'000	2005/06 £'000	2005/06 £'000	2005/06 £'000	2005/06 £'000	2005/06 £'000
Benefit Administration	64	48	60	12	74	10
Benefit Payments	47	35	-27	-62	47	0
Central Overheads	482	379	384	5	486	4
Financial Services - Accountancy & Admin	456	342	305	-37	401	-55
Financial Services - Internal Audit	157	118	105	-13	139	-18
Grants & Donations	205	154	99	-55	205	-0
Local Taxation	294	220	277	57	295	1
Revenues & Benefits System Control	56	42	17	-25	25	-31
TOTAL SERVICE	1,761	1,338	1,220	-118	1,672	-89

APPENDIX F

	Approved Budget	Profiled Budget	Revised Actual	Variance	Projected Outturn	Projected Variance
	2005/06	April-December	April-December	April-December	2005/06	2005/06
	£'000	2005/06	2005/06	2005/06	£'000	£'000
		£'000	£'000	£'000		
Legal & Democratic Services						
Administration & Registration	460	345	315	-30	419	-41
Committee Services	250	187	188	1	251	1
Corporate Facilities	106	79	61	-18	78	-28
Elections	21	15	10	-5	11	-10
Facilities Management	451	382	450	68	534	83
Legal Services	234	175	183	8	248	14
Valuation Services	41	31	32	1	43	2
TOTAL SERVICE	1,563	1,214	1,239	25	1,584	21

APPENDIX G

	Approved Budget	Profiled Budget April- December	Revised Actual April- December	Variance April- December
Organisational Development & Human Resources	2005/06 £'000	2005/06 £'000	2005/06 £'000	2005/06 £'000
Human Resources & Organisational Development	465	349	252	-97
TOTAL SERVICE	465	349	252	-97

Projected Outturn	Projected Variance
2005/06 £'000	2005/06 £'000
452	-13
452	-13

APPENDIX H

	Approved Budget	Profiled Budget	Revised Actual	Variance	Projected Outturn	Projected Variance
	2005/06	April-December	April-December	April-December	2005/06	2005/06
	£'000	2005/06	2005/06	2005/06	£'000	£'000
		£'000	£'000	£'000		
Planning & Environment Services						
Development & Building Control	-104	-78	-87	-9	-69	35
Environmental Health	699	524	505	-19	667	-32
Licensing	-8	-6	-46	-40	-27	-19
Planning Administration	-25	-16	29	45	-18	7
Strategic Housing	460	425	449	24	474	14
Strategic Planning	238	179	136	-43	172	-66
TOTAL SERVICE	1,260	1,028	986	-42	1,199	-61

APPENDIX I

	Approved Budget	Profiled Budget	Revised Actual	Variance	Projected Outturn	Projected Variance
Street Scene & Waste Management Services	2005/06 £'000	April-December 2005/06 £'000	April-December 2005/06 £'000	April-December 2005/06 £'000	2005/06 £'000	2005/06 £'000
Car Parks	-682	-486	-463	23	-675	7
Cleansing	627	474	537	63	723	96
Depot - Miscellaneous	-6	-10	9	19	17	23
Environmental Enhancements	-24	-18	-44	-26	-50	-26
Garage	-4	-2	-10	-8	19	23
Grounds Maintenance	450	326	400	74	574	124
Highways	214	148	182	34	239	25
Refuse Collection	2,227	1,629	1,826	197	2,526	299
Street Scene Support	387	290	196	-94	264	-123
Travel Concessions	410	307	308	1	414	4
TOTAL SERVICE	3,599	2,658	2,941	283	4,051	452

BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

22ND MARCH 2006

Responsible Portfolio Holder	Councillor Mrs Taylor
Responsible Officer	Hugh Bennett

Communications Strategy

1.0 Summary

1.1 A Strong Voice for Bromsgrove (attached at appendix 1) sets out a strategic approach to improving the Council's communications and is based on research through focus groups undertaken with the public, staff and Members by CSR Surveys Ltd; and research from the Improvement and Development Agency (I&DeA).

2.0 Recommendations

2.1 It is recommended that:

(a) Cabinet agrees the Strategy.

3.0 Background

3.1 This is set out in Section 2 of the Strategy. There is a clear need to improve how we communicate both internally and externally.

4. Report

4.1. Based on the research undertaken, the Strategy considers improving communications across 7 priorities supported by a range of planned actions.

4.2 The Strategy will be overseen by a project board led by the Assistant Chief Executive with representation including the Portfolio Holder, the Head of E-Government and ICT and front line staff.

5.0 Conclusions

5.1 There are less actions in this Strategy, compared to the Customer First Strategy, which reflects the amount of available resource and the fact that while communications needs improving we are starting from a higher baseline.

6.0 Financial Implications

6.1 The Strategy is within budget unless otherwise identified in the action plan.
The three major pieces of investment is the customer panel.

7.0 Legal Implications

7.1 None at this stage.

8.0 Other Sub Headings

8.1 Not applicable.

9.0 Background Papers

See references in Strategy.

Contact Officer

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DRAFT
A Strong Voice
for Bromsgrove
District

A Communications Strategy
For Bromsgrove District Council

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1 Purpose

This communications strategy for Bromsgrove Council is designed to move us from where we are now to where we want to be. Some aspects of communication in the Council have improved and some key building blocks are in place; however, there are major steps we need to take before we can honestly claim we are a 'Strong Voice for Bromsgrove District'. This strategy therefore seeks to address the following seven priorities:

1. Corporate Message and Style.
2. Visible Leadership
3. Strategic Planned Communication
4. Consultation Mechanisms and Policy
5. Member Communication
6. Corporate Brand
7. Staff consultation

These objectives are based on an assessment the communication needs of our various stakeholder groups, an assessment of our current communication tools and a "quick and dirty" assessment against a national communications benchmark. The Strategic Action Plan at the end of the document details the actions we plan to take in order to address the seven objectives identified, based on the position statement provided by the various assessments. The objectives and strategic action plan are underpinned by four principles set out in section three.

2 Why is Communications Important?

External Audience/Stakeholders

Good communication is both a duty and an opportunity. A duty to reach out to all people, whoever and wherever they are, to bring them into community life. An opportunity to learn from others, to share excellence, to give direction, to celebrate success, to acknowledge weakness and to listen. Communication is about a dialogue with the local community, including the Members who represent their communities and the employees who live within them and serve them. Good communication means the Council will take the right decisions for our communities, good communications also mean that our communities are clear about what the Council stands for and how they can play a part.

Research for the Office of the Deputy Prime Minister (ODPM) tells us that people know little about councils or what they do:

- Nationally only half of local residents feel their council keeps them well informed
- Nine out of ten people can't name their local councillor
- Nine out of ten people have never heard of best value in relation to local government
- One in four rated their council as the worst agency at providing information, compared to other public and private sector communicators.

The less people know about an organisation the less likely they are to rate it. This is borne out by MORI research, which has consistently found a link between how familiar people are with a service or organisation and how favourable they are towards it. Research by Mori has also found the following to be the greatest drivers of a council's overall reputation:-

- Perceived quality of services.
- Perceived value for money.
- Media coverage.
- Direct communication.
- Performance.
- Cleaner, greener, safer environment.
- Positive experience of staff contact.

Clearly this research suggests that communications has a major role to play in building the reputation of a council. Mori go on to identify some core communication actions which have a particularly significant impact on a council's reputation; these are:-

- Effective media management.
- Provide an A to Z guide to council services.
- Publish a regular council magazine/newspaper.
- Branding – effective and consistent linkage of council brand to services.
- Good internal communications.

The “Connecting with Communities” research found that in those councils rated as relatively poor communicators, residents’ satisfaction with the council was consistently lower than might be expected given their overall satisfaction with the area as a place to live. The research shows that good communications can result in improved resident satisfaction.

Communication is therefore a fundamental component in how local residents judge the overall image of their council. Getting it right is one of the simplest and most effective ways of improving satisfaction. It’s no longer an optional extra. Any council that wants to be seen as high performing needs a communication strategy in place.

Internal Audience/Stakeholders

Internally, communications is equally important. Research by MORI shows that staff who feel well informed are twice as likely to feel involved in their organisation, to understand objectives and to feel they can make the best use of their skills and abilities.

There are also demonstrable links between levels of staff satisfaction and advocacy. The more dissatisfied staff feel with their organisation, the more likely they are to speak critically about the organisation. The more satisfied they are, the more they are likely to be good ambassadors for their council.

In Bromsgrove where a major transformation programme is underway, a clear staff communications strategy is vital. A change programme will not be successful where staff do not feel involved, or worse, feel left behind. Staff first need to understand why the organisation must change, and sign up to the Vision. They need to understand the organisational objectives and feel well informed and listened to along the way and they need to feel valued.

Central Government and Comprehensive Performance Assessment

Research shows us that the public wants a closer relationship. At a national level, the Government is beginning to drive a neighbourhood agenda with suggestions of a neighbourhood charters and illustrative options of possible neighbourhood arrangements, which the Council will need to consider as part of the unitary debate.

Good communication is recognised as an important aspect of a Council and is reflected in the Audit Commission’s Comprehensive Performance Assessment methodology.

2 Principles underpinning the strategy

As we take steps to improve communications across the Council we need to have a firm foundation, a set of agreed principles on which we can act. These should be the bedrock of our future activity and act as a guarantee that our actions are sound and that they fit the Values of the Council.

- **Our messages must be consistent with our Values**

At the beginning of the Strategy we made a link to our Values. Our second value is “being honest, open and fair at all times”. The bedrock of good communications is credibility and integrity. It doesn’t matter how good our communications mechanisms are, if people do not believe what is being communicated. Staff, the media and the public will invariably cross check the credibility of a message against other information e.g. rumour, which they have received; and however, much we attempt to control information it will invariably be doing the rounds before we officially communicate. With this in mind we need to communicate on issues as early as possible (way before decisions are taken) and be up front about what is being considered or what the problems are. Certainly “no comment” is to be totally avoided.

- **Good communication is everyone’s responsibilities.**

Every Member and employee is involved in communication activity whether formal or informal as an integral part of their job role. Whether this involves internal or external communications, all Members and employees need to take responsibility for ensuring they communicate clearly and effectively. Potentially the most important aspect is that we communicate a consistent message. Currently we find ourselves in the situation where Members and officers go to the media on the same issue without talking to each other, which sends a poor message in itself, but also means mistakes are often made in the messages given. Internally, the Core Brief system until recently relied on each CMT member interpreting the CMT agenda back to staff, which is bound to make for inconsistencies.

- **Effective communication drives culture change and performance improvement**

Communications is not an ‘add on’. It is central to any business, but is perhaps particularly important in a political environment where the media are vociferous and council’s often start from a deficit position in terms of how they are perceived. Greinstein identifies public communication as one of six qualities of effective leadership. In a period of significant change and uncertainty we should be paying particular attention to communications activities. Good communication is required to restore faith (both staff and the publics) and will become increasingly important as unitary status beckons – staff, in particular, need a strong, visible message of confidence that things are going to be okay. With a difficult financial situation the temptation may be to reduce what we spend on communications. Without it, we will not become the Council we want to be. Communications in Bromsgrove District Council is part of an overall strategy to drive up performance and service delivery.

- **Managers need to behave corporately when communicating**

This requires action to break down any 'silo' mentality which may exist, a willingness to use directorate and service resources in a different way, and to sign up to corporate messages and communications standards.

3. Communications Audit - Stakeholders

The Council is unusual in currently having no local research on communications. This reflects the under investment in communications and the apparent importance placed on it. This is currently being addressed through a number of focus groups with the public on the communications/customer, with staff and with Members (this will be available shortly). As an interim, we can look at research in a neighbouring council, national research and existing intelligence (anecdotal) about our stakeholders.

In wanting to communicate clearly, we need to take account of a range of stakeholders:

- Residents and Service Users
- Staff (who may also be residents)
- Members
- The Media
- Partners & Businesses
- Service users
- Voluntary sector / local groups / pressure groups

We have a population that is essentially white, with a small black and minority ethnic population, with the main languages being east European due to the high number of migratory workers. The District is also diverse in other ways, with parts being very rural (particularly to the west of the M5), while others form part of the West Midlands Conurbation

3.1 Residents and service users

Views of the Council

A recent budget consultation exercise identified that residents didn't think the Council did anything particularly well or particularly badly. The consultation exercise also identified a lack of connection between council tax and the services received. An overall view was that residents felt the Council did not have a clear vision for the district and did not consult early enough on issues.

Residents are likely to want 'more information in general', followed by information on 'how the Council is dealing with local issues' and information on 'plans and redevelopments'.

In terms of receiving information direct from the Council public preferences will tend towards Council Chat, followed by newsletter then leaflets.

Newspaper readership

The two main papers in the District are the Advertiser/Messenger and Standard; however, the press officer has to deal with up to 14 papers in total. We don't have information on readership levels, but local papers usually play a key part in any resident's communication with a council. Unfortunately, there is no news like bad news and papers need to sell copy, so the Council will tend to receive more negative coverage

than positive (we intend to start measuring this as a corporate health indicator). A neighbouring council found that there is a net negative effect on people as a result of what they see in the media. 48% claim what they saw about the Council in the media had no effect on them. 16% say it made them feel more positive but 30% say it made them feel more negative.

Fewer under 25s are likely to read about their council from a local paper with a stronger preference for receiving information through other media.

Radio listening/TV

Again, we do not have statistically valid information on local residents listening preferences; however, analysis in other councils suggests that about 70% of residents listen to the radio on a daily basis. A significantly higher proportion of men and those aged 18 to 34 listen on a daily basis. Most of those who listen do so on weekdays with 83% of residents claiming to listen to local radio with the most popular stations. The over 65s are likely to be the biggest listeners to local BBC radio with younger listeners more likely to listen to more urban stations like BRMB and Heart FM. It would be useful to have more statistically valid information, so that we can ensure we use the right radio station for the right group.

National research by MORI supports these findings – older, more affluent residents are most likely to read local papers and younger, urban, less affluent residents are more likely to listen to local radio.

This audit of residents and service user's preferences for communication suggests that we should invest more in Council Chat (its frequency, content and printing). It also suggests that we are always going to have problems with the press and therefore need to invest time and energy in trying to get the right messages out and re-butting negative or incorrect information wherever possible.

The Council is less likely to get coverage on regional TV due to the size of the region covered. It is perhaps most likely to happen in an emergency and our ability to respond to the communications aspects of emergencies will need to be addressed through the Emergency Plan.

3.2 Staff

Recent feedback from two staff focus groups on communications identified three issues, visible leadership, on over focus on the recovery plan and the timing of communications. The first two are linked and the Customer First Strategy has picked up this issue through suggesting a re-focus on the customer as we move away from sorting out some of the basics that were missing in the Council. The Customer First Strategy also suggests actions like the "back to the floor" days. Through the recent BFI Communications Action Plan we ensured that the Corporate Director of Resources went and spoke to staff, whilst recent training on the customer and on Performance Plus has been attended by senior management to ensure that staff meet senior managers and recognise that senior managers recognise the importance placed on these issues.

The timing of communications was also seen as variable. Staff have noticed a recent improvement in communication through Core Brief and the Chief Executive's Bulletin; however, these (plus Grapevine) come out at periodic intervals and consequently there can be a gap between an issue appearing and it being communicated through one of these standing mechanisms. A recent good example was the Core Brief communicating the budget in general terms and Members communicating budget specifics to the press, so that staff got to hear the details of specific cuts through the press rather than from managers. Better planning is required and the use of other communications mechanisms e.g. special briefings and the use of e-mails.

3.3 The Media

Learning from recent events suggests that the local newspaper journalists want the following:-

- Access, quotes and information. Journalists have a job to do like everyone else and should not be viewed as the enemy. We cannot always expect favourable coverage, but by making ourselves available to them we can at least ensure we get a chance to get our message out. In return, they get a better story. Recent examples of the Assistant Chief Executive obtaining quotes from Portfolio Holders and offering media interviews on "hot topics" have been well received. Responses of "no comment" are to be avoided.
- Accurate information. Journalists also want accurate information. Some of the issues we deal with e.g. the financing of local government are complex and journalists want help in understanding these issues and reporting them correctly. Neither party is interested in miss-reporting and we should look to make ourselves available to ensure what is put in print is accurate.
- Exclusives. This is more difficult. This is probably what a journalist wants most; however, offering a particular paper an exclusive, is bound to upset rival papers. Exclusive interviews arranged by us should be totally avoided – the offer should go to all papers who we think are likely to be interested.
- Stories. As a rule, the local papers will use the press releases we put out. Because these are likely to be positive stories about the Council, we should look to maximise such releases.
- Campaigns. Occasionally, the papers will run campaigns on topical issues e.g. winter warmth. We do not have the ability to set the campaigns we want, but we can work with the papers ensuring appropriate links to the Council are made.

3.4 Businesses, LSP Partners and the Voluntary Sector

Many Councils hold business forums on a regular basis e.g. quarterly, 6 monthly. The advice from the Head of Economic Development and Town Centre Management is that this is not what local businesses require. Certainly the recent low turnout at the business rates forum which is a statutory requirement (only two businesses turned up) backs up this assertion. We are also receiving anecdotal feedback that the number of meetings involved (and paperwork) with both the County LSP and the Bromsgrove Partnership has a very negative impact on the Council's reputation – even if we are not

responsible for some of the meetings. Again we lack formal survey feedback on what the business community require in terms of communication and this may be an area we need to explore.

The recent work of the "Stepping Stones" project between the Council and the voluntary sector suggests that the voluntary sector want three things: an increased awareness of what the local priorities are, more information on how we are performing, but at the same time less paper. They get paper (just like the business community from too many sources).

3.5 Central Government (including the Government Monitoring Board)

Continuing the theme of paper, the current Government has a penchant for producing large consultation papers. Anyone who has attempted to read the Lyons Inquiry and the raft of papers currently available on the various re-configurations of the NHS, the LSPs, Neighbourhood Management, police reorganisation, CPA framework etc. will understand. A small district council such as ours simply does not have the capacity to develop a depth of understanding necessary to make a response worthwhile. We need to explore ways in which we can share burden between councils.

The format of the recovery plan, supporting papers and presentation to the Board has improved in recent months; however, anecdotal feedback suggests we are not perceived as positively as we would like. There appear to be two causes. Firstly, we report by exception i.e. on things we are behind on, and while we are on target with pretty much everything, if we are off target on one of the few areas that the Monitoring Board are focusing on this can drive their overall perception of the Council.

3.6 Elected Members

Members have requested that we carry out a Member Survey. Experience from other councils suggests that this would be beneficial, both encouraging a more customer orientated approach to Members and also enabling officers to identify more clearly what Members requirements are. A focus group for Members on communications was recently held (awaiting feedback) and we will also have three Peer Mentor Workshops before the end of 2005/06 (one for Members, one for officers and one bringing both parties together), which should help further improve understanding of both parties requirements.

In advance of this feedback there are clearly a number of issues for Members with regard to communications. There is a strong appetite amongst Members for information. There is also a desire to be involved - Members want to help the Council by using their experience. Thirdly, Members are close to their communities and can play an important role as a vocal customer, who can bring matters to the attention of the relevant head of service (Members have an important role through the Spotlight meetings in this respect). Finally, Members need to be kept informed of the various policy debates that are happening at a regional and national level and be able input into these as the leaders of their local communities.

4. Communications Audit

- Current External Communications Activity

In addition to the everyday communication that takes place as part of the routine transactions between the Council and the public, there are a wide range of formal communication mechanisms in place:

- Letters
- Events
- Service specific leaflets, posters, newsletters and publications
- Internet
- Questionnaires and other consultation methods
- Advertising
- Broadcast and print media
- Council Chat, the Council Plan (corporate plan), and Council Results (Best Value Performance Plan)

4.1 Media

Our current activity consists mainly of press releases (we are issuing on average 10 per month) and responding to media queries as and when they arise. The quality of the press releases is good; however, the current activity is essentially reactive and there is no process for planning and co-ordinating activity between services. The Council does not have a media protocols for Members or for staff (similarly there is no agreed approach for staff to deal with Members and MPs, so we can find a situation where a member of staff has replied to a MP's query without informing a senior member of staff). Basically, there is a lack of control.

4.2 Council Chat and Briefly Bromsgrove

The Council produces Council Chat, which goes out to all residents twice a year. We identified in the Introduction that this is an important communication tool and drive of the Council's reputation. The content is well written, but the print quality is not brilliant due to a limited budget. There have also been issues with Members being too involved in the content and design of particular issues (this can compromise the impartiality of the magazine and the design). Advice from other Councils suggests that we should look to move to an all party advisory board that sets the editorial policy for the year ahead, but leaves the actual design and content of each issue to officers. The current Communications Working Group could undertake this role, if it was widened to include representation from all political groups.

We have also noted that the public are unclear about our Vision and Objectives. Council Chat provides a mechanism for this, through linking the design to these e.g. presented as a banner at the top of each page. In terms of design we also have a very small (half a post) in-house design capability and this is not sufficient to deal with the Council's design needs. This needs to be looked at as part of the review of the reprographics function.

The Council also issues Briefly Bromsgrove every two weeks. The value of this publication needs to be explored further and the frequency seems very high. It may be

that we can link it to some form of Members briefing which covers, policy issues, up and coming decisions etc.

4.3 Consultation

The Council has a statutory duty consult under the Local Government Act 1999. Currently the Council has no corporate approach to consultation i.e. no policy or procedures, and the existing citizen's panel is self selecting and therefore not representative and statistically invalid. Similarly, we have no in-house capability in terms of running focus groups.

There are also pockets of a culture amongst Members and officers that does not see the value of consultation i.e. we know what is best. This is potentially dangerous. Politically, if we have not consulted, we are always open to the accusation that we have not listened. Even if a consultation exercise gets back the results we expect, there is still value in being able to demonstrate that we want to listen. Clearly and more importantly, we may not always get back what we expect and this can help change policy direction. This last point is particularly important, we must ensure we link consultation exercises into to the decision making process (otherwise the exercises are of little value). While there were some issues with the timing of the budget consultation report to Cabinet, the results have had a direct bearing on the recommendations to Cabinet – this is excellent practice.

We also need to look at how we can plan better in terms of consultations – enabling the consultations to happen early enough to be fed into the decision-making process, make use of the forthcoming customer panel and to make linkages between services. Each service business plan now has a section which details major planned consultations for the year ahead.

While the Council clearly needs to improve its capacity to undertake consultations and to develop a consultation policy, there are some very good things happening in the District. The Spotlight meetings and the Partners Against Crime Together (PACT) meeting are excellent. They provide an ability for residents to meet and discuss issues with Members and officers on their own patch, they help increase the profile of the local councillors and they can lead to quick wins on the grounds – the recent clean up in Rubery as a result of the Spotlight meeting is an excellent example, as is the format of the PACT meetings agreeing three actions to be undertaken. There is some overlap between the Spotlight and PACT meetings that needs to be explored (the Police have requested a meeting with the Assistant Chief Executive to discuss this).

4.4 Website/Intranet

In a recent report by the ODPM the Council was ranked 42nd out of 238 district councils in terms of our internet site download speed and given a score of 100% in terms of our website availability. Despite these good statistics the content needs improving. The Council is planning to invest further in the Internet through the Internet/Intranet Business Case, which will bring link our website into the County's and enable e-consulting and SMS text consulting and improve the content.

4.5 Partner Meetings

The main partnership activity at a corporate level is through the LSP Board. The LSP Board is currently meeting to consider its future Governance arrangements. As it stands the LSP Board is too big to act as a focused decision-making board and too small to offer a forum for all partners to engage in. The “Stepping Stones” project has identified that there are over 150 registered charities in the District. Given there are approximately 20 people on the Board most are clearly not represented. There is currently no communications strategy for the Bromsgrove Partnership. On a more positive note, it does have a name and a logo.

4.6 Visual identity/Brand

Research has shown that the most successful councils have a clear brand and that many councils which receive low awareness ratings do not apply their corporate identity consistently with key services often not badged as council services at all. There has been some work undertaken on potentially re-branding the Council which has been deferred until we come out of recovery. With the likely move to unitary status in 2008/09 this work should not go ahead. This does not mean we shouldn't do anything. Branding is more than a logo. It is about what we stand for and the key messages we wish to send.

The Council has a proliferation of Visions, values, objectives and priorities (there are two sets of the latter). This needs to be simpler. We need a simple message that we should try and communicate every time we are communicating. Phrases like “quality of life”, “well being” etc. should be avoided – they are local government speak and far too broad to have any meaning. The Council is due to undertake a fundamental review of the corporate plan this Summer, but is questionable whether we can wait this long with regard to our message.

4.7 Leaflets, letters and other printed material

A formal review of all the Councils leaflets, letters etc. has not been undertaken for this Communications Strategy, nevertheless it is clear that the Council has no policy with regard to leaflets, letters and other printed materials. This lack of visual consistency means there is a risk that the Council's services will appear fragmented with the strong voice for Bromsgrove District unable to emerge. Similarly, the Council is just putting in arrangements for communicating to those whose first language is not English, but does not have a consistent policy.

Feedback from a recent staff workshop shows concern that colleagues with little or no experience are putting together and circulating publicity items, the mix of standards and duplication of information.

The initiative to combine both the Best Value Performance Plan Summary and the Council Tax information in a single booklet should result in a better understanding of both the Council and Council Tax.

There are currently no standards for letters to the public.

5. Communications Audit

- Current Internal Communications Activity

Line managers have a key role to play in ensuring that staff understand their role and their contribution to the Council's goals. The interaction between managers and their staff and between individual members of staff is the obvious and realistic route for communications of most local and service issues. There are implications here for management style and informal communication, which will need to be reflected in the Council's management development programme; however, there are also a number of formal communication channels in place, which are within the remit of this communications strategy:

5.1 Core brief

This is now issued fortnightly and used for corporate 'messages' where it is important that staff have the opportunity to discuss the issues, ask questions and get answers. Managers are advised to deliver the brief face to face, to illustrate the messages with local examples, and to encourage discussion. Staff feedback from the new scripted brief agreed by CMT has generally been positive – the honest style of dealing with the unitary debate was particularly well received. The Core Brief also makes a link to the Council's budget priorities for 2006/07 and provides a feedback mechanism. An area of concern is whether all staff actually receives their Core Brief. The questions in the current Employee Survey should help test this out.

5.2 Grapevine

Grapevine is a more light hearted form of communication, issued on a monthly basis with staff's payroll slips. It focuses on Council 'stories' – for example the current edition has "RoboShark" on the front. Sending out Grapevine via the payroll slip is excellent. Of all the Council's formal means of communication, it should stand the greatest chance of reaching the recipient. Currently, Grapevine only deals with light-hearted stories, so an opportunity is lost to get out the current corporate message. Other councils will tend to use more of mix and have an editorial policy for the year (like the one suggested for Council Chat). It is also possible that we can link each article to our objectives and priorities. Articles often flesh out messages which have appeared in Core Brief. Contact has an editorial policy and is used as a strategic communications tool to engage and inform staff. The name is also a concern. Far too much information is passed around the Council via "the grapevine", rumour is rife. The current name almost reinforces this and an alternative should be considered.

5.3 Chief Executive's Bulletin

This is issued monthly and also goes to Members. The content is more policy in orientation and attempts to directly reflect what the Chief Executive is currently working on. Anecdotal evidence from staff and Members suggest it is valued.

5.4 Email

The vast majority of staff have access to email. Although there are guidelines and limited to access to the use of 'everyone' emails, it provides a powerful tool to send

current messages to staff. It has been used recently to send messages on the Progress Assessment and the BFI Inspection and this approach, as part of a wider communications plan should continue.

5.5 Internet/Intranet

The Internet/Intranet is a vital 'work' tool supporting the business of the Council, and its development is a separate ICT Business Case. In terms of communication to staff it is more likely to act as research base for interested staff rather than for communicating messages.

5.6 Staff Events

The Council has undertaken staff events in the past, but has not held one in recent times. With the restructure behind us and better times ahead, but still in a difficult environment e.g. unitary debate, Single Status, we should look to make use of this type of event. Logistically, getting every member of staff to an event in a day is not easy, so we will need to limit the extent to which we can use this very effective means of communication.

5.7 Employee survey

This consultation exercise provides an opportunity for us to gauge staff's views about their life at the Council. It provides valuable information about how staff find out about the key issues and their preference for communication channels. The survey is an important two-way communications tool.

5.8 Corporate Induction

The Human Resources/Organisational Development business plan has set a performance standard of ensuring that 95% of staff receive their induction within 10 working days of starting. Clearly, there is a good opportunity to get key corporate messages over at events like this. We should look to ensure that a member of SMT can open these induction sessions.

6. Where do we want to be?

The I&DeA has published criteria for an 'ideal' local authority. The basis for developing the benchmark was the Local Government Acts 1999 and 2000, the Strong Local Leadership: Quality Public Services and the CPA framework. It would seem logical and valuable therefore to use this benchmark to not only assess the Council's current approach to communications but as a target to strive for through improved practices.

For Democratic and Community Engagement: Communication (with customers and citizens) the following definition is used:

Informing and encouraging feedback from all sections of the community. Convincing and influencing, using a variety of media appropriately and sensitively and building and maintaining the networks through which to communicate.

A number of levels have been identified. The Council should strive to reach Level 3:

Level One

- The council complies with statutory requirements for broad public consultation and disseminating information
- Produces a comprehensive range of clearly written and up to date information on specific service areas, activities and functions which are translated into other languages where appropriate and available in Braille and audio tape on request

Level Two

- Communications is seen as ensuring the public is better informed and is able to gain an understanding of the council's policies and priorities
- Proactive dissemination of information in response to perceived needs
- Information about councillors and council performance is widely available
- Wide range of media used for communication, including ICT
- Guidance and training sessions for employees and members on how to communicate and involve the public
- Specific responsibilities have been designated to members and officers for communicating on particular issues
- Access to specialist communications expertise
- Strategy for engaging with local press and radio
- Made some attempts to address inequalities in mechanisms used

Level Three

- Communication is a strategic issue
- Timeliness, targeting and access are all considered and positive steps taken to engage local people, including ethnic minorities
- Communication is two way, enabling the authority to listen and learn
- Opportunities presented by ICT have been thought through and are contained within the strategy
- All communication is evaluated against the objectives set
- Communications style is set by the leadership of the authority and senior officers and members are seen as good communicators
- Training in communications and presentation skills is readily available and participation by members and officers is actively encouraged

7 Where are we now?

An outline assessment by the Assistant Chief Executive gives the following results:-

	IDeA Standard	Current performance
Level 1	Meets statutory requirements for broad public consultation and disseminating information.	Being addressed through new outsourced customer panel.
	Produces comprehensive range of leaflets on specific services areas, activities and functions – clearly written, up to date. Translations where appropriate, Braille and audio tape on request.	Partially meets the standard, but no overall corporate control.
Level 2	Communication seen as ensuring the public is better informed and is able to gain an understanding of the council's policies and priorities.	Not clear that the Council is clear about the value of communications.
	Proactive dissemination of information in response to perceived needs.	Not clear whether we meet this or not. Possible survey question to public.
	Information about councillors and council performance is readily available.	Information available on Internet.
	Wide range of media used including ICT	Adequately meets the standard
	Guidance and training sessions for staff and members on how to communicate and involve the public.	Partially meets the standard.
	Designated specific responsibilities to members and officers for communicating on particular issues.	Does not meet this standard.
	Access to specialist communications expertise.	Limited – only one member of staff with knowledge of aspects of communication.
	A strategy for engaging with local press and radio.	Adequately meets the standard
	Made some attempts to address inequalities in mechanisms used.	Beginning to address this standard, but very early days.
Level 3	Communication is a strategic issue.	Appointment of Assistant Chief Executive should help, but early days from low base.
	Timeliness, targeting and access are all considered and positive steps taken to engage local people, including ethnic minorities.	Some good work on working with BMEs, but only beginning to meet this standard.
	Communication is two way, enabling the authority to listen and learn.	Culture changed required. Value of consultation not clear.

	The opportunities presented by ICT have been thought through and contained in the strategy.	ICT Business Cases beginning to address this.
	All communication is evaluated against the objectives set.	Not met.
	Communication style is set by leadership of the authority. Senior officers and members are seen as good communicators.	Visible leadership needs to be improved.
	Training in communications and presentation skills is readily available and participation by members and officers is actively encouraged.	Training directory may need to address this.

8 Other Guidance

The IDeA's work has identified some common approaches to prioritising future investment and improvement in communication. These are:

- Be corporate
- Ensure focus
- Be systematic
- Sharpen the brand
- Invest in communication with local people
- Prioritise internal comms
- Invest in decent staff
- Be ambitious

Research for the Connecting with Communities project by the ODPM has identified a number of characteristics of the 'best Councils' in terms of communications. These are:

- Lead communications from the very top, politically & managerially
- Have a strong and consistent brand identity
- Recruit, train and value professional communications staff
- Have a corporate communications strategy and a clear set of messages
- Know their stakeholders, audiences and how best to reach them
- Put special emphasis on communicating with hard to reach groups
- Communicate often and in a consistent, relevant and creative way
- Consult well and act on the results
- Are brave about communicating the 'hard stuff'
- Promote a pride of place about the local area as well as the council
- Have one or two personalities as key spokespeople
- See the local media as partners, not enemies
- Prioritise internal communications and encourage all staff to be good communicators
- Have a good website and use electronic communication to target information and create a dialogue with local residents
- Benchmark their communications and set themselves tough targets for improvement
- Concentrate on outcomes not just outputs.

In order to progress and continue to improve communications, and to ensure that the Council is a strong voice for Bromsgrove, all of the above need to be key elements of our work and direction over the next few years. The following action plan sets out the tasks and timescales.

9. Priorities for Council Communications Strategy

With only one press/media communications officer, the Council's ability to respond to all of the issues identified is fairly limited. As a result the following 7 priorities and actions have been identified.

9.1 Corporate Message and Style.

- 9.1.1 A simpler version of our existing Vision and Values, our key messages to be agreed at April Cabinet as part of the Customer First Strategy.
- 9.1.2. Our communications to be open, honest and up front. "No comment" to be avoided at all cost.

9.2 Visible Leadership

- 9.2.1 Undertake two staff events to be undertaken each year, one at the beginning of the year and one at the half way point..
- 9.2.2 "Back to the floor days" to be undertaken by all members of CMT (and possibly senior Members from all parties).
- 9.2.3 Ward Members and members of CMT to undertake an annual "walking the ward" to identify issues.
- 9.2.4 A minimum of two members of SMT to be present at every Spotlight meeting.
- 9.2.5 A member of SMT to open every staff health and safety training session for new staff.
- 9.2.6 SMT/CMT members to be encouraged to open training days they have commissioned.
- 9.2.7 A member of SMT to attend every team meeting at least once a year.
- 9.2.8 The name of Grapevine to be changed and first page to include a corporate message taken from Core Brief and the Chief Executive's Bulletin.

9.3 Strategic Planned Communication

- 9.3.1 Major Event Communications Plans to be developed by the Head of Service and the Corporate Communications, Policy and Performance Team (see **Appendix 1**).
- 9.3.2 Service Communication Plans to be developed for each service by the Head of Service and Corporate Communications, Policy and Performance Team.

9.4 Consultation Mechanisms and Policy

- 9.4.1 The existing in-house citizen's panel to be outsourced and made statically valid.

- 9.4.2 The contract for the outsourced panel to include: a Members Survey, the Employee Survey and the ability to buy additional consultation activity at a pre-negotiated rate e.g. focus groups etc.
- 9.4.3 The Council to adopt a formal Consultation Policy and guidance.

9.5 Member Communication

- 9.5.1 Explore and pilot the introduction of a “Member Help Desk” using similar software to the existing ICT Helpdesk, enabling us to track the volume of requests and responses and to categorise issues to enable different response times.
- 9.5.2 Undertake an annual Member Survey.
- 9.5.3 Replace Briefly Bromsgrove with a Member Bulletin which covers a wider spectrum of issues.
- 9.5.4 Introduce a media protocol Members and officers for their dealing with the media to ensure a more controlled way of dealing with the media (see **Appendix 1**).
- 9.5.5 Make greater use of Member briefings on community and policy issues.

9.6 Corporate Brand

- 9.6.1 Publish an A to Z in each Council Chat.
- 9.6.2 Consider moving Council Chat to quarterly basis, improving the reprographics and distribution methods.
- 9.6.3 Undertake a review of our corporate brand as part of a wider review of our marketing function and reprographics capability.

9.7 Staff Consultation

- 9.7.1 Re-energise the Staff Network and ensure representation from SMT.
- 9.7.2 Ensure all strategies and policies which will effect staff are considered at the Performance and Policy Consultation Group which is made up of representatives from the Staff Network and Union Liaison Group.
- 9.7.3 Undertake an annul staff survey.
- 9.7.4 Reply to all Core Brief Feedback.

10. Strategic Action plan

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
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Corporate Message and Style

9.1.1	Simplify corporate message.	Simplified message agreed at April Cabinet as per Customer First Strategy. Message agreed and communicated to staff.	15.03.06	30.04.06	HB/GB	HB	High
9.1.2	Maintain open communications with the local media through quarterly meetings with two main papers regular time slots.	% of positive press articles.	On-going	On-going	Leader/HB	HB	High

Visible Leadership

9.2.1	Staff events.	At least two staff events per year.	01.04.06	31.03.07	PM/HP	HB	Medium
9.2.2	"Back to the floor" days.	Press coverage and internal coverage.	01.04.06	31.07.06	HM	PS	Medium
9.2.3	"Walking the ward" days.	Short list of actions arising delivered.	01.08.06	31.12.06	Vacant post	Vacancy	Medium
9.2.4	SMT attendance at Spotlight.	At least two members of SMT present	On-going	On-going	SMT	HB	Medium
9.2.5	SMT to open health and safety induction training.	Every health and safety induction to be opened by SMT member.	On-going	On-going	SMT	DI	Medium
9.2.6	SMT/CMT members to open training days.	Built into action plans for major training events like customer service.	On-going	On-going	SMT/CMT	HP	Medium
9.2.7	SMT member to attend every team's meeting at least once a year.	Action delivered.	01.04.06	31.03.06	SMT	HM	Medium
9.2.8	Re-launch Grapevine with new title and corporate message.	Positive feedback from next staff survey.	01.04.06	30.09.06	MP and Reprographics	MP	Medium

Strategic Planned Communication

9.3.1	Major event communication plans to be developed.	Major event communication plans developed where required and delivered.	01.04.06	31.03.07	MP/HB/HoS	HB	High
9.3.2	Service communication plans to be developed.	Plans developed for each service area and updated quarterly.	01.04.06	31.03.07	MP/HoS	HB	High

Consultation Mechanisms and Policy

9.4.1, 9.4.2	Outsource citizen's panel.	Panel established and providing feedback.	15.03.06	30.09.06	£25,000 Agreed Budget	CS	High
9.4.3	Adopt formal consultation policy	Policy adopted at June Cabinet and supported by consultation plans in business plans.	19.04.06	30.06.06	CCPPT and above.	CS	Medium

Member Communication

9.5.1	Member Help Desk.	Usage of system.	01.04.06	30.09.06	ICT & Vacant Post	HB	Medium
9.5.2	Undertake annual Member Survey.	Survey undertaken and agreed actions identified.	01.01.07	31.12.07	Legal & Democratic and Customer Panel	AB/HB	Medium
9.5.3	Introduce Member Bulletin	Positive feedback though Member Survey.	01.05.06	01.07.06	CS	HB	Medium
9.5.4	Introduce Media Protocol	Agreed at March Cabinet.	15.02.06	22.03.06	CCPPT	HB	Medium
9.5.5	Increase Member briefings and policy debates	Positive comment in next Progress Assessment.	On-going	On-going	CCPPT	HB	High

Corporate Brand

9.6.1	Publish A to Z of services in each Council Chat.	Positive feedback through customer panel surveying.	01.04.06	31.03.07	MP/HoS	HB	High
9.6.2	Improve frequency, design and reprographics of Council Chat.	Positive feedback through customer panel surveying.	01.04.06	30.09.06	Business case required.	HB	High

Strong Voice for Bromsgrove District

9.6.3	Review corporate brand.	Standards agreed and operational.	01.07.06	31.12.06	Potential support from I&DeA	Head of E-Gov and Customer	Medium
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Staff Consultation

9.7.1	Re-energise staff network (to be discussed with new Head of HR).	Bi-monthly meetings.	01.04.05	30.06.06	HR/SMT	Head of HR	High
9.7.2	Ensure Performance and Policy Consultation Group considers relevant strategies, policies and procedures (to be discussed with new Head of HR).	Bi-monthly meetings.	On-going	On-going	HR/SMT	Head of HR	High
9.7.3	Staff survey.	Survey undertaken annual and short list of resultant actions delivered.	01.01.07	31.03.07	HR and Customer Panel	Head of HR	High
9.7.4	Core Brief feedback undertaken	Issue every other week. Positive feedback from staff survey.	On-going	On-going	SMT/GB	HB	Medium

Background Reading

Connecting with Communities: improving communications in local government. ODPM, Audit Commission, I&DeA, (2002).

I&DeA Local Authority Peer Assessment Model.

Local Authority Website Performance Report, ODPM (2005).

The Presidential Difference, Leadership Style from FDR to George W. Bush, Fred I Greenstein (2004).

Local Government Reputation Campaign, I&DeA (2005).

Citizen Engagement and Public Services: Why Neighbourhoods Matter, ODPM (2005).

Internet and Intranet Business Case, Bromsgrove District Council (2005).

Media Protocol – Executive Summary

It is the policy of Bromsgrove District Council to be open, honest and accurate in dealing with the media and to respond to enquiries within reporters' deadlines as far as is possible, without compromising trust and accuracy.

The Council's Media Protocol explains the ways in which the Press Office manages both its proactive and reactive media responsibilities and how officers must handle their responsibility in working closely with the Press Office and adhering to the protocol.

- The Press Office and Assistant Chief Executive will operate a 24 hour service and provide the media with out of hours contact numbers
- The Press Office will issue all Council press releases.
- Information for press releases will come from two sources:
 - The Member decision making system
 - Officers
- Any quotes included in press releases will reflect the approved or developing policy of the Council and not the views of a particular political party.
- All quotes should be from Members who are the elected representatives and not from officers. Officers should only be quoted in exceptional circumstances.
- The Council will not operate a policy of giving exclusives, making information, interviews etc, available to all interested media.
- Cabinet Members should refer all media queries to their Heads of Service and press office before giving a response in order to confirm facts/figures etc.
- The Press Office will manage the response to all media enquiries (including MPs). All employees of the Council must refer media enquiries and queries from MPs to the Press Office. Requests from journalists under the FOI Act will be handled in accordance with the Council's procedures on FOI.
- All press releases and statements will refer to "Bromsgrove District Council".
- Other than in very exceptional circumstances the Council will not respond to media enquiries with a 'no comment' statement.
- Those involved in major projects or initiatives must develop a media/communications plan agreed with the Corporate Communications, Policy and Performance Team. The Team will also develop service communications plans to be reviewed with Heads of Service each quarter.
- Regular induction programmes will be carried out for the media
- All Officers/Members likely to be involved on a regular basis with the media will undergo media training.
- A range of 'tools' will be used, including press releases, statements, advisory notices, media briefings and press conferences.

The Protocol will reduce the risk of:

- Negative publicity – resulting from slow or non responses to enquiries. Lost opportunity for good news stories – resulting from a lack of press releases and other pro-active work
- Lack of understanding about the Council's role and work – resulting from poorly briefed journalists
- Concerns amongst staff about comments they have made to the press – as a result of well-intentioned, but poorly prepared reactions to difficult media enquiries
- No perception within the media of the Council as a single organisation – resulting from 'departmental' views of services and issues.
- Disillusioned staff – resulting from negative stories appearing in the media before they have been briefed.

Media Protocol

This protocol is governed by provisions in the Local Government Act and the Code of Recommended Practice on Local Authority Publicity. All publicity (including work with the media) produced by Bromsgrove District Council must adhere to the provisions of this Act and these codes.

1 Introduction

1.1 Bromsgrove District's Media Policy

It has been and will continue to be the policy of Bromsgrove District Council to be open, honest and accurate in dealing with the media and to respond to enquiries within reporters' deadlines as far as is possible. However, trust and accuracy will not be compromised by their demands. Other than in very exceptional circumstances the Council will not respond to media enquiries with a 'no comment' statement.

1.2 Principles of Bromsgrove District's relationship with the media

The Council is committed to effective communications so that citizens of the District are well informed about Council services, the reasons for decisions and the role they can play in shaping future developments. The local and national media has the potential to reach large numbers of local residents and the Council welcomes the need for accountability that this inevitably brings. It recognises the role the media can play as a conduit for sharing and demonstrating the Council's Vision and Values, in particular, highlighting its role as a community leader. The local government press has the potential to position Bromsgrove District as a Council that is serious about improvement. Bromsgrove District Council will use the media as one of a number of ways of communicating with its stakeholders.

1.3 General protocols for working with the media

- All press releases and statements will refer to 'Bromsgrove District Council' reinforcing the non-negotiable to act as one Council. Only when absolutely necessary will a particular directorate or division be named.
- Wherever possible, a named individual will be quoted in the release. When quoting an officer we will give their job title. When quoting a Member we will give their area of responsibility (e.g. Cabinet Member with responsibility for, or Chair of Scrutiny etc.). Anyone who is quoted will be made aware of the fact and will agree the content of that quote. In exceptional circumstances the Assistant Chief Executive or the Press Officer will clear a release and/or quote on behalf of an officer.
- Those involved in major projects or initiatives must develop a media/communications plan agreed with the Corporate Communications, Policy and Performance Team.
- All Officers/Members likely to be involved on a regular basis with the media will undergo media training.

1.4 Risk assessment

Without a clearly established protocol for the way in which the Council works proactively and reactively with the media there is a significant risk of:

- Negative publicity – resulting from slow or non responses to enquiries
- Lost opportunity for good news stories – resulting from a lack of press releases and other proactive work
- Lack of understanding about the Council's role and work – resulting from poorly briefed journalists
- Concerns amongst staff about comments they have made to the press – as a result of well-intentioned, but poorly prepared reactions to difficult media enquiries
- No perception within the media of the Council as a single organisation – resulting from 'departmental' views of services and issues.
- Disillusioned staff – resulting from negative stories appearing in the media before they have been briefed.

2 Proactive work with the media

2.1 Press Releases

Press Releases should inform and raise awareness about Council services and functions, explain reasons for particular policies and priorities, and improve local accountability. As such they need to catch the attention of the media and ensure good positive coverage about the Council.

2.1.1 Generating press releases

Information for press releases will come from two sources:

- The Member decision making system
- Officers

- **The Member decision making system**

The Press Office can issue press releases following Cabinet and Full Council meetings as a way of confirming decisions made at those meetings. Any quotes will reflect the approved policy of the Council and not the personal views of a particular political party.

The Press Office can issue releases arising from the work of the Overview and Scrutiny Boards with the agreement of the Chairman. The relevant Cabinet Member, the Deputy Leader or Leader will be made aware.

The Press Office may issue releases in advance of decision-making meetings alerting the media to agenda items. In these cases, press releases act as advisory notices and will not contain quotes.

Under the Local Govt Act 2000 the additional powers of well being and community leadership mean that the Council can legitimately become involved in and comment on issues which may be outside its own area of direct responsibility but have an impact on the community. The Press Office will work closely with the Leader on these matters to agree what should be issued to the media.

- **Officers**

Officers will be expected to request the Press Office to issue releases about service improvements, events, consultation initiatives, work in progress and achievements. However, the Press Office will require clearance of any such releases by a Cabinet Member, Director or a Head of Service.

2.1.2 Compiling press releases

The Press Office can receive information for press releases in the following ways:

- **Bullet point information** - explaining the what, when, where, why, who, how of the required content, the preferred timing of the release, how the Press Office can get further information and who will be the spokesperson should there be any subsequent broadcast media interest.
- **Fully written releases** – these do not have to be formatted (the Press Office will take responsibility for the final layout of the release). Please note that the Press Office may contact the originator to discuss changes to the content of the release, to ensure consistency of style and message and to ensure that the release is contributing to the Council's overall key messages.

The Press Office will use a "Notes to Editors" facility at the bottom of press releases to provide background information on either the content of the release or the service area that the release relates to. This is a useful tool for increasing understanding of the Council's services and the Press Office is happy to work with individual Heads of Divisions to establish a permanent "notes to editors" content for all their releases. For example, it may be appropriate to always include some brief information about the role of Environmental Health at the bottom of a Environmental Health press release. Similarly, it may be advantageous to list the services we provide for older people at the bottom of any press release with related content. This can be discussed with individual officers to agree a way forward.

The only contact details given on the release will be the Press Office's. In some circumstances the Assistant Chief Executive or the Press Officer will deem it appropriate to add a further contact number, for example, an officer or Member, or the contact name and number of a representative from a partner organisation.

As embargoes are not legally enforceable they will rarely be used.

All releases will contain a reference number and a database will be held electronically.

2.1.3 Issuing press release

The Press Office will issue all Council press releases.

Releases will be faxed or emailed to all of the following:

- all local & regional newspapers
- Municipal Journal and LGC
- local and regional broadcast media
- local and regional news agencies.

In addition, and if requested, press releases can also be sent to:

- national newspapers
- professional, trade journals.

There may be circumstances where it is deemed appropriate to issue a different release to some media, for example we may deal with the content of a press release differently to interest the business press.

All press releases will be placed on the web site. Copies of all releases will be sent to Members and staff via e-mail.

2.1.4 Issuing press releases following Court Proceedings

The Press Office will ensure that all Press Releases relating to court proceedings do not expose the Council to legal challenge by adhering to the following.

- under the Contempt of Court Act, publication of Court proceedings should be accurate and contemporaneous in order to retain privilege (the right to report proceedings without legal challenge)
- press releases should be sent out on the day of the court case, the day after or at the very latest, the day after that. The release should contain the date of the court case to make it clear when it took place. The onus is then on the media receiving the release to ensure contemporaneous publication. The later the publication of information in a press release, the less safe it is and the more likely it is to lose privilege.
- Information in the press release should be restricted only to information read out in open court. Submitted evidence not read out in open court should not be referred to.
- Information in the press release should be based on fact only ie the charges faced by the defendant, plea, admittance or conviction. Evidence submitted should be referred to as allegations. Evidence withdrawn or not offered should not be referred to.
- Once an appeal has been lodged, there are restrictions on what can be published. Only the basest of information can be given ie name of defendant, conviction and the fact that an appeal has been lodged. This is to avoid prejudicing a future hearing. Any such release will be checked with our Solicitor.
- Court Case press releases will be checked with a Solicitor by the Press Office before publication to ensure factual accuracy.

2.1.5 Partnership releases

Where releases are issued in partnership with another body or company, they will contain both logos with quotes and content agreed by both parties. The Press Office requests that it is alerted to the need for partnership releases in good time due to the complexity of needing to obtain clearance from two or more partners.

2.1.6 Use of photographs

Where a release relates to a subject or initiative that can be photographed, the release will state that there is a 'photo opportunity'. If we already have a quality electronic image it will be emailed with the release. The Press Office will maintain an up to date collection of officer and Member photographs which can be supplied to the media on request.

2.1.7 Follow-up to press releases

Press releases are designed to alert the media to a good news or information item and to attract them through positive stories. They cannot always provide comprehensive information about a subject and may only be able to highlight the basic points about an issue sufficient to raise a journalist's interest. Therefore it is likely that releases will result in follow-up enquiries: from the print media for additional or background information or for clarification; and from the broadcast media for interviews and filming opportunities. Officers and Members should therefore be prepared to make themselves (or a nominated person) available to ensure that the opportunity for publicity and promotion for the Council is not lost.

Journalists should contact the Press Office for further information. If Officers are contacted directly they should refer calls to the Press Office, where staff there will decide on the best course of action.

The Press Office will put the most appropriate person up for interview (i.e. the relevant Member or officer) not a press officer. The Press Office will always provide a briefing for an individual undertaking an interview if they so wish and will always accompany an officer if they are to be filmed.

Whenever a journalist or photographer is on Council premises he/she will be escorted at all times. Filming or photographing of children must not be undertaken without parental permission. Filming of adults on Council premises should only be done with their permission – this includes employees of the Council.

2.2 Media briefings

The use of media briefings is encouraged where significant issues are likely to be complex and controversial. A member of the Press Office will always be present together with the appropriate officers/Members. Briefings will be offered to all the local media contacts.

2.3 Press conferences

Press conferences will be used when an issue is likely to generate significant media interest. Conferences allow us to deal with considerable numbers of media enquiries in an efficient way. The press conference panel will attend a planning meeting with the Head of Communications or the Senior Media Officer prior to the conference. Press conferences will be chaired by the Assistant Chief Executive or the Press Officer who will introduce the panel and control the question and answer session. The Chairman of the panel and in some cases other members of the panel will read a short prepared statement before journalists are invited to ask questions.

2.4 Outcomes of the proactive media protocol

- Press releases will be issued in a timely fashion – the Press Office will judge the best time and day to issue releases based on the volume and nature of releases being issued that week, and the deadlines of the media.
- Press releases will work in harmony with one another and will not result in contradictory messages.
- No one media outlet will be favoured over another.
- The Press Office will keep a central record of the Council's press releases and make all of them available electronically.
- As the Press Office will be the sole point of contact for the media, all follow-up enquiries and requests for interviews will be logged to provide a comprehensive feedback facility on the success of individual releases.

2 Reactive work with the media

3.1 Media enquiries

In its reactive role, the Press Office will work closely with officers and Members to ensure an accurate response to requests for information and comment and to ensure that the Council does not lose its right of reply.

3.1.1 Dealing with media enquiries

All media enquiries must come through the Press Office which operates a 24 hour service. Any journalist contacting an officer by phone must be passed to the Press Office. Members will be contacted by journalists direct and are at liberty to comment without reference to the Press Office; however, Cabinet Members should discuss any responses with their Head of Service before giving a response.

All media enquiries will be logged on a media enquiry form which records the date and time of the enquiry and the action taken by the press officer to secure a comment or information from the relevant officer. In some cases the press officer will respond directly based on prior knowledge of the issue. The majority of responses to media enquiries will be telephone, faxed or emailed and a copy kept for the records. Where appropriate the response, or part of the response, will be in the form of a quote from a named individual.

There will be occasions when the Assistant Chief Executive or the Press Officer deems it preferable for an officer to speak directly to a journalist to avoid the need for a very long and complex written response. Only the Chief Executive, Corporate Directors and Heads of Service will be asked by the Press Office to speak to journalists who have a media enquiry. The officer should then inform the Press Office of the information shared with the journalist so that it can be logged and checked once the story is printed.

The Freedom of Information Act 2000 will enable journalists to submit requests in writing for any information held. These written requests can be sent to any officer within the Council. They should be logged with the Corporate Information Governance Manager who will ensure that the correct people are informed of the request so that information can be identified, collated and despatch if appropriate. If the request has been submitted by a journalist, a copy of the request will be sent to the Press Office for information only by the Corporate Information Governance Manager.

3.1.2 Confidentiality

The confidentiality of staff and clients will be maintained. Although we will not issue a 'no comment' response, we will at times issue a statement saying "we do not discuss confidential matters". However, it is usually possible to provide some general information about Council policy and practice to add to this response. Information about individuals will only be given in order to correct an inaccurate assumption or statement or when the individual gives their permission.

When asked about issues that also affect other organisations, the Press Office will liaise with the relevant body, for example the Police, to agree a response.

3.2 Early warnings

All officers are requested to advise the Press Office of any potential negative media stories as soon as possible.

3.3 Letters

All letters to newspapers in response to articles or readers' letters, should be cleared through the Press Office.

3.4 Outcomes of the reactive media protocol

- The Press Office will maintain a record of all media enquiries and responses
- Officers will be freed from the pressure of having to give unprepared statements to journalists
- The same statement will be used to deal with enquiries from a variety of sources relating to the same issue so avoiding duplication of effort and inconsistencies in messages

- The likelihood of mis-information and libelous statements being issued and the chance of confidential information being released are reduced
- Early preparation on potentially negative media stories will reduce the instances of negative/inaccurate reporting and ensure we are able to meet a journalist's deadline
- The image of a confident, responsive, professional Council is built with the media.

4 Monitoring media coverage

The Press Office will monitor and evaluate the coverage the Council receives in the local and local government media and where possible in the national media. A press cuttings service will be provided.

5 Reviewing the media protocol

The Head of Communications will monitor the effectiveness of this media protocol in association with the Corporate Management Team. The protocol will be reviewed annually.

Terms used in the Protocol

- The Media – refers to those who communicate news to the public or to a professional audience, whether through print, radio or TV.
- The Press Office - refers to the staff within the Communications Unit who are authorised by the Head of Communications to work on media issues
- Quote – a comment included in a press release or press statement that is written in speech marks and is attributed to one individual.
- Directors – refers to both corporate and strategic directors and the Chief Executive.
- Officers - refers to all employees of the Council (including CMT and DMT).

BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

22ND MARCH 2006

Responsible Portfolio Holder	Councillor Mrs Taylor
Responsible Officer	Hugh Bennett

Customer First Strategy

1.0 Summary

1.1 The Customer First Strategy (attached at appendix 1) sets out a holistic approach to improving the customer culture of the Council and is based on desk top research, an internationally recognised framework for customer services, some recent work undertaken by Sandstone Ltd with staff on developing a customer charter and focus groups with the public on customer service undertaken by CSR Surveys Ltd.

2.0 Recommendations

2.1 It is recommended that:

(a) Cabinet agrees the Strategy.

3.0 Background

3.1 This is set out in Section 3 of the Strategy. There is a clear need for a cultural shift in the Council in terms of our approach to customer service.

4. Report

4.1. The Strategy considers improving customer service through 12 themes in order that the customer focus of the Council feeds into every aspect of what we do. A summary of what is required and proposed actions is detailed in every section.

4.2 The Strategy will be overseen by a project board led by the Assistant Chief Executive with representation including the Portfolio Holder, Corporate Directors, the Head of E-Government and ICT, the Customer Services Centre Manager and front line staff.

5.0 Conclusions

5.1 There are a significant number of actions detailed in the Strategy, so realistic project planning will be critical to successful delivery. A cultural shift will require the full three years of the Strategy. Success will largely be dependent on maintaining a consistent focus on customer service for the three year period.

6.0 Financial Implications

- 6.1 The Strategy is within budget unless otherwise identified in the action plan. The three major pieces of investment are a customer panel, customer training and the recruitment of a Customer First officer, all of which are budgeted for. This investment will also be supported by the Internet/Intranet Business Case.

7.0 Legal Implications

- 7.1 None at this stage.

8.0 Other Sub Headings

- 8.1 Not applicable.

9.0 Background Papers

See references in Strategy.

Contact Officer

Phil Street – Corporate Director Services (01527 881202)















Customer First

A Customer Strategy For Bromsgrove District Council

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1. Purpose

- 1.1 This Strategy aims to build a council that is customer focused. In order to build an organisation that is truly customer focused, the Strategy looks to ensure action across 12 themes:-
-  organisational strategy and a compelling vision
 -  customer need research (listen to our customers)
 -  organisation structure
 -  service delivery process
 -  management practices
 -  measurements
 -  training and management development
 -  internal team building
 -  customer education
 -  environment
 -  communications – internal and external
 -  managing the change
- 1.2 The strategic approach is holistic with the hope that by increasing the focus on the customer across these 12 themes there is an increased chance of changing the culture of the council and avoiding customer focus being seen to be some ones job rather than every ones e.g. the Customer Service Centre, rather than the focus of every member of staff in the Council.
- 1.3 The approach is based on a recognised international company's approach to customer service.
- 1.4 Before looking at these 12 themes, the Strategy considers the challenge we face – our own internal circumstances and the national agenda. It also looks briefly at who are customers are.
- 1.5 The Strategy is also based on two focus groups with the public on customer service¹ and communications and four focus groups with staff on customer service².
- 1.6 The Strategy has also been informally discussed with the trade unions, who are supportive. The Strategy will be formally discussed at the Staff Liaison Meeting and the Performance and Policy Consultation Group during early 2006/07 with the option of amendment. Any proposed significant amendments will be brought to the attention of the Portfolio Holder.

2. The Council

2.1 The Council has taken a number of positive steps in the last 18 months with regard to improving its customer focus:-

- ✚ the Council's Vision is underpinned by a set of values many of which relate to customer focus e.g. "putting our citizen's first", "being honest, open and fair at all times", "ensuring quality customer service" etc.;
- ✚ the Customer Service Centre "the Hub" has been opened in partnership with Worcestershire County Council;
- ✚ the Council participated in the 2003 ODPM satisfaction survey of all councils in England;
- ✚ the Council has a clear standard for answering letters which is measured and reported;
- ✚ Leisure and Community Services have achieved the QUEST, quality accreditation mark, which is a specialist quality accreditation scheme for the leisure sector and includes a focus on customer service;
- ✚ Building Control has obtained the ISO9000 quality accreditation mark, which like QUEST has a customer dimension (the function also previously achieved the Charter Mark award, but no longer holds this, due to a decision to focus on the ISO award);
- ✚ the Council has recently made the decision to invest £1.8m on ICT (the ICT Infrastructure business case), which will help strengthen the Council's information systems platform which in turn will help deliver improved customer service;
- ✚ the Council already has a good telephone infrastructure; with up to date telephones e.g. voicemail, call forward etc.
- ✚ the Council has recently received positive feedback from the Government regarding the content and accessibility of our Internet site; and
- ✚ the Council has recently embarked on a customer training programme for all staff.

3. The Challenge

Local Context

- 3.1 Despite these positives it is obvious for any one new walking into the Council that there is not a strong customer focus culture across the whole Council. An organisation's culture can be described as "the way we do things round here". There are a number of issues which can be identified:-
- ✚ many staff are clearly "bruised" by what has happened to the Council over the last few years and morale is not high – unhappy staff = unhappy customers;
 - ✚ the inevitable focus by Members and senior managers on fixing some of the basics e.g. relations between Members and officers, closing six year's of accounts, basic ICT, decent financial monitoring information etc. has meant that there has been much less Member and management capacity to focus on customer service;
 - ✚ staff need to know what is important and the focus on the basics of recovery over the last 18 months has meant that staff have not been sent strong messages from the Council's leaders about the importance of customer service;
 - ✚ there has been an over focus on the use of performance management (which is only one of 12 of the themes of this Strategy) as a means of addressing customer service. Too many measures can confuse staff about what is really important; in addition to the time taken to measure them all, the current performance measures tell us nothing about the customer's experience, for example, a letter may have been answered in 10 working days (currently measured), but this tells us nothing about the tone in which the letter was answered (not measured);
 - ✚ performance measurement also has other limitations, for example, we may be recycling and composting 43% of domestic waste, but again this tells us nothing about the customer's experience (recent feedback from the budget consultation focus groups suggested that the public particularly dislike the wrong items for recycling being "chucked back on my lawn"). Similarly, the recent Spotlight meeting at Rubery indicated that the public will not unsurprisingly want things they are concerned with dealt with e.g. an overhanging branch blocking a street light, a build up of litter in a specific place; and
 - ✚ the Council is not behaving as "one council". For anyone new walking into the Council it is quite clear that departments and teams do not treat each other as customers and relations are quite poor in some instances.
- 3.2 All of the above should not be treated as blaming staff. Most people take a considerable amount of their self esteem and self respect through what they do and 99% of people will want to come to work and do a good job. The issue for Members and senior managers is about providing leadership and

ensuring that we are clear about what constitutes a good job and that staff are equipped to do it.

- 3.3 Much of this initial analysis is supported by the feedback from the three recent staff focus groups on developing a customer charter for the Council. The key finding is that: “80% of the findings (from the focus groups) could be attributed to behaviours and 20% of the remaining issues were spread amongst process and systems”.
- 3.4 Finally, the Council’s reputation is bound to be poor given our “Poor” CPA rating and the problems we know we have had. Improving customer’s experience is likely to be a key aspect of improving our reputation with local residents.

National Context

- 3.5 Neither previous Conservative or Labour Central Governments have focused on customer service within local government with two exceptions. The Conservative Governments of the 1980s and 1990s focused primarily on cost e.g. compulsory competitive tendering, while the Labour Governments from 1997 onwards have focused on performance through best value performance measures. The focus on cost and performance have created a “producer culture”, one that has undoubtedly fed through to our staff, after all we will all tend to focus our energies on those areas on which we are measured.
- 3.6 The two exceptions are: the Charter Mark and the e-Government initiative.
- 3.7 There is now the beginnings of a recognition at a national level of the need for change: the new Comprehensive Performance Framework for upper tier councils³ (the district one will not be finalised until March 2006) has a much stronger emphasis on “user focus and diversity”; the current debate on the future of shire local government is likely to have a stronger focus on “neighbourhood management”⁴; and the 10 Year Local Government Vision and supporting papers on performance management suggest a move away from the high levels of national targets for local government, to a smaller set with greater local autonomy to decide on what is important for local people^{5, 6, 7, 8}.
- 3.8 Although these are moves in the right direction it is not clear that they go far enough. For example, the Comprehensive Performance Assessment unitary model does have a stronger emphasis on user focus and diversity, but this still tends to be around consultation, which is one of the 4 Cs of Best Value – challenge, consultation, comparison and competitiveness, which each Council has a statutory duty to deliver under the Local Government Act 1999. It is interesting to note that there is no statutory duty to deliver a fifth C – customer. The terms “customer” and “customer experience” are absent from the lexicon of Comprehensive Performance Assessment with words like “user” preferred.
- 3.9 Clearly, this is a big challenge. We are currently a “Poor” Council and even “Excellent” Councils are not as customer focused as they could be (the Audit Commission model does not require them to be); however, if we work across the 12 identified themes, recognise that a cultural change is a 3 to 5 year

process and therefore maintain this focus for a sustained period we should be able to make the change.

4. Should We Use the Term Customer? Who Are Our Customers?

- 4.1 We are not in the private sector and consequently many of our residents do not have choice about service provision. The Comprehensive Performance Assessment methodology for upper tier councils refers to service “users” rather than customers, while some staff have suggested the term “citizen” rather than customer.
- 4.2 Although our residents do not have choice over many of our services the terms “user” and “citizen” are likely to be less well understood by staff and the message we are trying to get over to staff is about customer service. The word “customer” is already part of the lexicon of the Council e.g. customer service centre and it would make sense to keep things simple and continue with the use of this term.
- 4.3 Perhaps the most important question to ask is does a resident view themselves as a user, citizen or customer? Research by the Government strongly suggests the latter:
- “people expect that the improvements which they are seeing in market based services – such as telephone and internet banking, and changes to businesses’ opening hours should be available in the public services”⁶*
- 4.4 The Government and Audit Commission will look for councils to be increasingly sophisticated in the way they deal with customers, adapting services to the needs of particular communities and groups. The Comprehensive Performance Assessment methodology refers to “user focus and diversity”; the second part picks up this point. Identifying different customer groups, finding out what their particular needs are and potentially tailoring services to meet their needs requires a degree of sophistication. West Lancashire District Council⁹ recently received three stars from the Audit Commission for its customer focus i.e. it is one of the best councils in England in this respect, and yet one of the areas identified for improvement was this ability to tailor services. Bromsgrove is not yet at this stage and potentially, we could lose time undertaking work around identifying who our various customer groups are when we need to work on staff’s hearts and minds.
- 4.5 For the moment the message to staff should be that everyone we deal with is a customer (this includes each other, support services and Members). We can move to a more sophisticated approach once we have improved the overall customer culture of the Council.
- 4.6 More detailed consideration does need to be given to issues around diversity. An early action in the Strategy is an equalities impact assessment, which will require the Strategy to be updated with actions arising.

6. Organising Strategy and Compelling Vision

Summary

- 6.1 A compelling Vision statement should be a source of continuing inspiration, a basic source to which everyone can refer to. Some private sector examples from John Lewis and Virgin respectively are:-

We are passionate about providing the most enjoyable shopping experience for our customers.

Brilliant Customer Service

Friendly, human & relaxed; professional but uncorporate.

- 6.2 An example from a Council who received a maximum of three stars when its customer focus was inspected is:-

“Putting customer services first – building a community second to none. Good is not enough. Our aim is that within the next three years we will be a flagship District Council – not only satisfying our customers, but delighting them”⁹

- 6.3 The Council will be undertaking a “fundamental review” of its corporate plan in 2006/07 and as part of this work, we should look to simplify our message to customers and staff about what is really important with a strong emphasis on customers. As an interim measure we need to agree a strong “strap line” that we can give to staff now – we can’t wait until the Summer. We need to concentrate on sending this message to staff immediately and through the planned customer service training in May and June (see section 11).

Actions

- 6.4 Establish an inspirational Vision for customer services at Bromsgrove.
- 6.5 Consult with staff and trades unions on this Vision.
- 6.7 Agree with Cabinet and Full Council.
- 6.8 Develop the customer Vision further as part of the planned fundamental review of corporate plan in the first half of 2006/2007.

7. Customer Need Research

Summary

- 7.1 We need to listen to our customers. We need to find out what services they want, how they want the service presented, why they need the service, where and when they want the service to be made available, how much they are willing to pay for differing levels of service and how much they are prepared to be active participants in the service giving process e.g. recycle at kerbside or municipal waste collection sites etc.
- 7.2 Good quality research is critical to the Council becoming more customer focused. The Council, subject to Full Council decision, it about to invest in improving its customer panel through an external contract with a proper research company. This will offer a number of fixed surveys a year and the ability to call off additional surveys and focus groups at agreed rates (a more efficient way of procuring). Through the ICT Internet/Intranet Business Case, the Council will also have the ability to conduct on-line surveys linked to mobile phone text notifications.
- 7.3 It is important that we repeat surveys so that we can track trends and also communicate the results. We should also look to other techniques available to us e.g. reviewing the minutes for themes from Spotlight/PACT meetings, visit locations and experience what the customer experiences, interview and ring up customers to find out about the experience, ask staff what they think customers want, ask customers to come in an address staff at customer days.
- 7.4 We also need to find out more about what other organisations are doing through various professional networks that may be available to us.

Actions

- 7.5 Establish an outsourced customer panel.
- 7.6 Survey customers twice a year to find out what they think of services and their overall satisfaction (both internal and external).
- 7.7 Pre-cursor this work with one focus group for each service area (team level) to identify what drives the customers satisfaction with a service (something small which we overlook may have a disproportionate impact).
- 7.8 CMT members to “walk the wards” once a year with Members to understand their concerns and issues.
- 7.9 CMT to undertake “back to the floor days” with staff once a year.
- 7.10 Follow these events up with a dedicated meeting of CMT to discuss the issues and shortlist an agreed set of actions.
- 7.11 Attend a regular industry association meeting to find out what other councils are doing to drive customer service.

- 7.12 Review the minutes from PACT and Spotlight meeting once per annum for customer dissatisfaction trends.
- 7.13 Review corporate complaints/compliments once per annum to review dissatisfaction trends.

8. Organisational Structure

Summary

- 8.1 The Council has just undertaken an organisation wide restructure of the Council to improve the efficiency and effectiveness of the Council and how we deal with our customers. Key aspects of this are an increased focus on the Customer Service Centre, telephony and moving to a “meet and greet” system at the Council offices reception. The ICT Spatial Business Case and other, as yet unforeseen issues may have an impact the Council’s structures. While we need to ensure continued efficiency within a tight budgetary framework we will need to review each decision for its impact on customer service.

Actions

- 8.2 Ensure that the impact on the customer is a key criteria in any decisions about future structures).
- 8.3 Update the Cabinet report template to include a standard heading on “customer impact”.
- 8.4 Ensure the developing corporate project management methodology includes a strong focus on the customer (the approach is based on PRINCE 2, so it should do this).

9. Service Delivery Process

Summary

- 9.1 The key service delivery process for the Council's customers is the customer service centre; however, for the Customer Service Centre to work it needs a good working relationship with the "back office" functions of the Council. In addition, not all services go through the Customer Service Centre e.g. food safety inspections, planning applications, support services, internet transactions etc. We need to ensure that all our service delivery processes are geared towards making life easier for the customer and benefiting the customer.
- 9.2 The Council is also improving its service delivery processes through our investment in ICT to meet the e-Government requirements. The ICT Infrastructure is largely concerned with ensuring the Council is running its ICT in a stable and secure manner (which does ultimately impact on the customer). The Internet and Intranet Business Case¹⁰ has a more direct impact on the customer including website content management, meeting website access standards etc. The Assistant Chief Executive is the senior user on the project board for the Internet/Intranet project, with a specific role to ensure a customer focus.
- 9.3 There are number things we can do to improve the service delivery process across the Council.

Actions

- 9.4 Review all forms of document for external and internal customers to ensure they are as simple to use and as user friendly as possible. Eliminate as many forms of documentation as possible and/or simply those that must be used.
- 9.5 Identify the key service delivery processes in each area of the Council to ensure that they are simple, effective and benefit the customer as much as possible.
- 9.6 As part of this work, develop a customer benefits statement for each key service delivery process and work with the Customer Service Centre Manager and Head of E-Government and Customer, to ensure appropriate links to the Customer Service Centre and use of ICT are made.
- 9.7 As part this work, process map the key delivery processes using a standard approach to be developed jointly by the Head of E-Government and Customer and the Assistant Chief Executive.
- 9.8 As part of this work, collate customer feedback, staff views, complaints data etc. to provide clues to the areas of each service delivery process that is being reviewed.
- 9.9 Establish formal service level agreements between the Customer Service Centre and every service area.

- 9.10 Agree any proposed changes with the Customer First Project Board (see section 16).
- 9.11 Ensure all contracts with suppliers include a section on the customer and how the customer's experience will be addressed through the work. For longer term contracts, ensure they contain customer quality standards that can be monitored.
- 9.12 Deliver the Internet/Intranet Business Case proposal with a focus on the customer through the senior user on the project board being the Assistant Chief Executive.

10. Management Practices

Summary

- 10.1 The management practices of the Council need to reflect the importance of the customer. Management practices include: team meetings, PDRs, communications, business planning, job descriptions, recruitment etc. There are a range of actions we can undertake to increase the focus each of these has on customer satisfaction.

Actions

- 10.2 All team meetings, starting with SMT/CMT to include a standard item on customer feedback and improvement at least once a month.
- 10.3 The PDR format to be updated for 2007/2008 to include sections on improving customer service and the behaviours expected of each member of staff (these to focus on customer issues e.g. responsiveness, flexibility, politeness etc).
- 10.4 All new job descriptions to have a standard agreed opening duty on customer service.
- 10.5 Introduce a range of activities that communicate the importance Members and senior manager's place on customer service (see 7.7 to 7.9).
- 10.6 The Customer Services Board (see section 16) to include two representatives from staff: one from the Customer Service Centre and one from another area of the Council's work.
- 10.7 Introduce a staff suggestion scheme that is focused on improving services to the customer (not the lot of staff).

11. Measurement and Feedback

Summary

- 11.1 In section 3 of the Strategy we noted that the majority of Central Government effort over the last two decades has centred on costs and performance, with little emphasis on the customer. In order drive customer service improvement and track that we are improving we need to ensure we have the capacity to carry out research. Currently, there is one statutory survey on customer satisfaction every three years which the Council is required to carry out.
- 11.2 A key message from Sandstone Ltd, the company employed to undertake the customer charter training with the Council is that we need to start by listening. The culture of the Council is predominantly a professional one i.e. we think we know what is best for local residents and consequently we are more focused on delivering the task which we think will meet the customer's needs than in actually serving the customer. The use of voicemail to "get on with the job" is a good example – what is more important than responding to a customer call? If we were in the private sector, voicemail could lead to a missed sale. We need to think likewise.
- 11.3 With Sandstone's message in mind, before we can start measuring customer satisfaction we need to listen to our customers. We need to know:-
- ✚ What services our customers want?
 - ✚ Why they want these services?
 - ✚ When they want these services?
 - ✚ Where they want these services?
 - ✚ How they want the services delivered?
- 11.4 Once we know all of this we can start measuring our customer's satisfaction.
- 11.5 Through the current budget round, the Council has agreed to invest in the creation of an external customer panel. This will provide us with the ability to undertake customer focus groups at an agreed price through a single contract (an efficiency gain) and with the ability to undertake a number of statistically valid customer panel surveys per annum. We need to use customer focus groups to find out what customers want and use surveys to measure whether we are delivering what they want and providing overall satisfaction. We should carry out this process for internal and external customers.
- 11.6 The Council has also recently established a Performance Management Board to examine the performance of the Council. The current work programme for 2006/07 focuses on improving Best Value Performance Indicators, local performance indicators and the Local Area Agreement. When the Board agreed this programme it recognised that it would need to be updated to include customer feedback. The Board is proving to be a robust forum for discussing performance issues and should be mainstreamed into the work of the customer strategy.

- 11.7 A key aspect of measurement is the standards we expect from our staff. John Lewis's customer service standards indicate that the key to good customer service with staff is interpersonal skills and behaviours and not answering the phone within 6 rings or responding to letters within a set period. Sandstone Ltd has been employed to develop a customer charter for the Council which is based around behaviours. Customer training for all staff on this Charter will be undertaken in May and June.
- 11.8 We will also need to make use of existing feedback mechanisms like Spotlight meetings, PACT meetings and complaints. There is some overlap between the Spotlight and PACT meetings, while the Council does not have an electronic complaints system (which is usual in most organisations) and the complaints policy needs review.
- 11.9 Feeding back the results of our measurement activities is important. It helps communicate successes and where the problems are, but also build credibility with our residents, the media and staff that we are serious about improvement and not just spin.
- 11.10 External accreditation can act as a positive driver for change. In addition, achieving external accreditations can enhance the reputation of organisations. The recognised accreditation for customer service in the public sector is the Charter Mark award. The long term goal should be to Charter Mark the entire Council (just like we are for IIP); however, this would be a significant commitment of time and energy which the Council does not have during our recovery period. As an interim, we should look to Charter Mark part of the Council which is not in the recovery plan, learn from the experience and review the intention to Charter Mark the whole Council at the end of 2006/07.
- 11.11 Finally, we need to recognise that simple measures of customer satisfaction are unlikely to deliver the management information we need. We could categorise our services as follows:-

Grudge	Cleaner, greener, safer services e.g. refuse, recycling etc.
Specialist	Transport, Planning etc.
Enforcement	Council tax, environmental health etc.
Choice	Sports, parks, events and arts.

Source: Why Satisfaction No Longer Matters for Brian and Trisha, Katherine Kerswell Chief Executive, Solihull MBC (2005)¹¹

- 11.12 In this model, grudge services are some of the most visible services that we deliver. People expect these to be done and will only contact the Council if they are not delivered properly. In the second category, most people will not have a perception of the service unless they have directly used it. While in the third many of our customers will be unwilling. What this identifies is that general customer satisfaction with the first three is always likely to be low, so measuring it will not really provide us with useful information. We need to

measure specifics e.g. was your council tax bill easy to read rather than were you satisfied with your council tax bill!

Actions

- 11.13 Undertake the 2006 ODPM Customer Satisfaction Survey.
- 11.14 Finalise and roll out the customer charter attached at Appendix 1 through customer training for all staff in May and June.
- 11.15 Publish the customer charter.
- 11.16 Issue a press release about the customer charter (not promising instant success, but explaining to residents that we take the issue seriously and are addressing it).
- 11.17 Organise focus groups with the public for each service area to answer the questions set out in 11.3.
- 11.18 Develop a short list of the issues that matter most to customers for each service area.
- 11.19 Measure these service specific issues and generic customer charter standards through two customer surveys a year with residents and two with internal customers.
- 11.20 Measure the above through the use of mystery shoppers (ensure that they are also covered in the service business plans).
- 11.21 Review the requirement for separate Spotlight and PACT meetings.
- 11.22 Review the overall feedback for themes from the Spotlight and PACT meetings each year.
- 11.23 Review and develop the Council's complaints policy.
- 11.24 Purchase and roll out an electronic complaints system.
- 11.25 Review the complaints feedback for themes.
- 11.26 Charter Mark one area of the Council outside of the recovery process.
- 11.28 Review the Charter Mark process and decide on whether to go ahead and Charter Mark the entire Council in 2007/08.
- 11.29 Ensure that those residents who attend focus groups, sit on panels or attend Spotlights/PACTs receive feedback on the results and any agreed actions resulting from the feedback.

12. Training and Development

Summary

- 12.1 Training and Development is required at a number of levels: for Member and senior managers, for all staff, on technical matters and on people handling skills, at a wider level in terms of organisational awareness and a procedures manual to provide a repository of knowledge for staff to use if required.

Actions

- 12.2 Ensure the “Top Team” development programme includes reference to the importance of customer service.
- 12.3 All staff to go through the customer charter training which will focus more on the interpersonal skills required.
- 12.4 Adjust the content of the Middle Managers Course, so that it includes “handling difficult customer situations” and/or “interpersonal communication skills to build positive relationships”.
- 12.5 Subscribe to a professional organisation that deals with customer focus e.g. Institute of Customer Service.
- 12.6 Develop a customer satisfaction manual.

13. Internal Team Building

Summary

- 13.1 We have already looked at developing internal customer relationships through internal customer surveys, the use of focus groups and the use of service level agreements. In addition to this, creating a strong team ethic within each team is a critical component of an organisation that delivers excellent customer service. It is difficult to know the state of play within each team, but anecdotal evidence suggests that some teams are more formed than others. With a restructure just completed, new teams will also be coming into existence, so managers will need to pay attention to the team dynamics in these cases.
- 13.2 A high performing team will tend to exhibit a range of behaviours including: a good understanding of each others job roles and the ability to cross work, leadership from within the team not just by managers, a high degree of focus on the customer and performance with less time spent on matters that are not directly concerned with the customer, excellent communication across the team and with their manager, a clear understanding on what the business is about and normally time out to socialise (this importance of this is often overlooked – it helps communication, rapport and makes work more enjoyable).

Actions

- 13.3 Service business planning to be taken down to a team level for 2007/08 with teams working on their plans and presenting them to managers (away days to be undertaken for office based staff, with other staff being offered a way of inputting into the business planning process).
- 13.4 The PDR process to follow on from the service business planning process, with staff putting forward their targets for the year ahead.
- 13.5 Each team to ensure appropriate job rotation and that procedure manuals are in place where appropriate. Internal Audit to monitor compliance with this action.
- 13.6 An SMT member to attend at least one team's monthly meeting once a year.
- 13.7 Managers to be encouraged to undertake periodic staff social events (other than the usual Christmas bash).

14. Customer Environment

Summary

- 14.1 The main customer environment is now the Customer Service Centre/Dolphin Centre. The “feel of a place” i.e. its physical layout and design will impact on the customer’s perception of the Council. Both of these have been invested in recently and the general perception gained when walking into the premises is a positive one. The Council is currently moving to a “meet and greet” system on reception at the Council House and while this is no longer the main centre of the Council, we need to ensure visitors gain a positive impression of the Council from this reception point. The same applies to the entry point into the public meetings part of the Council House and other locations accessed by the public e.g. the two other sports centres.
- 14.2 We also need to ensure that when we obtain feedback from customers through the customer panel we ask about the physical environment of our premises.

Actions

- 14.3 Ensure the Council House Reception Project Team receives input from the Assistant Chief Executive on the design, layout and style of the proposed reception.
- 14.4 Review all other customer areas for their physical suitability for our customers.
- 14.5 Ensure we obtain feedback from the public through the customer panel on the suitability of our premises.

15. Communications Internal and External

Summary

- 15.1 We need to make the customer the dominant message which staff and the public receive (the customer vision, charter and customer standards will be key). We also need to ensure the message is credible, so that staff and the public believe that the customer is really important to us. Credibility largely relies on being honest. Recent positive staff feedback on the Core Brief item on the possible move to unitary status backs this up. We received a lot more feedback on CMT's honesty rather than concerns about the move to unitary status. This means that we need to communicate the positives (of which there are plenty), but also, not be afraid to communicate when things go wrong – doing so indicates we are taking the matter seriously.
- 15.2 We have already noted that staff have been “bruised” by the recovery process. As a result, we also need to ensure that we are quick to praise and slower to criticise. Senior managers need to thank staff, just a simple thank you will do in most cases, but we should also look to reward particularly “heroic” efforts and communicate them to other staff and the media/public (Members have a role to play here as well). We already circulate all press releases to staff (this is good and should be continued), we should also keep a record of positive feedback received, in particular, letters and e-mails, which we can place in the Customer Service Centre.
- 15.3 The private sector clearly recognises the value of corporate image and branding. I&DeA¹² research suggests that councils need to invest in this area and that there is a link to the reputation of councils. We do not currently have any rules regarding our corporate image, with different departments putting out different styles. Similarly, we have a limited graphic design function. Both need to be addressed.

Actions

- 15.4 Undertake two visible leadership events a year which focus on customer service.
- 15.5 Ensure the editorial policies for Grapevine and Council Chat include a strong focus on the customer.
- 15.6 Ensure there is strong focus through our internal communication mechanisms on the customer.
- 15.7 Remind senior managers (and Members) to personally thank staff for good service.
- 15.8 Introduce team and individual awards for customer service (and make sure we communicate these to staff).
- 15.9 Ensure we retain copies of all positive letters and e-mails received and that these are displayed at reception points.

- 15.10 Continue to publish our press releases via e-mail, staff notice boards and at the customer service centre.
- 15.11 Develop a poster on customer service and get it displayed all over the council.
- 15.12 Review the corporate image of the Council, in particular, reprographics and our “rules” regarding the use of colours, council logo (existing), font size etc.

16. Managing the Change

Summary

- 16.1 In order to drive the Strategy for the Council we need to appoint a “champion” to oversee all the activities that will go on across the Council and to make linkages to other groups e.g. the ICT Project Board. This “champion” role will need to perform a number of roles: communications (keeping the Council and residents informed about what is going on and the results and actions resulting from feedback); consultant (assisting the Council in developing the Strategy e.g. setting service standards, developing measures, conducting research etc.), influencing (publicising and selling the benefits of being customer orientated) and compliance (ensuring that all parts of the Council do comply with the agreed Strategy and standards).
- 16.2 The “champion” will also need to assess progress against the Strategy, both through formal reporting and through direct experience of services e.g. using them, or commissioning research into the customer’s experience e.g. mystery shoppers.
- 16.3 While it is important that the Council has a recognised “champion” there is a danger that customer focus will be seen as someone’s specific job rather than the responsibility of the whole Council. A project board, with representation from other senior managers with responsibility for projects that impact on improved customer service, front line staff who are experiencing customer feedback at the sharp end, outside representation from an organisation with a strong track record in customer service and Members who will act as champions, would enable a more inclusive approach and increase the chances of success.

Actions

- 16.4 Establish a Customer Service Project Board with the Assistant Chief Executive as the Council’s “champion” for customer service.
- 16.5 Agree the Boards membership and a terms of reference.

17. Strategic Action Plan 2005/06

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
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Organisational Strategy and Vision

6.4	Agree customer vision and Customer Charter at Cabinet.	Vision agreed and communicated to staff.	15.03.06	30.04.06	HB/GB	HB	High
6.6	Develop the Vision further as part of the fundamental review of the corporate plan.	Vision further expanded upon by measures and actions through use of balanced scorecard.	15.03.06	30.09.06	£5,000 Agreed Budget	HB	High

Customer Need Research

7.5	Establish and outsourced customer panel.	Panel established and providing feedback.	15.03.06	30.09.06	£25,000 Agreed Budget	CS	High
7.6	Survey customers twice a year to find out what they think of our services (only one survey in 2006/07 due to set up time).	Surveys completed and reported to CMT and Performance Management Board.	01.10.06	31.03.07	Part of above.	CS	Medium
7.7	Hold focus groups, one for each service area to identify what drives customer satisfaction in each area.	Short list of drivers of customer satisfaction identified for each area.	01.09.06	30.09.06	Part of above and see last action of plan.	LB	Medium
7.8	CMT members to "walk the wards" once a year with Members.	Short list of actions arising delivered.	01.08.06	31.12.06	Vacant post	Vacancy	Medium
7.9	CMT to undertake "back to the floor" days.	Press coverage and internal coverage.	01.04.06	31.07.06	HM	PS	Medium
7.10	CMT meeting on "back to the floor" to agree actions.	Short list of agreed actions, which are delivered.	01.07.06	31.07.06	HM	PS	Medium

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
7.11	Attend a regular industry association meeting to find out what other councils are doing.	New ideas obtained and built in to Strategy.	01.04.06	31.03.07	HB	HB	Low
7.12 11.22	Review the PACT and Spotlight meeting minutes once per annum for trends.	Trends reported to PMB. PMB to make recommendations to Cabinet.	01.01.07	31.12.07	LB	CS	Medium
7.12 11.25	Review corporate complaints and compliments once per annum to review trends.	Trends reported to PMB. PMB to make recommendations to Cabinet.	01.01.07	31.12.07	LB	CS	Medium

Organisational Structure

8.2	Ensure the impact on the customer is a key criteria in any decisions about future structures.	Clear evidence of benefit to customer from decisions.	On-going	On-going	KD	KD	Medium
8.3	Cabinet report template to include a standard heading on "customer impact".	Template updated and being used.	01.04.06	31.05.06	AB	AB	Medium
8.4	Council's project management methodology includes a strong focus on the customer.	Documentation has clear process for considering the customer in any decisions/actions.	15.03.06	30.04.06	CM	CM	Medium

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
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Service Delivery Process

9.4	All documentation reviewed to ensure customer friendly (after all services have migrated to Customer Service Centre).	All documents mapped. Consistent house style. Plain English.	Year 2	Year 2	TBD	HB	Medium
9.5	Key service delivery processes identified and re-engineered to ensure customer benefit.	Services mapped and re-engineered.	01.04.06	31.10.07	Business Case to E-Gov. Board.	Head of E-Gov and Customer	High
9.6, 9.7 & 9.8	Develop customer benefits statements for each service delivery area.	See above.	01.04.06	31.10.07	Business Case to E-Gov. Board.	Head of E-Gov and Customer	High
9.9 & 9.10	Establish formal service level agreements between the Customer Service Centre and each service area.	Agreements in place, adhered too and actively supported by SMT member attendance.	Already in place.	Already in place.	RH/HoS and SMT (GB)	HB	Medium
9.11	Ensure all contracts include a section on the customer and how it be addressed through the particular service purchased.	Procurement guidance and advice reflects this action. Possible coverage as part of Internal Audit work.	01.04.06	30.06.06	Procurement Team.	HB	Medium

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
9.12	Internet/Intranet upgrade to focus on improvements for customer.	Content updated and migrated to new County platform. Positive feedback from public through survey.	01.03.06 01.01.07	31.05.06 31.03.07	E-Gov Board and Project Team	Head of E-Gov and Customer	High

Management Practices

10.2	All team meetings to have a standard item on customer issues/feedback once a month.	Minutes of feedback and delivered actions of improvement.	01.05.06	On-going	HoS	HB	Medium
10.3	PDR format to include sections on customer service and behaviours.	Agreed approach built into 2007/08 PDR approach (this is subject to discussion with new Head of HR).	01.04.06	30.09.06	Head of HR	Head of HR	Medium
10.4	All new job descriptions to have a standard agreed opening duty on customer service.	Standard duty in place (this is subject to discussion with new Head of HR).	01.04.06	31.08.06	Head of HR	Head of HR	Medium
10.5	Introduce a range of activities that communicate the importance of the customer.	See 7.7 to 7.9.	See 7.7 to 7.9.	See 7.7 to 7.9.	See 7.7 to 7.9.	See 7.7 to 7.9.	See 7.7 to 7.9.
10.6	Customer Board to include two representatives from front line staff.	Realistic actions that reflect what is happening in the Council.	01.04.06	30.06.06	HoS agreement to release staff.	HB	High
10.7	Staff suggestion scheme on customer improvement.	Scheme operational and audit trail of improvements actioned.	01.04.06	30.06.06	GB	HB	Medium

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
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Measurements

11.13	Undertake the ODPM Satisfaction Survey.	Survey completed to required ODPM standard and results sent to ODPM.	01.04.06	31.03.07	£25,000 approved budget.	HB	High
11.14, 11.15, 11.16	Finalise and roll out the customer charter.	Charter developed by staff. Charter published. Press coverage.	01.04.06	31.07.06	Approved training budget.	HP	High
11.17, 11.18, 11.19	Organise focus groups with the public.	See 7.7.	See 7.7.	See 7.7.	See 7.7.	See 7.7.	See 7.7.
11.19	Measure customer standards and charter through customer panel survey.	See 7.6.	See 7.6.	See 7.6.	See 7.6.	See 7.6.	See 7.6.
11.20	Undertake mystery shopper surveys.	Undertake surveys, received feedback and take corrective actions.	01.09.06	30.06.07	Business case for 2007/08 budget.	HB	Medium
11.21	Review the need for separate Spotlight and PACT meetings.	Agreed approach with partners.	13.03.06	31.05.06	Partners commitment.	HB	Medium
11.23 11.24	Develop customer feedback policy and system (ICT)	New policy and process in place.	01.04.06	31.10.06	Business Case to E-Gov Board	RH	High

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
11.26	CharterMark one area of the Council outside of the recovery plan.	Charter Mark obtained.	Year 2	Year 2	Vacant Customer First Post and Service Team	Vacant Customer First Post	Low
11.27	Review the Charter Mark process and decide on whether to Charter Mark the whole Council.	Charter Mark obtained	Year 3	Year 3	Vacant Customer First Post and Service Team	Vacant Customer First Post	Low
11.28	Ensure residents obtain feedback from Spotlight/PACT meetings.	Feedback provided in suitable media e.g. Parish Magazines, next PACT meeting for residents.	On-going	On-going	Partners/GB	Police and HB	High

Training and Development

12.2	Ensure the "Top Team" programme includes a focus on the customer.	Training contains customer focus.	13.03.06	31.10.06	Capacity Fund.	SN	High
12.3	All staff to go through customer training which will focus on interpersonal skills.	95% of staff attended training.	01.04.06	31.07.06	Approved training budget.	HP	High
12.4	Middle Managers course to include stronger focus on customer service.	All middle managers to have attended "handling difficult customer situations" and "interpersonal communication skills".	TBD	TBD	Subject to discussion with new Head of HR.	HP	Medium

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
12.5	Subscribe to a professional organisation that deals with customer service.	New ideas fed into the Strategy.	01.04.06	30.06.06	CCPPT Budget	CS	Low
12.6	Develop a customer satisfaction manual	Clear procedures for staff on best practice for customer care.	Year 2	Year 2	TBD	TBD	Low

Internal Team Building

13.3	Service business planning to be cascaded to a team level.	Staff involvement, measured through annual staff survey.	01.09.06	31.03.07	HoS and team managers	LB	Medium
13.4	PDR process to follow business planning with staff putting forward their actions to improve customer service.	100% of PDRs completed. Positive feedback on process through annual staff survey.	01.09.06	31.03.07	HoS and team managers	New Head of HR	Medium
13.5	Job rotation and procedure manuals in place for key customer processes.	Internal audit check that suitable arrangements in place (subject to agreement with IA Manager for 2007/08 audit plan).	Year 2	Year 2	HoS and team managers	Internal Audit Manager	Medium
13.6	SMT member to attend one team meeting per year.	Standard met.	01.04.06	31.03.07	SMT/HM	HB	Medium
13.7	Staff social events (other than Christmas). We're off to the dogs!	Improved morale measured through annual staff survey.	On-going	On-going	HoS and team managers	ALL	Low

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
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Customer Environment

14.3	Customer friendly layout in Council House reception and Member's area.	New reception open.	On-going	31.05.06	Reception Project Team	KD	Medium
14.4	Review all customer areas for their physical suitability for our customers.	See 14.5	Year 2	Year 2	Facilities Manager	KD	Medium
14.5	Obtain customer feedback from the public through the customer panel on the suitability of our premises.	Positive feedback from survey.	Year 2	Year 2	£25,000 Agreed Budget	CS	Medium

Communications – Internal and External

15.4	Undertake visible leadership events.	Minimum two events per year.	01.04.06	31.03.07	PM/HP	HB	Medium
15.5	Ensure the editorial policies for Grapevine and Council Chat include a strong customer focus.	Updated policies in place.	01.04.06	31.08.06	MP	MP	Medium
15.6	Ensure a strong focus on the customer through internal communications.	Regular articles on the customer in the various communications.	On-going	On-going	MP	MP	Medium
15.7	Remind senior managers to thank staff personally.	Positive feedback through staff survey.	On-going	On-going	CMT	HB	High
15.8	Introduce team and individual customer service awards.	Quarterly awards. Reported in Grapevine.	01.04.06	31.03.07	Funded from CCPPT budget	SN	Medium
15.9	Retain copies of positive letters and display at reception points.	Copies in all reception points.	01.05.06	30.06.06	HM	HB	Medium

Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
15.10	Continue to publish our press releases via e-mail, on staff notice boards and at the customer service centre.	Displayed.	On-going	On-going	Press Office	MP	Medium
15.11	Develop a customer service poster.	Poster displayed around Council buildings.	01.05.06	31.08.06	Funded from CCPPT budget	HB	Medium
15.12	Review the corporate image of the Council, in particular, reprographics and our corporate rules for colours, lettering etc.	Standards agreed and operational.	01.07.06	31.12.06	Potential support from I&DeA	Head of E-Gov and Customer	Medium

Managing the Change

16.4, 16.5	Establish a Customer Service Project Board.	Board established. Detailed project plan, similar to the Recovery Plan in place to support delivery of Strategy.	01.05.06	31.05.06	Agreement of selected officers and Members to attend	HB	High
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Ref	Action	Measures of Success (SMART)	Start Date	Finish Date	Resource	Lead	Priority
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Other Actions In Support of Strategy

All	Recruit to vacant Customer First Post (one year fixed contract).	Post filled	15.03.06	31.07.06	HB/LS	HB	High
4.6	Complete equalities impact assessment of Strategy.	Assessment completed and action plan in place.	01.05.06	31.07.06	HB/CF	HB	Medium
7.7	Train members of Corporate Communications, Policy and Performance Team in focus group facilitation skills.	Training undertaken and used to facilitate focus groups, particularly, for support services to help identify customer measures.	01.04.06	31.07.06	£875 Agreed Budget.	LB	Medium

18. References

1. Communication and Customer Experience, A Report on Focus Groups with Residents, Staff and Members, CSR Survey Ltd, (February 2006).
2. Bromsgrove Customer Service Feedback, Sandstone Ltd, (February 2006).
3. Comprehensive Performance Assessment, Key Lines of Enquiry, Audit Commission (2005).
4. Empowerment and the Deal for Devolution, Speech by David Milliband Minister of Communities and Local Government (18 January 2006).
5. The Future of Local Government: Developing a 10 Year Vision, ODPM (2004).
6. Citizen Engagement and Public Services: Why Neighbourhoods Matter, ODPM (2005).
7. Public Service Reform: The Key to Social Justice, Speech by John Hutton Minister for the Cabinet Office, (24 August 2005).
8. Securing Better Outcomes: Developing a New Performance Framework, ODPM (January 2005).
9. Customer Access and Focus West Lancashire District Council, Audit Commission Inspection Report (2005).
10. Internet and Intranet Business Case Proposal, Bromsgrove District Council (2005).
11. Why Satisfaction No Longer Matters for Brian and Trisha, Katherine Kerswell Chief Executive, Solihull MBC (2005).
12. Local Government Reputation: Survey of Communications Good Practice 2005, I&DeA (2005).

19. Background Reading

Charter Mark Self Assessment Criteria,
www.cabinetoffice.gov.uk/chartermark/ (2006).

Customer Focus Salisbury District Council, Audit Commission Inspection Report (2005).

ICT Infrastructure Business Case Proposal, Bromsgrove District Council (2005).

2006/07 Training Directory, Bromsgrove District Council (2006).

BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

22ND MARCH 2006

TASK GROUPS OF THE CABINET

Responsible Portfolio Holder	Cllr Mrs M. A. Sherrey Cllr P.J. Whittaker
Responsible Head of Service	Head of Planning and Environment Services Head of Street Scene and Waste Management Services

1. SUMMARY

1.1 To confirm the working arrangements of three task groups of the Cabinet.

2. RECOMMENDATION

2.1 That the Town Centre Development Sub Committee and the Planning Policy Sub Committee established at the 22nd February 2006 meeting of the Executive Cabinet be re-designated as task groups of the Cabinet.

2.2 That a Street Scene and Waste Management task group be established.

2.3 That the memberships and terms of reference of each of the task groups be confirmed

2.4 That the working arrangements for the task groups be as set out in the report below.

3. BACKGROUND

3.1 At the meeting of the Executive Cabinet held on 22nd February 2006 it was resolved to establish a Town Centre Development Sub Committee and a Planning Policy Sub Committee. However following that meeting it has been recognised that establishing formal sub committees of the Cabinet may not be the most effective method of examining these subjects and therefore the sub committees should be re-designated as task groups of the Cabinet.

Town Centre Development

3.2 This task group will consider issues related to the redevelopment and improvement of Bromsgrove Town Centre. It will look at ways of regenerating the town centre. It is intended that the task group would be convened by the Corporate Director (Services) and would include members representing the wards in and around the town centre and would also include the relevant portfolio holders.

Planning Policy

- 3.3 This task group will undertake a review of all the Council's planning policies. It is intended that the task group would be convened by the Corporate Director (Services) and would include the relevant portfolio holders.

Street Scene and Waste Management

- 3.4 This task group will in particular monitor the refuse collection and grounds maintenance areas of the Street Scene and Waste Management department. The task group will be chaired by the portfolio holder Councillor Mrs Sherrey.

Working Arrangements

- 3.5 The task groups will be made up of a mixture of members and officers. Whilst every effort will be made to ensure the members of more than one political group are represented on the task groups seats will not be allocated in proportion to group size. Members will be appointed to the task groups on the basis of interest, expertise and local knowledge. The relevant portfolio holders will be members of the task groups.
- 3.6 Each task group will carry out a detailed examination of the areas of work within their specific terms of reference. As the work continues the task group may identify reports or recommendations which will be reported to the Executive Cabinet by the relevant Head of Service. The task groups may request any member or officer attend their meetings to assist
- 3.7 The task groups will have no delegated powers. These task groups are separate from those established by the Scrutiny Steering Board.

4. Financial Implications

- 4.1 There are no specific financial implications arising from this report though meetings of the task groups will have a cost in officer time to support and advise the meetings.

5. Legal Implications

- 5.1 Sections 15 - 17 of the Local Government and Housing Act 1989 which relate to the duty to allocate seats on Committees in accordance with the political balance on the Council do not apply to task groups.

6. Corporate Objectives

- 6.1 How the item links to corporate objectives.

7. Risk Management

- 7.1 There are no specific risk management implications arising from this report.

8. Policy Considerations

- 8.1 As a result of their deliberations each of the task groups may propose changes to existing policies which would be reported to the Executive Cabinet for consideration.

9 Environmental Considerations

- 9.1 There are no specific environmental implications arising from this report though the work of each task group is likely relate to a range of environmental issues.

10 Community Safety Considerations

- 10.1 There are no specific community safety implications arising from this report though the work of each task group is may relate to a range of community safety issues.

11 Equalities Considerations

- 11.1 There are no specific equalities implications arising from this report though the work of each task group is may relate to a range of equalities issues.

Background Papers

Minutes of Executive Cabinet 22 February 2006

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BROMSGROVE DISTRICT COUNCIL

EXECUTIVE CABINET

22nd March 2006

Amendment of the Constitution

Responsible Portfolio Holder	Cllr R Hollingworth
Responsible Head of Service	A R Burton, Head of Legal & Democratic Services

1. SUMMARY

1.1 To report to Members on the proposed revisions to the Council`s Constitution.

2. RECOMMENDATION

2.1 Members are recommended to agree:-

2.1.1 The recommendations made by Messrs Wright Hassall

2.1.2 That the Head of Legal & Democratic Services be authorised to make consequential amendments to the Constitution as appropriate

3. BACKGROUND

3.1 Members will be aware that as part of the Recovery Plan, a major evaluation of the Constitution has been undertaken with the assistance of Wright Hassall solicitors. They have met with senior officers, Cabinet Members, Group Leaders, and other key members, and prepared a lengthy report commenting on aspects of the Council`s Constitution document and indeed the structure of the Council itself. This report is attached and contains detailed analysis of the existing Constitution documents and the structure of the Council.

3.2 The Council`s existing Constitution largely follows the model document produced by the ODPM, and a comparison with "excellent"-rated Authorities highlighted no significant differences. Members will also be aware that some of the Minister`s concerns, expressed via the Monitoring Board, related to issues such as member-member relations and member-officer relations. These points lead to the conclusion that the issue at hand is not so much that the Constitution document itself is faulty, rather that the manner in which it is being used and worked requires amendment. The approach therefore has not been one of radical reform, rather a process of streamlining and tweaking, coupled with a greater emphasis on training (for Members and officers) to ensure a true understanding of correct roles and responsibilities. The latter will be addressed by the suggested adoption of a number of Member/Officer protocols, which will be brought before Members in due course.

- 3.3 As Members are aware, some changes have already been implemented with the creation of the Scrutiny Steering Board, the Audit Board, and the Performance Management Board.
- 3.4 This report puts before Members a summary of the main areas of change in other aspects of the Constitution. The key areas of change will include:-
- 3.4.1 Council Meetings
- a) tightening up the formation of agendas for Extraordinary Meetings, so that the meetings are solely dedicated to the single purpose for which they are called;
 - b) A restriction on the number of Notices of Motion which a single Member may place on the same agenda
 - c) A procedure for introducing and regulating urgent items of business
- 3.4.2 Members` Conduct
- a) The adoption of an Officer-Member protocol
- 3.4.3 Structure of the Council
- a) The Leader of the Council to be precluded from membership of the Planning Commit
 - b) Mandatory training for all members of the Planning Committee including substitutes
 - c) Mandatory training for all Committee Chairmen and Vice-Chairmen
- 3.5 It will be necessary for the amended Constitution to be reported to the Standards Committee prior to the Full Council.
- 3.6 As Members will appreciate from the attached analytical report, there are many minor changes to the Constitution and it is not proposed to detail all such items in the attached report. The wording of the various paragraphs and clauses will largely follow the suggestions made by Wright Hassall, although it is recommended that authority to determine the precise wording be delegated to the writer in order to cater for any customisation required to meet the Council`s own local requirements and make-up.

4. Financial Implications

4.1 There are no budgetary implications arising from the amendments to the Constitution per se, but training for Members would need to be funded from existing Member Development Budget.

5. Legal Implications

5.1 None

6. Corporate Objectives

6.1 The proposal will assist the Council in its objective of being an efficient and effective Council.

7. Risk Management

7.1 The risk of not amending the Constitution is that the Council's improvement may be hindered.

8. Corporate Governance

7.1 A modern and updated constitution is imperative to the effective Corporate Governance of the Authority.

Contact officer

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The Constitution of Bromsgrove District Council

Executive Summary

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1. **ARTICLE 1 – THE CONSTITUTION**

There are no real comments except that the Council may want to add to the purpose of the constitution the following at a new point 9, which has a “catch all” purpose.

“to carry out all other matters, by law, which must be reserved to the council.”

Paragraph 1.04, is superfluous because the broad aims of the council are set out at paragraph 1.03 and the Council will choose whatever objective or purpose the majority of the council wish to pursue. The council may also wish to add to the interpretation and review of the constitution at paragraph 1.04 the remit to continually review and evaluate the constitution and where it appears to the council to make appropriate changes at any stage of the lifetime of the constitution.

The mechanism of how this could be achieved is simply on the back of the report from Scrutiny recommending change to a part of the constitution.

2. **ARTICLE 2 – MEMBERS OF THE COUNCIL**

The council may wish to add an express provision in the article, for the avoidance of any doubt to ensure members are available to represent the council on other bodies. It is recommended there be an additional role of the councillors at paragraph 2.03 to read as follows:

“8 to be available to represent the council on other bodies.”

For clarity it is also recommended that a sub-heading be inserted with renumbering of the paragraphs to the last paragraph of 2.03.

Recommended to insert *“Rights and Duties”*

It is often considered that paragraphs can be better digested if they can be broken up into bullet points. We therefore recommend that the *“Rights and Duties”* sub-heading should contain three paragraphs. There is no recommendation to change the body of the text (save a slight addition to sub paragraph (b) below but, that it be split up to read as follows:

2.04 Rights and Duties

- (a) Councillors will have such rights of access to such documents, information, land and buildings of the council as are necessary for the proper discharge of their functions and in accordance with the law.
- (b) Councillors will not make public information which is confidential or exempt without the consent of the council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it (and any such information divulged to a councillor or officer to be strictly on a confidential basis).
- (c) For these purposes *“confidential and exempt”* information are defined in the Access to Information Rules in Part 4 of this constitution.

Paragraph 2.05 Conduct

It is recommended that the word “observe” be replaced by “abide” or “strictly abide” by the Members’ Code of Conduct.

“Councillors will at all times abide by the Members’ Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of the constitution.”

3. ARTICLE 3 – CITIZENS AND THE COUNCIL

At paragraph 3.02 to insert the following at the end of that paragraph;

“Citizens are entitled to attend public meetings of the Council, Executive and Committees but, must comply with the rulings of the Chairman. Citizens may not disrupt the meeting or cause undue disturbance or they may be removed from the meeting.”

4. ARTICLE 4 – THE FULL COUNCIL

The following recommendations are proposed to the revised draft:

Paragraph 4 at bullet point 5 delete reference to “if any”, the council does have a Corporate Plan.

Paragraph 4.02 the council needs to have the authority not only to adopt and change the constitution but also where appropriate to suspend certain parts of the constitution in accordance with the procedure rules.

It is recommended to add the following to clause 1:

“.....and suspending the constitution or parts of the constitution in accordance with the provisions of article”

Clause 3 to add the following:

“.....and Deputy Leader and the Chairman and Vice-Chairman of the council and dismissing the Leader, Deputy Leader, Chairman and Vice-Chairman”.

Clause 4 or perhaps a separate clause needs to refer to the agreeing or approving of any Scheme of Delegation of which there is currently no mention in the proposed draft article.

There also needs to be inserted an additional clause with respect to the Budget. The Budget is defined in the proposed article but, there is no operative part in the article authorising the council to for example; approve the budget, set upper borrowing limits etc.

It is recommended to insert the following:

- “(i) approving the council’s Budget, including the Capital Programme and the setting of the Council Tax Base and the Council Tax itself;*
- (ii) authorising the upper limit for the borrowing of money;*

- (iii) *considering and approving the final accounts and the financial statement of the council*

Although it is noted there is a general “catch all” provision in the proposed clause 11 of this article, experience shows there will be predicaments that are not a legal function which must be reserved to the full council nor are they sufficiently covered by any remit under the current proposals. It may therefore be prudent to widen the council remit in the following way.

It is recommended to insert the following under the sub-heading, functions of the full council:

“taking any decision to:-

- (i) *cease to exercise any power of the council;*
- (ii) *exercise any power that is not previously exercised by the council; or*
- (iii) *allow any person or body other than the council or its Executive Cabinet, Committees or Officers to exercise any of the Council’s powers; or undertake the responsibility of another body.”*

5. **ARTICLE 5 – CHAIRING THE COUNCIL**

Recommend the following:

- “3. *To ensure the council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the Executive Cabinet or do not hold Committee Chairmanships are able to hold the Executive Cabinet and the Committee Chairman to account.”*

6. **OVERVIEW AND SCRUTINY STEERING BOARD**

It is recommended that this article be amended as follows;

Paragraph 6.01 Terms of Reference

Under this general sub-heading at clause 5 insert the words “if necessary” after recommendations and delete reference to “if appropriate” and also add the following:

“to ensure that the committee is effectively and efficiently utilised.”

Paragraph 6.02 Composition – Add

“A member of the Scrutiny Steering Board should not be chair or Vice-Chair of the Council.”

7. **ARTICLE 7 – AUDIT BOARD**

Paragraph 7.02 Composition – insert that the Chairman or the Vice-Chair of the full Council shall not be a member of the Audit Board.

8. **ARTICLE 8 – PERFORMANCE MANAGEMENT BOARD**

No recommendation is made here save the need for clarity and transparency and who is responsible for what function.

9. **ARTICLE 9 – THE EXECUTIVE CABINET**

It is recommended the opening paragraph be modified in the following way.

Paragraph 9.01 Role – Perhaps this could be made more explicit e.g. *“The Executive is the Council’s major decision making body, although certain important but limited powers are reserved to the full Council and the Regulatory and Planning Committees. The Executive’s role is to provide effective strategic leadership to the Council and ensure the Council effectively discharges its legal responsibility and role in the community”*

Paragraph 9.02 – Composition – it is recommended to add the following:

“Only Councillors may be appointed to the Executive. There may be no co-optees and no deputies or substitutes for Executive members. Neither the Chairman nor the Vice-Chairman of the Council may be appointed to the Executive and members of the Executive may not be members of a Scrutiny Steering Board. Executive members (other than the Leader) will be appointed by the Council on the nomination of their political parties”.

Perhaps a paragraph should be added to state that the Council may appoint from amongst members of the Executive, Portfolio Holders who will act as spokespersons for the service areas and may be given delegated authority for the Council to take executive decisions within these areas.

Paragraph 9.02 should also refer to the fact that the Executive is not legally required to be politically balanced under the Local Government Act 2000.

10. **ARTICLE 10 – REGULATORY AND OTHER COMMITTEES**

It is recommended that a list of statutory functions of the Council, and the Scheme of Delegation, be appended to the constitution to set out the statutory duties the Council will carry out on a day-to-day basis and which part of the Council is responsible for these statutory roles.

11. **ARTICLE 11 – THE STANDARDS COMMITTEE**

The Standards Committee is a statutory committee and it is therefore recommended the committee should be retained in the proposed form.

Paragraph 11.02 Composition - We do however make the following recommendation that the Deputy Leader in addition to the Leader be expressly prohibited to sit on the Standards Committee to ensure transparency.

11.03 General Role It is recommended the Standards Committee’s role should be strengthened and should have oversight of the Council’s constitution for transparency and good governance and also instil public confidence in a strengthened Standards Committee.

It would be prudent when making a decision a requirement that the decision be made within a specified time. For example the Standards Committee are to make determinations or recommendations within a specified period acceptable to the council.

We also recommend the following changes to the role of the Standards committee.

To insert the following:

- “13. *implementing, monitoring and reviewing the operation of the Officer’s Code of Conduct (in respect of the Officers’ Code of Conduct – see Schedule 2 for proposed draft).*
14. *advising the public on matters relating to the Members’ Code of Conduct*
15. *implementing, monitoring and reviewing the operation of the Protocol on Member/Officer relations*
16. *implementing, monitoring and reviewing the council’s Whistle Blowing Policy.”* (No such policy currently forms part of the Constitution, but see later recommendations.)

In paragraphs 9, 10, 11 and 12 delete reference to “*having an overview*” and “*having an oversight*” and replace with “*considering*”.

There is the following option that a “Behaviour Protocol” in addition to members code of conduct be adopted as part of the constitution. This protocol will support the Members Code of Conduct and require **all** councillors to sign up to this protocol following attendance at a Members Induction Programme (See Members Code of Conduct). The point of such further protocol is to give the Council the option to enforce locally on the recommendation of the Standards Committee in the event of a breach. The Council or Leader may wish to enforce a breach by removing the appropriate member from a committee or sub-committee, or the Executive Cabinet until such time as the Standards Committee consider appropriate.

12. **ARTICLE 12 - AREA CONSULTATIVE FORUMS**

No further comment or recommendation is made save more detail if appropriate is required to fully understand the role and purpose.

13. **ARTICLE 14 – OFFICERS**

In terms of the functions of the Chief Executive, it is recommended to add the following at clause 3 of this article.

To insert:

“*Chief Executive:*

The council will engage a Chief Executive, who will have the following functions and responsibilities:

- (i) *Leadership of the Council’s Service:*

To be responsible to Members for the efficient leadership and management of the Council's paid service.

(ii) Financial Management and Provision of Best Value Services:

To be accountable for ensuring that the Council's services are provided and monitored in a cost-effective manner, achieving best value from expenditure.

(iii) Working in Partnership with Elected Members:

To establish and maintain effective and enduring operational processes and relationships with the elected Members of the Council to ensure that the political decision-making process takes place in an informed and integrated manner.

(iv) Managing Change:

To manage the development and promotion of forward strategic process to enable the Council to deliver its aims and objectives, whilst ensuring that all opportunities are identified to modernise and improve local government within Bromsgrove.

(v) Supporting the Political Process:

To support elected Members of the Council and the Chief Executive to ensure corporate working across services and committees and help to lead the authority so that it is able to meet its immediate and long-term future with confidence.

(vi) Managing the Performance of the Organisation:

To promote a culture of continuous improvement and develop the capacity and ability of the organisation to learn.

(vii) Promoting the Council and Building Effective Partnerships:

To build and maintain effective partnerships to assist the Council in delivering the needs and role of the community it serves."

The role of the Chief Financial Officer should also include the following;

"Determining Accounting Records and Control Systems

The Chief Financial Officer will determine the Council's accounting records (including the form of accounts and supporting accounting records) and the accounting control systems.

Calculating the Council Tax

In connection with the calculations to set the Council Tax, the Chief Financial Officer will report on:-

(a) the robustness of the estimates made for the purpose of the calculations;

and

(b) *the adequacy of financial reserves.”*

14. **PROCEDURE RULES**

However, the Council may wish to take onboard the suggestion that Performance Management Board and the Audit Board become part of Scrutiny pursuant to Scrutiny’s remit under Section 21 of the Local Government Act 2000.

15. **OVERVIEW AND SCRUTINY BOARD PROCEDURE RULES**

It is recommended that the remit of each Task Group be set within the Scrutiny Procedure Rules for clarity and the avoidance of doubt as to their specific purpose and role.

It is recommended to insert the following under a combined sub-heading of paragraphs 1 and 2:

“ARRANGEMENTS FOR SCRUTINY COMMITTEES

The Council will have the Scrutiny Steering Board, as set out in Article 6, and will appoint Task Groups from time to time (annually/as the need arises etc must be clear on what basis the council wish scrutiny to set up these Task Groups) as it considers appropriate to carry out specific time limited reviews after which they shall cease to exist.

The general terms of reference of the Scrutiny Board will be:-

- (i) to perform all overview and scrutiny functions on behalf of the Council;*
- (ii) to appoint such Task Groups as it considers appropriate to assist the committee to fulfil those overview and scrutiny functions;*
- (iii) to receive and consider reports from the Leader at their first normal meetings after each Annual Council meeting on the Executive Cabinet’s priorities for the coming year and its performance in the previous year;*
- (iv) to approve annual overview and scrutiny work programmes so as to ensure that the Board is effectively and efficiently utilised;*
- (v) to undertake investigations into such matters relating to the Council’s functions and powers as:*
 - (a) may be referred by the Executive; or*
 - (b) the Board may consider appropriate; or*
 - (c) have been referred to the Board pursuant to the “call-in” procedure set out in the Scrutiny Steering Board Procedure Rules;”*

Paragraph 11 – Reports from Scrutiny Steering Board

It is recommended that the following be added below paragraph (a) (note this is a repeat of the reference above to Task Groups and may simply matters to give a reference (e.g. the role of the Task Groups as set out in.....). However, for the avoidance of doubt the proposal is repeated below.

“(b) *In respect of reports arising from detailed Task Group investigations:*

- (i) *Where the proposals relate to executive functions, the Task Group’s report shall be referred initially to the Scrutiny Steering Board and then to the Council for comments and, if appropriate, further recommendations. The report, together with any comments or recommendations agreed by the Council, shall then be referred to the Executive Cabinet for adoption.*
- (ii) *Where the proposals relate to Council (non-executive) functions, the Study Group’s report shall be referred initially to the relevant Scrutiny Committee and then to the Executive for comments and, if appropriate, further recommendations. The report, together with any comments or recommendations agreed by the Executive Cabinet, shall then be referred to the Council for adoption.”*

The old paragraph (b) becomes (c) and we further propose that a time limit be imposed to when matters are decided by the Council or the Executive Cabinet. Alternatively, you have an open ended system for an end result.

It is therefore recommended that the following paragraph (d) be added to paragraph 11:

“(d) *The Council or Executive shall consider the report of the Scrutiny Committee within 2 months (or insert what ever period appropriate).”*

Paragraph 15 and Reference to Call-in

We would question whether call-in should:

“*Only be used in exceptional circumstances*”. We would say “*call-in*” should be used when a decision appears to merit being called-in and the Scrutiny Board should have sufficient flexibility to ensure transparency, good governance and instil public confidence in the scrutiny process.

It is recommended this phrase “*limiting the role of Scrutiny,*” should be deleted due to being a potential bar on the proper role of scrutiny.

It is also noted in sub paragraph (c) reference to the “*proper officer*”. This needs to be defined or replaced with “*Head of Regulatory Services*” or the “*Monitoring Officer*” or “*the Chief Executive*”

Performance Management Board

Paragraph 5 – Co-optees. Though they are not entitled to vote we recommend they should be entitled to sit on the Board as an “outside” voice, which might help to provide a useful insight into issues of performance and accountability

16. **COUNCIL PROCEDURE RULES**

It is recommended to add the following provision to incorporate some flexibility to council business:

“Other than items under sub-paragraphs (a), (b) and (c), the order of business may be varied by the Chairman or by Council resolution”.

We recommend that the following paragraph be added to the end of paragraph 3.2:

“The Chairman of the extraordinary meeting must not allow any items not on the agenda to be considered whatsoever and must allow only those matters that are pertinent to the purpose or the business of the extraordinary meeting.”

Paragraph 6 Chairmanship of Meetings.

It is recommended to include the Vice-Chair in the Chairpersons absence.

It is recommended to replace sub-paragraph 10.2 with the following:

“No Member shall have more than one motion on the same agenda. Motions will be placed on the agenda and dealt with, in the order in which they were received provided that all motions of one priority shall be dealt with all motions of the next priority”.

Sub-paragraph 10.7 Motions Not Considered within the Time Limit

We therefore propose that any motions that are not moved shall deem to be treated as withdrawn.

It is recommended that sub-paragraph 10.7 be replaced by the following:

“If a motion set out on the agenda is not moved either by a Member who gave the notice or by some other Member on his or her behalf, it shall be treated as withdrawn and shall not be moved without fresh notice unless postponed by consent of the Council”.

It is recommended to include the following:

“Business of an Urgent Nature

The Leader of the Executive or a chairman of a Committee concerned or, in his or her absence, the Deputy Leader of the council or the Vice-Chairman of that Committee and the Chief Executive may give such instructions as may be required with respect to any matters of

an urgent nature which can not be delayed until the next ordinary meeting of the Council, Executive or of the Committee concerned and with respect to which, such Members shall consider the convening of a special meeting of the Council or of the Committee concerned to be unwarranted.

Such acts shall not be in contravention of legislation or of the established policies of the Council and shall be reported to the Council in due course”.

17. **EXECUTIVE PROCEDURE RULES**

In paragraph 2.5 reference to “proper officer” needs to be clarified for uniformity throughout the constitution.

18. **ACCESS TO INFORMATION RULES**

We do not propose to make any recommendations save that that this part will need to be updated to reflect the proposed changes elsewhere in the constitution.

It is recommended paragraphs 17 and 21 be amended to reflect the new Scrutiny Steering Board and Task Groups.

It is also recommended the table of “exempt information” be replaced towards the back of that Part 8, because it breaks up the flow of the information rules.

19. **MEMBERS CODE OF CONDUCT**

It is recommended to add the following:

“Members and Decision Making

Code of Conduct, Members should also be aware of the need to avoid bias or the appearance of bias in decision-making. When the Council considers and determines matters in its various roles, for example as land-owner, local planning authority or licensing authority, it is important that the respective decision-making processes are kept, and are seen to be kept, separate and distinct. In considering the question of bias or appearance of bias, the Courts would consider whether, from the point of view of a fair-minded and informed observer, there was a real possibility that a Member was biased in the sense of approaching a decision with a closed mind and without consideration of all relevant issues. If a Member considers that there could be bias or the appearance of bias in relation to a decision, he or she should disclose a prejudicial interest and withdraw from the meeting whenever it becomes apparent that the matter is being considered.)”

It is recommended that the following be inserted either at the beginning of the Code or towards the end:

“MEMBERS SHOULD ALWAYS SEEK ADVICE FROM THE MONITORING OFFICER ON THE CODE IF THEY ARE IN ANY DOUBT”

20. OFFICER MEMBER PROTOCOL

We recommend the following be inserted for the avoidance of any doubt:

“Except as specifically provided in this document, questions on interpretation of this Protocol will be determined by the Head of Regulatory Services, unless the provision in question relates to a matter to be determined by the Chief Executive.

The Standards Committee is responsible for reviewing the practical application of this Protocol from time to time and making appropriate suggestions for its improvement and development’.

21. CODE OF PRACTICE IN PLANNING SERVICES

It is recommended that a list of the statutory functions of the Council be added to the constitution along with the Statutory Instrument, The Local Authorities (Functions and Responsibilities) (England) Regulations 2000. This will outline all the statutory duties the Council will carry out on a day to day basis and which part of the Council is responsible for those statutory roles.

It is recommended that the Leader of the Council should not sit on the Planning Committee.

Training

Training for all councillors who are to sit on a planning committee must be mandatory and along the lines of the National Code of Conduct. This requirement should also apply to substitute councillors. This requirement need to be made expressly clear and failure to undertake training would mean removal of councillor as a member of the planning committee until such time sufficient training has been undertaken.

Budget and Performance Appraisal

A budget will need to be allied to the training programme requirements that may be appropriate.

Member Evidence

It is considered not appropriate to make any further recommendations in this part save to wait for the publication of the guidance.

Role of Chairman and Vice Chairman

The role of the chairman in planning committee should also form part of the model code for planning. It is recommended this should be done broadly along the lines of the general council procedure rules. The chairman’s role (for further comments see the Role of the Chairman Later) should be strengthened to ensure the Chairperson has sufficient control and order in conducting the affairs of the planning committee. It is considered this can be done in two ways:

(i) Training in leadership skills. The chairman’s approach needs to be robust and ensure

that the agenda and the remit of the planning committee are strictly adhered to.

- (ii) Chairman's briefing should be attended by Legal Services, the Democratic Services Manager or his representative and a lead member of the opposition parties (where appropriate). It has been recognized this will help improve accountability and speed up the decision making process in the planning committee.
- (iii) There needs to be appropriate but compulsory ongoing training for Chairmanship Skills. This should include the very basics in the planning law and policy or an overview of the planning system equivalent. (Training and development is identified as a separate issue later in this report).

Chairmanship and Vice-chairmanship (see below Key Roles and Responsibilities) – In terms of the conduct of the Committee the chairman should ensure:

Members' comments at Committee should only relate to the planning merits of the application before them;

reference at Committee to non-planning issues by the public / Members should be discouraged in all areas;

the cross-questioning of speakers should only take place if there is need for clarification of what a speaker has already outlined; and

to ensure Members and the public should be made aware that the late submission of evidence will not be tolerated at Committee. Such late submission can lead to allegations of unfairness.

Attendance

We recommend the following;

“A senior legal officer and the Head of Regulatory Services or a representative should always attend meetings of the Planning Committee to ensure the probity and propriety of the planning and decision-making processes”.

Size of Planning Committee

It is considered a more reduced Planning Committee will lead to better control and efficient operation of the business conducted by the Planning Committee. We support this recommendation.

22. OFFICER PROTOCOL

The constitution does not include an Officer Protocol. It is considered such protocol is imperative in view of what we believe to be the lack of sufficient details and clearly identified roles and responsibilities.

23. **KEY ROLES AND RESPONSIBILITIES**

Core competencies should cover the entire range of council services and should be a minimum requirement for those members sitting on various committees.

24. **MEMBER AND OFFICER CONSTITUTION TRAINING**

We recommend that all new appropriate officers employed by the council as with newly elected members are to undergo an introduction to the constitution and be given an overview on how it works.

Constitution Report

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1. INTRODUCTION

1.1 Background

Bromsgrove District Council ("the Council") entered in voluntary engagement in June 2004 to best help achieve the Council's recovery and improvement through a process of voluntary co-operation with the Government.

This process of voluntary engagement would ensure the Council would be best placed to ensure the real prospects of delivering real and sustainable improvements. The council could only ensure this if it remained in control, leading and driving its own programme of improvement and performance.

The council has taken a global view of its operations, statutory functions and how to best deliver those functions. A new senior management structure has been put into place to help deliver and ensure sustainable drive for improvement and recovery.

A large part of the review process has been focused on the workings of the constitution of the council and Wright Hassall have been instructed to advise on the Leader's new proposed framework which has been set out at the end of this report at Appendix 1.

Wright Hassall has met with the Leader, the Chief Executive, members of the cross party core groups and had limited meetings with officers and heads of service. A general theme of streamlining to promote efficiencies, improvement in communication, less bureaucracy, understanding roles and responsibilities has surfaced.

2. CONSTITUTION

It is worth noting that the current constitution is largely in the format of an Office of the Deputy Prime Minister ("ODPM") model. Therefore, it is safe to assume that the global application of the constitution is largely working on the whole and the type of constitution is appropriate for the administrative district of Bromsgrove. However, in order to ensure the proper functioning of the council's constitution it has been imperative to firstly carry out a comparative exercise against excellent rated (under the Comprehensive Performance Assessment) councils.

Comparative exercises were carried against Unitary, Metropolitan, District and Borough Councils to firstly, ensure there was extensive coverage across the whole board of local government and its services. Secondly to observe whether Bromsgrove could usefully adopt or apply different working practices, irrespective of the political make up.

The findings from the comparative exercise highlighted no significant difference in the constitutional make up and operation to that which exists for Bromsgrove. Bromsgrove is therefore not looking for an entirely new constitution but, perhaps some streamlining and general tweaking. More importantly it is considered that greater emphasis should be focussed on member and officer training to ensure a true understanding of roles and responsibility and accountability. Considerable focus has been placed on the proposed changes as shown in Appendix 1.

3. ARTICLES OF THE CONSTITUTION

The council has proposed a revised set of articles to the constitution. The proposed changes follow the original format and largely follow the current articles and as stated earlier, the articles follow the ODPM model format. In terms of the individual articles as part of our review, we make the following comments.

3.1 Article 1- The Constitution

The general application of this article will largely be the same for all councils, irrespective of the type of constitution. There are no real comments except that the Council may want to add to the purpose of the constitution the following at a new point 9, which is a “catch all” purpose.

“to carry out all other matters, by law, which must be reserved to the council.”

Paragraph 1.04, is superfluous because the broad aims of the council are set out at paragraph 1.03 and the Council will choose whatever objective or purpose the majority of the council wish to pursue. The council may also wish to add to the interpretation and review of the constitution at paragraph 1.04 the remit to continually review and evaluate the constitution and where it appears to the council to make appropriate changes at any stage of the lifetime of the constitution.

3.2 Article 2 – Members of the Council

The overall application of this article is again broadly the same as for all councils (but see later Roles and Responsibilities). The council may wish to add an express provision in the article, for the avoidance of any doubt to ensure members are available to represent the council on other bodies. It is recommended there be an additional role of the councillors at paragraph 2.03 to read as follows;

“8. to be available to represent the council on other bodies.”

For clarity it is also recommended that a sub-heading be inserted with renumbering of the paragraphs to the last paragraph of 2.03.

Recommended to insert **“Rights and Duties”**

It is often considered that paragraphs can be better digested if they can be broken up into bullet points. We therefore recommend that the “Rights and Duties” sub-heading should contain three paragraphs. There is no recommendation to the change of the body of the text (save a slight addition to sub paragraph (ii) below but, that it be split up to read as follows:

2.04 Rights and Duties

- (a) ***Councillors will have such rights of access to such documents, information, land and buildings of the council as are necessary for the proper discharge of their functions and in accordance with the law.***
- (b) ***Councillors will not make public information which is confidential or exempt without the consent of the council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it (and any such information divulged to a councillor or officer to be strictly on a confidential basis).***
- (c) ***For these purposes “confidential and exempt” information are defined in the Access to Information Rules in Part 4 of this constitution.***

Paragraph 2.05 Conduct

The word “*observe*” is considered to be vague and unhelpful for the purposes of the role of councillors and their conduct. It is considered there needs to be a more enforceable term that could be easily quantifiable in the event of uncertainty.

It is recommended that the word “*observe*” be replaced by “***abide***” or “***strictly abide***” by the Members’ Code of Conduct.

“Councillors will at all times strictly abide by the Members’ Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of the constitution.”

3.3 Article 3 – Citizens and the Council

The draft proposal in respect of this article is a standard provision and the various sub-headings are contained in the ODPM model format. We propose therefore not make any recommendations to this article, save the following minor proposal for the avoidance of any doubt.

At paragraph 3.02 to insert the following at the end of that paragraph;

“Citizens are entitled to attend public meetings of the Council, Executive and Committees but, must comply with the rulings of the Chairman. Citizens may not disrupt the meeting or cause undue disturbance or they may be removed from the meeting.”

3.4 Article 4 – The Full Council

The Policy Framework for each council will almost probably be different however the general underlying theme will in most scenarios be the same. An example of this could perhaps be reference to a “Cultural Strategy”, or perhaps, a “Climate Change Strategy” and “Asset Management”. This will be a matter for the council to which policy framework it wishes to expressly state in paragraph 4.01 of this article.

The following recommendations are proposed to the revised draft:

Paragraph 4 at bullet point 5 delete reference to “*if any*”, the council does have a Corporate Plan.

Paragraph 4.02 the council needs to have the authority not only to adopt and change the constitution but also where appropriate to suspend certain parts of the constitution in accordance with the procedure rules.

It is recommended to add the following to clause 1:

“.....and suspending the constitution or parts of the constitution in accordance with the provisions of article of this constitution”.

Clause 3 to add the following:

“.....and Deputy Leader and the Chairman and Vice-Chairman of the council and dismissing the Leader, Deputy Leader, Chairman and Vice-Chairman”.

The rationale behind the above proposal at clause 3 is simply to create a balance in terms of the council's functions. The council has the power to appoint the Leader and Deputy Leader and should therefore also have the reciprocal powers to revoke the same.

It is noted under this proposed article, the council has not been given the power to appoint the Executive Cabinet. The Local Government Act 2000 reserves the appointment of the Executive Cabinet for the council or the Executive Leader. Under the circumstances of the current draft the Leader may appoint the Executive Cabinet and this may be done so on a cross party basis, if the Leader so chooses.

Clause 4 or perhaps a separate clause needs to refer to the agreeing or approving of any Scheme of Delegation of which there is currently no mention in the proposed draft Articles.

It is recommended to insert the following new clause 4;

“To approve, monitor and review a Scheme of Delegation in accordance with the functions and responsibilities of Local Authorities (S.I. 2000 No. 2853).

There also needs to be inserted an additional clause with respect to the Budget. The Budget is defined in the proposed article but, there is no operative part in the article authorising the council to for example; approve the budget, set upper borrowing limits etc.

It is recommended to insert the following:

- “(i) approving the council’s Budget, including the Capital Programme and the setting of the Council Tax Base and the Council Tax itself;**
- (ii) authorising the upper limit for the borrowing of money;**
- (iii) considering and approving the final accounts and the financial statement of the council”**

Although it is noted there is a general “catch all” provision in the proposed clause 11 of this article, experience shows there will be predicaments that are not a legal function which must be reserved to the full council nor are they sufficiently covered by any remit under the current proposals. It may therefore be prudent to widen the council remit in the following way.

It is recommended to insert the following under the sub-heading, functions of the full council:

“taking any decision to:-

- (i) cease to exercise any power of the council;**
- (ii) exercise any power that is not previously exercised by the council; or**
- (iii) allow any person or body other than the council or its Executive Cabinet, Committees or Officers to exercise any of the Council’s powers; or undertake the responsibility of another body.”**

3.5 Article 5 – Chairing the Council

The role of Chairman should not only allow the Executive Cabinet to be held to account but, also the committee chairman from time to time. It is recommended to insert the following paragraph in this article.

Recommend the following:

- “3. To ensure the council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the Executive Cabinet or do not hold Committee Chairmanships are able to hold the Executive Cabinet and the Committee Chairman to account.”**

3.6 Article 6 – Overview and Scrutiny Steering Board

Overview and scrutiny is potentially the most exciting and powerful element of the entire review process. It places members at the heart of policy-making and at the heart of the way in which councils respond to the demands of modernisation. In addition, overview and scrutiny is the mechanism by which councils can achieve active community leadership and good governance with transparency (but see later Roles and Responsibilities).

We understand proposed revisions to the Procedure rules relating to the Scrutiny Steering Board, Performance and Management Board and the Audit Board were accepted by the Executive Cabinet on the 22nd February 2006. In respect of those proposals please see

comments and recommendations later at Procedure Rules. However, insofar as the proposals may affect the Articles, for sake of completeness of this report we continue to make the following observations and where appropriate recommendations in respect of the Scrutiny Steering Board, Performance and Management and Audit Board.

It is recommended that this article be amended as follows;

Paragraph 6.01 Terms of Reference

Under this general sub-heading at clause 5 insert the words “**if necessary**” after recommendations and delete reference to “if appropriate” and also add the following:

“to ensure that the committee is effectively and efficiently utilised.”

Transparency and public confidence in the decision making process is vital to any public authority. To ensure scrutiny process of the council is sufficiently independent it is recommended to add the following to the composition of the Scrutiny Steering Board.

Paragraph 6.02 Composition – Add

“A member of the Scrutiny Steering Board should not be chair or Vice Chair of the Council.”

3.7 Article 7 – Audit Board

The Audit Board is seen as a type of scrutiny committee with similar policing powers (see later comments in respect of Audit Board Procedure Rules). Although the council’s intentions are clear in respect of the function and role of this Board. The council is invited to consider whether under this article and also under article 6 above, the council wish this Board to be a committee of the Scrutiny Steering Board. In which case, the role of this Board can truly operate independently and under the remit of section 21 of the Local Government Act 2000.

In terms of transparency, it is proposed that an identical recommendation is incorporated into the composition of this committee.

Paragraph 7.02 Composition – insert that the Chairman or the Vice-Chair of the full Council shall not be a member of the Audit Board.

3.8 Article 8 – Performance Management Board

The comments made in respect of the Audit Board above, apply equally to this proposed article 8. The council may wish to consider whether it will have sufficient remit to deliver under its current terms of reference, or perhaps a scrutiny committee or a sub-committee of scrutiny.

Paragraph 8.01 outlines the Terms of Reference – This states that the overall responsibility of monitoring and driving performance improvement of the Council rests with the Performance Management Board. However, ultimately the performance of the Council is the responsibility of the Executive Cabinet.

The revised procedure rules outlines the roles and responsibilities of officers and members. No recommendation is made here save cross reference be made to the Roles and Responsibilities section of this report.

3.9 **Article 9 – The Executive Cabinet**

The Executive Cabinet, which would not be required to reflect the political balance of the authority, must be able to determine its political view on an issue. However, local people and councillors outside the Executive Cabinet would need clear line of access to information on the decisions which are being taken by the Executive and all the issues that are being considered, if accountability of local decision making is to be maximised.

It is recommended the opening paragraph be modified in the following way.

Paragraph 9.01 Role – Perhaps this could be made more explicit e.g.

“The Executive is the Council’s major decision making body, although certain important but limited powers are reserved to the full Council and the Regulatory and Planning Committees. The Executive’s role is to provide effective strategic leadership to the Council and ensure the Council effectively discharges its legal responsibility and role in the community”

Paragraph 9.02 – Composition – it is recommended to add the following:

“Only Councillors may be appointed to the Executive. There may be no co-optees and no deputies or substitutes for Executive members. Neither the Chairman nor the Vice-Chairman of the Council may be appointed to the Executive and members of the Executive may not be members of the Scrutiny Steering Board, Performance and Management Board and the Audit Board. Executive members (other than the Leader) will be appointed by the Council on the nomination of their political parties”.

Perhaps a paragraph should also be added regarding Portfolio Holders in the following terms;

It is recommended to insert the following;

“The Council may appoint from amongst members of the Executive, Portfolio Holders who will act as spokespersons for the service areas and may be given delegated authority for the Council to take executive decisions within these areas in line with the Scheme of Delegation”.

Paragraph 9.02 should also refer to the fact that the Executive is not legally required to be politically balanced or reflect the political balance of the council under the Local Government Act 2000.

Paragraph 9.02 it is recommended to insert the following;

“The Executive is not required by Law to reflect the political balance of the council or required to be politically balanced”.

3.10 **Article 10 – Regulatory and Other Committees**

The Law states that regulatory matters i.e. licensing and planning functions are not to be functions of the Executive but are to be carried out by the full Council or delegated in accordance with the Scheme of Delegation. It is recommended that a list of statutory functions of the Council, and the Scheme of Delegation, be appended to the constitution to set out the statutory duties the Council will carry out on a day-to-day basis and which part of the Council is responsible for these statutory duties. The Scheme of Delegation however, in detail, is outside the remit of this report.

3.11 **Article 11 – The Standards Committee**

All principal authorities are required by law to establish a standards committee to encourage, develop and maintain high standards of conduct for all members.

Role of the Standards Committee

The standards committee will advise the council on the adoption of a local code of conduct and monitor and update it as necessary. It will have a key role in implementing the code of conduct, providing or organising training for councillors on ethical conduct. The committee will also investigate and deal with the less serious allegations of impropriety, referred to them by the Standards Board. The standards committee will be a source of advice and guidance, for example advising councillors on matters of conduct such as the treatment of personal interests. Its remit need not be confined to ethics. It will have the freedom to take on other roles if that fits better with the authority's overall arrangements. But the standards committee should not be able to take executive decisions or consider issues of policy since these may introduce a conflict of interest with its primary role.

The Standards Committee is a statutory committee and it is therefore recommended the committee should be retained in the proposed form.

Paragraph 11.02 Composition - Whilst composition of Standards Committees varies in the constitutions of different councils there is no reason to recommend change if the current membership is working satisfactorily. We do however make the following recommendation that the Deputy Leader and the Leader and the Chairman of the Council or a committee be expressly prohibited to sit on the Standards committee to ensure transparency.

It is recommended to insert the following;

“The Leader and Deputy Leader and the Chairman of the council or a chairman of a committee shall not be a member of or sit on the Standards Committee in any capacity”.

11.03 General Role – As observed the basic written constitution is comparable to other authorities but, the Committee needs to be involved robustly in training members on sound decision-making, the Members Code of Conduct, Behaviour Protocol and the constitution itself, particularly the roles of members and officers (but see later Roles and Responsibilities).

It is recommended the Standards Committee's role should be strengthened and should have oversight of the Council's constitution for transparency and good governance and also instil public confidence in a strengthened Standards Committee.

It is understood concerns have been expressed over the speed of the decision making and the Standards Committee to be another hurdle in the decision making process. In order to overcome any potential delays, it would be prudent when making a decision a requirement or recommendation that the decision be made within a specified time by the Standards Committee. For example the Standards Committee are to make determinations or recommendations within a specified period acceptable to the council. There may be an issue in respect of genuine urgent matters which could lead to undue delay for the council on significant issues. In the situation of urgent matters then a bypass mechanism can easily be introduced. (In respect of what constitutes an urgent matter see later see later at page 16).

We recommend the following to be inserted in the general role of the Standards Committee;

“All items of an urgent nature are not to be referred to the Standards Committee”.

We also recommend the following changes to the role of the Standards committee.

To insert the following:

- “14. advising the public on matters relating to the Members’ Code of Conduct***
- 15. implementing, monitoring and reviewing the operation of the Protocol on Member/Officer relations***
- 16. implementing, monitoring and reviewing the council’s Whistle Blowing Policy.”***
(We are aware that the council does have a Whistle Blowing Policy, however it currently does not form part of the constitution, but see later recommendations).

In paragraphs 9, 10, 11 and 12 delete reference to *“having an overview”* and *“having an oversight”* and replace with ***“actively considering”***.

It is our view the Standards Committee at this time of Voluntary Engagement, cannot simply work in isolation of dealing with member behaviour and development and training. The role of the Standards Committee should give the council its support with some solid involvement in the constitutional matters to ensure members of the public its proper purpose and good corporate governance in all areas of the council's business. The role of the standards committee must instil public confidence and should therefore not be confined to just relationships and behaviour or conduct. This proposed role ties in with Article 17 and the role of the Standards Committee in that Article.

Also see reference to Key Roles and Responsibilities, later in this report. There has been considerable focus to ensure the Chairman and Vice-Chairperson of the Standards Committee including all members of that committee to be given adequate training and development.

Firstly, to ensure all members who sit on this committee (as will be the case for all other committees) are adequately trained and able to discharge their duties confidently and competently.

Secondly, members will be a greater understanding of their roles and responsibilities of sitting on this committee.

Thirdly, if key core competencies are in place in respect of this or any other committee of the council (as is proposed), the role of the committee will be greatly enhanced to ensure it is delivering. Delivery and accountability can be matched against these key core competencies.

It is understood there is a desire to have a local members' protocol to sanction members for misconduct without involving the Ethical Standards Officer, Monitoring Officer or the Standards Board of England. Whilst members could make findings in these circumstances, their powers of sanction under the Local Government Act 2000 are not yet available. It is understood these powers will be in force or at least available for use in sometime in the next two years.

Local Enforcement

I understand the council does however have a "Behaviour Protocol" in addition to members code of conduct. It does not currently form part of the constitution. This protocol will support the Members Code of Conduct and require **all** councillors to sign up to this protocol following attendance at a Members Induction Programme (See Members code of Conduct). The point of such further protocol is to give the Council the option to enforce locally on the recommendation of the Standards Committee in the event of a breach. The Council or Leader may wish to enforce a breach by removing the appropriate member from a committee or sub-committee, or the Executive Cabinet until such time as the Standards Committee considers appropriate.

It is recommended the Behaviour Protocol should form part of the constitution which will be binding and enforceable locally. As we have stated above members should sign up at the appropriate stage to agree to strictly abide by this protocol and also to be bound by the council's constitution. Any breach could therefore be enforced locally by the council on the recommendation of the Standards Committee in conjunction with the Monitoring Officer (see later Schedule 3 role of Monitoring Officer).

3.12 Article 12 Area Consultative forums

There appears to be a lack of detail of the purpose of this article. No further comment or recommendation is made save more detail if appropriate is required to fully understand the role and purpose.

3.13 Article 13 Joint Arrangements

This article appears to be based on the ODPM model and appears to be no specific issues raised. We therefore make no recommendations

3.14 Article 14 Officers

Within this article there is an absence of the role of key officers. We have identified later in this report, the absence of Key Roles and Responsibilities (officers and members), which we consider to be an important requirement to ensure that all personnel involved within the council business knows what is expected of them. There is also an absence of the Officer Protocol (see Schedule 2), which covers the code of conduct for all officers of the council. It is our recommendation that the Officer Protocol should form part of the constitution.

The following key officer roles should be expressly written into the constitution

Role of the Chief Executive

In terms of the functions of the Chief Executive, it is recommended to add the following at clause 3 of this article.

To insert:

“Chief Executive:

The council will engage a Chief Executive, who will have the following functions and responsibilities:

(i) Leadership of the Council’s Service:

To be responsible to Members for the efficient leadership and management of the Council’s paid service.

(ii) Financial Management and Provision of Best Value Services:

To be accountable for ensuring that the Council’s services are provided and monitored in a cost-effective manner, achieving best value from expenditure.

(iii) Working in Partnership with Elected Members:

To establish and maintain effective and enduring operational processes and relationships with the elected Members of the Council to ensure that the political decision-making process takes place in an informed and integrated manner.

(iv) Managing Change:

To manage the development and promotion of forward strategic process to enable the Council to deliver its aims and objectives, whilst ensuring that all opportunities are identified to modernise and improve local government within Bromsgrove.

(v) Supporting the Political Process:

To support elected Members of the Council.

(vi) Managing the Performance of the Organisation:

To promote a culture of continuous improvement and develop the capacity and ability of the organisation to learn.

(vii) Promoting the Council and Building Effective Partnerships:

To build and maintain effective partnerships to assist the Council in delivering the needs and role of the community it serves.”

The role of the Chief Financial Officer should also include the following;

“Determining Accounting Records and Control Systems

The Chief Financial Officer will determine the Council’s accounting records (including the form of accounts and supporting accounting records) and the accounting control systems.

Calculating the Council Tax

In connection with the calculations to set the Council Tax, the Chief Financial Officer will report on:-

(a) the robustness of the estimates made for the purpose of the calculations;

and

(b) the adequacy of financial reserves.”

3.15 Articles 15 to 18

The proposed articles 15 through to 18 appear to be in line with the ODPM model and we therefore make no recommendations in respect of those articles.

4. PROCEDURE RULES

The procedure rules have been looked at in line with how they are set up in the constitution and we make the following comments.

We understand the Procedure Rules of the Scrutiny Steering Board, the Audit Board and the Performance Management Board were agreed by the Executive on 22nd February 2006 and largely are comparable with procedure rules of other councils. Although the Executive has approved the procure rules for the above three boards, the Council may still wish to take onboard the suggestion that Performance Management Board and the Audit Board do become part of “True Scrutiny” pursuant to Scrutiny’s statutory remit under Section 21 of the Local Government Act 2000. We believe that the council may benefit through the period of Voluntary Engagement if the Performance Management Board and Audit Board become true scrutiny boards. They will then have the same statutory powers as the Scrutiny Steering Board to ensure there is sufficient strength to make strong findings and deliver recommendations. It is accepted the Executive has approved the procedure rules as acknowledged above. However, we make some further recommendations and observations for in respect of the Scrutiny Steering Board which the council may wish to consider.

5. SCRUTINY STEERING BOARD PROCEDURE RULES

For information only we make the following observations we thought the council may wish to be aware of. The proposed Task Groups that are to be set up under the new structure are not to be sub-committees of the Scrutiny Steering Board but, shall be working parties of that Board to assist in its operation. Such Task Groups will not therefore be subject to the same legislative constraints as set out in section 21 of the Local Government Act 2000 to that of a formal sub-committee (see above suggestion for Performance, Management and Audit). Such Groups will also not have the same legislative powers as a formal sub-committee which are the powers to require members and officers to attend and answer questions given to a Scrutiny Committee or sub-committee expressly set out in the above statute.

Generally, we believe this will not be a problem if members and officers agree to be answerable to a Task Group as a matter of good practice or if members and officers agree to be bound by a requirement in the Members Code of Conduct, Officer Protocol or the Officer/Member Protocol.

It is recommended that this be supported where appropriate in the Officers and Members Codes of Conduct (see later protocols).

The purpose of the procedure rules is to lay down parameters of which a body can operate and how it is to conduct its affairs in accordance with the parameters. The role and the arrangement of the Scrutiny Steering Board, we believe can therefore be fleshed out considerably more.

It is recommended to insert the following under a combined sub-heading of paragraphs 1 and 2:

“The general terms of reference of the Scrutiny Board will be:-

- (i) to perform all overview and scrutiny functions on behalf of the Council;***
- (ii) to appoint such Task Groups as it considers appropriate to assist the committee to fulfill those overview and scrutiny functions;***
- (iii) to receive and consider reports from the Leader at their first normal meetings after each Annual Council meeting on the Executive Cabinet’s priorities for the coming year and its performance in the previous year;***
- (iv) to approve annual overview and scrutiny work programmes so as to ensure that the Board is effectively and efficiently utilised;***
- (v) to undertake investigations into such matters relating to the Council’s functions and powers as:***
 - (a) may be referred by the Executive; or***
 - (b) the Board may consider appropriate; or***
 - (c) may be referred by the Monitoring Officer or Section 151 Officer; or***
 - (d) have been referred to the Board pursuant to the “call-in” procedure set out in the Scrutiny Steering Board Procedure Rules;”***

TASK GROUPS

In respect of the Task Groups we felt the following observations may useful for the council to consider. In respect of investigations arising under (a) and (b) above:

Where the proposals relate to executive functions, the Task Group's report shall be referred initially to the Board and then to the Council (with recommendations) for comments and, if appropriate, further recommendations. The report, together with any comments or recommendations agreed by the Council, shall then be referred to the Executive Cabinet for adoption.

Where the proposals relate to Council (non-executive) functions, the Task Group's report shall be referred initially to the Board and then to the Executive Cabinet (with recommendations) for comments and, if appropriate, further recommendations. The report, together with any comments or recommendations agreed by the Executive, shall then be referred to the Council for adoption.

In respect of (c) above, the Board may review the decision or, if it so wishes, refer the matter to the full Council for final review):

- (vi) to review and advise on all existing policies of the Council, including making recommendations for future options to the Executive Cabinet;
- (vii) to review arrangements to secure continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness;
- (viii) to monitor the Council's performance within the Best Value Performance Plan against the ODPM's Performance Indicators and any locally determined performance indicators and targets identified through Best Value reviews;
- (ix) to specify (where not laid down by statute or regulation), monitor and review performance indicators for the Council's services;
- (x) to monitor Best Value reviews of the Council's functions;
- (xi) to consider any matter affecting the area or its inhabitants; and
- (xii) to discuss initiatives put forward for consideration by individual Members of each Committee.

Paragraph 15 and reference to Call-in.

As we have stated above the procedure rules have been approved recently by the Executive Cabinet however, we felt further comments should be made with regard to the call-in process.

We would question whether call-in should:

"Only be used in exceptional circumstances". We would say "call-in" should be used when a decision appears to merit being called-in and the Scrutiny Board should have sufficient flexibility to ensure transparency, good governance and instil public confidence in the scrutiny process. The true role of Scrutiny is to hold decision makers to account and this must be seen to be done.

It is recommended this phrase *"limiting the role of Scrutiny;"* should be deleted due to being a

potential bar on the proper role of scrutiny. We have stated earlier in this report that the role of scrutiny places members at the heart of policy-making and at the heart of the way in which councils can respond to the various demands of modernisation. In addition, overview and scrutiny is the mechanism by which councils can achieve active community leadership and respect from citizens.

It is also noted in sub paragraph (c) reference to the "*proper officer*". This needs to be defined or replaced with the "*Monitoring Officer*" or "*the Chief Executive*".

Performance Management Board

As we have stated earlier the procedure roles to this Board have been approved by the Executive Cabinet recently. However, we felt the council may consider the following observations in context of the review of the whole constitution and our earlier comments regarding this Board playing a scrutiny type role, albeit not a true scrutiny board.

The Government is keen for scrutiny committees to develop a strong outward focus, encouraging participation from partners and the public. One aspect of this is external involvement in scrutiny; scrutinising the work and impact of external agencies on a council's community. It therefore the government's view that external bodies or persons be given an opportunity to help ensure transparency, delivery and confidence in the decision making process.

Paragraph 5 – Co-optees. It is noted in the latest draft that the Performance Management Board should not be entitled to appoint co-optees. Though they are not entitled to vote we recommend they should be entitled to sit on the Board as an "outside" voice, which might help to provide a useful insight into issues of performance and accountability.

Paragraphs 11 and 15 – the Board's power to carry out enquiries and investigations and to require officers and members to give account may be limited in the context of not having the statutory backing as a true Scrutiny Committee would have under the Local Government Act 2000.

We have made a suggestion earlier that the council may wish to adopt this Board as a formal scrutiny committee of the council. This will have the advantages of driving through policy review, performance management, and accountability, with statutory backing.

Audit board

Similar comments apply and make similar recommendations to that outlined in respect of the Performance and Management Board above.

6. COUNCIL PROCEDURE RULES

Following the initial meeting with the Leader and subsequent meeting with the cross party groups, it was quite clear the concern over the system not being operated in an efficient manner, e.g. an excessive number of notices of motion delaying and clogging council business.

As with almost all the constitution document is based on the ODPM model format, the Council procedure rules are not hugely different to other comparable local authorities. There is however opportunity to streamline and make the following recommendations.

Paragraph 2 if there is a possibility of speeding up the council's business then the council should

have the full opportunity to do this and the order of business may be varied with minor exception.

It is recommended to add the following provision to incorporate some flexibility to council business:

“Other than items under sub-paragraphs (a), (b) and (c), the order of business may be varied by the Chairman or by Council resolution”.

Paragraph 3.2 - It needs to be made clear that any business conducted at extraordinary meetings need to be only for the purpose of the extraordinary meeting. Also any matters relating to the extraordinary meeting must be specifically related to the items on the agenda for that meeting. The Chairman must be robust in his chairmanship and deal only with matters relating to the agenda of that extraordinary meeting.

We therefore recommend that the following paragraphs be added to the end of paragraph 3.2:

“(a) Subject to any urgent matters, members shall not table a Notice of Motion unless it relates specifically to the business of the extraordinary meeting and for the avoidance of doubt on the relevance or urgency of a Notice of Motion, shall be referred to the Monitoring Officer for final determination in consultation with the Leader”.

“(b) The Chairman of the extraordinary meeting must not allow any items not on the agenda to be considered whatsoever and must allow only those matters that are pertinent to the purpose or the business of the extraordinary meeting, save in respect of any matters that form to be of an urgent nature”.

Paragraph 6 Chairmanship of Meetings.

It is recommended to include the Vice-Chair in the Chairpersons absence.

Paragraph 10 Notices of Motion – Sub-paragraph 10.2 currently drafted allows members unlimited scope to table motions. There must be a sensible restriction for each member. It is proposed that members be restricted to one or perhaps two motions unless matters are of an urgent item. The council may also wish to consider prioritising motions to accord with a level of priority.

It is recommended to replace sub-paragraph 10.2 with the following:

“No member shall have more than one motion on the same agenda. Motions will be placed on the agenda and dealt with, in the order in which they were received provided that all motions of one priority shall be dealt with all motions of the next priority”.

Notices of Motions should be delivered to Monitoring Officer who will make a record of each Notice of Motion received. The Monitoring Officer shall respond to the individual members of the acceptance or otherwise of such Notice of Motion. The Monitoring Officer shall make a determination in consultation with the Leader and Chief Executive of the acceptance of a Notice of Motion that has been submitted within the last 6 months.

We recommend to replace all reference to the Chief Executive with the Monitoring Officer as the recipient of all Notices of Motions and to respond within 5 working days of receipt of such Notices of Motions as to their acceptance or otherwise.

The Monitoring Officer shall make a determination in consultation with the Chief Executive and the Leader regarding all Notices of Motion that are substantially the same or similar to a Notice of Motion that has been submitted within the last 6 months.

Clause 13.2 Motion similar to the one previously rejected.

This clause 13.2 can be deleted in view of our recommendation above regarding the six month time limit. Alternatively, if the council is desirous to retain clause 13.2, then that clause will still need to be made subject to the above recommended clause.

Also if the council is desirous to retain clause 13.2 as currently proposed, we therefore recommend that the following words after “.....cannot be moved....” **Add “....within six months....”**. Otherwise upon its ordinary construction, clause 13.2 gives the impression that a motion that has been considered within the last six months cannot be considered indefinitely.

Questions by Members

We make the same recommendations in respect of questions submitted by members as to that of Notices of Motions. We also propose the same recommendations to the rules regarding the 6 month time limit on Notice of Questions at clause 9.5.

Sub-paragraph 10.7 Motions Not Considered within the Time Limit

It is considered unusual that motions which have not been moved within the time frame are automatically moved and seconded and no speeches or debates are allowed but only a vote on the matter.

It is our view that the Council will be opening itself to possible challenge either by the member who placed the motion or possibly by a third party upon whose behalf the motion was placed. We therefore propose that any motions that are not moved shall be deemed to be treated as withdrawn. Any motion that has been withdrawn will not be subject to the 6 months resubmission limitation.

It is recommended that sub-paragraph 10.7 be replaced by the following:

“If a motion set out on the agenda is not moved either by a Member who gave the notice or by some other Member on his or her behalf, it shall be treated as withdrawn and shall not be moved without fresh notice unless postponed by consent of the Council and for the avoidance of doubt such motion that has not been moved by the council shall not be subject to the six months time restriction pursuant to clause 10.3”.

It is noted that there is no provision for urgent matters and how they are to be dealt with. We propose such urgent matters should be included in these procedure rules to cover for all eventualities.

It is recommended to include the following:

“Business of An Urgent Nature

Instructions with respect to any matters of an urgent nature shall be given by the following;

- 1 The chairman or in his absence the Vice-Chair of the council; and***
- 2 Leader or in his absence the Deputy Leader of the Executive; and***
- 3 Chairman or in his absence Vice-chair of a Committee or sub-committee; or***
- 4 the Chief Executive in consultation with Monitoring Officer and the Section 151 Officer;***

An item will be urgent if any delay likely to be caused would seriously prejudice the Council's or the public's interests and it is not practical to convene a quorate meeting or be delayed until the next ordinary meeting of the Council, the Executive or of the Committee concerned.

7. EXECUTIVE PROCEDURE RULES

These rules largely replicate the ODPM model format and comparable to other councils.

The following observations are noted for reference only although no recommendations are made. The comments relate to decision making and accountability:

The Executive, which would not be required to reflect the political balance of the authority, must therefore be able to determine its political view on an issue. However, members and citizens outside of the Executive Cabinet would need proper access to information on the decisions which are being taken by the Executive if accountability of local decision making is to be maximised.

8. BUDGET AND POLICY FRAMEWORK RULES

Budget and Policy Framework Procedure Rules Developing the budget and policy framework will be a key corporate process in all councils It will set the context within which decision making by the Executive will take place.

It is understood that these rules are to be taken out of this context and encompassed within the Financial Regulations of the Council. We therefore make no further comment or recommendation.

9. ACCESS TO INFORMATION RULES

This part again reflects the ODPM model format and appears workable. We do not propose to make any recommendations save that that this part will need to be updated to reflect the proposed changes elsewhere in the constitution.

It is recommended paragraphs 17 and 21 be amended to reflect the new Scrutiny Steering Board and Task Groups.

It is also recommended the table of “exempt information” be replaced towards the back of that Part 8, because it breaks up the flow of the information rules.

Contract Procedure Rules

We understand these rules have been amended and no further comments are required. We therefore make no recommendations.

Officer Appointment Procedure Rules

We understand amendments have been approved in respect of the Appointments Committee. Whereby, appointments in respect of all the Directors including the Chief Executive are to be dealt with by the Appointments Committee. All officers including and below Heads of Service are to be dealt with under the Scheme of Delegation.

We therefore make no further comments or recommendations in respect of these rules.

Financial Standing Orders and Financial Regulations

This part of the constitution is not required to be considered for the purposes of this report.

We therefore make no comments or recommendations in respect of this part of the report.

10. MEMBERS CODE OF CONDUCT

This part of the constitution is also based on the ODPM model format and no different to comparable councils. The Code will need to be brought up to date in respect of the proposed changes to the other parts of the constitution (e.g. reference to the Scrutiny Steering Board).

In addition to the provisions relating to personal and prejudicial interests. It is also noted there is no reference to members with regard to decision making. Decision making and the perception of bias stem from case law and therefore provides the foundations of conduct in any decision making process for members. It is proposed that a note be added to the end of the Code.

It is recommended to add the following:

“Members And Decision Making

Code of Conduct, members should also be aware of the need to avoid bias or the appearance of bias in decision-making. When the Council considers and determines matters in its various roles, for example as land-owner, local planning authority or licensing authority, it is important that the respective decision-making processes are kept, and are seen to be kept, separate and distinct. In considering the question of bias or appearance of bias, the Courts would consider whether, from the point of view of a fair-minded and informed observer, there was a real possibility that a member was biased in the sense of approaching a decision with a closed mind and without consideration of all relevant issues. If a member considers that there could be bias or the appearance of bias in relation to a decision, he or she should disclose a prejudicial interest and withdraw from the meeting whenever it becomes apparent that the matter is being considered)”

Extent of the Code

The paragraphs below are guidance for members and **should be followed** as part of the Code of Conduct.

The Code generally covers only activity undertaken by members in their capacity as members. However, there are provisions which apply to any activity, whether in an official capacity or not. These are:

The Code also governs member behaviour on outside bodies. Where you are a representative of Bromsgrove on another local authority, you are bound by that authority's code of conduct. Where you are a representative on any other outside body, you are bound by Bromsgrove's code. However, in the unlikely event of a conflict between the Code and the legal obligations of the other body, then those legal obligations have priority. You should seek advice from the Monitoring Officer if you think that there may be a conflict.

Whether a member's conduct is in fact a breach of this provision (or a breach of the Members Behaviour Protocol – see later) will be a matter of interpretation in each case and may depend on the Council's policy priorities at that time. Members must note that this part of the Code also covers activities which may be unrelated to their role on the Council. You should therefore avoid any appearance of improper conduct whatsoever.

Members must never use abusive language, or engage in abusive conduct towards members of the public or officers of the Council and must be especially careful of what you say in meetings of the authority or in the press where members of the public and officers have no right of reply (for example members should never call for officer resignations)..

Use of Resources

Members are provided with a range of Council resources. This includes officer support, accommodation in the council building, with IT equipment and stationery. We recommend the following in relation to use of council's resources.

1. You are free to use these resources for anything related to your role as councillor, provided that you comply with the Council's requirements.
2. You must comply with any instructions regarding the use of resources; otherwise you are likely to be in breach of the Code.
3. You cannot use Council resources for private business use.
4. As a rule, you should not use Council resources for personal use particularly where it costs the Council money. However, limited and occasional use will be acceptable.
5. Members are not usually allowed to use Council resources for party political purposes but they may do so where this use is likely to facilitate, or be conducive to, the discharge of the authority's functions. This is the basis upon which officers provide support to political groups. What is allowed, will be a matter of judgment.
6. The general rule is, for example, that Council headed paper and Council emails cannot be used

for party political purposes. But:

7. Headed paper or e-mails organizing the political group in relation to Council business is allowed
8. Using your e-mail address to advertise a ward surgery or as a means of contacting you on Council business is allowed, even on a political party ward newsletter
9. E-mails to local ward and constituency associations regarding organizing local political activity may be allowed (but not mass emailing to residents on political matters)
10. Letters on headed paper or e mails to newspapers commenting on council business from a party group perspective is allowed.
11. Members need to take particular care in the run up to elections. In the election period (from the issues of the summons to the day of the poll) members must refrain from using Council resources for political purposes at all.

There will always be some grey areas and members should seek advice from the Monitoring Officer if they are unsure.

Members must ensure they follow the Code of Conduct and of equal importance to ensure that they understand the Code. It is considered that a highlighted text box in the following form is conducive to ensure members do ask if in doubt of their legal position.

It is recommended that the following be inserted either at the beginning of the Code or towards the end:

“MEMBERS SHOULD ALWAYS SEEK ADVICE FROM THE MONITORING OFFICER ON THE CODE IF THEY ARE IN ANY DOUBT”

11. MEMBERS GIFTS AND HOSPITALITY CODE OF CONDUCT FOR OFFICERS

This part of the constitution is also based on the ODPM model format and no different to comparable councils. No concerns have been raise regarding this part of the constitution.

We therefore make no comments or recommendations in respect of this part.

12. OFFICER MEMBER PROTOCOL

This protocol will vary from council to council and forms to be a statement of good practice between members and officers. This protocol is perceived as a guide to both officers and members and therefore the status of this is not clear. It is considered that the guide is considerably extensive compared to other councils.

In the opening paragraph it should be made clear that although this protocol offers guidance, it does in fact form part of the constitution and must be **strictly adhered to**. It has been noted that some councils do adopt this approach for the avoidance of any doubt on the status of the protocol.

The protocol also requires some qualification in the event of interpretation or confusion as to its applicability. We recommend the following be inserted for the avoidance of any doubt:

“(a) Except as specifically provided in this document, questions on interpretation of this Protocol will be determined by the Monitoring Officer, unless the provision in question relates to a matter to be determined by the Chief Executive”.

“(b) The Standards Committee is responsible for reviewing the practical application of this Protocol from time to time and making appropriate suggestions for its improvement and development”.

Notwithstanding the above minor comments, it is considered this Protocol is a workable document and no changes are recommended.

13. CODE OF PRACTICE IN PLANNING SERVICES

A note of suggested actions has been provided to Peter Allen following concerns relating to the operation of the planning committee. It appears that the Planning Code has already been modified to take account of some of the proposed amendments. Some of the comments are worthy of a second mention to ensure how the Planning Committee in particular can usefully be made to work more efficiently and addressing some of the concerns of members and officers. We repeat those comments below to clarify the position.

Ultimately, member engagement in the planning process is a national issue. Councillors when they get elected they are and seek to be champions for their communities. Planning is one area councillors try to exercise that function. It is important to say at the outset that it is proper and right for a local councillor to try and influence a planning process on the citizen's s/he represents. The Nolan Committee's third report states at paragraph 288:

“It is essential for proper operation of the planning system that local concerns are adequately ventilated. The most and effective suitable way this can be done is via the local elected representatives, the councillors themselves.”

It is perceived this ability by members to represent their citizen's is being hampered by the application of the Local Government Act 2000 on the declaration of interest and Local Authorities Code of Conduct 2001. This very point and generally the role of members sitting on planning committees, including the ability to sit on planning committees and make public statements about planning applications is currently being considered by Parliament. The publication will provide councils with guidance on issues of **probity in planning for members**. It is understood in a statement by the ODPM in the House of Commons in November 2005 that guidance will be issued at some stage in spring but, early summer time is a more realistic expectation.

The Local Government Act 2000 requires, in all the new forms of local governance, that regulatory responsibilities, such as licensing or the granting of planning permission, are not to be functions of the executive but are to be carried out by the full council, or delegated as permitted under the council's new constitution, for example to a committee or sub-committee or to officers. It is recommended that a list of the statutory functions of the Council be added to the constitution along with the Statutory Instrument, The Local Authorities (Functions and Responsibilities) (England) Regulations 2000. This will outline all the statutory duties the Council will carry out on a day to day basis and which part of the Council is responsible for those statutory duties.

The development plan will be prepared and proposed by the executive; guidance will encourage the

executive to involve other councillors outside of the executive in this process.

Successive drafts and the final development plan should be adopted by the full council.

Composition of the Planning Committee

It is recommended that the Leader and the Deputy Leader of the Council should not sit on the Planning Committee. It is considered that this can blur the role of the Leader of the Council who is responsible along with the Cabinet on policy formulation and therefore could potentially be in a conflict position (e.g. decide against officer recommendation and policy ratified by Cabinet) (see later the role of the Leader). The council may however consider the exception for Portfolio holders who will only but essentially, have a minority interest on the planning committee.

The Chairman and Vice-Chair of the Standards and Scrutiny Committee should also be expressly prohibited from sitting on the planning committee. For the same reasons identified in respect of the Leader, the Chair and Vice-Chair of Standards and Scrutiny can blur the role and conflict themselves out if making a decision whilst sitting on the planning committee and then perhaps act as judge and jury when dealing with any issues that may relate to behaviour conduct or a perverse decision that has been the subject of a Call-in. It is considered best practice for good corporate governance and will promote transparency if such roles within the council are not blurred.

Training and Development

The current planning code forms part of the constitution. There is an absence of the requirement for councillors to undergo adequate training considered appropriate to enable councillors to improve the decision making process (in relation to planning).

Training for all councillors who are to sit on a planning committee **must be mandatory** and along the lines of the National Code of Conduct. This requirement should also apply to substitute councillors. This requirement needs to be made expressly clear and failure to undertake training would mean **removal of a member from the planning committee** until such time sufficient training has been undertaken. The Monitoring Officer will play a key role in policing (see later Role of Monitoring Officer) the planning committee.

It is appreciated there will need to be a lead in period for members to be trained. The training must be on a continuous programme of development. It is recommended there be a period of at least three months within which councillors are to be trained. It is recommended that a formal register be kept. In view of the changes propose it may be sensible to have a similar system to officers whereby, members are required to meet a set number of points reflecting the training they have had per year. Often members are seen attending similar courses to that of officers.

As officers do in the course of their employment (see below Budget and Appraisal), Members dealing with planning issues should be required to attend the minimum of one training session each year or when the need arises to receive guidance in relation to planning regulations and procedures and on declaration of personal or prejudicial interests. Training should be conducted in accordance with the Training for Councillors standard. The council may wish that such training should include a balance of the following :-

Suggested Training

Organised visits to review permissions granted, with evaluation and lessons learned presented as a paper;

- 1 Short (half day) sessions on special topics of interest or where overturns have indicated problems with planning policy;**
- 2 Special topic groups to consider thorny issues in depth;**
- 3 Formal training by internal and external speakers;**
- 4 Visits to other authorities who have received good inspection / audit feedback;**
- 5 Quick presentations by officers on hot topics, e.g. new legislation, white papers and their impacts, followed by a brief question and answer session;**
- 6 Attendance at inquiries where officers have identified there is something specific to learn which will benefit members.**

It is also worthy to note, the report of the **Audit Commission 'Building in Quality'** recommend that members should revisit a sample of implemented planning permissions to assess the quality of the decisions. Such a review should improve the quality and consistency of decision-making, thereby strengthening public, confidence in the planning system, and can also help with reviews of planning policies.

Such reviews are perhaps best undertaken at least annually. They should include examples from a broad range of categories such as major and minor development; permitted departures; upheld appeals; listed building works and enforcement cases. Briefing notes should be prepared on each case. The Planning Committee should formally consider the review and decide whether it gives rise to the need to reconsider any policies or practices. The council may wish the Head of Planning and Environmental Services will take responsibility for organising the training and the reviews.

Whatever procedures the Council eventually operate, it is likely that complaints will be made. However, the adoption of the advice in this guidance, it is hoped should greatly reduce the occasions on which complaints are justified. It should also provide less reason for people to complain in the first place.

A logical consequence of adopting this Planning Code is that the Council should also have in place a robust complaints system. There is Council wide procedure for dealing with complaints, as well as customer comments and compliments. It should be remembered that complainants alleging a breach of the Bromsgrove's Code of Conduct for Members must be reported to the Standards Board for England through the Monitoring Officer. A serious breach of the Code of Conduct for Members may lead to the disqualification of the relevant Member.

So that complaints may be fully investigated and, in any case, as a matter of general good practice, record keeping should be complete and accurate. Omissions and inaccuracies could, in themselves, cause a complaint or undermine the Council's case. The guiding rule is that every planning application file should contain an accurate account of events throughout its life. It should be possible for someone not involved in that application to understand what the decision was, why and how it had been reached. Particular care needs to be taken with applications determined under the powers delegated to the Head of Planning and Environmental Services, where there is no report to a

Committee. Such decisions should be well documented and form part of the case file.

Budget and Performance Appraisal

Training development will require a dedicated budget for members in particular. Officers acting in a professional capacity and being a member of a professional organisation (e.g. RTPI, RICS) should be required to undergo a set level of annual training (e.g. Continuing Professional Development CPD points). Members could on an equivalent basis be required to earn a minimum number of training points which would entitle them to sit on the planning committee.

For officers the Performance Appraisal system is another route to identify individual training needs. There is currently nothing in the constitution or any code of practice requiring members to train and therefore perhaps no official budget. Therefore a budget will need to be allied to the training programme requirements that may for members (See Members Code of Conduct regarding officer training and development).

Member Evidence

Also In terms of decision making and improving accountability councillors should be expressly required in the code to give evidence in appeal situations where in circumstances they have departed from officer recommendations. This will help improve accountability and ensure that decisions are exercised very carefully. It is often the long standing problem that in certain matters councillors may exercise a judgement call and be justified in departing from officer recommendation. This has created a national problem for councillors to act in an elected capacity to represent their community on the one hand and to endorse conflicting planning recommendations on the other hand. We have referred to the advice to be published by the ODPM regarding probity in planning and the role of members. It is believed this advice will give councils and councillors clearer guidance on conduct in planning committees. It is therefore considered not appropriate to make any further recommendations in this part save to wait for the publication of the guidance, which is believed to be early summer time this year.

Role of the Section 151 Officer and Monitoring Officer

The role of the section 151 Officer and the Monitoring Officer in relation to planning matters should be expressly tied to the Code of Practice in planning committees. The Monitoring Officer in consultation with the Section 151 Officer should be able to refer a matter to Scrutiny if it appears to the Monitoring Officer that a decision of a planning committee departing from an officer recommendation is likely to incur the council in significant expenditure, or risk of significant expenditure. For the avoidance of doubt the council may wish to grant the Section 151 Officer a discretion of what he would consider to be significant. Alternatively, the council may wish to expressly state a sum of money the council is likely to incur, for example £10,000 on appeal.

Accountability and Transparency

To improve the accountability of the planning committee it is considered that where members clearly depart from officer recommendation in the absence of evidence of rebuttal evidence or there shall be the following;

- (a) ***a named vote of members. This shall help creating a transparent decision making process and members more accountable for their actions; and***
- (b) ***the Monitoring Officer will refer the decision to Scrutiny for review and recommendation.***

The Council may also want to consider an automatic referral to Scrutiny of a decision which has been made against officer recommendation.

Role of Chairman and Vice Chairman

The role of the chairman or Vice-Chair in planning committee should also form part of the model code for planning. It is recommended this should be done broadly along the lines of the general council procedure rules. The chairman's role (for further recommendations see the Role of the Chairman under Key Roles and Responsibilities later), should be strengthened to ensure the Chairperson has sufficient control in conducting the affairs of the planning committee. It is considered this can be done in the following ways:

- (i) **Training in leadership skills. The chairman's approach needs to be robust and ensure that the agenda and the remit of the planning committee are strictly adhered to.**
- (ii) **Chairman's briefing should be attended by Legal Services, the Democratic Services Manager or his representative and a lead member of the opposition parties (where appropriate). It has been recognized this will help improve accountability and speed up the decision making process in the planning committee.**
- (iii) **There needs to be appropriate compulsory on going training for Chairmanship Skills. As a minimum, this should include the very basics in the planning law and policy or an overview of the planning system equivalent. (Training and development is identified as a separate issue later in this report).**

Chairmanship and Vice-chairmanship (see below Key Roles and Responsibilities) – In terms of the conduct of the Committee the chairman should ensure:

Members' comments at Committee should only relate to the planning merits of the application before them;

reference at Committee to non-planning issues by the public / Members should be discouraged in all areas;

the cross-questioning of speakers should only take place if there is need for clarification of what a speaker has already outlined; and

to ensure Members and the public should be made aware that the late submission of evidence will not be tolerated at Committee. Such late submission can lead to allegations of unfairness.

Attendance

It is also noted there is the absence of an express requirement for the attendance of the Democratic

Services Manager or his representative. Although there is no legal requirement per se for a legal representative to attend the planning committee, we believe it is best practice and can help with the smooth operation of the committee. We recommend the following;

“A senior legal officer and the Democratic Services Manager or his representative should always attend meetings of the Planning Committee to ensure the probity and propriety of the planning and decision-making processes”.

Size of Planning Committee

It is considered the size of the Planning Committee is comparatively much larger than some other similar sized councils. We understand Peter Allen has already made some comments on the size of the Planning Committee and recommendations for the number of members to be reduced. It is considered a more reduced Planning Committee will lead to better control and efficient operation of the business conducted by the Planning Committee. We support this recommendation.

On a general observation the planning code is believed to be operationally acceptable, save that members and officers will need to be trained or at least each must be made aware of the respective roles.

14. PLANNING COMMITTEE SCHEME OF DELEGATION

It does not form part of the remit of this report to consider the scheme of delegation but, however, we make the following comments to help ensure the efficient process of council business.

The extent of the remit of the planning committee under delegation should be slightly altered to cater for serving of stop notices and temporary stop notices under section 172 of the Town and Country Planning Act 1990 (as amended). Why not make it delegated to the Head of Planning and Environment Services in consultation with the Chairman of the Planning Committee as these notices usually have degree of urgency and need to be served on the day in question rather than waiting for the next meeting of planning committee

There should also be an overarching provision in the scheme of delegation to the planning committee to cover all or any other functions of the local planning authority that are not covered specifically in the scheme of delegation and that may come about due to a change in the legislation.

15. OFFICER PROTOCOL

The constitution does not include an Officer Protocol. It is considered such protocol is imperative in view of what we believe to be the lack of sufficient details and clearly identified roles and responsibilities. This Officer Protocol will add balance to the protocol for members and should be a working document within the constitution. See Schedule 2 a draft Officer Protocol for the council to consider.

15.1 Key Roles And Responsibilities

There is an absence of express reference to roles and responsibilities within the constitution (apart from those general roles outlined in the Article of the constitution). It is considered this absence may have led to a lack of understanding and a blurring of the roles and responsibilities of officers and the members.

It is considered that the constitution needs to be made sufficiently clear on this particular aspect for the avoidance of any doubt. The following should be considered;

- (a) What is the role and duty of members and officers?
- (b) How should they carry out their day to activities?
- (c) Within what parameters should members and officers carry out their day to day activities?

Core competencies for each role (officers and members) should clearly be identified and these should all link in to both the Members and Officers Code of Conduct and also the Member/Officer Protocol.

The Chief Executive's role has been examined at paragraph 3 of this report and the role of members has been generally set out in the first part of the Articles. It is noted there is no reference to the role and responsibility of the Monitoring Officer. Such role is created by statute and carries with it statutory responsibilities. As we have recommended with the role of the Chief Executive to be expressly outlined in the constitution, we also recommend the statutory role of the Monitoring Officer be made expressly part of the Constitution. See Schedule 3 direct role of the Monitoring Officer. It is recommended the following roles and responsibilities should be expressly written in to the constitution and may perhaps form an appendix to the constitution document. The roles can be identified in terms of general leadership skills (both external to the council and internal and personal attributes), knowledge and ability.

The Council may wish to consider the following lists which should also perhaps go to form core competencies for both officers and members. Core competencies should cover the entire range of council services and should be a minimum requirement for those members sitting on various committees e.g. standards, scrutiny and regulatory. There should also be core competencies in respect of officers. I believe these may be dealt with through the Appraisal process, to ensure service delivery is optimum.

15.2 The Leader Of The Council

In accordance with the Constitutional arrangements of Bromsgrove District City Council, the Local Government Act 2000 and all other relevant legislation, the Leader of the Council shall:

1. provide visible political leadership to the Council, including the development of new policies for approval by the Cabinet/Council, as necessary;
2. consult and keep informed, as necessary, the citizens of Bromsgrove on all matters covered by the Portfolio functions/responsibilities;
3. lead on the development of local, regional, national and European policy and strategic initiatives (including city-wide strategic partnerships) covered by the Portfolio functions/responsibilities with a view to promoting the Council's interests, the interests of the citizens and businesses of Bromsgrove;
4. be an ambassador for and represent the Council, the citizens and businesses of on relevant external bodies (including, in particular, local strategic partnerships and national/European bodies) that enhance the reputation and standing of the District of

Bromsgrove;

5. be the spokesperson for the District Council on all matters covered in his/her Portfolio of functions/responsibilities, as set out in the Council's Constitution; and
6. work in collaboration with the relevant Members of the Council, MPs and relevant external bodies, so as to enhance the image and reputation of the District of Bromsgrove and, where appropriate, advocate for and obtain resources/inward investment and regeneration for the benefit of the citizens and businesses of Bromsgrove.
7. provide visible political and corporate leadership to the Cabinet, Cabinet Members, Chief Executive and Corporate Directors, including the chairing of meetings of the Cabinet and any other relevant bodies;
8. refer, as necessary, to relevant Cabinet Members, Chief Executive or Corporate Directors any tasks, roles or responsibilities that may be appropriate, necessary or desirable to delegate to such person(s);
9. in the absence of the relevant Cabinet Member, undertake the function/responsibilities of the same;
10. establish and maintain cordial, effective and efficient working relations with the Leaders of the Opposition Groups, the Chairs of Committees and other members;
11. appoint and allocate Cabinet Member portfolio responsibilities in accordance with the Constitution to relevant Councillors on an annual basis or as and when required;
12. have an overview of and be responsible for effective management of any budgets allocated to the Portfolio functions/responsibilities and the Council as a whole;
13. take all necessary action to ensure the collective responsibility of the Cabinet in budget proposals, key decisions and in other major cross-cutting or corporate issues;
14. exercise executive decisions covered by his/her Portfolio functions/responsibilities and keep other Cabinet Members duly informed of any relevant matters that may impact, directly or indirectly, on any other Cabinet Member's Portfolio functions/responsibilities;
15. ensure the effective and efficient delivery of the business and direction of the Executive arrangements;
16. report to the Cabinet/Council, as necessary, on progress of issues relevant to this post;
17. liaise with the relevant Chair(s) of the Scrutiny Steering Board and Performance Management and Audit Boards, as required, when items arise which are not in the Forward Plan, but which the Cabinet need to consider as matters of urgent business;
18. consult and keep informed, as necessary, relevant Members with regard to any Overview and Scrutiny arrangements;
19. work in partnership with Cabinet Members, the Chief Executive and the Corporate

Directors so as to ensure the effective and efficient delivery of the Council's Cabinet and Corporate Plan and, in particular, the continuous improvement of all services of the Council;

20. assist in the proper and orderly discharge of business at Council Meetings; and
21. undertake an annual appraisal of the Chief Executive and provide relevant, constructive and confidential feedback to the Chief Executive, if requested, with regard to any Corporate Director reporting to the Chief Executive.
22. lead by example, in accordance with the highest standards of probity in public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and supporting guidance;
23. comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
24. be aware of any training and development needs of him/herself and the other Cabinet Members and liaise, as necessary, with the Chief Executive or any other relevant Corporate Directors or appropriate person, to address any such needs;
25. undertake such other roles and responsibilities as may arise or be developed, from time to time, with a view to further enhancing the image and reputation of the District of Bromsgrove;
26. promote the Council's policies on equality and diversity in the workplace and in service provision; and
27. keep abreast of national best practice / new initiatives relating to local government so as to ensure the continuous improvement of Council services.
28. Devote his/her full time on the work of the Council and in activities that enhance the reputation and standing of the District of Bromsgrove.

Personal attributes, knowledge, experience, skills and abilities for the job:

Further work will need to be done on matters of personal attributes, skill, experience and abilities and knowledge for the role in hand. These may be split along necessary / desirable factors or based on core competencies, which may be on political and/or managerial lines.

Other requirements are to have the ability to prioritise, plan and prepare work within deadlines, in a manner conducive to best practice of the council and to have effective communication skills.

15.3 The Cabinet Members

In accordance with the Constitutional arrangements of Bromsgrove District Council, the Local Government Act 2000 and all other relevant legislation, the relevant Cabinet Member shall:-

1. provide visible political leadership in the area of their Portfolio functions and

responsibilities to the Council, including assisting in the development of appropriate new policies for consideration by the Leader of the Council/Cabinet/Council, as necessary;

2. consult and keep informed, as necessary, Members and the citizens and businesses of Bromsgrove on all matters covered by the Portfolio functions/responsibilities;
3. lead on the development of local, regional, national and European policy and strategic initiatives (including city-wide strategic partnerships) covered by the Portfolio functions/responsibilities with a view to promoting the Council's interests and the interests of the citizens and businesses of Bromsgrove;
4. be an ambassador for and represent the Council and the citizens of Bromsgrove on relevant external bodies relevant to the Cabinet Member Portfolio (including, in particular, local strategic partnerships and national/European bodies) that enhance the reputation and standing of the District of Bromsgrove;
5. be the spokesperson for the Council on all matters covered in his/her Portfolio of functions/responsibilities, as set out in the Council's Constitution; and
6. work in collaboration with the Leader of the Council, Cabinet Members and other relevant Members of the Council, MPs and relevant external bodies, so as to enhance the image and reputation of the District of Bromsgrove and, where appropriate, advocate for resources/inward investment and regeneration for the benefit of the citizens and businesses of Bromsgrove.
7. provide visible political and corporate leadership in the area of their Portfolio functions and responsibilities to the Cabinet, the Chief Executive and relevant Corporate Directors, including the chairing of meetings of the Cabinet, Cabinet Committees and other relevant bodies, under the direction of the Leader;
8. refer, as necessary, to the Chief Executive or to relevant Corporate Directors any tasks that may be appropriate or necessary to be carried out by such person(s);
9. establish and maintain professional, effective and efficient working relations with the spokespersons of the Opposition Groups, the Chairs of Committees and other members;
10. take collective and individual responsibility to work with other Cabinet Members so as to ensure the effective and efficient operation of the Council;
11. exercise executive decisions covered by his/her Portfolio functions/responsibilities and keep other Cabinet Members duly informed of any relevant matters that may impact, directly or indirectly, on any other Cabinet Member's Portfolio functions/responsibilities;
12. contribute in the effective and efficient corporate management of the Council through proactive engagement in the Cabinet and other relevant forum;
13. consult and keep informed, as necessary, relevant Members with regard to any Executive arrangements covered by the Cabinet Member's Portfolio of functions/responsibilities;

14. have an overview of and be responsible for effective management of any budgets allocated to the Portfolio functions/responsibilities;
15. report, as necessary, to the Cabinet/Council on any matters relating to his/her post;
16. provide support and assistance to the Leader of the Council;
17. work with the Leader, Chief Executive and relevant Corporate Directors so as to ensure the effective and efficient delivery of the Council's Cabinet and Corporate Plan and, in particular, the continuous improvement of all services covered by the Cabinet Member's Portfolio of functions/responsibilities;
18. liaise with the Leader of the Council / relevant Chair(s) of Scrutiny Steering Board and Performance and Management and Audit Boards, as required, when items arise which are not in the Forward Plan, but which the Cabinet need to consider as matters of urgent business;
19. assist in the proper and orderly discharge of business at Council Meetings; and
20. provide relevant, constructive and confidential feedback to the Chief Executive, if requested, with regard to any annual appraisal that the Chief Executive may carry out for any Corporate Directors dealing with any matters covered by the Cabinet Member's Portfolio of functions/responsibilities.
21. lead by example, in accordance with the highest standards of probity and public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and supporting guidance;
22. comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
23. be aware of any training and development needs of him/herself and the other Cabinet Members and liaise, as necessary, with the Leader of the Council, the Chief Executive and any other relevant Corporate Directors or appropriate person, to address any such needs;
24. undertake such other roles and responsibilities as may arise or be required by the Leader of the Council, from time to time, with a view to further enhancing the image and reputation of the District of Bromsgrove;
25. promote the Council's policies on equality and diversity in the workplace and in service provision; and
26. keep abreast of national best practice / new initiatives relating to his/her Cabinet Member Portfolio functions/responsibilities so as to ensure the continuous improvement of such services.
27. Devote such time as is sufficient to effectively and efficiently perform his/her duties and responsibilities as a Cabinet Member, recognising that this may require periods of full time work.

Personal attributes, knowledge, experience, skills and abilities for the job:

As we have referred to in respect of the Leader above, further work will need to be done on matters of personal attributes, skill, experience and abilities and knowledge for the role in hand. These may be split along necessary / desirable factors or based on core competencies, which may be on political and/or managerial lines.

Other requirements are to have the ability to prioritise, plan and prepare work within deadlines, in a manner conducive to best practice of the council and to have effective communication skills.

1. **Additional responsibilities for the Deputy Leader of the Council**
2. In the absence of the Leader of the Council, to deputise for the same in accordance with his / her Roles & Responsibilities and, in particular, to:
3. Chair the meetings of the Cabinet and other relevant member/officer meetings;
4. deal with any Executive or other matters delegated to him/her by the Leader of the Council; including, without prejudice to the foregoing, attending meetings with relevant Government ministers / departments and other relevant organisations;
5. provide appropriate leadership and direction in matters which the Leader of the Council is prevented from dealing with by virtue of any personal and prejudicial interests under the Code of Conduct for Members; and
6. deal with such other additional duties and responsibilities that are specifically delegated to the post of the Deputy Leader of the Council by the Constitution, the Council; including, without prejudice to the foregoing, to deal with Corporate Governance, Corporate Procurement, Performance Management.

15.4 Chairs Of Scrutiny Steering Board

In accordance with the Constitutional arrangements of Bromsgrove Council, the Local Government Act 2000 and all other relevant legislation, the Chair of the relevant Scrutiny Steering Board shall:-

1. be the Lead Member for the Council on all matters covered in the procedure rules of the relevant Scrutiny Steering Board, as set out in the Council's Constitution.
2. chair, lead and co-ordinate, as necessary, the activities of the relevant Scrutiny Steering Board;
3. add value to the Council by ensuring the effective and efficient discharge of the Scrutiny functions of the Council and by assisting the Executive with the development of any policies and procedures or overseeing the same;
4. scrutinise the Executive by being a critical friend over any Executive decisions so as to protect and to safeguard the best interests of the Council and the citizens and businesses of Bromsgrove;

5. establish and maintain cordial, effective and efficient working relations with the Leaders of the Political Groups, the Executive, the Chairs of Committees and other members;
6. consult and keep informed, as necessary, relevant members with regard to any Scrutiny arrangements and where relevant, undertake Overview & Scrutiny work with regard to any statutory requirements;
7. attend, as necessary, any meetings of the Cabinet on behalf of the Scrutiny Steering Board and to feedback any comments therefrom;
8. liaise with the Leader of the Council, relevant Cabinet Member(s), the Chief Executive and Corporate Directors, as required, on any requests for call-in of Executive decisions and relevant scrutiny review(s);
9. liaise with the Leader of the Council and relevant Cabinet Member(s), as required, when items arise which are not in the Forward Plan, but which the Cabinet need to consider as matters of urgent business;
10. contribute, as necessary, to the delivery of the corporate aims and strategic objectives of the Council within existing budgets;
11. undertake Scrutiny functions in a positive, constructive and non-partisan manner which enhances the image and reputation of the Council;
12. undertake additional requirements, as requested, from time to time, by the Council or by the Executive;
13. monitor and report any improvements in the performance of services within the relevant Cabinet Member Portfolio(s), including participating in any relevant service reviews;
14. work within approved budgets and promote the work and quasi-independence of the scrutiny processes;
15. provide relevant, constructive and confidential feedback to the Chief Executive, if requested, with regard to any annual appraisal that the Chief Executive may carry out for any Corporate Directors dealing with any matters covered by the Scrutiny Steering Board; and
16. assist in the proper and orderly discharge of Overview & Scrutiny business at Council Meetings;
17. lead by example, in accordance with the highest standards of probity and public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and all supporting guidance;
18. comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
19. be aware of any training and development needs of him/herself and the other Scrutiny Members and liaise, as necessary, with the Chief Executive and other relevant

Corporate Directors or appropriate person, to address any such needs;

20. promote the Council's policies on equality and diversity in the workplace and in service provision; and
21. keep abreast of national best practice / new initiatives relating to local government so as to ensure the continuous improvement of Council services;
22. Devote such of his/her time on the work of the Council as is necessary to effectively and efficiently discharge the business of the Overview and Scrutiny Steering Board.

Personal attributes, knowledge, experience, skills and abilities for the job:

Further work will need to be done on matters of personal attributes, skill, experience and abilities and knowledge for the role in hand. These may be split along necessary / desirable factors or based on core competencies, which may be on political and/or managerial lines.

Other requirements are to have the ability to prioritise, plan and prepare work within deadlines, in a manner conducive to best practice of the council and to have effective communication skills.

Additional responsibilities for the Chair of the Coordinating Scrutiny Steering Board

1. Ensure the proper, effective and efficient co-ordination of member / officer involvement in the Scrutiny responsibilities of the Council; including, without prejudice to the foregoing, to be responsible for agreeing a annual plan of action for the Scrutiny Steering Board of the Council;
2. Give any consent(s) to any matters which require urgent action by the Executive on matter(s) not covered in any Forward Plan; and
3. Deal with such other additional duties and responsibilities that may be specifically delegated to the post of the Chair of the Coordinating Scrutiny Steering Board by the Constitution, the Council.

15.5 Chairs Of The Scrutiny Steering Board

We repeat here the above comments made in respect of the chairs of the Scrutiny Steering Board. This will include:

roles, responsibilities, leadership (internal, external and personal attributes), budgets and core key competencies (further work is required on the development of core competencies). With like recommendations for the Vice-Chair?

15.6 Chairs Of The Boards

The same comments apply here as for the Chairs of the Scrutiny Steering Board and the Performance Management Board. The matters for the council to consider under our recommendation are as for the above two mentioned Boards (roles, responsibilities, leadership (internal, external, personal attributes), budgets and core key competencies will require further work.

15.7 The Chairs Of Regulatory Committees

1. In Accordance With The Constitutional Arrangements Of Bromsgrove District Council, The Local Government Act 2000 And All Other Relevant Legislation, The Chair Of The Relevant Regulatory Committee (Which Shall Mean The Planning, Licensing And Sub-Licensing, Committees Of The Council) Shall:-
2. Be The Lead Member For The Council On All Matters Covered In The Procedure Rules And Planning And Licensing Code Of Practice Of The Relevant Regulatory Committee, As Set Out In The Council's Constitution.
3. Chair, Lead And Co-Ordinate, As Necessary, The Activities Of The Relevant Regulatory Committee;
4. Add Value To The Council By Ensuring The Effective And Efficient Discharge Of The Regulatory Functions Of The Council And By Assisting The Executive With The Development Of Any Policies And Procedures Or Overseeing The Same;
5. Consult And Keep Informed, As Necessary, Relevant Members With Regard To Any Regulatory Arrangements;
6. Attend, As Necessary, Any Meetings Of The Cabinet On Behalf Of The Regulatory Committee And To Feedback Any Comments Therefrom;
7. Establish And Maintain Cordial, Effective And Efficient Working Relations With The Executive, Spokespersons Of The Opposition Groups, The Chairs Of Committees And Other Members;
8. Liaise With The Leader Of The Council, Relevant Cabinet Member(S), Scrutiny Steering Board Chairs, Chief Executive And Corporate Directors, As Required, On Any Regulatory Matters And Contribute, As Necessary, To The Delivery Of The Corporate

Aims And Strategic Objectives Of The Council Within Existing Budgets;

9. Undertake Regulatory Functions In A Positive, Constructive And Non-Partisan Manner Which Enhances The Image And Reputation Of The Council;
10. Undertake Additional Requirements, As Requested, From Time To Time, By The Council Or By The Executive;
11. Work Within Existing Budgets And Promote The Work And Quasi-Independence Of The Regulatory Processes;
12. Monitor And Report Any Improvements In The Performance Of Services, Including Participating In Any Relevant Service Reviews;
13. Provide Relevant, Constructive And Confidential Feedback To The Chief Executive, If Requested, With Regard To Any Annual Appraisal That The Chief Executive May Carry Out For Any Corporate Directors Dealing With Any Matters Covered By The Regulatory Committee(S); And
14. Assist In The Proper And Orderly Discharge Of Business At Council Meetings.
15. Lead By Example, In Accordance With The Highest Standards Of Probity And Public Life, In All Matters Relating To The Council's Code Of Conduct For Members, Related Protocols And Supporting Guidance;
16. Comply With Any Relevant Legislative Provisions, Best Practice And Good Governance Arrangements With Regard To Local Government;
17. Be Aware Of Any Training And Development Needs Of Him/Herself And The Other Regulatory Members And Liaise, As Necessary, With The Chief Executive And Other Relevant Corporate Directors Or Person, To Address Any Such Needs;(See Earlier Comments Relating To The Planning Committee Code Of Practice);
18. Promote The Council's Policies On Equality And Diversity In The Workplace And In Service Provision; And
19. Keep Abreast Of National Best Practice / New Initiatives Relating To Local Government So As To Ensure The Continuous Improvement Of Council Services.
20. Devote Such Of His/Her Time On The Work Of The City Council As Is Necessary To Discharge The Business Of The Regulatory Committee.

Personal attributes, knowledge, experience, skills and abilities for the job:

Further work will need to be done on matters of personal attributes, skill, experience and abilities and knowledge for the role in hand. These may be split along necessary / desirable factors or based on core competencies, which may be on political and/or managerial lines.

Other requirements are to have the ability to prioritise, plan and prepare work within deadlines, in a manner conducive to best practice of the council and to have effective

communication skills.

15.8 **The Chairs Of Other Committees**

This section applies to the Electoral Matters Committee, Appointments Committee, the Appeals Committee and also the Standards Committee with Regulatory Committees and Sub-Committees (licensing). The same comments apply here (insofar as the council consider them relevant and appropriate) as for the Chairs of the Scrutiny Steering Board and the Performance Management and the Audit Board. The matters for the council to consider in respect of our recommendation are as for the above two mentioned three Boards (roles, responsibilities, leadership (internal, external, personal attributes), budgets and core key competencies.

15.9 **Vice-Chairs Of Committees And Boards**

In accordance with the Constitutional arrangements of Bromsgrove District Council, the Local Government Act 2000 and all other relevant legislation, the Vice-Chairs of all the relevant Committees and Board shall:-

Leadership:

1. deputise for the Chair of the relevant Committee/Board in his/her absence;
2. undertake such tasks and responsibilities as are allocated to him/her by the Chair of the relevant Committee/Board and in keeping with the Terms of Reference and Procedure Rules of the relevant Committee;
3. otherwise, assist the Chair in his/her role and attend relevant meetings with Officers, Elected Members, organisations and members of the public (as necessary) so as to further the Terms of Reference and Procedure Rules of the relevant Committee/Board.
4. lead by example, in accordance with the highest standards of probity and public life, in all matters relating to the Council's Code of Conduct for Members, related Protocols and supporting guidance;
5. comply with any relevant legislative provisions, best practice and good governance arrangements with regard to local government;
6. be aware of any training and development needs of him/herself and the other Members and liaise, as necessary, with the Chief Executive and other relevant Corporate Directors or appropriate person, to address any such needs;
7. promote the Council's policies on equality and diversity in the workplace and in service provision; and
8. keep abreast of national best practice / new initiatives relating to local government so as to ensure the continuous improvement of Council services;

9. devote such of his/her time on the work of the Council as is necessary to effectively and efficiently discharge the business of the relevant Committees/Boards.

Personal attributes, knowledge, experience, skills and abilities for the job:

Further work will need to be done on matters of personal attributes, skill, experience and abilities and knowledge for the role in hand. These may be split along necessary / desirable factors or based on core competencies, which may be on political and/or managerial lines.

Other requirements are to have the ability to prioritise, plan and prepare work within deadlines, in a manner conducive to best practice of the council and to have effective communication skills.

16. MEMBER AND OFFICER CONSTITUTION TRAINING

We have made some recommendations for training and development for members and officers on various aspects. These recommendations would ensure appropriate training for all levels (leader, Chief Executive, Corporate Directors, Heads of Service, Chairman etc), along with core competencies to be developed throughout, to ensure that service delivery is matched against an established criteria.

The constitution is a statutory document and its workings should be at the heart of the roles and duties officers and members carry out on a day to day basis. We therefore recommend that there be sufficient training as the council sees fit to ensure the constitution is understood and applied correctly by appropriate officers and all members. The best possible way to ensure this takes place is to introduce the constitution and its workings through the council inductions programme.

We further recommend that all new appropriate officers employed by the council as with newly elected members are to undergo an introduction to the constitution and be given an overview on how it works. This recommendation should also apply to all existing members and appropriate officers be given refresher training on the workings of the constitution. Members must be required to sign up to agree to undertake an induction programme along with any other appropriate training that may be required from time to time. Members should be required to sign up to this before they carry out their activities as members. Officers can be monitored through the formal performance appraisal system with regard to key core competencies.

17. CONCLUSION

Before we summarise the above findings it is crucial to put into context the whole constitution.

The Constitution of Bromsgrove is a Leader Executive model form of political governance. It is based almost exclusively on the ODPM model format. This constitution has been compared to other models with councils across the board (districts, county metropolitan and unitary), to ensure there are no significant differences in the model format. Predictably, there were no major differences.

At an early stage in this report it became apparent the constitution, although with minor tweaking was on the whole a workable document, largely due to the model format and the comparison with excellent rated authorities.

The Leader has brought forward a streamlined proposal for committees, and a new tripartite scrutiny effect of Performance and Management, Audit and true Scrutiny. Whilst we have made some

recommendations in respect of the proposed Articles and the various procedure rules, the proposed system would appear to be a workable solution.

The findings of this report have led towards roles, responsibilities, and the development of appropriate training packages for members and officers. However, before summarising the key findings of this report, it is appropriate to mention some of the other recommendations that have been made following concerns by the Leader and members.

In terms of the Articles of the council, these largely appeared to be in a standard format and therefore felt no major changes would be required. We have however, made some recommendations where we believe would perhaps add some clarity and efficiency to the proposed constitution. We don't propose to mention all the recommendations which are clearly set out under the respective headings, the following however, are worthy of a mention.

Article 4, there was no specific duty on the council to approve the budget, the capital programme or the setting of the council tax and the approving of the final accounts.

Articles 6 - 8 Scrutiny Steering, Performance and Management and Audit Board, the later two we felt were types of "scrutiny". The council may wish to strengthen the Performance and Management Board ("PMB") and Audit to become a sub-committee of scrutiny or to be scrutiny committees in their own right (note this was a proposal and not a recommendation). The reason behind this was so that Performance and Management Board and Audit would have the same statutory powers under section 21 of the Local Government Act 2000 as the Scrutiny and Overview Board. This would give the council a real opportunity to drive forward policy and change. The PMB and Audit Boards, as currently proposed do not have the same statutory power of the Scrutiny Steering Board. Although we do recognise the Executive Cabinet has approved the changes to the three Boards.

Article 9, there needs to be a greater mention and clearer role and responsibility outlined for the Portfolio Holders. A list of the different portfolio holders and their duties is recommended.

Article 11 in respect of the Standards Committee. As we have acknowledged earlier, the Executive Cabinet has approved the procedure rules of the three Boards. However, we have made some recommendations throughout. It is recommended that the role of the Standards Committee should be more clearly defined than it currently is to ensure clarity in its day to day role.

We make reference to the Council's Whistle Blowing Policy. We understand a policy does exist and recommend such policy forms part of the constitution and we recommend that the council insert this policy. It is imperative that the council takes every step possible whether through standards or scrutiny or general awareness to minimise risks and detect unauthorised conduct. Both officers and members can take comfort in such policy if it was highlighted in the constitution. The Monitoring Officer is also expected to play a key role in respect of any whistle blowing issues (see Schedule 3).

Article 14 relating to officers. There was a notable absence of the key roles and responsibilities. We have made recommendations in respect of the role and responsibility. We make some further recommendations in respect of other roles and responsibilities later on in the body of the report.

In terms of procedure rules, we have made some recommendations which we believe would help in identifying the true role of scrutiny and the task groups that are part of the Scrutiny Steering Board.

We have made some recommendations in respect of the Council Procedure Rules to try and streamline the business conducted by full council. Firstly, to restrict the number of motions that can be made per member. We have recommended one notice of motion per member unless there is an urgent notice (urgency is defined).

We now move into the territory of roles and responsibilities and have extensively focussed on Code of Conduct for Members and Officer/Member Protocol.

It is appropriate to point out at this stage that the constitution does not have a Code of Conduct for Officers. We have therefore recommended the Constitution include such code. A draft code is included in Schedule 2 of this report.

We have made some recommendations in respect of the Code of Conduct for Members. We felt the Code although based on the ODPM format should have strengthened some of the criteria in that Code, e.g. Members and decision making and the legal test of "perception of bias". We have extended the Code with further recommendations. We felt that the Code (as a statutory requirement) was little understood and there needed to be clarity and training on the Code and its meaning. The important point to highlight is that members should always seek the advice of the Monitoring Officer if in doubt. The role of the Monitoring Officer is crucial and we recommend such a role should be expressly written into the Constitution (see Schedule 3).

The Officer/Member protocol does cover the important aspect of "mutual respect". We cannot stress enough the importance of this requirement. There have been some recent Court cases concerning member behaviour and respect, in which case a suspension of a member has been upheld (please refer to attached case law). We have recommended further training and development on this Protocol to enhance understanding and improve working relationships between officers and members.

Code of Practice in Planning has been in the spotlight on a national basis and some guidance in respect of member conduct in planning committees is expected in early summer. We have made some recommendations surrounding training and development for officers and members to work the planning committee in relation to its terms of reference. There is a significant overlap in respect of the Code of Conduct for both Members and Officers (see draft Officer Protocol). We have already identified the need to fully understand the Code better and ensure its proper application.

There have also been some strong recommendations in respect of the role of the Chairperson in planning committees. Further general recommendations have also been made of the role, responsibility and attributes of a Chairperson.

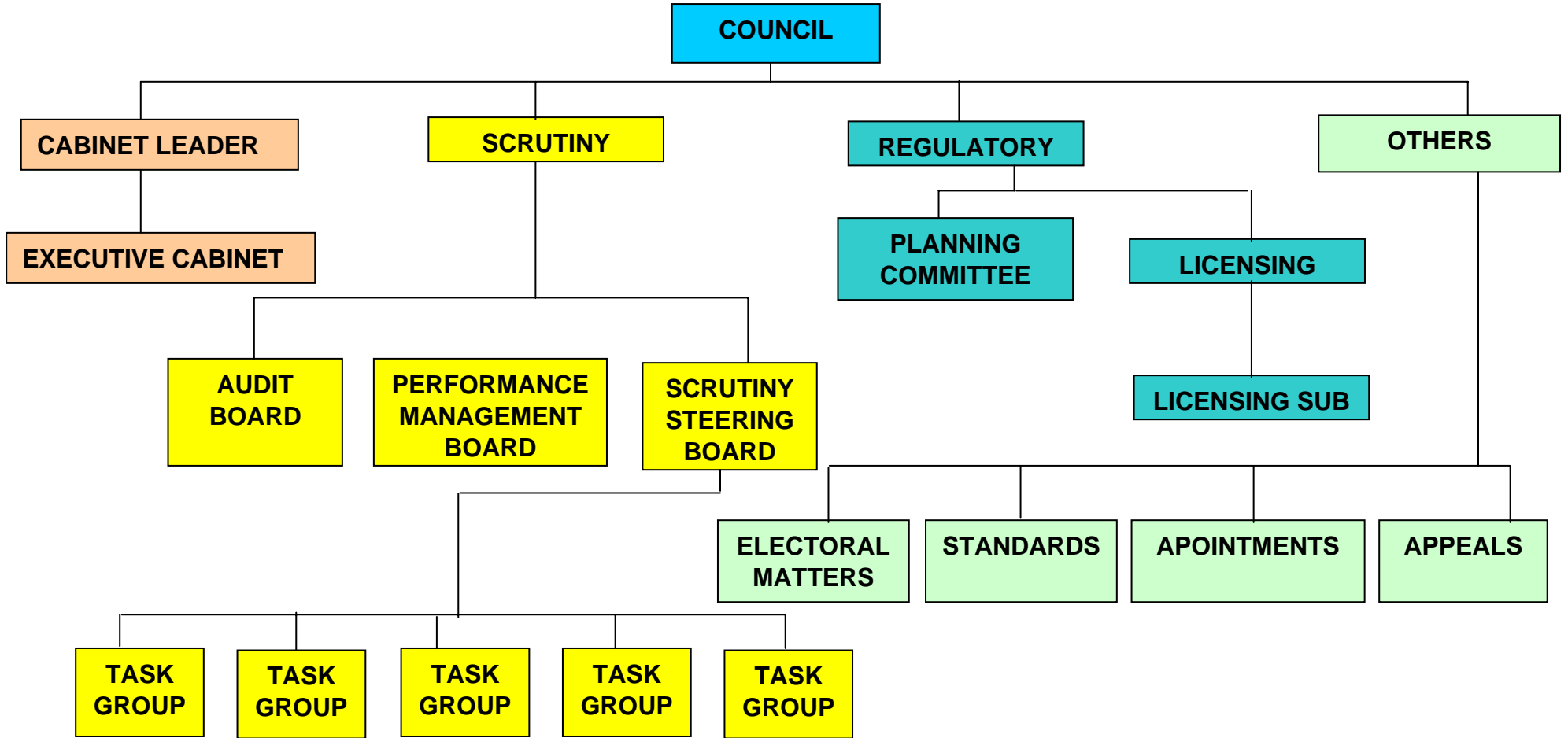
The final conclusion we have come to, is the constitution as a document is workable. We have made some recommendations to improve efficiency and clarity. However, the main finding was the need to have a better understanding of the workings of the constitution and also to understand roles and responsibilities and to take ownership of such roles and responsibilities. Recommendations have been made in respect of both officers and members. We felt it could make no sense to isolate members from officers, both parties are required to breathe life into the constitution and ensure it is working. The proposed Induction Programme and the various revised protocols will go some way to ensure officers and members understanding of the global framework of the council.

Training and development in various ways for both officers and members is a crucial requirement. Setting core competencies and a framework for training will help ensure service delivery is improved

and will bring about a measurable form of accountability. There is currently no emphasis on training. The council will appreciate that with the training proposed, a commitment to a training budget will also be required.

We believe taking on board the recommendations of this report will help to improve understanding of the constitution, roles and responsibilities and a framework for delivery.

SCHEDULE 1 - COUNCIL STRUCTURE



SCHEDULE 2 - OFFICER PROTOCOL – PROPOSED DRAFT CODE

1. INTRODUCTION

The people who live and work in Bromsgrove are entitled to high-quality services and a high standard of behaviour from all our staff. This Code of Conduct helps to achieve these aims.

The Code applies to all staff, except if you work in a school with its own Code. It contains the following main principles. Note this draft code is for guidance only and it is ultimately a matter for the Council as to what forms the Officer Protocol.

You are expected to:

- (i) give the public the highest possible standards of service;
- (ii) do nothing inside or outside working hours which could damage our reputation;
- (iii) behave honestly; and
- (iv) follow our policies and procedures all the time.

We know that we are only successful because of the loyalty, honesty, professionalism and hard work of our staff. The Code cannot cover every area of working life but it does help everyone to understand the main standards that affect our work. It does not restrict your civil rights.

The Code is supplemented by other corporate standards of conduct, for example, the Code of Governance and those set by departmental management.

Appendix A sets out the key personnel procedures that relate to standards of behaviour.

It is important that you read and understand the Code. If you are not sure about any part of it, you should ask your manager.

If your behaviour falls below the standards in this Code, or any other corporate and departmental standards, we may take formal action against you, including dismissal.

2. WORKING WITH THE COMMUNITY

Customer care is very important. You should always be polite and helpful to the public either on the phone, in writing or face-to-face.

We value our partnership with other public, private and voluntary organisations and you should create successful working relationships with these organisations.

You should never harass or discriminate against any member of the public. You cannot show 'pin-ups' of men and women or racist material, or make racist, sexist or improper remarks.

You should always follow the Bromsgrove Telephone Code of Practice (Does Bromsgrove have one?) and any standards that your manager has set. If you cannot answer the phone yourself, you should try and make sure that the call is still answered.

You should always answer letters from the public within the time that is set by the Council or your manager.

You should always be positive when you deal with the public. You should dress appropriately for your job when you are working with other employees, meeting clients or representing Bromsgrove District Council. It is important that you give a good impression of yourself and us. You can wear clothes for cultural or religious reasons as long as they are not a risk to health and safety.

You should not drink any alcohol when you are on duty unless your manager has agreed you can on specific occasions

You should make sure that if you drink any alcohol when you are off duty but during your working day, it will not affect your ability to carry out your work or damage the reputation of the Council. For example, this could include if you have alcohol on your breath when you need to interview the public. If you use heavy machinery or drive Council vehicles, you should never drink alcohol during the working day.

You should not take any non-medical substance, such as drugs, that may affect your ability to work. If your doctor gives you any medication that may have a negative effect, you should tell your manager in confidence.

If a Member of the public is abusive or unreasonable and you cannot ease the situation, you should try to end the conversation politely and then tell your manager. Do not be rude or offensive in return.

If you are assaulted, you can take reasonable action to defend yourself, but you may break the law if you overreact. If you work in the reception or are security staff, you may use reasonable force to remove a person who has been violent and refuses to leave the building. You can call the police if you need their help. We have an assaults policy that will support you if you are assaulted at work, and we may take action against anyone who has committed an assault.

You should not mislead people who use our services or lie about our business.

You should never do anything that conflicts with our duties, for example, encouraging people not to pay money they owe to the Council or any other Council.

You should never behave in any way, either inside or outside work, that damages our reputation.

3. WORKING WITH OTHER EMPLOYEES

You have a right to be treated with dignity at work. You should always respect your colleagues and other employees and treat them how you want to be treated. You should always help other employees if they need information, advice or services.

You should always follow our 'valuing diversity' policy and never harass or discriminate against other employees or make racist or sexist remarks. If you do not understand any part of the 'Race Relations policy, please speak to your manager.

We will not accept you intimidating your colleagues or using offensive, threatening or insulting words or behaviour. It is not acceptable to fight with or assault any employee or stop them from working.

If you leave your job, you should make sure that you leave your files and records in good order for the person taking over from you. You should put a note on each file, unless your manager tells you otherwise, which should give a brief history of the case, any action that needs to be taken and when it should be done. You should highlight any important dates and deadlines.

4. WORKING WITH YOUR MANAGER

It is important that you have a good working relationship with your manager. Your manager will tell you what is expected from you, respond to any concerns you may have about your work, assess your performance and give you feedback, with advice on how you can improve.

Your manager should tell you about our personnel policies and arrange for any appropriate training so you can develop your career. You should help your manager identify what training you need and how you can develop. Training will depend on our budget and should not significantly disrupt the service we provide.

Your manager must be polite, reasonable and fair to you all the time. Your manager must support you in your job and help you, if you need it, to deal with other employees or members of the public.

You must follow any instructions that your manager gives you to the best of your ability. You must not be negligent in your duties as this may seriously affect the Council or the people who use our services. If there is anything about your job that you are unclear about, you should ask your manager.

You must always be honest with your manager.

You should always follow our policies, procedures, standing orders, codes of practice and any other standards set by your manager.

You must always tell your manager, or personnel unit, if you change your address so that we can contact you if we need to.

If you have a complaint about another employee, you should tell your manager. We have a grievance procedure to deal with your complaint.

5. WORKING WITH COUNCILLORS

It is important that you have a good working relationship with our Councillors so that we are successful and can give best-value services to the people who live in the district of Bromsgrove. Councillors and employees should respect and be polite to each other.

We have a Code that tells you how we expect Councillors and employees to behave. The Code has seven principles that govern public life. These principles come from Lord Nolan's Committee on Standards in Public Life (1995) and form the basis of this Code of Conduct.

If your job involves you having contact with Councillors, you should read and apply the standards shown in the Code. You can get a copy from your personnel unit. You cannot just read this Code of Conduct on its own.

You are employed by Bromsgrove District Council, not by a Councillor, so if a Councillor pressures you to deal with a matter which goes against the Code, you must tell your manager immediately and

make a formal record of it.

You must not use Councillors to ignore our formal procedures in any way, for example, to influence the outcome of any matter relating to misconduct.

You must not discuss any personal matters to do with your job directly with a Councillor. You should speak to your manager and go through established procedures, for example, appraisal, grievance and appeal procedures. This will avoid any conflict between the Councillor's and your role. However, you can still take up any relevant matters with your local ward Councillor in their role as your elected representative.

If you have any complaints about other employees, you should speak to your manager and not a Councillor.

You should always be polite and efficient when you deal with Councillors. You should always make sure that you follow any departmental process for dealing with Councillors, for example, when answering Councillor's questions.

You should never interrupt any formal Council business.

If you are not sure about any of the standards shown above, you should ask your manager.

6. **WORKING SAFELY**

We will try to give you a safe and healthy working environment. We will also try to protect the health and safety of the people who use our services.

You also have a responsibility for health and safety and are expected to:

- (i) make sure the working environment is safe for you, your colleagues and the people who use our services and that you do not put employees or service users in danger;
- (ii) use any safety clothing and equipment that is needed for your work and make sure that safety equipment is not misused, neglected or damaged;
- (iii) report any accident or near misses you have at work as soon as you can, and accurately fill in an accident report form;
- (iv) have a medical examination if a manager asks you to;
- (v) follow hygiene requirements;
- (vi) tell your manager if you are taking any medication that may affect your job;
- (vii) never use machinery or drive any vehicle if you have taken any medication or drug, including alcohol;
- (viii) co-operate with all health and safety activities, including training, that is organised to promote health and safety;
- (ix) only smoke in the smoking areas provided; and

- (x) follow our health and safety policies and procedures.

You can get copies of these from your manager or personnel unit.

Your manager will tell you if there are any other health and safety responsibilities that affect your work.

7. WORKING HOURS AND ATTENDANCE

You should always be reliable and on time when you come to work and go to appointments.

If you want to ask for leave under any of our leave schemes, for example, maternity, sickness, flexible working hours or special leave, you must follow the conditions of the scheme and, where necessary, ask for leave beforehand.

You should fill in relevant paperwork such as 'annual leave cards' or 'flexi-scheme cards' within the time set by your manager.

If you are sick you should always follow our sickness reporting procedure, otherwise we may not pay you. You are responsible for doing the following.

- (i) You must contact your manager on the first day that you are sick, either by the time you would normally start work or by 10am, unless your manager tells you differently.
- (ii) You should explain why you are absent, what is wrong with you and how many days you think you will be off work.
- (iii) You should keep in touch with your manager while you are off sick. If you are absent for more than three days, you must contact your manager on the fourth day.
- (iv) You must give your manager medical certificates from your doctor every week if you are sick for more than eight days. If your absence becomes more frequent or problematic, your manager may ask for a medical certificate if you are absent for less than eight days.
- (v) You must go to see your manager as soon as you come back to work.
- (vi) You should fill in a The self-certification form if you are off for less than eight days.

8. WORKING HONESTLY

Providing the public with the highest quality of service possible involves meeting people, being helpful, polite and honest all the time.

If you accept any bribes, money, favours or gifts from an individual or an organisation that gives the Council goods or services, or wants to, you may be guilty of corruption.

You should never put yourself in debt to someone if it may influence your work in any way.

You must tell your manager if anyone tries to bribe you or another employee, or if there is any evidence of corruption or improper behaviour by others. If your manager is involved, you should report it to the chief internal auditor or departmental audit liaison officer, according to the Anti-fraud strategy.

Small tokens of appreciation: You may accept small tokens of appreciation that do not cost much, such as a coffee mug or diary if you have not asked for them and if your manager agrees. You must record these tokens in the departmental hospitality register unless your manager tells you otherwise. If your manager does not allow you to accept any small tokens, you must return them politely but firmly, tell the person why and record it in the departmental hospitality register.

Hospitalities include drinks, meals, entertainment, sporting events, overnight accommodation, travel and holidays. They are offered to employees by corporate or public organisations, not by individuals.

The following standards apply to hospitalities.

- (i) You should never ask for a hospitality.
- (ii) If you are offered hospitality, you should tell your manager immediately and record the offer in the departmental hospitality register, whether you accept it or not. If you refuse a hospitality straightaway, you must still record it in the hospitality register.
- (iii) You should never accept hospitalities unless you genuinely need to give or receive information or to represent the Council in your work. Your manager must agree, beforehand wherever possible.
- (iv) You should never accept hospitalities if it is meant to corrupt or influence, or could be seen to corrupt or influence or is against our interests. The timing of any hospitality is also important. For example, you cannot accept hospitalities from a contractor who has put in a tender.

These rules do not apply if you are given light refreshments, for example, tea, coffee or sandwiches, when you visit sites, offices or homes while you are working. However, you need to consider whether the light refreshment is reasonable for the particular job you are doing.

Friends, partner, associates, relatives: you must write and tell your manager if you have a friend, partner, associate or relative who provides the Council with goods or services or who is receiving grants or benefits from us and who you deal with directly or monitor in any way at work.

You must also tell your manager if you, your friend, partner, associate or relative is or could be:

- (i) applying for a service or benefit that you supply, deal with or influence, for example, Housing Benefit and student grants; or
- (ii) affected by procedures that you carry out, deal with or influence, for example, environmental health inspections.

Contract issues: if you are responsible for both a client and contractor function, you must be responsible for your actions.

You must be fair when you are dealing with customers, suppliers, and other contractors or sub-contractors.

If you have any confidential information on tenders or costs for either inside or outside contractors, you must not tell anybody who does not have a right to know. If you are not sure, ask your manager.

You must make sure that you do not give any special favours to current or former employees or their

friends, partners, relatives or associates by awarding contracts to businesses run by them or employing them in a senior or managerial role.

Disclosure by employees of interests in contracts - Local Government Act 1972. You must tell your chief officer, in writing, if you or your husband, wife, partner, or a relative, has a financial interest (direct or indirect and whether or not it benefits you) in any contract with the Council.

If you do have a financial interest, you must not take part in any negotiations or preparations for the contract. If you do have an interest in a contract but you have to monitor it as part of your job, your chief officer will decide whether you can continue to work in your role.

This also applies in any case where we pay or propose to pay money, for example, a grant, to another organisation, whether or not there is a formal contract with that organisation.

Fraud: we have an Anti-fraud strategy which supports the Code of Conduct. You must follow the standards set out in the Anti-fraud strategy.

If you think that an employee may be committing fraud, you must tell your manager who will then tell the Chief Internal Auditor and the Monitoring Officer. If you cannot discuss the matter with your manager and don't want to be named, you can contact the call-centre confidentially. (See section 16 of this Code.)

If you report anything to your manager but they don't do anything about it, you may contact the Chief Internal Auditor directly.

You must always co-operate with any investigation that Audit is carrying out and go to any meetings or give any information that they may need.

Public information: the law says that Councillors, auditors, government departments, service users and the public must be able to see certain information, for example, committee reports and background documents. If you are asked for this type of information, you should first check with your manager that the public have a right to see it.

A lot of our information is confidential, for example, individual case files, employee records or tendering documents. You should not pass these documents to any outside person or organisation unless you have your manager's permission.

You must not use any information that you get in your job for personal gain or financial benefit, or pass it to anyone else. You must not give our competitors any information about tenders or our individual clients, either when you are working for us or after you leave.

You should follow the 'fidelity clause' in the Bromsgrove terms and conditions booklet, which tells you about revealing confidential information.

9. RECRUITMENT

If you apply for a job, you should give us the following information that we will treat confidentially.

- (i) If you are a friend, partner, associate relative, landlord or tenant of an elected Councillor.
- (ii) If you have a personal or business relationship of any type with someone who may choose you for a job, manage you or be managed by you.
- (iii) Anything about your circumstances that may damage our reputation if people find out about it. For example, if you owe rent and you apply for a job which deals with rent recovery.
- (iv) Any criminal charge or conviction, binding over or caution unless it is excluded by the Rehabilitation of Offenders Act 1978.
- (v) Any association which you, your friend, partner, associate or relative may have with any organisation which gives goods or services or which benefits financially from the Council if the job that you have applied for involves monitoring or dealing with that organisation in any way.
- (vi) Evidence that you can work and stay in the UK if you are not a UK citizen. This does not apply if you live in the European Union and European Economic Area.

If you are related to an applicant or have a personal or business relationship with them, you should not be involved in giving them a job, unless your manager gives you permission.

You must make sure that if you give anybody a job, it is because they have the ability to do the work and not for any other reason.

You should follow our policy and practice in any recruitment process so you cannot be accused of being biased.

Do not give job references to any employer without consulting your department's personnel unit. You can give a personal reference as long as it cannot be seen to be a reference from the Council.

You should behave in a non-political way in your work. In law, certain posts are 'politically restricted' which means you are not allowed to stand for election, hold office in a political party, canvass at any election or poll, or encourage support for a political party.

'Politically restricted' posts are chief officer posts and those of 'spinal column point 44' or above, posts where you give advice regularly to the Council or speak on our behalf.

If you are not sure if you are covered by this legislation, you should ask your manager or personnel unit.

10. **WORKING FOR YOURSELF AND OTHER ORGANISATIONS**

You must not have another job without your manager's permission. If your manager agrees that you can have another job, it must not affect the work you do for us or affect your ability to do your job. It must not damage our reputation or have a negative effect on our duties or interests. You cannot carry out this extra work in the Council's offices and you must not use any of our facilities, for example, phones, computers, printers, faxes, photocopiers and so on.

You must not do any extra work during the time that we employ you, which includes when you are off

sick.

You can give unpaid service to voluntary or other organisations and we welcome this involvement in community affairs. However, it is important that your unpaid service does not affect your job or our reputation. You should tell your manager if you give any unpaid service including:

- (i) acting as a school governor within schools that we maintain;
- (ii) giving service to any organisation that receives grant aid from us; or
- (iii) giving service to any organisation or pressure group, which may try to influence our policies.

You must not use your position as our employee to favour any voluntary or other organisations, which you work for. For example, if your job means that you have to look at a funding application for a voluntary organisation you are involved in, you should write and tell your manager.

You should not do any private work for the Council clients, tenants or organisations unless you have written permission from your chief officer.

You must give us any money you receive for work you do such as lectures, broadcasts or magazine articles that are part of your job. However, you can keep money for any work which we do not pay you for and which you do in your own time, or when you are on holiday or flexi-leave.

You must not use your job with us to get extra work, for example, by giving more favourable service.

11. **WORKING WITH COUNCIL MONEY AND PROPERTY**

You should not deliberately keep money that you owe to any Council unless you are allowed to by law. If you have genuine problems with paying money to any Council, you can speak to your line manager or departmental personnel officer in confidence. However, you don't have to do this if you don't want to. We have a confidential welfare and counselling service, called 'Compass', and you can also get help from the Citizens' Advice Bureau.

Sometimes, if you owe money to any Council, you may not be able to carry on in your job. For example, it would not be acceptable if you are responsible for dealing with rent, Housing Benefit or Council Tax debts and you are in debt to us or any other Council.

You must carry out any budget responsibilities properly and make sure that you use any public funds in a responsible and legal way. You should always follow our financial rules, regulations and procedures and if you are not sure about anything, you should ask your manager.

You should always fill in any document, form or record honestly and never damage, change or falsify them, particularly for financial gain. This includes, flexi cards, attendance records, self-certification forms, time sheets, petty-cash forms, and overtime forms.

You must not steal, damage on purpose or seriously neglect anything that belongs to the Council. You should not steal or damage on purpose anything belonging to our tenants, service users, employees, Councillors or anyone who you come into contact with in your work. For example, their money, property, equipment and investments. It also includes short-term loans of property or equipment, for example, taking or using the Council's vehicles for private use without permission.

You must return any property or equipment which you have been allowed to borrow by your manager, as soon as you leave your job or when your manager tells you to.

Management will report any theft or improper behaviour involving our money, property, equipment or investments to the chief internal auditor and, if necessary, to the police.

You should give any lost property to a manager or reception or security staff immediately.

If you see anyone suspicious in any of our buildings, you should tell the reception or security staff.

Information technology: we have an IT Code of Conduct and Best Practice Guides on specific topics such as data protection and passwords. These documents help to make sure that our IT security is not put at risk. You can find the documents on the informer service, from your personnel unit or local IT unit. You must read and follow the standards in the IT Code and guides.

Do not use our computer equipment for private use unless your manager has given you permission – but you should never use it during work time.

We have the right to go into all our property and look at all personal information including e-mails and computerised data if needed.

Do not copy or take any of our software for your own use, or use your own software, including computer games, on our equipment.

Phones and the Internet: you should normally use our phones and the Internet for Council business. You can make personal calls or emails if these are essential but only if they are in line with any rules that are set out by your manager. You must make sure such calls are brief. You are not allowed to make phone calls outside the United Kingdom unless your manager gives you permission but you will have to pay for them. You are never allowed to make phone calls to premium-rate lines including chat lines.

12. WORKING AND THE LAW

You are expected to keep within the law during your employment at all times.

You must tell your manager if you are charged with any offence, including driving offences. They will decide if our reputation may be damaged as a result, taking account of your job, or whether the charge makes you unfit to do your job. For example, this includes if you are charged with a theft and your job involves dealing with money.

You should tell your manager in writing if you have any criminal convictions, binding over or caution unless it is excluded by the Rehabilitation of Offenders Act 1978.

If you find out or think that an employee is breaking the law in their work, you must tell your manager, the chief internal auditor or contact the call-centre confidentially – see section 16.

13. WORKING AND CONTACT WITH THE MEDIA

All organisations need rules for dealing with the media. We have a press office and special officers who deal with the press and media.

You should not speak, write, give interviews, or take phone calls for 'information' if you are seen to work for us or are referring to Council business, unless the press office and your manager have given you permission.

You should pass on all inquiries from the press, radio or television to the press office and your manager, unless you normally deal with the media as part of your job.

You may write or give an interview about things that are not connected with the Council as long as you are not seen to work for us.

You should tell your manager if you think that any articles may appear in the press about you that will show you work for us.

You must never publicise material which is confidential or against our interests or our employees' interests. If you have any concerns, you should speak to your manager or go through recognised procedures, such as the grievance procedure.

14. BEING A MEMBER OF NON-PUBLIC ORGANISATIONS

If you are a member of any non-public organisation that has secrecy about rules, membership and behaviour, for example, the Freemasons, you should register this with your Chief Officer or Monitoring Officer.

Councillors and the Chief Executive will be able to see this register.

You should make sure that any such membership does not make you act in a way that will damage our reputation or seriously affect your work.

15. MISCONDUCT

Your manager may take formal action if you break any of the rules in this Code or any other corporate or departmental standards. Appendix C sets out examples of misconduct and serious (gross) misconduct.

The examples are not a complete list. Serious misconduct will normally lead to dismissal.

16. WHISTLE BLOWING

If you believe that there has been any fraud, irregularity, corruption or the law has been broken, you will be able to phone a call-centre and give information in confidence. This service is provided by an independent organisation and you will not have to give your name unless you want to.

This deals with formal action where your behaviour or ability falls below our standards.

16.1 Sickness notification procedure

This sets out the standards when you report sickness.

16.2 Anti-fraud strategy

This sets out our policy on dealing with fraud.

16.3 **IT codes of conduct and best practice guides**

These set the standards when you use information technology.

16.4 **Grievance procedure**

This deals with staff complaints.

16.5 **Whistle blowing policy**

This includes a confidential call-centre facility for reporting fraud, irregularity corruption or if the law has been broken.

These documents are not included in this constitution (save for the Code of Conduct and the Whistle Blowing Policy).

SCHEDULE 3 - ROLE OF MONITORING OFFICER

1. GENERAL INTRODUCTION TO STATUTORY RESPONSIBILITIES

1.1 The Monitoring Officer is a statutory appointment pursuant to section 5 of the Local Government and Housing Act 1989. This Protocol provides some general information on how those statutory requirements will be discharged by the Monitoring Officer.

1.2 The current responsibilities of the Monitoring Officer role rest with the Head of Legal and Democratic Services, Andrew R Burton, who undertakes to discharge his statutory responsibilities with a positive determination and in a manner that enhances the overall reputation of the Council.

1.3 In carrying out his statutory responsibilities the Monitoring Officer will safeguard, so far as is possible, Members and Officers, whilst acting in their official capacities, from legal difficulties and/or criminal sanctions.

1.4 A summary list of the statutory responsibilities appears in the table at the end of this Schedule. In general terms, the Monitoring Officer's ability to discharge these duties and responsibilities will depend, to a large extent, on Members and Officers:-

1.4.1 complying with the law of the land (including any relevant Codes of Conduct);

1.4.2 complying with any General Guidance issued, from time to time, by the Standards Committee and the Monitoring Officer;

1.4.3 making lawful and proportionate decisions; and

1.4.4 generally, not taking action that would bring the Council, their offices or professions into disrepute.

1.5 Working Arrangements

1.5.1 Having excellent working relations with Members and Officers will assist in the discharge of the statutory responsibilities on the Monitoring Officer and keep the Council out of trouble. Equally, a speedy flow of relevant information and access to debate (particularly at the early stages of any decision-making by the Council) will assist in fulfilling those responsibilities. Members and Officers must, therefore, work with the Monitoring Officer (and his staff) to discharge the Council's statutory responsibilities.

1.6 The following arrangements and understandings between the Monitoring Officer, Members and Heads of Service are designed to ensure the effective discharge of the Council's business and functions. The Monitoring Officer will:-

1.6.1 be alerted by Members and Officers to any issue(s) that may become of concern to the Council, including, in particular issues around legal powers to do something or not, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise;

- 1.6.2 have advance notice (including receiving Agendas, Minutes, Reports and related papers) of all relevant meetings of the Council at which a binding decision of the Council may be made (including a failure to take a decision where one should have been taken) at or before the Council, Cabinet, Cabinet Member, Committee meetings and/or Chief Officers Group (or equivalent arrangements);
- 1.6.3 have the right to attend any meeting of the Council (including the right to be heard) before any binding decision is taken by the Council (including a failure to take a decision where one should have been taken) at or before the Council, Cabinet, Cabinet Member, Committee meetings and/or Chief Officers Group (or equivalent arrangements);
- 1.6.4 in carrying out any investigation(s) have unqualified access to any information held by the Council and to any Officer who can assist in the discharge of his functions;
- 1.6.5 ensure the other statutory officers (Head of Paid Service and the Chief Financial Officer) are kept up-to-date with relevant information regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise and a record be kept;
- 1.6.6 meet regularly with the Head of Paid Service and the Chief Finance Officer to consider and recommend action in connection with Corporate Governance issues and other matters of concern regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise;
- 1.6.7 report to the Council, from time to time, on the Constitution and any necessary or desirable changes following consultation, in particular, with the Head of Paid Service and Chief Financial Officer and the Standards Committee (where appropriate);
- 1.6.8 as per the Monitoring Officer's statutory requirements, make a report to the Council, as necessary on the staff, accommodation and resources he requires to discharge his statutory functions;
- 1.6.9 have a special working relationship of respect and mutual trust with the Leader, Deputy Leader and the Chair persons of the Cabinet, Standards, Regulatory (and other Committees), Scrutiny Steering Board (and Performance and Management and Audit Board) with a view to ensuring the effective and efficient discharge of the Council's business;
- 1.6.10 develop effective working liaison and relationship with the Standards Board for England, the District Auditor and the Local Government Ombudsman (including having the authority, on behalf of the Council, to complain to the same, refer any breaches to the same or give and receive any relevant information, whether confidential or otherwise, through appropriate protocols, if necessary) and settle any compensation payments for alleged or actual maladministration found against the Council;
- 1.6.11 in conjunction with the Head of Regulatory Services, maintain and keep up-to-date relevant statutory registers for the declaration of members' interests, gifts and

hospitality;

- (a) give informal advice and undertake relevant enquiries into allegations of misconduct (in the absence of a written complaint being received by the Standards Board for England) and, if appropriate, make a written report to the Standards Committee (unless the Chair of Standards Committee agrees a report is not necessary) or to the Standards Board for England if, in the opinion of the Monitoring Officer, there is a serious breach of Bromsgrove's Code of Conduct for Members;
- (b) in consultation, as necessary, with the Chairs of the Council, Cabinet, Standards Committee and the Standards Board for England, defer the making of a formal report under Section 5 Local Government and Housing Act 1989 where another investigative body is involved;
- (c) make arrangements to ensure effective communication between his office and the appropriate Parish Council on Monitoring Officer and Standards Committee issues;
- (d) have sufficient resources to enable him to address any matters concerning his Monitoring Officer functions;
- (e) subject to the approval of the Standards Committee, be responsible for preparing any training programme for members on ethical standards and Code of Conduct issues; and
- (f) appoint a deputy and keep him or her briefed on any relevant issues that s/he may be required to deal with in the absence of the Monitoring Officer.

1.7 To ensure the effective and efficient discharge of the arrangements set out in paragraph 1.5 above, Members and Officers will report any breaches of statutory duty or Council policies or procedures and other vices or constitutional concerns to the Monitoring Officer, as soon as practicable. The Monitoring Officer is also available for Members and Officers to consult on any issues of the Council's legal powers, possible maladministration, impropriety and probity issues, or general advice on the constitutional arrangements (e.g. Procedure Rules, policy framework, terms of reference, scheme of delegations etc.).

1.8 To ensure the effective and efficient discharge of this Protocol, the Chief Financial Officer will ensure adequate insurance and indemnity arrangements are in place for the same to protect and safeguard the interests of the City Council and the proper discharge of the Monitoring Officer role.

SUMMARY OF MONITORING OFFICER FUNCTIONS

Description	Source
1 Report on contraventions or likely contraventions of any enactment or rule of law.	Section 5 Local Government and Housing Act 1989.
2 Report on any maladministration or injustice where Ombudsman has carried out an investigation.	Section 5 Local Government and Housing Act 1989.
3 Appointment of Deputy.	Section 5 Local Government and Housing Act 1989.
4 Report on resources.	Section 5 Local Government and Housing Act 1989.
5 Receive copies of whistleblowing allegations of misconduct.	Draft Model Code.
6 Investigate misconduct in compliance with Regulations (when made) and directions of Ethical Standards Officers.	Regulations when made. Directions when made in individual cases. LGA 2000 Section 66(1)+66(6).
7 Establish and maintain registers of members interests and gifts and hospitality.	Section 81 LGA 2000 and draft Model Code.
8 Advice to members on interpretation of Code.	Draft Model Code and consultation Paper.
9 Key role in promoting and maintaining high standards of conduct through support to the Standards Committee.	Statutory Guidance paragraph 8.20.
10 Liaison with Standards Board and Ethical Standards Officers.	New ethical framework, practical implications.
11 New ethical framework functions in relation to Parish Councils.	Section 83(12) LGA 2000.
12 Compensation for maladministration.	Section 92 LGA 2000.
13 Advice on vires issues, maladministration, financial impropriety, probity and policy framework and budget issues to all members.	DETR guidance.