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## **BEST VALUE AND PERFORMANCE IMPROVEMENT FOR BEST VALUE TOWN AND PARISH COUNCILS – A CONSULTATION PAPER**

### **1 SUMMARY**

- 1.1 This report seeks to advise Members on the Consultation Paper from the Office of the Deputy Prime Minister (ODPM) on Best Value and Performance Management for Best Value Town and Parish Councils. The ODPM has requested comments by the 6<sup>th</sup> September. Whilst Officers have asked for an extension to enable Member comments to be taken into account this was not forthcoming, therefore comments have been made on the basis that any Member comments follow and also should be taken into account.

### **2 INTRODUCTION**

- 2.1 The Guidance replaces existing guidance in this area based on experience of how Best Value has operated since its introduction to Town and Parish Councils in April 2000.
- 2.2 Best Value Town and Parish Councils (BVTPCs) applies to 41 larger local Councils. None of the Town and Parish Councils in Rochford are Best Value Councils due to their size of population.

### **3 FEATURES OF THE GUIDANCE**

- 3.1 The consultation guidance covers areas similar to those in place for County, District and Unitary Authorities.
- 3.2 The Guidance emphasises the need to share priorities between central Government and Local Government, and cascading them through to Parish and Town Council level. The Guidance emphasises the role of the Local Strategic Partnerships and Community Strategies, and Best Value Performance Plans in this cascade process. It suggests that whilst the Best Value Performance Indicators are the responsibility of the principal Authority, (Rochford District Council in this case), in Best Value Town and Parish Councils they may wish to consider setting local Best Value Indicators. BVTPCs are encouraged to develop statements of shared priorities with their principle authority, to achieve shared priorities.
- 3.3 The Guidance places emphasis on the need for BVTPCs to work with other public sector bodies to address issues that have broader boundaries, such as health and social care, social housing and crime

prevention. These would be likely to reflect the need to work in partnership to avoid duplication.

- 3.4 The government recognises the limited resources and capacity difficulties for some BVTPCs in bringing in 'third parties' for reviews, such as the private sector, voluntary and community sector, and service users, but feels that they can bring an external perspective which can be of value to the Town/Parish Council. This includes a potential role in the scrutiny process.
- 3.5 The Guidance encourages BVTPCs to improve their procurement arrangements to ensure they maximise their value. The guidance also requires Town and Parish Councils to take into account Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE) for local procurement.
- 3.6 Performance Plans should identify the services delivered, how they will be delivered, the standards of services and what action will be taken to deliver the standards over time. Changes to the Performance Plans are consistent with those made for other Councils, changing the deadline for production to 30 June, removing the requirement to summarise any assessment of level at which the Council exercises its functions, and removing the requirement to set out the five-year period of reviews.
- 3.7 The requirements for audit and inspection and intervention have been altered. Town and Parish Councils have more discretion in the content, presentation and communication of their summary performance information. Auditors will no longer assess the performance summary as a 'fair and accurate' reflection of the performance plan. Inspection will reflect the performance profile identified through performance assessments and risk analysis and local priorities. The Government will apply early intervention measures where an authority fails to meet its duties under Best Value.

#### **4 OFFICER COMMENTS**

- 4.1 Consultation guidance is aimed at the 41 BVTPCs.
- 4.2 Many of the changes bring the guidance in line with that of County, District and Unitary Authorities' Best Value guidance. However, the resources available to the majority of parishes in Rochford would preclude a Best Value approach.
- 4.3 The concept of the development of 'shared priorities' is useful in that it should help ensure that duplication of resource is avoided. The 'Statement of Shared Priorities' might be a useful model for Rochford District Council to consider in its development of the Local Strategic

Partnership and the Community Strategy with the Town and Parish Councils and other partners.

- 4.4 The guidance requires Town and Parish Councils to take into account Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE) for local procurement. Whilst this is to ensure that workforce are retained of appropriate levels of quality and skills, it is an onerous and bureaucratic process for small local authorities and it may be difficult for a range of contractors to integrate the local government terms and conditions.

## **5 PARISH IMPLICATIONS**

- 5.1 There are currently no BVTPCs in Rochford District.

## **6 RECOMMENDATION**

It is proposed that the Committee **RESOLVES**

To note this report and agree the comments on the consultation to be sent to the Office of the Deputy Prime Minister.

Paul Warren

Chief Executive

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### **Background Papers:**

Draft Guidance on Best Value and Performance Improvement for Best Value Town and Parish Councils – A consultation Paper  
A copy will be placed in the Members lounge

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