



CORPORATE GOVERNANCE AND AUDIT COMMITTEE

**Meeting to be held in Civic Hall, Leeds on
Wednesday, 10th February, 2010
at 10.00 am**

MEMBERSHIP

Councillors

G Driver
P Grahame
N Taggart
A Lowe

C Campbell
G Kirkland

J Bale (Chair)
G Latty

T Leadley

D Blackburn

Co-opted Member

M Wilkinson
(Chair of Standards Committee)

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To declare any personal / prejudicial interests for the purpose of Section 81(3) if the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence from the meeting.</p>	
6			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To confirm as a correct record the minutes of the meeting held on 13th January 2010.</p>	1 - 6
7			<p>ANNUAL PERFORMANCE ASSESSMENT OF ADULT SERVICES 2008/09</p> <p>To receive a report of the Deputy Director of Adult Social Services detailing the results of the 2009 assessment of Adult Social Care.</p>	7 - 20
8			<p>LEEDS CITY REGION - UPDATE ON GOVERNANCE ARRANGEMENTS</p> <p>To receive a report of the Assistant Chief Executive (Planning, Policy and Improvement) updating the Board with progress made with regards to the Governance arrangements of the Leeds City Region.</p>	21 - 36
9			<p>KPMG SCRUTINY REVIEW</p> <p>To receive a report of the Chief Democratic Services Officer on the progress made in progressing the recommendations arising from the May 2009 KPMG Audit of Scrutiny.</p>	37 - 44

Item No	Ward	Item Not Open		Page No
10			<p>MONITORING OF KEY AND MAJOR DECISIONS</p> <p>To receive a report of the Chief Democratic Services Officer updating the Committee on the monitoring of Key and Major decisions.</p>	45 - 60
11			<p>ACCESS ROUTES AND PUBLICITY OF THE CORPORATE COMPLAINTS PROCESS</p> <p>To receive a report of the Chief Customer Services Officer detailing the access routes and publicity of the Corporate Complaints Process.</p>	61 - 78
12			<p>GOVERNANCE FRAMEWORK FOR SIGNIFICANT PARTNERSHIPS - MONITORING</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) updating the Committee on the results of the recent monitoring exercise on the extent to which the Council's significant partnerships are complying with the minimum governance requirements set out in the Council's Governance Framework for Significant Partnerships.</p>	79 - 84
13			<p>WORK PROGRAMME</p> <p>To receive a report of the Assistant Chief Executive (Corporate Governance) notifying and inviting comment from the Committee upon the work programme for the remainder of the 2009/10 municipal year.</p> <p>NB. A TRAINING SESSION WILL TAKE PLACE FOLLOWING TODAY'S MEETING, THIS WILL BE ON THE NEW ROLE, ADOPTED BY THE COMMITTEE, OF REVIEWING THE TREASURY MANAGEMENT FUNCTION.</p>	85 - 92

Public Document Pack **Agenda Item 6**

Corporate Governance and Audit Committee

Wednesday, 13th January, 2010

PRESENT: Councillor J Bale in the Chair
Councillors D Blackburn, G Driver,
P Grahame, G Latty, N Taggart,
C Campbell, G Kirkland and J Lewis

Co-optee Mr M Wilkinson

Apologies Councillors T Leadley and A Lowe

69 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

70 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

71 Late Items

There were no late items to add to the agenda. However, the Chair noted that supplementary information was circulated at the meeting in relation to Item 8. This information updated the report following new rules covering disclosure of top salaries in Local Government (minute 77 refers). The Chair accepted this information as it was not available at the time of agenda despatch and it required consideration in order for Members to effectively consider the report.

72 Declaration of Interests

No declarations of interest were declared.

73 Apologies for absence

Apologies for absence were received from Councillors Lowe and Leadley. The Chair welcomed Councillor J Lewis who was in attendance as a substitute for Councillor Lowe.

74 Minutes of the previous meeting

RESOLVED - The minutes of the Corporate Governance and Audit Committee meeting held on 15th December were approved as a correct record.

75 Matters Arising

Further to Minute 66, The Chair noted, with regards to the Code of Corporate Governance, which was approved at the meeting held on 15th December 2009 that a minor amendment was proposed by the Standards Committee. The

Draft minutes to be approved at the meeting
to be held on Wednesday, 10th February, 2010

minor amendment, made for clarity, was the second bullet point of Principle 3 to be amended to read 'Appointing a Standards Committee with responsibilities for promoting and monitoring the application of the relevant parts of these Codes and Protocols'.

76 Minutes of the standards Committee Meeting

RESOLVED – That the minutes of the Standards Committee meeting held on 16th December be noted and that the amendment made by the Standards Committee to the Code of Corporate Governance be approved.

77 Senior Officer Remuneration Arrangements

The Chief Officer (Human Resources) and the Head of Human Resources Strategy presented a report of the Director of Resources outlining the national and local frameworks for determining and implementing senior officer remuneration packages. This included providing detail about new legislation relating to the disclosure of senior officers' salaries, as set out in the supplementary information circulated at the meeting.

Members discussed the report and supplementary information in detail. In particular they noted:

- the details about the HAY process, and how it is used at the Council;
- the functions of the Employment Committee and its ad hoc membership;
- the role of this Committee in ensuring that arrangements for determining remuneration are fair and accountable;
- the need for the Council to have an overview on governance arrangements adopted by ALMOs and Education Leeds, for determining remuneration for their employees;
- the need to ensure that such arrangements cover all aspects of remuneration packages, including severance;
- the role of the General Purposes Committee in progressing this issue.

Members concluded that there is a need to implement a clearer and more structured approach to the determination of remuneration. The Committee supported the appointment of a remuneration committee by the Council.

RESOLVED – Members resolved to:

- (a) request further clarification about the new legislation, specifically how it affects employees of bodies such as ALMOs and Education Leeds, and in relation to the disclosure of compromise agreements;
- (b) request that the Committee is consulted about progress on improved arrangements for determining remuneration, so that it can be satisfied that arrangements are satisfactory from a governance point of view; and
- (c) continue to monitor the governance arrangements for the determination of senior officers' remuneration.

(Councillor Taggart entered the meeting at 10.17am Councillors Kirkland and Campbell entered the meeting at 10.29am. All entered during the consideration of this item.)

78 Half Yearly Internal Audit

The Head of Internal Audit presented a report of the Director of Resources updating Members on the reviews undertaken by Internal Audit over the first half of 2009/10.

Members congratulated the Head of Internal Audit on the clarity of his report.

Members particularly discussed:

- how assessment of the control environment was arrived at by Internal Audit;
- Internal Audit's access arrangements for undertaking reviews of contracts that ALMOs have entered in to;
- where Internal Audit identify clear threats to the control environment this information should be prioritised and escalated to the highest levels of the Council;
- the importance of the Committee being made aware of areas reviewed by Internal Audit that have identified a poor control environment to enable the Committee to intervene if appropriate;

RESOLVED – Members resolved to:

- (a) receive further reports from Internal Audit where Internal Audit have identified that the control environment of an area under review is found to be limited or no assurance given; and
- (b) to receive a report detailing a revised Internal Audit protocol to enable arrangements to be formalised.

(Councillor J Lewis left the meeting at 11.40am during the consideration of this item. Councillor P Grahame left the meeting at 11.50am after the consideration of this item.)

79 Annual Audit Letter

The Chief Officer (Audit and Risk) presented his report summarising the key issues from KPMG's audit of the Council in 2008/09.

Members particularly discussed:

- the readiness of the Council for the future issues raised within the Audit Letter; and
- the EASEL project, how this was more challenging to deliver because of the recession but that the scheme is still viable.

RESOLVED – Members resolved to:

- (a) note the contents of the report; and
- (b) receive information updating the Committee with progress made against the recommendations of the previous KPMG report on health equalities.

80 Publication of the Council Complaints system

Due to time constraints at the meeting the Committee decided that this item should be deferred and rescheduled for a future date.

81 Significant partnerships governance framework

The Principal Corporate Governance Officer presented a report of the Assistant Chief Executive (Corporate Governance) seeking comments on the proposed amendments to the Governance Framework for Significant Partnerships, prior to the Assistant Chief Executive (Corporate Governance) approving amendments under her delegated authority.

Members particularly discussed:

- the need for carbon reduction and sustainability to be considered in the Council's approach to partnerships;
- the need to receive assurances about compliance with the Framework .

RESOLVED – Members resolved to:

- (a) note the annual review of the Governance Framework for Significant Partnerships;
- (b) agree the amendments put forward in the report; and
- (c) request that a report be received by the Committee providing assurance about compliance with the Framework.

82 Standards Committee Update Report

The Chair of the Standards Committee provided comment in relation to a report of the Assistant Chief Executive (Corporate Governance) advising the Committee of the work completed by the Standards Committee to date in the 2009/10 Municipal Year.

Members particularly discussed:

- the positives for Leeds that the Council was again short listed in the 'Standards and Ethics' category of the Local Government Chronicle Awards 2010;
- the timing for the publication of Standards for Officer's and Members;
- succession planning for a new Chair of The Standards Committee, which is now underway. The current Chair of The Standards Committee will retire in May 2010.

RESOLVED - Members resolved to note the contents of the report.

83 Work Programme

The Assistant Chief Executive (Corporate Governance) submitted a report notifying Members of the draft work programme for 2009/10.

RESOLVED –

- (a) that the work programme be updated to reflect the reports requested during the meeting; and
- (b) that the draft work programme for the remainder of the year be noted.

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Originator:	Dennis Holmes
Tel:	74959

Report of the Deputy Director – Adult Social Services

Corporate Governance and Audit Committee

Date: 10th February 2010

Subject: Annual Performance Assessment of Adult Social Services 2008/09

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

The recently adopted Council protocol for the co-ordination of external audit and inspection reports sets out that the corporate Audit and Governance Committee may wish to consider the governance and/or audit aspects of any Inspection report. This may be to review the adequacy of policies and practices to ensure compliance with statutory and other guidance and/or to review the adequacy of the Council's corporate governance arrangements, including matters such as internal control and risk management. The purpose of this report is to alert Members to those elements of the annual assessment of Adult Social Services conducted by the Care Quality Commission which are related to governance and audit. This assessment having been reported to the Executive Board of the Council on the 8th December 2009 and to the Adult Social Services Scrutiny Board on the 16th December 2009.

The Assessment report (attached as Appendix 1) makes no specific reference to governance nor audit save for comments contained in relation to Outcome 7 – 'Maintaining Personal Dignity & Respect'. These comments are in relation to the review of safeguarding Adult's governance arrangements, the description of which was previously reported to this Board in March 2009. The report also makes reference to the internal and independent audits of casefile recording which has demonstrated the effective implementation of new procedures adopted by the Safeguarding Adult's Partnership Board.

The overall outcome of the assessment is that Adult Social Services improved their rating from the 2007/08 position of 'performing adequately' to a current assessment of 'performing well'

1.0 Purpose Of This Report

- 1.1 The purpose of this report is to advise Members of the Corporate Audit and Governance Committee with regard to Governance related comments made in the 2008/09 Annual Performance Assessment of Adult Social Services.

2.0 Background Information

- 2.1 2008/09 marked a period of transition for social care performance. *Our Health, Our Care, Our Say* committed the Government to ensuring that from 2008/09 health and social care would be underpinned by joint outcome measures. The Local Government White Paper, *Strong and Prosperous Communities*, set out the plans for that new local framework. More specifically to health and social care, the Government's approach to the 2007 Comprehensive Spending Review described the operation of a new system of inter-related cross-Government priorities and outcome-focused indicators, with an emphasis on empowering local decision-making to focus on local priorities. The crucial purpose of the new approach was to engender joint delivery of improved local services between health and adult social care.
- 2.2 The new performance framework continues to be founded upon the outcomes-based framework used in 2007/08 for adult social care assessment. There have been changes in the nationally defined performance characteristics for the outcomes, The standards required have been raised and evidence on the leadership, commissioning and use of resources is now ungraded in contrast with the last year assessed.
- 2.3 None of the standards specifically relate to Governance nor audit requirements.

3.0 Main Issues

- 3.1 The judgement recognises significant improvements in the quality of Adult Social Care in Leeds in comparison to 2007/08 when the service was judged as 'Performing Adequately'. A service that is given this rating delivers only minimum requirements for people, and is not consistently cost-effective nor contributes significantly to wider outcomes for the community.
- 3.2 The Assessment report (attached as Appendix 1) makes no specific reference to governance nor audit save for comments contained in relation to Outcome 7 – 'Maintaining Personal Dignity & Respect'. These comments are in relation to the review of safeguarding Adult's governance arrangements, the description of which was previously reported to this Board in March 2009.
- 3.3 The report mentions the improved arrangements in relation to both the membership and the work of the Leeds Adult Safeguarding Partnership Board as a contributing factor to the improved judgement against this outcome. The report also makes reference to the internal and independent audits of casefiles and recording and the implementation of new multi-agency safeguarding procedures initiated, developed and implemented under the oversight of the Leeds Adult Safeguarding Partnership Board.
- 3.4 The report recommends that efforts should continue to be focussed on further embedding best practice in safeguarding practice with adults in the City.

4.0 Implications For Council Policy And Governance

4.1 The judgment of Adult Social Care performance forms an essential element of the Comprehensive Area Assessment (CAA). The Care Quality Commission is one of six regulatory bodies which contribute to the CAA. The same evidence and analysis is used for both the Adult Social Care assessment and CAA Information. The assessment of Adult Social Care is embedded in the Comprehensive Area Assessment both in the

1. area assessment; and
2. organisational assessment

4.2 In particular it contributes to key features of the area assessment including identifying:

- ◇ areas of innovation or excellent practice which provide or sustain good outcomes for local citizens; or
- ◇ failure to provide good outcomes or lack of significant progress in meeting outcomes for local citizens, particularly where action has not been taken or has not been sufficient to meet targets

4.3 The Comprehensive Area Assessment Framework document identifies that the Care Quality Commission assessment of Adult Social Care also carries “significant weight in the collective decision about the managing performance theme score” for the organisational assessment

5.0 Legal And Resource Implications

5.1 The personalisation of care services is clearly a critical determinant in judging the performance of adult social care services. Because of the nature of current service configuration in Leeds, a significant challenge is set in ensuring that our models of care and support are reconfigured to such an extent that they meet not only the performance expectations of the Care Quality Commission but, more significantly, that they meet the expectations of those people provided with the means to purchase them

6.0 Conclusions

6.1 The overall judgment for delivering outcomes 2008/09 reached by the Care Quality Commission is that adult social care services in the city are ‘Performing Well’ and this is a significant improvement over the judgement of ‘Performing Adequately’ for 2007/08. Leeds has established a performance improvement trajectory during the year which will require concerted and sustained effort to maintain. Comments by the Care Quality Commission recorded during the moderation exercise confirm that they are anticipating further improvements in performance during 2009/10 generated by continued service and budgetary transformation.

7.0 Recommendations

7.1 The Corporate Audit & Governance Committee is asked to note the contents of this report and the attached final performance review report from the Care Quality Commission for adult social care services in 2008/09, to note the judgment given by the Commission and areas being progressed.

Background Documents Used

CQC Performance Assessment report 2008/09 (attached at Appendix 1)

Annual Performance
Assessment Report
2008/2009



Adult Social Care
Services

Council Name: Leeds City Council

This report is a summary of the performance of how the council promotes adult social care outcomes for people in the council area.

The overall grade for performance is combined from the grades given for the individual outcomes. There is a brief description below – see Grading for Adult Social Care Outcomes 2008/09 in the Performance Assessment Guide web address below, for more detail.

Poorly performing – not delivering the minimum requirements for people

Performing adequately – only delivering the minimum requirements for people

Performing well – consistently delivering above the minimum requirements for people

Performing excellently- overall delivering well above the minimum requirements for people

We also make a written assessment about

Leadership and

Commissioning and use of resources

Information on these additional areas can be found in the outcomes framework

To see the outcomes framework please go to our web site: [Outcomes framework](#)

You will also find an explanation of terms used in the report in the glossary on the web site.

Delivering Outcomes Assessment

Overall **Leeds** council is performing:

Well

Outcome 1:

[Improved health and well-being](#)

The council is performing:

Well

Outcome 2:

[Improved quality of life](#)

The council is performing:

Well

Outcome 3:

[Making a positive contribution](#)

The council is performing:

Excellently

Outcome 4:

[Increased choice and control](#)

The council is performing:

Adequately

Outcome 5: Freedom from discrimination and harassment	The council is performing:	Well
Outcome 6: Economic well-being	The council is performing:	Well
Outcome 7: Maintaining personal dignity and respect	The council is performing:	Adequately

Click on titles above to view a text summary of the outcome.

1.1 Assessment of Leadership and Commissioning and Use of Resources

Leadership

There is evidence that indicates that the overall performance of adult social care services continues to improve, and while the journey to deliver tailored services that meet individual needs (personalisation) and preventative services to reduce reliance on long stay care needs to continue, the council's direction of travel is enabling this to happen.

The council has in place its strategic aims, which are underpinned by supporting policies that have been developed in consultation with people who use services, and has support and leadership from elected members to continue to drive improvement of services. The council works in conjunction with other partners across both the NHS and other statutory and non-statutory sectors.

The council has provided a range of examples of where it is investing additional resources into modern services such as the use of direct payments, and while further improvements in these areas are required, data indicates that the council is making year on year improvements.

The council has retained its Investors in People recognition during the assessment year, and performance regarding the number of staff leaving and the number of vacant posts are now in line and better than comparator councils. The level of sickness absence remains above that of comparator organisations. The council has reviewed its workforce development strategy and identified where improvements need to be made. The council has workforce development plans in place, including management and leadership training for staff.

The council has performance management information systems that are available to appropriate staff and demonstrated through evidence how it utilises this information to ensure improvements to services are made. In addition to this, formal reporting takes place across the council to ensure that elected members and other members of the wider council management team are aware of performance in adult social care.

Commissioning and use of resources

The council published its first joint strategic needs assessment in the spring of 2009. This has provided a unified approach to performance managing the Leeds strategic plan. A joint commissioning strategy has been agreed in conjunction with NHS Leeds, and these allow the council to have a broad understanding of health and social care needs down to a neighbourhood level.

There are many opportunities for people to be involved in the development of services. For example the *Leeds Involvement Project*, an organisation led by people who use services, provides support for carers and people who use services to have a voice in the planning and improvement of the services they use. The *Leeds Involvement Project* supports a number of groups including a city wide *Alliance of Service Users and Carers*, which are five locality based networks that are reference groups for older people, people with mental health problems and people with disabilities, which all feed into the respective modernisation teams which deliver the National Service Frameworks.

The council has a systematic approach for reviewing services, which involves an analysis of the service, consultation with people who use the services, and a re-tendering process that has clear specifications, which are outcome focused. There is an investment planning programme that reflects key strategic commissioning and service priorities, and this covers a five-year period and complements the councils overall medium term financial plan included within its business plan. This work is informed by benchmarking data, including value for money comparisons, performance data and service priorities. After previous years of budget overspend, adult services delivered a balanced budget in 2008 that has allowed the service to focus more effectively on delivering the transformation of the social care agenda.

Summary of Performance

Improving Health and Well Being

People who use services and carers are provided with a range of information, advice and services that support them to undertake physical activity and eat healthily. Information is provided from a variety of sources, and in formats for people with sensory impairments. There are a range of strategies in place to demonstrate the direction of travel for improving health and well-being, for example tobacco control. These are beginning to demonstrate some impact, for example a reduction in the number of people smoking, though the council recognises that further work is required to demonstrate continuing improvements across the whole city. There is an intermediate care strategy in place, and the council provides over four times the number of non-residential intermediate care beds than similar councils. With regard to delayed hospital discharges due to adult social care, the number rose during 2008-2009, but remains below that of similar councils. However the number of people who received a review of their care to ensure that it is still appropriate is lower than comparators. The council is aware of this and the reason why, but should seek to improve performance in this area. The council has services in place to achieve independence for older people, and this level of performance is not only higher than comparators, but also higher than the expected level when compared with England as a whole.

The council provides both frozen and hot meals that meet the *National Association of Care Catering* (NACC) recommended standards for community meals. Assessment of catering against food hygiene legislation indicates that the majority of homes are assessed as high performing, and nutritional risk assessment tools are used to ensure that those people at risk are identified and appropriate care put in place. The council has been involved in the Marie Curie delivering choice programme, which aims to provide improved end of life services. Evidence indicates that this is having a positive impact on the end of life care for people with complex needs and those who live alone, who are supported to die in their own homes.

Improved Quality of Life

The council provides information from a variety of locations and in formats that are accessible for people with sensory impairments that allow people to make decisions about care services that they require. Telephone access numbers have been simplified with one general number and information is available from the council website. The council provides more extracare housing than comparator councils, and supports more people to live independently than comparators. However the time people wait for minor adaptations, though demonstrating year on year improvements in still below comparators, and the overall number of people who are waiting for both minor and major adaptations is greater than that of comparator councils. The council has developed it systems for people to access adaptations through self-assessment, which has resulted in people receiving a faster service. A variety of services are provided for people who use services, carers and young carers, both directly by the council, as well as through a large number of third sector providers. The council has a comprehensive independent living project where the involvement of people with learning difficulties has been central to its development.

Making a Positive Contribution

The council has a comprehensive approach to the involvement of people in the development of services across the city. This includes providing training, support and advocacy to enable people who use services and carers to contribute effectively to boards and groups to ensure their voice is heard. People that represent the views of carers and users of services from black and minority ethnic (BME) groups are represented, and have contributed to the development of local, regional and national policy. The wide ranging third sector provides opportunities for people who use services to volunteer, but also to take part in community life by being part of the leadership of these organisations.

Increased Choice and Control

Information is provided to people who use services and those requiring services to assist them in making choices as to the services they require; as noted above this information is available from a variety of

sources and in many formats. The council provides targeted information for carers, people from BME communities and other groups, and the Infostore, an online source of information for older people won a national award for its innovative approach. With regard to the timeliness of assessment and delivery of services, the council performs above and below comparators respectively. The council continues to increase the number of people who receive direct payments, but performance remains below that of comparators. Advocacy services are provided to support people in making decisions about their care, as well as supporting people to be involved in service developments with the council. The council is reviewing its assessment and care management services and implemented new supervision arrangements for staff and has implemented a new electronic assessment system that allows instant costing of care packages and electronic approval to speed up the process of assessment.

More carers receive breaks or specific packages of care than in comparator councils, and evidence from surveys indicates that the majority of those who have an assessment are satisfied with the process and outcome. The council provided examples of services that it provides to support people to live independently, and enable people to have choice and control over their social care needs. Access to social care staff is available 24 hours a day, and the council have systems in place to ensure a joined up approach with health services. There is a complaints process in place and the independence, wellbeing and choice inspection found that the council's complaints service *"was strong and represented an important part of the performance management process. The process was effective and established and had used information from complaints about service deficits to drive improvement"*.

Freedom from Discrimination and Harassment

The council publishes its fair access to care (FAC) criteria, which remains at substantial and critical risk to independence. The council receives few complaints about its FAC criteria and people who are not eligible are signposted to the wide range of third sector organisations. The council has a range of checks and balances in place to ensure the application of its FAC criteria is fairly and equitably applied. The Safer Leeds Executive provides the leadership for a range of systems and programmes of work to help improve community cohesion and safety. The council has achieved level four of the local government equality scheme, and has undertaken work to improve intergenerational understanding in partnership with people from local communities and schools. Services are also provided for the gypsy and traveller communities and survivors of persecution and exile.

Economic Well Being

The council provides information and support for people to maximise benefits and pensions, and has supported people to access £10.7 million in additional benefits during 2008-2009. The council works with other agencies to provide advice and guidance to people to support them in managing their finances, and provides support for people who lack capacity in managing their financial affairs as appointee's. People who receive direct payments receive financial advice and support to reduce the risk of financial mismanagement. The council provide many opportunities for people who use services to seek training and employment, though there are fewer people with learning difficulties in employment than in comparator councils. The council provides support for carers, has recently developed its carers strategy, and the impact of this is yet to be evidenced.

Maintaining Personal Dignity and Respect

The independence, well being and choice inspection found a number of concerns with the council's safeguarding arrangements. Since this inspection, the council has worked to improve its safeguarding systems and processes. The council has recruited a range of staff to expand its establishment to deal with safeguarding referrals. There has been a review and implementation of new guidance, safeguarding governance arrangements, serious case review processes and linkages with partner organisations. This activity has contributed to a large increase in the number of safeguarding referrals, which the council has been able to keep pace with in terms of completed cases. Internal and external audit has taken place, which has demonstrated that the new procedures are working, but that there remains further work to do to embed the changes across the organisation. Elected members have been involved in championing the new safeguarding arrangements. Training has been reviewed, and 70% of council staff have received training, though the council estimates that 98% of staff in the independent sector have received training.

The council has undertaken a number of activities to improve dignity and respect, and dignity audits have taken place that involve people who have used services as part of the assessment team. The council generally purchases long-term nursing or residential care in line with national purchasing patterns, or proportionately more in good or excellent rated homes.

Outcome 1: Improved health and well-being

The council is performing: Well

1.2 What the council does well.

- Plans and strategies are in place to tackle health and wellbeing inequalities.
- There is evidence that processes are beginning to impact e.g. smoking cessation.
- Independence for older people through rehabilitation and intermediate care is better than other similar councils.

What the council needs to improve.

- The council should continue to work in partnership across Leeds to reduce health inequalities.
- Further work is required to develop and widen access to end of life services.
- The council should continue to develop its work to improve the quality of meals, ensuring that people who use services are involved in developments where appropriate.

Outcome 2: Improved quality of life

The council is performing: Well

1.3 What the council does well.

- Improvements in preventative services to help people live at home.
- The scope and scale of the Neighbourhood Networks that provide a range of support to many thousand people across the city.
- Adults helped to live independently.
- Support and services for people with complex needs.

What the council needs to improve.

- The council should continue to reduce waiting times for all adaptations.

Outcome 3: Making a positive contribution

The council is performing: Excellently

1.4 What the council does well.

- The council's range and breadth of systems to involve people who use services and carers to be systematically involved in the development and commissioning of services across the city.
- The range of voluntary organisations that the council grant funds to provide support and volunteering opportunities for people across the city.

What the council needs to improve.

- The council should continue to embed the involvement of people who use services and carers to ensure that services are available to all.

Outcome 4: Increased choice and control

The council is performing: Adequately

1.5 What the council does well.

- The access to and range of information for people who use services.
- Complaints are handled effectively and efficiently.

What the council needs to improve.

- The council should continue to develop its range of and access to services to ensure that people who use services have choice and control over the type of service provided including reviews of people's need.
- The council should continue to improve its care management services.
- The council should implement its review of out of hour's services.

Outcome 5: Freedom from discrimination and harassment

The council is performing: Well

1.6 What the council does well.

- The council has achieved level four of the local government equality scheme.
- The councils work on community cohesion and inclusion.

What the council needs to improve.

- The council should continue to embed services across the city and evidence the impact that these have on improving people's lives.
- The council should continue its work with partners to improve community safety.

Outcome 6: Economic well - being

The council is performing: Well

1.7 What the council does well.

- The variety of support and information to enable people to be financially secure.
- Joint working with other agencies to maximise people's income.
- The range of opportunities for people who use services to work.

What the council needs to improve.

- Services to support carers to stay in or enter into employment should be further developed.
- The council should develop systems to evidence the impact of its systems to support people with learning disabilities into employment.

Outcome 7: Maintaining personal dignity and respect

The council is performing: Adequately

1.8 What the council does well.

- The progress the council has made with the development of its safeguarding arrangements.
- The quality of purchased placements.

What the council needs to improve.

- The council should continue to embed its safeguarding arrangements and evidence the impact of these improvements.
- The council should further develop arrangements to ensure that carers are part of the expert care team and evidence the impact of these changes.



Leeds: summary of comments from the last stage of moderation in which the council was discussed.

Judgements agreed at Regional moderation

Regional Director Checks	
Agree evidence fits the Delivery of Outcomes judgement?	1 - Yes
Have the Tag's been checked and agreed?	1 - Yes
PAN reviewed and content is appropriate?	1 - Yes
APA report reviewed and appropriate?	1 - Yes
Comments and Rationale - to be completed by Regional Director:	
<p>Leeds overall judgement has moved from adequate to performing well. Outcome 3 has moved from good to excellent and Outcome 7 from poor to adequate. Outcome 4 has remained at adequate (as assessed by council) but the panel concluded that there had been considerable progress and it was expected that the outcomes would be realised in 2009/10.</p> <p>Outcome 3 – An in-depth and broad range of structures ensures virtually all groups of people can be included in consultation and a range of evidence of the impact. Large 3rd sector £12.5m funding a year and evaluation by external body of impact, with performance data available changes made to contracts as a result. Positive evaluation by people who use provision. Integrated involvement of people for independent living project. Involvement of people green flagged in CAA</p> <p>Outcome 4 – A number of improvements, review and development during 2007/08. Improved outcomes expected but too early in year. Councils self assessment accepted.</p>	
<p>Outcome 7 – Progress in relation to the Independence, Wellbeing and Choice Inspection action plan has been monitored at routine business meetings held during the year. It has made considerable progress in developing safeguarding arrangements and has undertaken both internal and external audits on the quality of safeguarding referrals and subsequent action taken. Embedding those arrangements is a key area for 2009/10.</p>	
Please comment on follow up actions considered for 2008/09 Performance rating: These would be based on focused discussion around identified themes: - Further review of performance material/ feedback form council - Consideration for discussion with improvement agencies	



Report of the Assistant Chief Executive (Planning, Policy and Improvement)

Corporate Governance and Audit Committee

Date: 10th February 2010

Subject: Leeds City Region – Update on Governance Arrangements

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Introduction

- 1.1 The City Region signed its Forerunner agreement in late November 2010. The detail of the agreement had been negotiated with Government throughout 2009 and will bring a range of freedoms and flexibilities to the City Region.
- 1.2 As previously reported the agreement to take on greater devolved powers was likely to require certain elements of the existing City Region governance to be amended in order that Government can be satisfied that decisions made by the City Region are transparent and accountable.

2.0 Purpose of the report

- 2.1 This report provides an update on the governance revisions being undertaken by the City Region and the likely timescales for these to be completed.
- 2.2 It also identifies two areas of work that this Committee may wish to receive further reports on with respect to how Leeds City Council and wider partners engage with and influence the new Boards once established.

3.0 Leeds City Region Employment and Skills Board (ESB) and Joint Board with the Homes and Communities Agency (HCA)

- 3.1 Throughout the Forerunner negotiations, the City Region Partnership insisted that the form of governance should flow from the functions and powers that the city region receives as part of the agreement and that where possible, governance changes should build on those already established.

3.2 Following the signing of the agreement discussions took place between the Partnership and officials from the government departments that are delegating the powers as to the form of new governance arrangements required.

3.3 Little discretion was given to the Partnership with respect to the nature of the proposed governance arrangements. The following paragraphs set out the arrangements.

Joint Board with the HCA

3.4 The purpose of the Joint Board will be to work collaboratively with the HCA and other relevant bodies, to oversee HCA investment across the City Region, particularly in relation to the next Comprehensive Spending Review Period; oversee delivery of key strategic projects in the City Region; and provide a mechanism for the voluntary alignment of other related public sector resources.

3.5 A new governance model similar to the London Housing Board whereby the responsibility for determining and managing HCA investments is delegated to the City Region Board from the national HCA Board has been agreed by the City Region Leaders Board and the HCA Board. The national HCA Board and the City Region Leaders Board have also agreed the membership of the Joint Board, which will be:

- Chair – Chair of the LCR Housing Panel (currently Leader of City of York Council)
- Vice Chair – a Board Member of the HCA
- HCA – The Regional Director or nominee
- 3x City Region Local Authorities - nominated by the Leaders Board to be elected Members from Kirklees, Harrogate and Leeds (Cllr Andrew Carter)
- Yorkshire Forward - one senior representative

3.6 It is anticipated that this Board will meet for the first time in April 2010.

Further information on developing the LCR HCA Joint Board, Membership and Terms of Reference is attached at Appendix A.

Employment and Skills Board (ESB)

3.7 The ESB will be responsible for developing a Skills and Employment Strategy for the City Region, which will underpin any statutory strategy setting (so-called “Section 4”) powers in respect of adult skills funding. It is anticipated that the Board will direct up to £250million per year funding.

3.8 The City Region Partnership has been working within Government issued guidance setting out criteria for designating individual ESBs as strategy-setting bodies and working with the UK Commission for Employment and Skills (UKCES) which has prepared a draft assessment process for city region ESBs and will be responsible for recommending to the Secretary of State the readiness of the City Region ESB to take on the powers outlined above.

3.9 The City Region Secretariat met with a representative of UKCES in January and based on upon these early discussions, it is envisaged that the UKCES assessment could take place following the first proposed meeting of the full ESB in April. Any

subsequent decision to award Section 4 powers would, therefore, most likely rest with a newly elected Government.

3.10 The Partnership is in the early stages of recruiting the Membership of the ESB, which Government has determined will have representation from private sector employers; place leaders/public sector employers and commissioners, to consist of:

- 6-9 private sector employers to ensure coverage of the key economic sectors driving growth in the City Region.
- Local Authority Representatives – as representatives of ‘Place’ and as key City Region employers, and 1 non-LA public sector employer representative, e.g. NHS
- 1 representative each from the Skills Funding Agency, Jobcentre Plus, Yorkshire Forward. Other, non-executive, partners (such as the National Apprenticeship Service and Young People’s Learning Agency) will be co-opted to attend Board meetings when the agenda is relevant.

3.11 The City Region Leaders Board will be considering Local Authority representation on 4th February.

Draft ESB Terms of Reference and proposed membership are attached at Appendix B

3.12 Longer term work is underway to consider changes in Transport Governance.

4.0 Interface between Leeds City Council and the Partnership Boards

4.1 Further reports will be brought to this Committee on the interface between Leeds City Council and the new City Region Boards.

5.0 Recommendations

5.1 The Corporate Governance and Audit Committee is requested to:

- Note the revised decision making arrangement being developed at the Leeds City Region level for Skills and Housing
- Note that further reports will be provided on the required interface to ensure that Leeds is in a position to engage with and influence the decisions taken by the proposed governance arrangements for the city region.

Attached:

Appendix A: Developing the LCR HCA Joint Board and Terms of Reference

Appendix B: Employment and Skills Boards – BIS Criteria for designating Strategy Setting Boards

Background Documents Used

Leeds City Region (2009) - Impact, Innovation, Leadership – the Leeds City Region Forerunner Plan.

Leeds City Region Joint Committee Agreement.

APPENDIX A

DEVELOPING THE LCR HCA BOARD ARRANGEMENTS

1. The city region Forerunner Agreement signed by the city region and Government at the city region Summit in November agreed the proposal to establish a City Region HCA Joint Housing and Regeneration Board [herein to be referred to as the LCR HCA Board]. This Board would be given devolved responsibility for overseeing housing and regeneration investment and delivery in the city region, particularly, HCA investments – currently circa £125m pa.
2. The LCR HCA Board offers an excellent opportunity for the city region partnership to direct where housing and regeneration investments are focussed across the city region, in liaison with the HCA, Yorkshire Forward and others. This would replace the current arrangements where nationally based investment decisions are made by Government or its agencies, and local authorities and Elected Members are limited to an influencing role.
3. The LCR HCA Board would also offer an appropriate mechanism for the voluntary alignment of other public sector funding around city region priorities, such as funding from Yorkshire Forward, local authorities and other bodies. This would enable the city region to deliver agreed outputs and outcomes more effectively and secure greater ‘value for money’ for public sector funds.
4. Leading up to the Summit, ongoing discussions took place between the LCR Secretariat and legal representatives of the City Region and the HCA to consider the most appropriate governance ‘model’ and the Terms of Reference for the LCR HCA Board. The key issues were to adopt a model that allowed delegated authority to a Board comprising of local authority, HCA and Yorkshire Forward representatives, and that could be implemented quickly without the need for primary or secondary legislation.
5. At an early it was clear that the current city region governance arrangements, constituted under the Local Government Acts, would not allow the necessary delegated authority to be given to non-elected Members, and therefore was dismissed as a viable option. Clearly, the HCA would not be willing to delegate its investment decisions to a decision making body that would not be able to include the HCA.
6. The HCA is constituted under the Housing and Regeneration Act, with the ‘sponsoring’ Government department being the Department of Communities and Local Government (CLG). Subject to the Secretary of State’s agreement, the Housing and Regeneration Act allows the national HCA Board to delegate authority to committees of the Board, which may include persons other than HCA Board members.
7. The HCA London Board is one such committee that has been set up to provide a strategic oversight of HCA Programmes in London, which is chaired by the London Mayor, and includes four Member representatives from London

Councils and a representative of the London Development Agency. It was considered that this governance model would also meet the city region's requirements for establishing a similar Board with similar powers.

8. This model was therefore adopted for the LCR HCA Board and the Terms of Reference were developed accordingly. The city region Housing Panel was involved in developing the Terms of Reference, which were agreed by the Panel in November and endorsed by the city region Leaders Board in December. The national HCA Board also endorsed the Terms of Reference in November.
9. A copy of the Terms of Reference is attached at Annex A, and in essence, the LCR HCA Board's functions would primarily be threefold:
 - a) To oversee the distribution of HCA investment across the city region, particularly in relation to the next Comprehensive Review Period;
 - b) To oversee the delivery of the agreed City Region strategic projects and programmes, to be set out in City Region HCA Investment Plan and Agreement; and
 - c) To provide a mechanism for the voluntary alignment of other related public sector resources.
10. The City Region Housing and Regeneration Strategy and Investment Framework (Nov 09) sets the City Region strategic framework for identifying policy and investment priorities, and for developing the LCR Investment Plan and Agreements. This LCR Investment Plan will focus on those projects and programmes to be dealt with at the city region level. Once determined, the remainder of the investment programme will be managed by individual local authorities through their individual HCA Single Conversations.

MEMBERSHIP & VOTING

11. The Forerunner Agreement included the intention to establish the Board by April 2010 and this remains the intention. Both the HCA Board and the City Region Leaders Board have agreed the membership of the LCR HCA Board, which will be
 - Chair – Chair of the LCR Housing Panel (currently Leader of City of York Council)
 - Vice Chair – a Board Member of the HCA
 - HCA – The Regional Director or nominee
 - 3x LCR Local Authorities - nominated by the Leaders Board to be elected Members from Kirklees, Harrogate and Leeds (Cllr Andrew Carter)
 - Yorkshire Forward - one senior representative
12. The City Region Lead Local Authority Chief Executive for Housing and Regeneration (currently Bradford's Chief Executive) and the associated City Region Secretariat Lead officer, shall attend, but not be members of the Board. Government Office would attend in an advisory capacity.

13. Strong links will be made between the existing city region Housing Panel, comprising of elected Members from all eleven local authorities, and the LCR HCA Board, to ensure all partner authorities can feed into the decisions of the LCR HCA Board.
14. As the sponsoring body for the HCA, the appointment of non-HCA members to the Board would be subject to approval from the Secretary of State for Communities and Local Government.
15. The LCR HCA Board would operate a one member one vote system, but decisions will be taken by consensus wherever possible. The Chair shall hold a casting vote in the event of an equality of votes but the HCA representatives would have the right, in exceptional circumstances, to refer a decision on HCA investments to the HCA Board for determination.
16. Where the LCR HCA Board seeks to recommend a course of action or decision on the voluntary alignment of other related public sector investments, such as those of Yorkshire Forward or local authority partners, decisions on such alignments would remain the responsibility of the respective funding body.

LEEDS CITY REGION HCA BOARD – Terms of Reference

1. CONSTITUTION AND MEMBERSHIP

- 1.1 The Leeds City Region HCA Housing & Regeneration Board [herein after referred to as the Leeds City Region HCA Board] shall be established by the HCA, in liaison with the Leeds City Region Leaders Board, and shall comprise the following members:

Chair – A local authority Leader from Leeds City Region

Vice Chair – a Board Member of the HCA

HCA – the Regional Director or his nominee

LCR Local Authorities – 3 Members nominated by the Leeds City Region Leaders Board

RDA – one senior representative of Yorkshire Forward

- 1.2 The City Region Lead local authority Chief Executive for Housing and Regeneration and the associated City Region Secretariat lead officer shall attend, but not be members of, the Leeds City Region HCA Board.
- 1.3 Nominated representatives of CLG and the Government Office may attend as observers.
- 1.4 The HCA Board may, on the advice of the Chair and Vice Chair of the Leeds City Region HCA Board, appoint independent members, in an advisory capacity.
- 1.5 Appointment of non-HCA members to the Leeds City Region HCA Board is subject to the approval of the Secretary of State.
- 1.6 HCA Board Standing Order 13 (Standing Orders to Apply to Committees) shall apply to the Leeds City Region HCA Board, with the exception of arrangements for voting and quorum, which are set out in these terms of reference. A summary of all applicable Standing Orders is available separately for persons appointed.

2. FUNCTIONS AND RESPONSIBILITIES

- 2.1 The Leeds City Region HCA Board will oversee the delivery of agreed city region strategic projects and programmes, determined through the City Region HCA Single Conversation and set out in the Housing and Regeneration Investment Plan and other associated strategies, having regard to relevant national policies and directives. It will oversee and direct the distribution of HCA investments across the city region, within the scheme of delegation set by the HCA Board.
- 2.2 The Leeds City Region HCA Board shall have the same delegated authority to approve proposals for housing and regeneration schemes in Leeds City Region as are given to the Investment Committee for proposals for the rest of England, except that,

- (a) nationwide programmes shall be considered by the Investment Committee but the Leeds City Region HCA Board will be consulted on, and may consider and make recommendations on the implications for the City Region of national policies and investment proposals, as appropriate.
- (b) where there are cross-boundary proposals these may be considered by both the Investment Committee and the Leeds City Region HCA Board in parallel, and in liaison with appropriate sub-regional bodies, and subsequently will be considered by the HCA Board if appropriate.

2.3 In particular, the Leeds City Region HCA Board shall

- (a) provide advice to the HCA Board and City Region Leaders Board on levels of housing and regeneration investment needed to deliver strategic priorities in the city region;
- (b) prepare, monitor and review the City Region Housing Investment Plan, providing advice to the City Region Leaders Board and the HCA Board on city region housing and regeneration policy and investment priorities;
- (c) provide an input into the preparation, monitoring and review of the City Region Housing and Regeneration Strategy and Investment Framework;
- (d) oversee the distribution of HCA investments across the city region;
- (e) prepare the City Region Investment Plan setting out the city region's programme for housing and regeneration, and oversee its delivery based on regular monitoring information and analysis;
- (f) consider and approve, or refuse, project and programme proposals for housing and regeneration in the city region, within the scope of delegation set by the HCA Board for the time being, subject to consideration of any advice from officials arising from full appraisal of proposals within the city region Partnership/HCA;
- (g) consider and, on approval, recommend to the HCA Board, programme and project proposals for housing and regeneration in the city region, where these are above the limits of delegation set by the HCA Board for the time being;
- (h) oversee the delivery of the HCA's programmes in Leeds City Region based on regular monitoring information;
- (i) provide a mechanism for voluntary alignment and co-ordination of the activities of public sector investors in housing and regeneration in the City Region;
- (j) liaise with relevant national, regional and local bodies and city region Panels / Boards as necessary
- (k) develop and agree appropriate delivery models for housing supply, improvement of existing stock and regeneration to meet housing requirements in the City Region.

3. QUORUM

- 3.1 No business shall be transacted at a meeting of the Leeds City Region HCA Board unless at least four members are present including at least one Member of the HCA.

4 VOTING

- 4.1 The Leeds City Region HCA Board shall operate on a consensus model, wherever possible without voting.
- 4.2 Where consensus is not achieved, a matter shall be carried by a majority of votes of the members present at the meeting, subject to 4.4 below.
- 4.3 In the case of an equality of votes, the Chair shall have a second or casting vote, subject to 4.4 below.
- 4.4 In exceptional circumstances, on any decision taken by the Leeds City Region HCA Board relating to HCA investments, the HCA representatives, or, in the absence of either, their nominee shall have the right to refer the decision to the HCA Board for determination. Where such a referral occurs the matter shall not be decided until it is determined by the HCA Board.
- 4.5 Where the Board seeks to recommend a course of action or decision on the voluntary alignment of other related public sector investments, decisions on such alignments would remain the responsibility of the respective funding body.

5. OTHER ISSUES

- 5.1 The secretariat will be provided jointly by the city region secretariat and HCA.
- 5.2 The Board shall meet quarterly. Additional meetings may be called as necessary in accordance with Standing Order 5.1.

6 Amendment

- 6.1 Any of the above terms of reference may be altered and amended from time to time by express resolution of the HCA Board, in liaison with the City Region Leaders Board, of which notice shall have been given in the meeting notice at which they are proposed. Any such proposal shall be subject to consultation with the Leeds City Region HCA Board.

APPENDIX B

LEEDS CITY REGION – DRAFT EMPLOYMENT AND SKILLS TERMS OF REFERENCE

Overall Statement of Purpose

To bring together employers of key sectors, along with Local Authorities and commissioners of employment and skills provision, to give collective local leadership to setting the strategic priorities for public sector investment in adult skills and employability programmes that drives the economic growth of the City Region and raises the demand for skills.

The Employment and Skills Board will seek to act as the designated body to set strategy for skills in Leeds City Region as per Section 24 (A) of the Learning and Skills Act 2000, with the addition of devolved commissioning responsibilities as set out in “Raising Expectations and Increasing Support: Reforming Welfare for the Future” (White Paper, Department for Work and Pensions, 2008). It will seek to influence and ensure coherence with 14-19 strategies and policies.

Remit and Responsibilities

The Employment and Skills Board will:

- Promote a shared understanding of skills and employment demand in the City Region economy, now and in the future, the related challenges and opportunities, and share this with partners as appropriate.
- Formulate, publish and programme manage an overarching Plan for employment and adult skills in the City Region, which is co-produced by employers, adds value to local work and skills plans and Employment and Skills Boards and is aligned with the proposed Regional Skills Strategy and Integrated Regional Strategy.
- Set priorities for employment and skills provision which respond to existing and future needs of the Leeds City Region economy and City Region work streams.

- Inform the development of priorities for other work streams of the City Region, including Transport, Innovation and Housing.
- Provide challenge and transparency to the commissioning of skills and employability programmes in the City Region.
- Seek to influence and ensure coherence with 14-19 strategies and policies for the future workforce needs of the City Region.
- Review the Employment and Skills Plan and publish an Annual Report setting out distance travelled and the future challenges and opportunities for the Board.
- ensure the widest possible consultation with employers across the City Region and promote best practice in recruitment, retention and staff development.
- Make recommendations to the City Region Leaders Board, the Regional Minister, the appropriate Secretaries of State, Yorkshire Forward the Regional Development Agency, the Skills Funding Agency, JobCentre Plus and other relevant bodies and organisations on issues related to its responsibilities.

Key deliverables

- Improved employment, skills, progression and productivity outcomes for the City Region.
- Long range (5 year) work and skills plan
- An Annual Report setting out progress on implementation

Performance framework

The ESB will consider appropriate measures for Performance Management, with any proposed framework having due regard to:

- Multi Area Agreement indicators
- Local Area Agreement indicators
- Regional targetry (such as RES/Regional Skills Strategy)

Membership

Membership of the ESB shall have tripartite representation by (i) private sector employers, (ii) place leaders/public sector employers and (iii) commissioners, to consist of:

1. **6-10 private sector employers** to ensure coverage of the key economic sectors driving growth in the City Region.
2. **5 Local Authority Representatives** – as representatives of ‘Place’ and as key City Region employers, and **1 non-LA public sector employer** representative, eg NHS, LCR Universities, or FE.
3. **1 representative each from the Skills Funding Agency, Jobcentre Plus, Yorkshire Forward.** Other, non-executive, partners (such as the National Apprenticeship Service and Young People’s Learning Agency) will be co-opted to attend Board meetings when the agenda is relevant.

Membership will be of senior level (Chief Executive, Leader or Senior Management level) to fully represent the views of their geographic area and/or sector and have executive decision making responsibility.

Members of the ESB will be asked to co-produce and endorse the Employment and Skills Plan and associated activities and be proactive as Champions in promoting and delivering them within their own organisations, localities, sectors and networks.

The tripartite membership will enable co-production, and thereby maximise alignment with local and regional priorities, adding value to those articulated by the City Region Employment and Skills Board.

The ESB may identify the need for the development of relevant task and finish groups to pursue specific issues as relevant. These task groups will report directly to the ESB.

Provision will be made for named alternates with appropriate executive decision making authority.

Chair/Deputy Chair

The Employment and Skills Board will be chaired by an appropriately appointed (ie, applying the seven Nolan principles of standards in public life) employer. The Chair will be appointed by the City Region Leaders Board in consultation with the Secretary of State.

The Deputy Chair will be selected by the ESB.

Local accountability Lines

The ESB will hold any devolved “Section 4” powers. The Leaders Board will endorse the Employment and Skills Plan. The ESB will develop and maintain strong links to local and regional arrangements to ensure there is alignment and value added.

Quorum and Voting Rights

The quorum for meetings should be at least comprised of 50% of the public sector and 50% of private sector Members (or their named alternates).

Members of the Employment and Skills Board who declare an interest and/or leave a meeting shall not form part of the quorum.

Collegiate decision making will be encouraged as the norm. Where a specific issue require a vote, the Chair shall not be entitled to a second or casting vote and any tied resolution will therefore, be deemed to be defeated. The resolution however, may be deferred for further discussion at another meeting.

Frequency of Meetings

The Employment and Skills Board shall meet quarterly. A schedule of meetings will be issued yearly.

Additional meetings may be called at the discretion of the Chair.

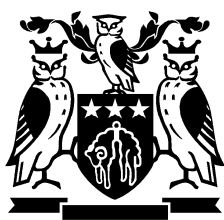
Support and Secretariat Arrangements

Arrangements will be put in place within the LCR secretariat to support the Employment and Skills Board and the overall City Region Employment and Skills agenda and to ensure linkages to City Region Governance Arrangements, including: Leaders Board; Chief Executives; Business Leadership Group; and the Thematic Panels.

A support group of city region officers will provide policy support to the Board, briefings and promote links with local and regional arrangements.

Any task and finish groups which are established in order to progress individual technical work streams, such as potentially performance management and funding, to support the strategic focus of the ESB, will be supported by the Secretariat.

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Report of the Chief Democratic Services Officer

Corporate Governance and Audit Committee

Date: 10th February 2010

Subject: KPMG - Scrutiny review

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Purpose Of This Report

1.1 The purpose of this report is to advise Members of the progress made in progressing the recommendations arising from the May 2009 KPMG Audit of Scrutiny.

2.0 Background Information

2.1 As part of their 2008/09 Audit and Inspection Plan, it was agreed that KPMG would carry out a review of the Council's Overview and Scrutiny function. The audit objective was to provide the Council with assurance around the progress made in the improvement areas identified by the Corporate Assessment, specifically:

- The extent to which the Council has a clear vision for the contribution of scrutiny and the resources to deliver that vision;
- The extent to which the skills of the Members on the Scrutiny Boards are matched to and are appropriate for the fulfillment of their role;
- How scrutiny enquiries and public challenge feed into the work programme of Scrutiny Boards;
- The extent to which the information available to Members enables them to reach appropriate conclusions;
- The design of the Call-In arrangements in response to the Council's recent 'Corporate Assessment' report;
- The extent to which the recommendations of the Scrutiny Boards have resulted in changes in service delivery and service improvements;
- The extent to which the seven Scrutiny Boards challenge policy development and the consistency of actions taken by these Boards;
- The extent to which the Scrutiny function fits within the wider performance management arrangements of the Council; and
- The extent to which Scrutiny provides effective challenge and adds value to the Council.

3.0 Main Issues

- 3.1 A total of 18 recommendations were made by KPMG following their audit. These were accepted by officers. Since publication of the report officers within Democratic Services, in conjunction with the Scrutiny Chairs Advisory Group, have been working towards the implementation of these recommendations.
- 3.2 To date 14 recommendations have been implemented. Two recommendations cannot be deemed as being implemented until the publication of the Scrutiny Annual report to full Council in May 2010. This is because the recommendation is that information be published in the annual report. It can be reported however that this will be achieved. The implementation of two other recommendations is on going.
- 3.3 Appendix 1 presents a table detailing all 18 recommendations and the actions taken to implement them.

4.0 Implications For Council Policy And Governance

- 4.1 KPMG's report provides independent assurance on the Council's Overview and Scrutiny arrangements. The implementation of their recommendations demonstrate an improving function and also good governance, openness and transparency.

5.0 Legal And Resource Implications

- 5.1 There are no specific legal or resource issues associated with this report

6.0 Conclusions

- 6.1 Following receipt of KPMG's audit report in May 2009 14 of the 18 recommendations made have been implemented. Two recommendations cannot be implemented until the publication of the Scrutiny Annual report to full council in May 2010. The implementation of two other recommendations is on going.

7.0 Recommendations

- 7.1 That the Corporate Governance and Audit Committee note the progress made in implementing the recommendations made following KPMG's review of Scrutiny.

Background Documents Used

KPMG review of Scrutiny – Final report, May 2009

Vision for Scrutiny

Scrutiny Board Agendas June, July, September, October and November 2009

Scrutiny Chairs Advisory Group Agendas May, July, September and October 2009

Scrutiny Chairs/Administration Leaders Agenda August 2009

Recommendation	M'gmt response to recommendations	Evidence of Progress to meet recommendations
<p>1 The Council should review the Scrutiny Board Procedure Rules Guidance Notes and add that the Scrutiny Boards will:</p> <ul style="list-style-type: none"> • Be innovative in their approach to challenging the way the Council operates; • Add value to the Council through the reviews they do; and • Strive to improve communication channels within the Council and the wider community. 	<p>Agree.</p>	<p>The Vision Document was agreed by Council in September 2009.</p> <p>Scrutiny Board Members provided with relevant publications, guides, training and tools to help them perform more effective Scrutiny.</p>
<p>2 The Council should publish and distribute local and national examples of where Scrutiny has added value and impact within the Annual Report. This should be seen by full Council and Officers. This will continue to convey the message that by engaging fully with Scrutiny the Council as a whole will benefit through improved public services.</p>	<p>Agree.</p> <p>The Annual report is already presented to full council.</p> <p>A number of scrutiny case studies have featured in national toolkits and studies. In addition some scrutiny reviews were featured in the 'Picture of Leeds' series produced for the CPA in 2007.</p> <p>We will look at strengthening this aspect by incorporating such messages into our overall 'communications strategy'.</p>	<p>Scrutiny Members provided with copies of the Centre for Public Scrutiny e-bulletin which provides examples of good practice within Scrutiny.</p> <p>Local examples of good practice will be shown in the annual report for 2009/10</p>
<p>3 The Council should raise the profile of the 'Memorandum of Understanding between Executive Board and Overview and Scrutiny' and should encourage further engagement between the Scrutiny Chairs, Executive Members and Officers. On an annual basis this document should also be included within the Members' Induction programme.</p>	<p>Agree.</p> <p>The development of a Council vision for scrutiny (recommendation 7) will be a good tool to develop this engagement further.</p> <p>The 'Memorandum of Understanding' will be refreshed and recirculated annually.</p>	<p>Taken to the August 2009 meeting between Chairs and Administration Leaders.</p> <p>Will be incorporated into the May 2010 Member Induction Programme.</p>
<p>4 Single item agendas should be introduced for Scrutiny Board Meetings to improve their efficiency.</p>	<p>Agree.</p> <p>Scrutiny Boards will be encouraged to focus on single item agendas wherever possible and appropriate when developing their work</p>	<p>This recommendation was considered by all Scrutiny Boards in June 09. A final assessment of achievement will be considered at the end of the municipal year.</p> <p>However to date the concept of the single item agenda has been taken up by the majority of Boards and has been used wherever appropriate.</p>

Recommendation	M'gmt response to recommendations	Evidence of Progress to meet recommendations																
	programmes.	<table border="0"> <tr> <td>Board</td> <td>Use of a single item agenda</td> </tr> <tr> <td>E & N</td> <td>1</td> </tr> <tr> <td>Children's Health</td> <td>2</td> </tr> <tr> <td></td> <td>3 with others planned for December, January and February.</td> </tr> <tr> <td>Adult Social Care</td> <td>2</td> </tr> <tr> <td>CCF</td> <td>0</td> </tr> <tr> <td>City Development</td> <td>0</td> </tr> <tr> <td>City & Regional Partnerships</td> <td>2</td> </tr> </table>	Board	Use of a single item agenda	E & N	1	Children's Health	2		3 with others planned for December, January and February.	Adult Social Care	2	CCF	0	City Development	0	City & Regional Partnerships	2
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City & Regional Partnerships	2																	
<p>5 Scrutiny Members should be reminded that Scrutiny Board meetings are not a forum to voice personal political views.</p>	<p>Agree.</p> <p>This will first take place at the June meeting, but Group whips will be reminded via the publication of this report.</p> <p>We accept that whilst party politics should be left at the door, Members will rightly be influenced by their political views but will make recommendations based on evidence.</p>	<p>This recommendation considered by all Boards in June 09, CGA June 09 Executive Board July 09, Scrutiny Advisory Group July 09 and Administration Leaders August 09.</p> <p>This position was reinforced by Members at a Scrutiny Training session in November 2009.</p>																
<p>6 Each of the Scrutiny Boards should assess more formally whether co-opted Members should be invited to participate in their Board so to allow them to draw from the benefits of their involvement.</p>	<p>Agree.</p> <p>This will be a formal Item on the June Scrutiny Board meeting agendas.</p>	<p>Report on Cooptees presented to all Board in June 09 and discussed by the Scrutiny Chairs Advisory Group.</p> <p>It was concluded that co-optees were very helpful to Boards and Boards would use as and when appropriate to that Board.</p>																

Recommendation	M'gmt response to recommendations	Evidence of Progress to meet recommendations
<p>7 The Council should ascertain what their overall vision is for the Scrutiny function, formally document this and then publicise it, potentially within the Scrutiny Board Procedure Rules Guidance Notes.</p>	<p>Agree.</p> <p>We would suggest that the CfPS five principles of scrutiny are used as a starting point. This will require sign up by the Leaders and should involve a wide range of stakeholders.</p>	<p>Vision Document agreed by Council in September 2009.</p>
<p>8 Scrutiny Members should continue to be encouraged to access web based Scrutiny forums so that they have an additional network of resource to draw upon and it will enable further horizon scanning of emerging issues to be undertaken.</p>	<p>Agree.</p> <p>Members will be reminded of these resources on an annual basis at the start of the municipal year, as well as on an ongoing basis.</p>	<p>Centre for Public Scrutiny e- bulletin sent to all Board Members.</p>
<p>9 Regular reports should be made to the political parties highlighting the attendance rates for their Members. Where attendance rates fall below an acceptable level then it should be the responsibility of each political group to take appropriate action to address this. Alternatively the number of members on Scrutiny Boards could be reduced if there are too many competing demands on Members' time.</p>	<p>We currently do this to political groups.</p>	<p>Whips and Scrutiny Chairs receive the following Details on a monthly basis:</p> <p>Attendance at pre meetings Attendance at Boards Late arrivals Early leavers</p>
<p>10 The Council should consider introducing a 'job specification' outlining the required competencies of a Scrutiny Chair. Each political group should then select the individuals who best meet this specification and this should be approved by the Leader of each group.</p>	<p>We shall be introducing 'job specifications' as part of our bid to achieve 'CharterPlus' for Member Development.</p> <p>Whilst the competencies required for the role will be made available to the political groups, the groups need to consider the requirements for the role within the context of party rules.</p>	<p>Work on-going through Member development and subject to discussions.</p>

Recommendation	M'gmt response to recommendations	Evidence of Progress to meet recommendations
<p>11 All Scrutiny Boards should have 'real time monitoring' as a standing agenda item.</p>	<p>Agree.</p> <p>All Scrutiny Boards have a standing item where they review their work programme, and receive the Forward Plan and Executive Board minutes to assist them in any reprioritisation of work. This is required by the Council's constitution.</p> <p>All Scrutiny Boards also have the facility to engage in general discussions with the appropriate Executive Member and Director about service issues. We would not envisage this being a standing item but a facility available to Scrutiny Boards when appropriate.</p>	<p>Evidence to be found within Scrutiny Board Agendas</p> <p>A key theme within the Vision Document and the 'Memorandum of Understanding between Executive Board and Overview and Scrutiny' is the relationship between the Executive and Scrutiny and the ability to use this relationship to monitor issues. All Scrutiny Boards formally meet with the appropriate Executive Board Member at the beginning of the year in 'committee'. Thereafter, Scrutiny Boards have developed their relationship in differing ways.</p> <p>Health Board communicates regularly on an informal basis over matters (this has also included the joint Leaders). Also quarterly meetings with the Executive Member, Adult Health and Social Care take place to coincide with the quarterly performance reports.</p> <p>There has also been considerable liaison with the C/Execs of each NHS Trust - formalised through quarterly reporting / updates at the Board. The Chair of Health Scrutiny has also met with the new Chair of the LTHT Board and is seeking to establish a relationship with each Trust Board similar to that which operates with Executive Board.</p> <p>In Children's, one or both Executive Members attend the quarterly performance monitoring item, and they then stay on for the overview report too, which gives opportunity for a regular fairly wide-ranging discussion.</p> <p>The Chair of Adult Social Care has a one to one meeting with the Executive Member Adult Health and Social Care on the Monday before each board meeting.</p> <p>The Executive Member Central & Corporate attends Scrutiny Board on a quarterly basis to discuss the budget and performance management.</p> <p>The Chair of Children's Services Scrutiny Board meets regularly with each of his two Exec Members, and with the Director of Children's Services and the Chief Executive of Education Leeds. Following the most recent meeting, the Board has asked the Chair to meet with Cllr Harker and Mr Edwards to follow up questions they had arising from three Exec Board reports, linking to their current inquiry on population growth.</p> <p>The Chair of City Development Scrutiny Board meets informally on an ad hoc basis with the Executive Member.</p>
<p>12 Scrutiny pre-meetings should be more effectively used. They should be a forum to provide real focus in advance of the Scrutiny meeting.</p>	<p>Agree.</p> <p>We believe that there is scope to improve on the current use of pre-meetings.</p>	<p>Paper presented to Scrutiny Advisory Group in October 09 on the use of pre-meetings. At this meeting the value of pre meetings was acknowledged.</p> <p>Attendance at pre-meetings monitored and information sent to Whips and Chairs.</p>
<p>13 The Scrutiny Support Unit should remind Officers of the processes that need to be adhered to relating to Call Ins.</p>	<p>Agree.</p> <p>We will work with colleagues in Governance Services to ensure officers across the council are aware</p>	<p>CGA Report – June 09 Audit Report – June 09</p>

Recommendation	M'gmt response to recommendations	Evidence of Progress to meet recommendations
	of the stages and timescales involved in the decision-making process, particularly in relation to the call-in requirements.	
<p>14 Within the Scrutiny annual report each Scrutiny Board should clearly outline the service benefits of the recommendations made. In addition each Scrutiny Board should consider using a consistent table or graph to clearly display the impact of their recommendations and the outcomes recording them as implemented; partially implemented; work in progress; not accepted; and no longer applicable.</p>	<p>Agree. This will be introduced for the 2009/10 Annual Report.</p> <p>The progress of recommendations will relate mainly to those recommendations made the previous year. We will use our existing recommendation tracking system to provide this information.</p>	<p>To be evidenced in 2009/10 Annual report. All Scrutiny Boards use a recommendation tracking system in order to track the implementation progress of recommendations agreed.</p>
<p>15 There is a continuing need for Executive Members, Scrutiny Board Chairs and Officers to work together to identify areas where the Scrutiny Boards can add value to policy development work streams. Where Scrutiny Boards decide not to undertake work areas suggested by Executive Members a brief rationale should be provided so to prevent any misunderstandings arising.</p>	<p>Agree.</p> <p>The success of this will depend on the relationship between Scrutiny and Executive Board Members. The work programme setting meeting in June will be crucial for this to be a success.</p> <p>The Scrutiny Board Procedure Rules already require the Board to provide an explanation where it turns down a suggestion from the Executive Board.</p>	<p>The maintenance of good working relationships is a key theme within the Vision Document and the 'Memorandum of Understanding between Executive Board and Overview and Scrutiny'.</p> <p>Relationship management is a standing agenda item for the Scrutiny Chairs/Administration Leaders meeting.</p>
<p>16 Templates for the layout of the Annual Report should be provided to Scrutiny Chairs so to increase the consistency and to enable greater comparability between the work of each of the Boards. Within the Annual Report each Scrutiny Board should clearly categorise the work using a consistent series of headings.</p>	<p>Agree.</p> <p>This will be introduced for the 2009/10 Annual Report.</p> <p>The use of categories of work has been introduced for the 2008/09 annual report.</p>	<p>A template has been produced for the Annual Report to address this recommendation. This will be evidenced in 2009/10 Annual Report.</p>
<p>17 Scrutiny Board Members should be reminded of the need to assess the performance of key indicators throughout the year and use this to direct any area of their annual work programme.</p>	<p>Agree.</p>	<p>Quarterly performance reports are presented to all Scrutiny Boards. In addition the Head of Policy, Performance and Improvement attends Chairs briefs to highlight key performance issues.</p> <p>A training session, facilitated by the Centre for Public Scrutiny took place in November 2009.</p>

Recommendation	M'gmt response to recommendations	Evidence of Progress to meet recommendations
<p>18 Where there are key performance indicators with historical poor performance the Council should report to Scrutiny Boards the actual impact of this poor performance on service delivery. This may help identify areas where the Council could involve Scrutiny Boards further.</p>	<p>Agree.</p> <p>This will be fed into the quarterly performance monitoring reports received by all Scrutiny Boards.</p>	<p>More detailed narrative is now provided. From quarter 3 the 'direction of travel' for indicators will be given to assist Members in their impact assessments of services.</p>



Report of the Chief Democratic Services Officer

Corporate Governance and Audit Committee

Date: 10th February 2010

Subject: Monitoring of Key and Major Decisions

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

1.1 This report provides an update, as requested by Members at its meeting in June 2009, in respect of the monitoring of Key and Major delegated decisions. The report provides an assurance to the Corporate Governance and Audit Committee with regard to the administration of Key and Major decisions notified to Democratic Services during the period 1st April 2009 to 30th November 2009.

1.2 The report considers:

- the number of Key and Major delegated decisions notified during the period and the reasons given by Directors where decisions have been designated as exempt from the Call-In process; and
- the number of Key Delegated Decisions notified during the period that were not in the Forward Plan of Key Decisions and the reasons provided by Directors.

1.3 The report also, within the context of the findings of the Internal Audit into Key and Major decisions taken by officers, outlines improvements in the administration of decisions for 2009/10. Officers intend to bring a report to the committee on these matters on an annual basis.

1.4 The report also provides comment in respect of the decision making process in respect of payments made over £100,000 in 2008/09.

2.0 Background Information

- 2.1 At its meeting on the 22nd October 2008, Members raised a concern regarding the risks associated with unconstitutional decision making, at that time members provided some examples of decisions which may have been implemented prior to the conclusion of the call-in period.
- 2.2 Further to this Internal Audit undertook a review of a sample of decisions and reported their findings to Corporate Governance and Audit Committee in May 2009. At that time the Committee raised concerns, as, the audit found that, a number of decisions tested had not been registered with Governance Services, did not appear on the Forward Plan, and had been implemented prior to the conclusion of the call-in period. A further report on progress, setting out an action plan to address the issues raised by the Audit, was received in June.
- 2.3 In June 2009 the committee requested a further report to provide progress to date.
- 2.4 This report therefore updates Members on;
- Call-In Exemptions between April and November 2009
 - Key Decisions Taken under Special Urgency provisions
 - The Forward Plan of Key Decisions
 - Improvements in Monitoring Delegated Decisions
 - Further Assurances sought with respect to Key and Major Decisions
- 2.5 In addition Appendix 1 to this report provides an update on the action plan agreed following the Internal Audit report.

3.0 Call-in Exemptions April 2009 – November 2009

Key Decisions

- 3.1 In the period under review there were 79 delegated Key Decisions taken by officers which were notified to Democratic Services. One of these was exempt from Call-In procedures, this was because in order to achieve the deadlines imposed by an external body, the decision was urgent. Further, any delay in implementing the decision would have prejudiced the Council's interest. This decision was taken in accordance with the constitution and necessitated a discussion with the relevant Scrutiny Board Chair.
- 3.2 During the same period 72 Key Decisions were taken by the Executive Board of which one was exempt from Call-In the reason being that any delay in concluding such legal agreements may result in the parties to the agreements seeking to negotiate the terms of such agreements and, as such, could increase the cost to the Council of developing the arena.
- 3.3 The Head of Governance Services is of the view that notification to Governance Services was compliant with the provisions of the Constitution.

Major Decisions

- 3.4 In the period under review there were 87 delegated Major Decisions taken by officers and 3 of these were exempt from call-In procedures. The reasons provided were in respect of urgency to allow the schemes to progress as a matter of urgency.
- 3.5 The Head of Governance Services is of the view that broadly the reasons for exemption which were provided were, at the time the decision was required reasonable and compliant with the provisions of the Constitution. In the case of officer delegated decisions, the Head of Governance Services has written to those responsible for the decision and outlined opportunities for improvement in the management of the decision making process which may have allowed the decisions to have been available for Call-In.
- 3.6 The Head of Governance Services will continue, on a monthly basis, to inform the relevant Director of instances where delegated Key or Major Decisions have been taken which have been exempted from the Call-In process and raise any issues of concern.
- 3.7 The Head of Governance Services also brings Corporate Governance and Audit Committee's attention to a performance indicator which has been introduced dealing specifically with the availability of decisions for Call In. The target for 2009/10 for the percentage of decisions available for Call In is 95%. For the period under review in the performance of the Council was 97%, i.e. better than the target.

4.0 Key Decisions Taken Under Special Urgency Provisions

- 4.1 In the period under review there were no decision taken under the 'Special Urgency' provisions contained in the Constitution.

5.0 Forward Plan of Key Decisions

- 5.1 The Leader of Council is required to produce each month a Forward Plan of Key Decisions detailing those Key Decisions which are to be taken by the Executive Board and by Officers (under delegated powers).
- 5.2 The Forward Plan is prepared on a monthly basis and contains details of the Key Decisions to be made for the four month period following its publication. This document provides details of the date on which the Decision is due to be taken and who is going to be consulted.
- 5.3 If a Key decision is not on the Forward Plan then the reason and the need for the decision to be taken must be detailed either in the report to the Executive Board or on the delegated decision notification before it is processed within the Governance Services Unit.
- 5.4 In the period April 2009 to November 2009 there were 79 delegated Key Decisions taken by officers of which 12 were not included within the Forward Plan of Key Decisions.
- 5.5 Reasons were given for all the decisions taken that were not in the Forward Plan and the generic reasons advanced are detailed below:
- There were 7 occasions when decisions were taken that had appeared in the Forward Plan in the previous month(s) and there were subsequent delays with the consequence that the decision did not appear in the Forward Plan.

- There were 3 occasions where grant aid, a loan and a compensation payment was required to be paid urgently to organisations; these decisions did not appear in the Forward Plan.
- There were 2 occasions where structural changes were required and these did not appear in the Forward Plan.

- 5.6 During the same period 72 Key Decisions were taken by the Executive Board of which 8 were not on the Forward Plan. Currently no reasons are given within reports considered by the Executive Board explaining why they did not appear in the Forward Plan.
- 5.7 Whilst the Head of Governance Services is of the view that those Key Decisions (which were not pre notified on the Forward Plan), were taken in accordance with the provisions of the Constitution, there still remains scope within directorates for more timely management of decisions. This will enable more decisions to be pre notified on the Forward Plan and in doing so this will improve the openness and transparency of the Council's most significant decisions.
- 5.8 The Council Business Plan has a performance indicator dealing with those Key Decisions which did not appear in the Forward Plan.
- 5.9 For 2009/10 the target for the percentage of decisions which did not appear on the Forward Plan was 13%(15% in 2008/09). The performance of the Council in the period April 2009 to November 2009 was 12%¹(16% in 2008/09).
- 5.10 Having reviewed the performance in some detail it is apparent that 15% (27% in 2008/09) of Key decisions taken by Officers had not been pre notified on the Forward Plan. This is an important area for continued improvement for 2009/10 and to help support directorates the Head of Governance Services, has on a monthly basis, informed Directors of instances where delegated Key Decisions have been taken which were not entered in the Forward Plan of Key Decisions and raised any issues of concern.

6.0 Monitoring of Decisions

- 6.1 The Internal Audit report recommended that the Head of Governance Services be empowered with appropriate escalation procedures where there are concerns regarding compliance with the Constitution.
- 6.2 In accordance with recommendations of the Internal Audit report the Head of Governance Services has on a monthly basis identified and escalated concerns to Directors as required in relation to decisions that have been exempted from the Call-In procedures or on occasions where Key Decisions have not been notified in the Forward Plan of Key Decisions. In addition to these arrangements any ongoing concerns have been and will continue to be raised with the Monitoring Officer.
- 6.3 Additionally during the period under review the Head of Governance Services continued with the additional processes referred to in the report to this Committee in June 2009 in respect of delegated Key Decisions in an attempt to ensure that as many decisions as possible were included within the Forward Plan of Key Decisions.

¹ This figure includes Key Decisions taken by both Executive Board and by Officers under their delegated authority.

- 6.4 Governance Services identify each month decisions within the Forward Plan that have not been taken and ask the decision maker whether the decision is to be taken that month or whether it requires 'slipping' to the following month if the decision is not to be taken in the month originally notified.
- 6.5 This report does not consider Licensing or Planning decisions taken by officers under delegated authority or by Council Committees. Committee at its meeting in June, resolved that annual reports in respect of these decisions be submitted for consideration and will be subject of a separate report to a future meeting.
- 6.6 The Internal Audit report identified a gap, whereby not all decisions were correctly defined within directorates and subsequently taken in accordance with the Council's Constitution. A further issue identified within the Internal Audit report was that no formal lists of authorised signatories were held by Governance Services to evidence that delegated decisions had been appropriately authorised.
- 6.7 The Head of Governance Services has, since the meeting of this Committee in June, arranged training for Chief Officers Resources and Strategy(CORS) and key Directorate support staff on the Council's decision making processes.
- 6.8 The training focussed upon a competency framework for decision makers within the Authority and was targeted at those officers across the Authority with responsibilities in respect of decision making and has been designed to:
- Raise awareness of the importance of ensuring consistency and transparency in decision making;
 - Identify strengths, weaknesses and improvement areas of those officers with delegated and sub delegated decision making authority;
 - Assist decision takers to perform better in their roles and achieve better results;
 - Assess the extent to which decision making awareness and skills exist across the Council; and
 - Ensure decision takers are aware of relevant statutory and regulatory responsibilities relating to decision making.
- 6.9 The training was specifically designed to ensure that Officers were aware of who had delegated authority to make decisions and how decisions were classified and recorded. It is planned that the training will be rolled out by the CORS within each Directorate for relevant staff and arrangements are in the process of being made for this to happen. In addition Governance Services will be providing further training sessions on any emerging areas requiring further clarification. This has been initially scheduled for April 2010.
- 6.10 Directorates have also completed sub-delegation schemes. These documents provide details of the decision making authority of officers in directorates and any terms and conditions which might apply to that authority. All of these sub delegations are now available on the Intranet and all Members were informed of this by email in October and again, in November, in that month's issue of Governance Matters.
- 6.11 The Head of Governance Services has amended the delegated decision notification form (which is required for all delegated decisions) in order that the decision maker, and their authority, is more explicitly identified.

- 6.12 In addition to this the Head of Governance Services has introduced additional checking processes within Governance Services that ensure compliance with constitutional requirements. Prior to the publication of decisions officers within Governance Services ensure that the Decision Maker has the necessary constitutional authority, the appropriate reference to the Scheme of Delegation is made, details of exempt/confidential information is referred to on the delegated decision notification, the signatory has the appropriate constitutional authority to take the decision and that each delegated decision notification is accompanied by a report.
- 6.13 The Head of Governance Services can confirm that the standard of delegated decisions notified is improving and is an area that will continue to be monitored.
- 6.14 In addition to the above it is the intention of the Head of Governance Services to revisit the Corporate Report Writing Guidance during the Municipal Year to reflect comments that were made within the Internal Audit report. This work is contingent on other work being completed to better align Financial Procedures Rules and Contracts Procedure Rules with the Council's decision making framework (see paragraph 7.5 below).

7.0 Additional Assurances Sought

- 7.1 A key finding of the Internal Audit review was that there were a substantial number of decisions which are taken which are not notified in accordance with the Constitution. In order to seek to establish this Internal Audit recommended undertaking periodic data-matching exercises to provide assurance that all relevant decisions have been approved through the appropriate process i.e capital programme schemes could be matched to the database of registered decisions.
- 7.2 All financial commitments over £100,000 in 2008/09 have been reviewed. The review identified that, for expenditure of a value equivalent to a Key Decision, in the main an appropriate delegated or Executive Board decision, was available to support expenditure.
- 7.3 However the review did identify that some payments were made where;
- a formal decision was not identifiable;
 - reference to supporting decisions were made which were not pertinent (for example making payments by reference to a decision to waive contract procedure rules rather than a decision to award a contract to a particular company);
 - delegated decisions notices had been completed, but the accompanying reports (which are required to provide the background, option appraisal and justification for a decision) are of poor quality or are not provided at all.
- 7.4 Further work is being led by the Assistant Chief Executive (Corporate Governance) (in conjunction with the Director of Resources) to review the controls which are in place and establish how they can be better aligned and give improved clarity, particularly in relation to those decisions which have a financial commitment in excess of £100,000.

8.0 Implications For Council Policy And Governance

- 8.1 The Council's Constitution sets out the legal framework to decision making and establishes a system to document decisions taken under delegated authority.
- 8.2 The Council's Constitution also sets out which decisions are eligible for call-in and how a Director can identify a decision as being exempt from call-in where they consider the decision to be urgent and any delay in implementing the decision would seriously prejudice the Council's or public interest.
- 8.3 The Council's Constitution also sets out the requirement to enter details of Key Decisions in the Forward Plan of Key Decisions.
- 8.4 Following the Internal Audit report concerning the taking of Key and Major Decisions by officers, the Head of Internal Audit's opinion was as follows.

Head of Internal Audit Opinion as at May 2009

Control Environment	LIMITED ASSURANCE
Compliance	MODERATE ASSURANCE

- 8.5 Following the improvements identified in this report the Head of Governance Services is of the view that improved assurance can be provided with regard to the Control Environment, with Moderate now being a more appropriate level of assurance.

Head of Governance Services Opinion as at November 2009

Control Environment	MODERATE ASSURANCE
Compliance	MODERATE ASSURANCE

- 8.6 However whilst significant improvements have been made in both the reporting and monitoring of decisions there remains further scope for improvement.

9.0 Conclusions

- 9.1 In conclusion during the period under review there were 166 delegated decisions classified as either Key or Major and would therefore be eligible for call-in of these decisions 4 were designated as exempt from call-in and in each case a reason was given on the decision documentation as to why the decision should be designated as exempt from the call-in process.
- 9.2 There were 79 Key Delegated Decisions that were eligible for inclusion in the Forward Plan of Key Decisions of these 12 were not included in the Forward Plan of Key Decisions and each delegated decision reasons were provided for the non inclusion of the decisions within the Plan.
- 9.3 There were no decisions taken under Special Urgency Provisions

- 9.4 Chief Officers Resources and Strategy and key Directorate support staff have been trained on the Council's decision making processes and this training will be rolled out within Departments for relevant staff.
- 9.5 Improved monitoring arrangements in respect of notified delegated decisions are now in place.
- 9.6 A report will be submitted in respect of Licensing and Planning decisions taken by officers under delegated authority or by Council Committees as requested by Committee at its meeting in June.
- 9.7 Further work is being progressed by the Assistant Chief Executive (Corporate Governance) to review the controls which are in place and establish how they can be better aligned and give improved clarity, particularly in relation to those decisions which have a financial commitment in excess of £100,000.

10.0 Recommendations

10.1 Members of the Committee are asked to:

- note the number of delegated decisions taken during the period 1 April 2009 and 30 November 2009 and the number of those that were exempt from call-in and the reasons why;
- note the number of delegated Key Decisions that did not appear in the Forward Plan of Key Decisions in the period 1 April 2009 and 30 November 2009 ;
- note the training of Chief Officers Resources and Strategy and key Directorate support staff in respect of the Council's decision making processes.
- note the improved monitoring arrangements introduced by the Head of Governance Services in respect of notified delegated decisions.
- note the work undertaken to date in respect of undertaking an analysis to establish that all payments over £100,000 are been notified in accordance with constitutional requirements.

Background Documents

Report to Corporate Governance and Audit Committee – 30 June 2009

Guidance Notes on Delegated Decision Making

Access to Information Procedure Rules

Internal Audit Report – Key and Major Decisions taken by officers under delegated or sub-delegated authority 2008/09

Appendix 1



Key and Major Decisions taken by Officers under delegated or sub-delegated authority 2008/09

Update on Action Plan in Response to Internal Audit Recommendations- December 2009

Ref	Recommendation	Management Response	Responsible Officer	Anticipated Completion Date
	Stage 1: Constitution is Fit For Purpose			
1.1	Satisfactory controls are already in place to ensure that the Constitution is set in accordance with legislative requirements. Recommendations made below in stage 5 will facilitate improvements in the Constitution that will address the local agenda and drive the culture and risk appetite of the organisation.	<p>Controls at a Corporate level work well and there are documented procedures for review and update.</p> <p>Further dialogue will take place with the Head of Internal Audit with a view to schedule an independent Internal Audit review of those processes.</p>	Head of Governance Services/Head of Internal Audit	March 2010
	Stage 2: Communication and Training of Key Staff			
2.1	Completion of the sub-delegation review should be prioritised and communicated to all stakeholders. This is necessary to ensure officers are aware of the extent of their decision making responsibilities and that decisions are appropriately challenged and approved. This will also result in a comprehensive and current central list of all decision makers across the organisation that can be used to target training resources.	The responsibility for the review, upkeep and communication of sub delegation schemes rests with Directors and Chief Officers with concurrent delegations. These documents are a key governance control document.	All Directors and Chief Officers with concurrent delegations	All Sub Delegation schemes completed
		Directors and relevant Chief Officers are to be required to give an assurance each year that sub delegation schemes within their area of responsibility have been reviewed, are fit for purpose and have been communicated appropriately.	Monitored by Head of Governance Services	March 2010

Ref	Recommendation	Management Response	Responsible Officer	Anticipated Completion Date
2.2	A programme of formal training and refresher sessions for all officers involved in the decision making process should be developed and progress against delivery monitored and reported to the Corporate Governance Board. This will ensure that individual responsibilities are understood and the requirements of the Constitution are complied with. Feedback from these sessions will be useful in ensuring the Constitution is clearly written and readily understood by all appropriate stakeholders.	<p>The Head of Governance Services has limited resources to support a comprehensive training programme for all decision makers within the organisation.</p> <p>A report will be taken to CLT to increase Directors awareness of the constitutional requirements re decision making.</p> <p>Core decision making competencies have been identified and are to be used as a basis for training. To complement this Governance Services will develop a training pack that can then be used by each directorate to cascade the training</p> <p>Chief Officers (Resources and Strategy) within each Directorate to cascade this training.</p>	<p>Head of Governance Services</p> <p>Head of Governance Services</p> <p>Chief Officers (Resources and Strategy)</p>	<p>Completed</p> <p>Completed</p> <p>Target December 2009</p>
Stage 3: Monitoring of Compliance				
3.1	Directorate understanding of and compliance with the Constitution would be enhanced by identifying and appropriately training a designated officer to co-ordinate the process. This officer would ensure that, for example, messages are disseminated promptly to relevant officers, training is delivered where necessary and the requirements of the Constitution are being applied. This officer would be able to drive improvements with the decision making process within his/her directorate and give the Director the necessary assurances.	It is proposed that the designated Officer in each directorate be the Chief Officer (Resources and Strategy).	Directors	Completed – further training to be provided to Central and Corporate functions by December 2009

Ref	Recommendation	Management Response	Responsible Officer	Anticipated Completion Date
3.2	<p>Each directorate must have procedures in place to ensure that the requirements of the Constitution are effectively communicated. The Director should seek assurances (from an appropriate officer/s) that these requirements are being complied with in practice. The Head of Governance Services should also be satisfied that directorate arrangements are appropriate and draw an independent opinion as to the compliance with the Constitution in practice across the organisation (see recommendation 3.4 below). These evidence based assurances should underpin the Annual Governance Statement.</p> <p>The directorate governance arrangements should be underpinned by:</p> <ul style="list-style-type: none"> ➤ Sub-delegation system; ➤ Training and development for relevant officers; ➤ Designated officer within each directorate (who is responsible for the co-ordination of the decision making process); ➤ Monitoring and feedback controls. <p>These arrangements will provide Directors with assurance that decision making within the directorate is fully in accordance with the requirements of the Constitution. For example:</p>	<p>The Assistant Chief Executive (Corporate Governance) will lead the introduction of more formal assurance arrangements both from Directors and by designated corporate governance lead officers within the council. This will not only incorporate decision making but will extend to all facets of the Council's governance arrangements.</p> <p>When implemented these arrangements will provide a documented framework from which the necessary assurances can be drawn in order to underpin the Council's Annual Governance Statement</p>	The Assistant Chief Executive (Corporate Governance)	Initially anticipated for October 2009, delayed to January 2010

Ref	Recommendation	Management Response	Responsible Officer	Anticipated Completion Date
	<ul style="list-style-type: none"> ➤ All details included within constitutional decision reports are factually correct and contain sufficient information prior to submitting the report to the decision maker; ➤ Exempt or Confidential information is correctly classified in accordance with the Access to Information Procedure Rules ➤ All related decisions are included/referred to as background papers within supporting reports. ➤ Legal advice has been sought where appropriate to support all relevant decisions and such advice retained. ➤ All Council Policy and Governance implications have been included within the reports on which decisions are based. ➤ Where awareness gaps are identified, relevant training will be provided by the relevant Chief Officer (Resources and Strategy) and systems updated to ensure continued compliance with the Constitution. 			

Ref	Recommendation	Management Response	Responsible Officer	Anticipated Completion Date
3.3	Reports supporting the decision should detail the challenge processes that have been undertaken and include all necessary information upon which the decision is to be based.	A review of the Constitutional requirements with respect to the decision making will be undertaken. This will include a review of the guidance provided to those responsible for writing reports which underpin delegated decisions and reports to Council committees	Head of Governance Services	Originally anticipated for October 2009 – delayed pending outcome of 3.4 below
	To support the Annual Governance Statement, in addition to directorate assurances, the Head of Governance Services should centrally monitor the extent of compliance with the Constitution. For example, activities could include:	A key finding of the Internal Audit report was that a number of decisions have been taken which have not been correctly notified in accordance with the Constitution. It is proposed that, in conjunction with the Director of Resources, a further decision making control be introduced in relation to Key and Major Decisions. This would require confirmation that appropriate delegated decision notifications had been made prior to processing financial commitments in excess of £100,000.	The Assistant Chief Executive (Corporate Governance) Director of Resources	Originally anticipated for October 2009 – delayed until January 2010
3.4	<ul style="list-style-type: none"> ➤ Undertaking periodic data-matching exercises to provide assurance that all relevant decisions have been approved through the appropriate process i.e capital programme schemes could be matched to the database of registered decisions. ➤ Collating data on the Key and Major decisions registered per directorate / service area to provide assurance that the number of decisions registered appears reasonable. ➤ Centrally reviewing agenda items for Executive Board to ensure that all relevant proposed decisions are appropriately recorded in the Forward Plan 	<p>Data is collated on Key and Major decisions by the Head of Governance Services. This will be provided to Directors each quarter so that directors can assess the reasonableness of the number of decisions notified.</p> <p>All Executive Board Decisions are reviewed on a monthly basis to ensure that relevant decisions have been recorded on the Forward Plan.</p> <p>The draft versions of the Forward Plan are provided to Departments on a regular basis to allow amendments as appropriate.</p>	Head of Governance Services	Originally identified for July 2009 but Completed in November 2009

Ref	Recommendation	Management Response	Responsible Officer	Anticipated Completion Date
Stage 4: Non-Compliance Issues				
4.1	The Head of Governance Services should be empowered with appropriate escalation procedures in the case of serious or consistent non-compliance within the organisation. Obviously, the initial response would be to improve communication and deliver targeted training, but should these proactive measures fail, more formal action must be taken.	<p>From May 2009 escalation processes have been introduced (on a monthly basis) to Directors.</p> <p>Serious or consistent non-compliance will, as previously, be referred to the Assistant Chief Executive (Corporate Governance).</p> <p>Performance on decision making will be reported as part of the Directors appraisal scheme.</p>	Head of Governance Services	Completed May 2009
Stage 5: Learning and Improvement				
5.1	The outcomes from the controls dictated by the Constitution should be regularly reviewed against the objectives of those controls and anticipated benefits. Efficiency and effectiveness improvements should be incorporated within the Constitution as part of the iterative review process.	<p>The constitution is, by nature, a fairly technical document.</p> <p>A plain English summary of the constitution will be prepared and glossary of terms produced to aid understanding of the requirements.</p>	Head of Governance Services	Originally scheduled for October 2009 now planned as a Plain English guide to Decision Taking in Leeds City Council due to be available in January 2010
5.2	<p>The current reporting template should be reviewed and updated and contained as an appendix in the Constitution. Areas where clearer advice would be useful include:</p> <ul style="list-style-type: none"> ➤ Guidance for the author in terms of the amount and quality of information presented, for example, pop up boxes which provide examples or guidance when interpretation of the Constitution is necessary. 	A review the Constitutional requirements with respect the decision making will be undertaken. This will include a review of the guidance provided to those responsible for writing reports which underpin delegated decisions and reports to Council committees	Head of Governance Services	Originally anticipated for October 2009 – delayed pending outcome of 3.4 above

Ref	Recommendation	Management Response	Responsible Officer	Anticipated Completion Date
	<ul style="list-style-type: none"> ➤ Encourage the author to include those challenge and assurance processes within the report. This would enable the decision maker to place reliance on previous challenge and debate, avoid duplication of effort and highlight any decisions that may require additional scrutiny if they have not been subject to earlier challenge and review. ➤ A requirement that the report clearly details whether any expenditure resulting from the decision is discretionary or statutory. This would be particularly useful for the decision maker where the financial climate is difficult. ➤ Explicit reference to any future approval that may be required in order to progress the decision. For example, the delegated decision process may currently be used to obtain approval to award contracts only and may not in themselves have any financial approval implications for the Authority. 			



Originator: W. Allinson

Tel: 26 60037

Report of the Chief Customer Services Officer

Corporate Governance & Audit Committee

Date: 10th February 2010

Subject: Access Routes and Publicity of the Corporate Complaints Process.

<p>Electoral Wards Affected:</p> <div style="border: 1px solid black; display: inline-block; width: 20px; height: 10px; vertical-align: middle;"></div> Ward Members consulted (referred to in report)

Executive Summary

1. This report was requested by Board Members to provide clarity on the various access routes the Council have for customers to obtain information about the Councils Corporate Complaints Process and the Local Government Ombudsman.
2. As a Council we are committed to making it easier for our customers to provide feedback to us, and then use this feedback to improve our services. To do this we provide customers with a number of different access routes to the complaints process so that they can provide us with feedback in whichever format is their preferred access route, as detailed within this report.
3. Certain services have different response times to the corporate standard and/or have a different numbers of stages to their complaints process. Each service therefore confirms the relevant timescales for a full response to the customers complaint within it's acknowledgement to the customer. To provide the Board with clarity on the different stages and timescales, a table is provided at page 4 of this report, detailing all of the differing processes.
4. Members are asked to note the information detailed within this report.

1.0 Purpose Of This Report

- 1.1 The Council has a Corporate Compliments and Complaints Policy. The aim of the policy is to provide clear guidelines for customers and staff as to what standard of service they can expect and within what timescale.
- 1.2 One of the main aims of the policy is to make the complaints route accessible to all. As a learning organisation we welcome feedback from our customers. To obtain that feedback we need to be accessible by a number of routes so that customers can use their preferred method for letting us know about their issues.
- 1.3 This report was requested by Members to provide clarity on the various access routes the Council has for customers to obtain information about the Councils Corporate Compliments Process and the Local Government Ombudsman.

2.0 Background Information

- 2.1 The mission of Leeds City Council is 'to bring the benefits of a prosperous, vibrant and attractive City to all the people of Leeds'.
- 2.2 Within this, we recognize the need to provide a first class public service, which is responsive to the expressed views of our customers and this is reflected in our core value of "putting customers first".
- 2.3 Through our Compliments and Complaints Policy and associated procedural guidance document, we resolve to deal with customer complaints speedily, effectively and fairly. We commit to making it easier for our customers to provide feedback to us, and then use this feedback to improve our services.
- 2.4 To do this we provide the customer with a number of different access routes to the complaints process so that they can provide us with feedback by their preferred access route, as detailed below.
- 2.5 We also have a network of officers around the council known as Departmental Customer Relations Officers (DCRO) whose role it is to allocate complaints to Investigating Officers within their services. The DCRO will also ensure that responses are provided within the relevant timescales and lessons are learnt. The Corporate Customer Relations Manager meets with the DCRO's on a six weekly basis to discuss issues and develop skills.

3.0 Main Issues

3.1 By Post

The Council has a leaflet available to all customers giving information and access to the complaints process. The leaflet is called "Let us Know" (attached at Appendix 1) and can be obtained from any council public access site – eg: One Stop Centres, Libraries, Sports Centres, public reception areas in all council buildings. Once the form is completed it can be handed in at any site or return to us by post. The return address on the leaflet is a freepost address to ensure that there is no cost to the customer.

- 3.2 Customers wishing to send a letter to the council will also be given the freepost address to ensure no cost to the customer.
- 3.3 The “Let Us Know” leaflet publicises all of the different access routes detailed in this paper and gives a brief overview of the councils complaints process but only details how to access the process and confirm that the customers’ complaint will be acknowledged by the relevant service within 3 working days.
- 3.4 The reason for only providing limited information on the complaints process on the leaflet is that the Corporate Let Us Know leaflet is available for all customers throughout Leeds to provide feedback on all Council services, however certain services have different response times to the corporate standard and/or have a different numbers of stages to their complaints process. Each service therefore confirms the relevant timescales for a full response within it’s acknowledgement to the customer.
- 3.5 Due to the differing response times detailed above certain services – the ALMO’s, Adult Social Services & Children’s Social Care have their own complaints leaflets – these are available at all their public access sites also.
- 3.6 To provide clarity on the different stages and timescales, table 1 details all of the differing processes.

**3.7 Table 1
Complaint Response Times**

Name of Process	Stage 1	Stage 2	Stage 3
Corporate	15 working days	15 working days	N/A
Adult Social Care (Statutory Timescale)	Informal = 20 working days Formal = 65 working days	N/A	N/A
Children’s’ Services (Statutory Timescale)	20 working days	65 working days	30 working days
ALMO’s – ENEHL	10 working days	15 working days	5 working days to book stage 3 hearing – outcome notified within 5 working days of the hearing.
ALMO - WNWHL	10 working days	10 working days	20 working days
ALMO – AVH	10 working days	10 working days	N/A

Note: When reporting to Customer Strategy Board on response times on complaints, all services (including ALMO’s) except Adult and Children’s’ Services currently report against the corporate 15 working day timescales. Adult and Children’s Services report against their 20 day statutory timescale.

3.8 Reasonable Adjustments

The Complaints Policy does not require customers to provide initial feedback in writing. All customer feedback will be treated equally whether it is by leaflet, telephone, letter, fax, email or other communication routes.

- 3.9 There may be times where we will request information in written format e.g. at stage II of the process, when a complaint is about members of staff or where there are multiple issues raised. However, reasonable adjustments will always be made for customers who would have difficulties providing information to the Council in writing – ie – we will write it down for the customer and read it back to them for them to agree the content.

3.10 Customers Whose First Language is not English

It is no longer policy to provide pre printed stocks of Let Us Know Leaflets in community languages without them being requested. If a customer requires the information within a Let Us Know Leaflet translating into their first language, this can be requested via the Customer Relations Team within Customer Services.

- 3.11 Customers who require interpretation and/or translation can be referred to the Council's' Interpreting and Translating Unit. Details of how staff can access these services for a customer can be found on the intranet and within the Procedural Guidance for Staff on the Compliments and Complaints policy.

3.12 Telephone

Any customer should be able to complain direct to the relevant service *if* the service has a public access phone lines. Most telephone complaints are however received via the dedicated Customer Relations line at the Corporate Contact Centre. The Corporate Contact Centre also provides access to the Minicom service for customers with hearing or speech impediments. Complaint calls can be taken at the Contact Centre between 8am and 6pm Monday to Friday.

- 3.13 The Customer Relations line in the Contact Centre takes on average 30 calls per day although a high number of these calls do not go on to become formal complaints. The Customer Services Officers' taking the calls will endeavour to assist the customer with resolving any issues / service request they have during the call. If however they cannot resolve the customers' issue and the customer wishes to make a complaint, the Officer will take the details of the complaint and send it on to the relevant service to be investigated and responded to.

3.14 Face to Face

Customers can visit any Council site where there is public access. If the customer visits any of the city's 15 One Stop Centres, they will be seen by a Customer Services Officer who will assist them with any issues / service request they have. If they cannot resolve the customers' issue and the customer wishes to make a complaint, the Officer will take the details of the complaint and send it on to the relevant service to be investigated and responded to.

- 3.15 If the customer visits a council site where we do not have dedicated Customer Services Officer's but they do have reception / counter staff (eg: Libraries or Sports Centres), an LCC feedback leaflet know as "Let Us Know" can be given to the customer or receipted back from them.

3.16 Internet

Customers wishing to access the complaints process via the internet can access this via the Leeds City Council home page in the “get involved” box. The page then opens up and provides a link to the following information and access routes:-

- An e-mail address which will when used will send all correspondence directly to complaints @leeds.gov.uk.
- An on line form that the customer can complete.
- Facility to view or download a “Let Us Know” leaflet to send to the Council by freepost.
- To ensure transparency, customers can also access the full Compliments and Complaints policy.
- The page also confirm the other access routes – telephone number for Customer Relations in the Corporate Contact Centre and addresses and maps for all Customer Services One Stop Centre face to face sites.
- There is also a sign language video explaining how a customer can complain to the council.

3.17 Intranet

Council staff/Members wishing to access information on the complaints process can do so by the intranet by choosing -C- on the “site index” and then scrolling down to “Compliments and Complaints”. The page which opens is the same page available to customers on the internet with all of the same information detailed above.

3.18 Access to Information on the Local Government Ombudsman

The Local Government Ombudsman is an independent body appointed by the Government to investigate Council’s if a customer is dissatisfied with the standard of service provided, the actions or lack of action by the Council.

3.19 From April 2009, the Local Government Ombudsman will not accept complaints from customers if they have not been through the council’s full complaints process.

3.20 When a customer comes to the end of the relevant complaints process, in the final response, the service is required to advise the customer that there next recourse should they remain dissatisfied would be to the Ombudsman – full contact details for the Ombudsman will then be provided as detailed below at 3.25

3.21 As a Council we also provide the following access routes to information about the Local Government Ombudsman (LGO).

3.22 Face to Face

If a customer visits a Council site a Let Us Know leaflet can be given, detailing all of the access routes for the LGO.

3.23 Internet

To access information about the LGO on the internet a customer need only type in Local Government Ombudsman or LGO for a number of web links to be made available to them.

3.24 If the customer chooses to log into the Leeds City Council website, information about how to contact the Ombudsman can be found in the Let Us Know leaflet

which can be viewed or downloaded. Contact details for the Ombudsman can also be found in the Compliments and Complaints Policy. – The policy states:-

- 3.25 *the customer will be informed of their right to take the complaint further if they remain dissatisfied. The response should contain the contact details for the Local Government Ombudsman's Office.*

*Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH*

Tel : 0845 602 1983 or 024 7682 1960

Email : advice@lgo.org.uk

Text : 0762 48 4323

3.26 Intranet

Council staff/Members wishing to access information on the Ombudsman can do so by the intranet by choosing -O- on the "site index" and then scrolling down to "Ombudsman. Within this page is a link to the Local Government Ombudsman's website.

3.27 Telephone

Officers around the council with access to the intranet can access the relevant information to provide it to a customer, if requested. Officers within Customer Services also have access to OASIS which links to the same information.

3.28 OASIS

Customer Services have a web based system for staff which holds relevant information that customers may need to know and full details of the Ombudsman, their role and contact details are available on this application.

3.29 LGO Information Leaflets

A stock of LGO leaflets are ordered from the Ombudsman each year and distributed to all services via their Customer Relations Officers. Stocks are also provided to public access sites such as Planning, Sports Centres and One Stop Centres.

4.0 Implications For Council Policy And Governance

- 4.1 As this report was commissioned by the Board to provide information only on the ways in which the Council's complaints system and the role of the Ombudsman are published by the Council, there are no implications for Council policy and Governance.

5.0 Legal And Resource Implications

- 5.1 As this report is only providing information on the different ways customers can raise concerns with the Council or the Local Government Ombudsman, it is not considered to have any specific legal implications.

6.0 Conclusion

- 6.1 Leeds City Council provides a wide variety of information points and access routes for customers and staff on how to access the complaints process for the Council or contact the Local Government Ombudsman.

7.0 Recommendations

- 7.1 Members are asked to note the information and if appropriate signpost constituents to the various routes open to them to raise concerns with the Council or Local Government Ombudsman.
- 7.2 Members are further asked to highlight any areas where they may believe that customers are not being given full access to the complaints process so that the Corporate Customer Relations Manager can investigate and address as required.

8.0 Background Documents

The Corporate Compliments & Complaints Policy - Policy Owner - Corporate Customer Relations Manager - Wendy Allinson.

The “Let Us Know” Corporate feedback / complaints leaflet - Corporate Owner - Corporate Customer Relations Manager - Wendy Allinson. (attached at Appendix 1)

Both available on the Internet / Intranet.

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Leeds
CITY COUNCIL

Let us know



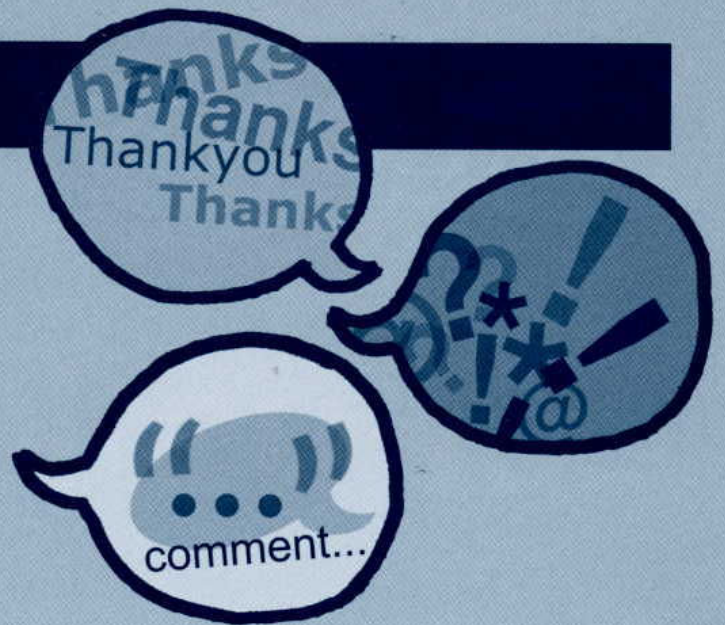
This leaflet explains how you can have your say if you are:

- Happy
- Unhappy
- Or just want to tell us something about Leeds City Council

Here to help you

Leeds City Council is committed to giving you the best possible service at all times, if we have done something that you appreciate, please let us know.

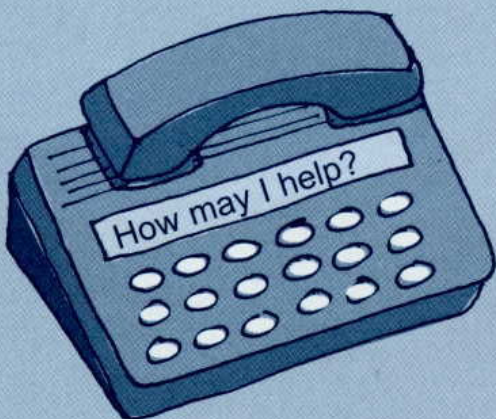
Sometimes, however, we make mistakes. If this happens, we want you to contact us and let us know so that we can put it right.



Let us know your views

If you have a comment, compliment or complaint about the council, you can talk to the member of staff concerned or their manager, or

- You can phone us: **0113 222 4405**



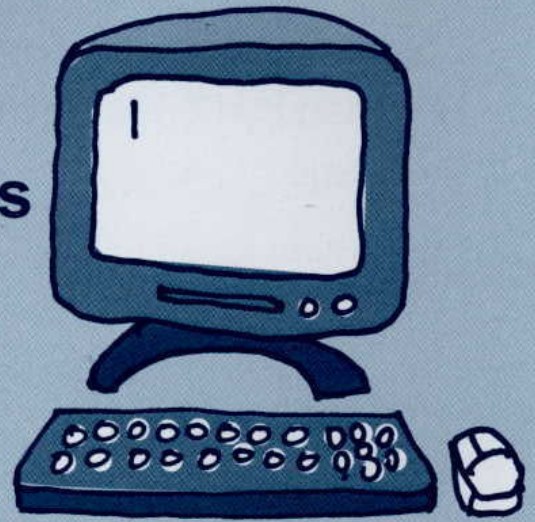
- If you are a minicom user you can ring us: **0113 222 4410**

- You can log on to the internet and fill in an on line form:

www.leeds.gov.uk/complaints

- You can email us:

complaints@leeds.gov.uk



- You can write to us:



You can either send a letter or fill in the free post form at the back of this leaflet.

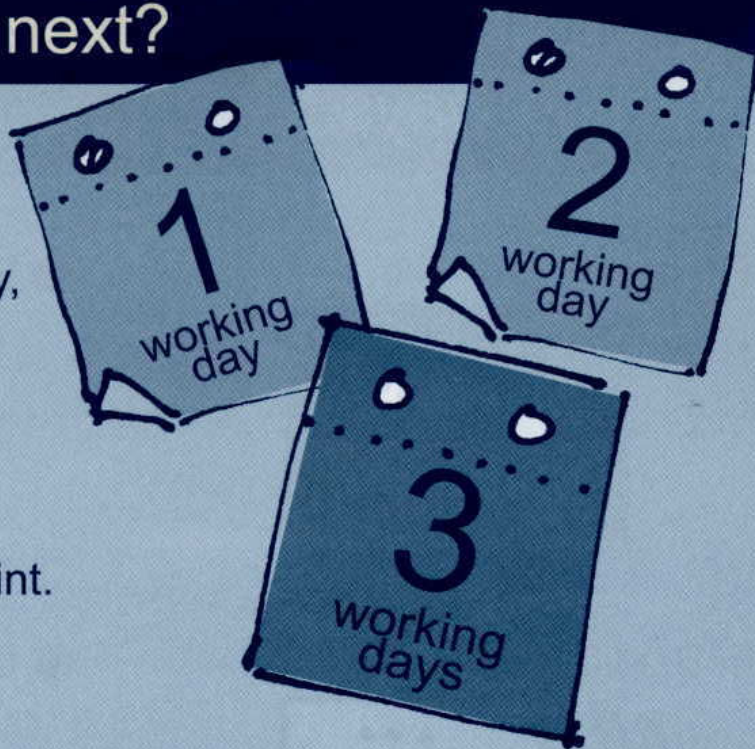
Hand in your letter or completed form at any Leeds City Council Office, or send it to:

**Freepost RLZR-ELTX-RUEH
Leeds City Council
PO BOX 657
LS1 9BS**

- Or you can visit one of our council offices where we will always do our best to sort your problem out at once.

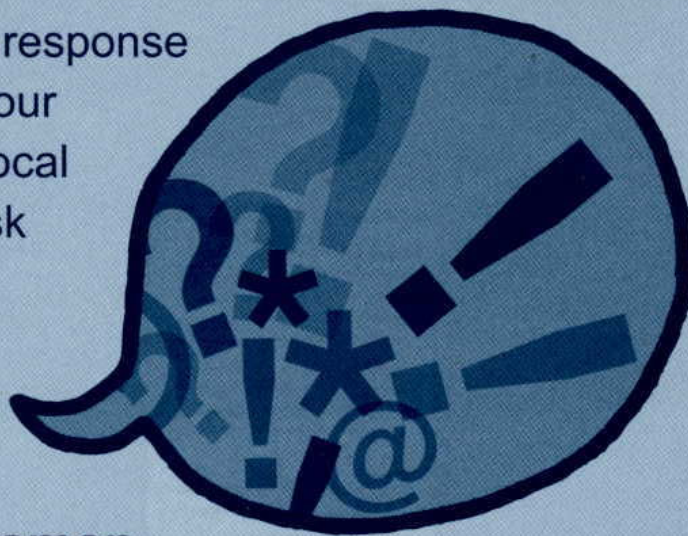
What happens next?

If you are not happy and we cannot sort out your problem immediately, we will contact you within 3 working days, explaining what is happening and who is dealing with your complaint.



What if you are still not satisfied?

If you are still not happy with our response after we have fully investigated your complaint, you can contact the Local Government Ombudsman and ask them to look at your complaint independently.



Write to:

Local Government Ombudsman
PO Box 4771
Coventry CV4 0EH

Telephone: **0845 602 1983** or **024 7682 1960**

Email: **advice@lgo.org.uk**

Text: **0762 48 4323**



What is it that you want to say about using Leeds City Council Services?

Name Mr/Mrs/Miss/Ms/Other:

Address:

Post Code:

Contact phone number:

What is it you want to say about using Leeds City Council services?

What do you think we can do to make things better?

(please continue on a separate sheet if necessary)

CONSENT STATEMENT

I agree to let Leeds City council collect together information that will be useful in helping to find out more about what I have had to say.

Your signature: Today's date:

Is your complaint about a case of discrimination?

Yes No (please tick box)

Is your complaint about an incident of harassment?

Yes No (please tick box)

If you have answered **yes** to either of the above questions, please tick the appropriate box(es) below:

Racial Sexual Homophobic

Disability related Other (please specify)

We need to make sure that we provide a fair service to everyone, please put a tick in the boxes that apply to you.

Gender: Male Female **Date of birth:** / /

Are you a disabled person? Yes No

If you are disabled, what type of impairment do you have?

Physical Sensory Mental health condition

Learning disability Long-standing illness/health condition

Ethnic Origin:

White British Irish Other

Black/Black British Caribbean African

Other

Other ethnic groups Chinese Gypsy/Traveller

Other

Asian/Asian British Indian Pakistani Bangladeshi

Kashmiri Other

Mixed White & Black Caribbean **White & Black African**

White & Asian Other

Please tick the appropriate box to describe your religion or belief:

Buddhist Christian Hindu Jewish

Muslim Sikh No Religion Other

Please tick the appropriate box to describe your sexual orientation:

Heterosexual/Straight Lesbian/Gay woman

Gay man Bisexual

**So that we can deal with what you want to tell us
as quickly as possible please fill in the following section:**

Is this a comment, a compliment or a complaint?

Please tick the relevant box.

Comment

Compliment

Complaint

Which service or place do you want to tell us about
(if you know)

.....
What date and time did the visit or incident happen?

.....
Have you contacted us about this before? Yes No

If Yes, who did you contact?

.....
Thank you

OFFICE USE ONLY

Reference no:

Date received:

Category:

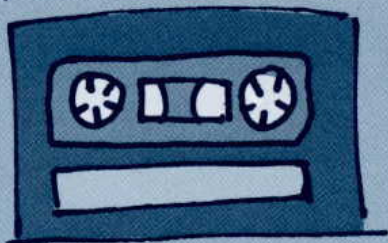


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Freeport RLZR-ELTX-RUEH
Leeds City Council
PO BOX 657
LEEDS
LS1 9BS

Copies of this leaflet are available in the following ways:

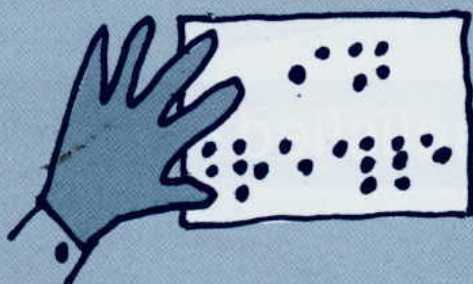
- On tape



- By e-mail



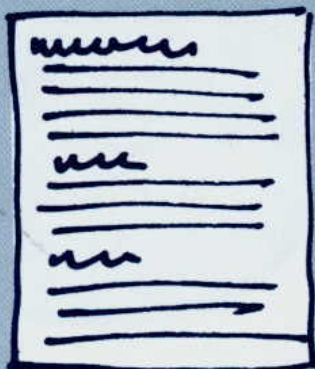
- In Braille



- On disc



- As text only



- Or in large print

Large print



Please contact us and ask for the format you would like:

Tel: **0113 222 4405**

Minicom: **0113 222 4410**

E-mail: **complaints@leeds.gov.uk**

This leaflet explains how to complain about or compliment services provided by Leeds City Council. We can provide this leaflet in your language.

هذه النشرة توضح كيفية الشكوى أو الثناء على الخدمات التي يوفرها مجلس مدينة ليدز. بإمكاننا أن نوفر هذه النشرة بلغتك. بإمكاننا أيضاً أن نوفر هذه النشرة ونسخ من هذا الطلب بطريقة بريل للمكفوفين، طباعة كبيرة الحجم، على شريط مسجل، على قرص الحاسب الآلي أو نرسلها لك بالبريد الإلكتروني. الرجاء الطلب وسوف نقوم بإعداد هذا.

لیڈس سٹیٹی کاؤنسلل یسب سارٹیس پرادان کرے سچوللی سچسپکے کیتابے অভیযোগ অথবা প্রশংসা করতে পারেন, এই লীফলেটটিতে সেসব নিয়ম কানুন তুলে ধরা হয়েছে। এই লীফলেটটি আপনার মাতৃ ভাষায় অনুবাদ করে দিতে পারি। আমরা এই লীফলেটটি এবং এই ফর্মটি ব্রেইলে, বড় হরফের ছাপায়, অডিও টেপে, কম্পিউটার ডিস্কে অথবা ই-মেইল এর মাধ্যমে আপনার কাছে পাঠিয়ে দেয়ার ব্যবস্থা করতে পারি। আমাদেরকে জানালে আমরা ব্যবস্থা করব।

这本小册子向您介绍说明了怎样诉说抱怨或传达赞美，这项由利兹市政厅提供的服务。该册子还可以用您的语言提供。

该册子及表格的副本，我们可以提供布莱叶盲文，大号印字体，磁带，计算机磁盘或以电子邮件的形式发送给您。请向我们说明您的要求，我们将会为此作出安排。

आ माहितीपत्रिका तमने लीड्स सिटी काउन्सिल मारफत पूरी पाठवामां आवती सेवाओ विषे इरियाह केवी रीते करवी अथवा तेनी प्रसंशा केवी रीते करवी ते विषे माहिती आपे छे. अमे तमने आ माहितीपत्रिका तमाही पोतानी भाषामां पूरी पाडी शकीछे छीछे. अमे तमने आ माहितीपत्रिकानी नकलो ब्रैल, मोटा अक्षरों, टेप उपर अने कम्प्युटर डीस्क उपर मोडलावी शकीछे छीछे अथवा तमने एमेल करी शकीछे छीछे.

महैरगानी करीने अमने पुछो अने अमे तेनी गोठवण करीछुं.

इस लिफलेटमें लिडज़ सिटी काउन्सिलकी तरफसे मुहैया की जाने वाली सेवाओंके बारेमें शिकायत अथवा उनकी तारीफ कैसे की जाए वो समझाया गया है. हम इस लिफलेटको आपकी भाषामें मुहैया कर सकते हैं.

हम इस लिफलेटको और इस फार्मकी नकलोंको ब्रेडलमें, बड़ी छपाईमें, टेपके उपर, कम्प्यूटर डिस्क पर उपलब्ध कर सकते हैं या आपको इ-मेल कर सकते हैं. कृपया हमें बताएं और हम इसकी व्यवस्था करेंगे.

ਇਹ ਕਿਤਾਬਚਾ ਤੁਹਾਨੂੰ ਦੱਸਦਾ ਹੈ ਕਿ ਲੀਡਜ਼ ਸਿਟੀ ਕੌਂਸਲ ਵਲੋਂ ਦਿੱਤੀਆਂ ਜਾਂਦੀਆਂ ਸੇਵਾਵਾਂ ਦੀ ਸ਼ਿਕਾਇਤ ਜਾਂ ਸਲਾਘਾ ਕਿਵੇਂ ਕਰਨੀ ਹੈ। ਅਸੀਂ ਇਹ ਕਿਤਾਬਚਾ ਪੰਜਾਬੀ ਵਿਚ ਵੀ ਦੇ ਸਕਦੇ ਹਾਂ। ਅਸੀਂ ਇਹ ਕਿਤਾਬਚਾ ਅਤੇ ਇਸ ਫਾਰਮ ਦੀਆਂ ਕਾਪੀਆਂ ਬਰੇਲ, ਵੱਡੀ ਛਪਾਈ, ਟੇਪ, ਕੰਪਿਊਟਰ ਡਿਸਕ ਤੇ ਦੇ ਸਕਦੇ ਹਾਂ ਜਾਂ ਅਸੀਂ ਤੁਹਾਨੂੰ ਇਹ ਈ-ਮੇਲ ਰਾਹੀਂ ਭੇਜ ਸਕਦੇ ਹਾਂ। ਕ੍ਰਿਪਾ ਕਰਕੇ ਸਾਨੂੰ ਦੱਸੋ ਅਤੇ ਅਸੀਂ ਇਸਦਾ ਪ੍ਰਬੰਧ ਕਰਾਂਗੇ।

اس لیفلٹ میں بتایا گیا ہے کہ آپ لیڈز سٹی کو نسل کی جانب سے فراہم کردہ سروسز کے متعلق کس طرح شکایت کر سکتے ہیں یا اسے تعریفی کلمات بھیج سکتے ہیں۔ اس لیفلٹ کی کاپی اور اس فارم کی کاپیاں بریل، بڑی لکھائی کے علاوہ ٹیپ اور کمپیوٹر ڈسک پر بھی فراہم کی جاسکتی ہیں۔ ہم آپکو یہ ای میل بھیج سکتے ہیں۔ براہ مہربانی ہم سے رابطہ قائم کریں ہم اسکا انتظام کر دیں گے۔

Tờ dẫn giải này giải thích cách thức than phiền hoặc khen ngợi các dịch vụ của Hội Đồng Thành Phố Leeds. Chúng tôi có thể dịch tờ này ra ngôn ngữ của bạn. Chúng tôi có thể cung cấp tờ dẫn giải và bản sao của đơn này dưới hình thức chữ nổi, chữ in lớn, băng thu thanh, đĩa điện toán hoặc gửi điện thư. Hãy cho chúng tôi biết để thu xếp.

Originator: Liz Davenport

Tel: 78408

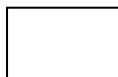
Report of the Assistant Chief Executive (Corporate Governance)

Corporate Governance and Audit Committee

Date: 10th February 2010

Subject: Governance Framework for Significant Partnerships – monitoring

Electoral Wards Affected:



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. This report updates the Corporate Governance and Audit Committee on the results of the recent monitoring exercise on the extent to which the Council's significant partnerships are complying with the minimum governance requirements set out in the Council's Governance Framework for Significant Partnerships.
2. Completed checklists have been received from 38 of the 39 partnerships on the register of significant partnerships.
3. Analysis of responses by individual partnership shows that **30** partnerships comply with over 75% of the requirements. 8 partnerships do not comply with 25% or more of the requirements.
4. 11 partnerships indicated that over 25% of the requirements are not applicable to the partnership, but did not give full evidence in support of this.
5. Feedback on the results of the monitoring has been given to each Director, and Directors were asked to provide an update on how they were responding to the issues. Work is being undertaken, or is planned, to use the results to improve governance arrangements in significant partnerships.

1.0 Purpose Of This Report

- 1.1 This report updates the Corporate Governance and Audit Committee on the results of the monitoring exercise on the extent to which the Council's significant partnerships are complying with the minimum governance requirements set out in the Council's Governance Framework for Significant Partnerships.
- 1.2 The report asks the Committee to consider the results, and note the actions being undertaken by each Directorate to address the issues raised by the monitoring exercise.

2.0 Background Information

- 2.1 Under the Use of Resources element of Comprehensive Area Assessment, the Council is required to ensure that it "applies the principles and values of good governance to its partnership working".
- 2.2 The Governance Framework for Significant Partnerships aims to address this requirement by setting out:
 - The steps which the Council will take before entering into a partnership;
 - The minimum governance requirements each partnership must have;
 - How the Council will support the governance of each partnership; and
 - How the Council monitors and reviews its involvement with each partnership.
- 2.3 The Corporate Governance and Audit Committee received a report on the register of significant partnerships in May 2009. That report also set out proposals to monitor compliance with the minimum governance requirements set out in the Framework.
- 2.4 The toolkit for partnership governance has been available on the intranet since June 2009. Governance Services has also provided training on the Framework and toolkit to lead officers, and to other groups on request (including officers from Leeds Initiative and Adult Social Care).

3.0 Main Issues

- 3.1 The Framework provides that the relevant Director must ensure that a partnership complies with the minimum governance requirements and that the lead officer must monitor compliance.
- 3.2 In July 2009, all lead officers named on the register of significant partnerships were asked to complete a checklist indicating whether the partnership complies with each requirement, and give evidence for this. Lead officers may indicate that a requirement is not applicable, and provide evidence for this. Directors are required to sign the form to confirm that they agree with its contents (including any exclusions).
- 3.3 Returns were received in relation to **38** partnerships¹ (out of 39 registered partnerships). The partnership for which a return is still outstanding is the LIFT partnership board. The relevant Director has been notified of this.

¹ However, not all returns gave answers to all the questions.

Overall results and issues

- 3.4 Overall compliance with each minimum requirement within the Framework has been analysed in terms of corporate compliance, by calculating the percentage of partnerships which have either complied with the requirement, or for which it was not applicable². These were then RAG rated as follows:
- >75% compliance = Green
 - 50% - 75% compliance = Amber
 - <50% compliance = Red
- 3.5 Overall, there are no areas which are rated red. However the following requirements rated as amber:
- External audit of accounts;
 - Procedure for dealing with conflicts of interest;
 - Counter fraud and corruption policy;
 - Equality, Diversity and Community Cohesion Impact Assessment;
 - Access to information rules;
 - Dispute resolution procedure;
 - Complaints procedure;
 - Whistle-blowing policy;
 - Risk management framework; and
 - Internal control and assurance framework.

Individual partnership issues

- 3.6 Analysis of responses by individual partnership shows that **30** partnerships comply with over 75% of the requirements³. However, there are 8 partnerships where lead officers have indicated that 25% or more of the requirements are **not** being complied with⁴:
- Strategic Design Alliance;
 - Leeds Safeguarding Children Board;
 - Northern Way;
 - Leeds Housing Partnership;
 - Beeston Hill/Holbeck Regeneration Board;
 - Safer Leeds Partnership;
 - Safer Leeds Joint Commissioning Group; and
 - West Yorkshire Local Resilience Forum.
- 3.7 As this is the first year that compliance with the Framework has been monitored, there are no baseline figures to compare the results with. However, Directors have been contacted with their results and have provided a response, including details of any actions they are taking to improve areas of concern. The responses are outlined in paragraph 3.11.
- 3.8 The monitoring exercise will be repeated in Summer 2010, and the results will be compared with the previous year to ensure that steps have been taken to improve compliance.

² Partnerships which did not give an answer have **not** been included in this analysis.

³ This also includes requirements the lead officer indicated were “not applicable”.

⁴ This also includes requirements where the lead officer was “unsure” about compliance.

“Not applicable” requirements

- 3.9 There are also 11 partnerships where the lead officer has indicated that over 25% of the requirements are not applicable to that partnership, but not given full evidence for this. These are:
- Leeds Enterprise Growth Initiative Board;
 - Children Leeds;
 - Children Leeds Learning Partnership;
 - Core Cities;
 - Going up a League Board;
 - Narrowing the Gap Board;
 - Harmonious Communities Strategy and Development Group;
 - Strategic Housing Partnership Board (Affordable Housing);
 - West Leeds Gateway Regeneration Board;
 - West Yorkshire Housing Partnership Board;
 - Yorkshire and Humber Regional Housing Partnership Board.
- 3.10 In addition, the following partnerships also had over 25% of requirements listed as not applicable, but evidence was provided for this:
- Leeds Transport Fund Innovation Project Board;
 - Leeds Youth Work Partnership;
 - Integrated Youth Support Service;
 - Leeds Local Education Partnership;
 - West Yorkshire Local Resilience Forum.

Responses to the results from Directorates

- 3.11 As reported in paragraph 3.7, following analysis of the initial responses received, Governance Services wrote to each Director with their results. Key issues for each Directorate were highlighted, and Directors were asked to provide a response to their results, including details of any actions they were taking to improve areas of concern. These responses are summarised below.
- 3.11.1 **City Development:** The key issues that need to be addressed for City Development partnerships were Access to Information rules; dispute resolution procedures; whistle-blowing policies; internal control and assurance frameworks; and stakeholder involvement strategies. City Development’s Directorate Management Team will be formally reviewing the arrangements relating specifically to the areas of concern at a meeting in the near future. This will allow identification of any appropriate follow up actions.
- 3.11.2 **Adult Social Care:** The main area of concern is that not all partnerships have counter fraud and corruption policy in place. Another issue highlighted as “amber” was codes of conduct. The completed forms have been reviewed, and advice is being sought on how best to amend partnerships’ Terms of Reference so that the gaps identified by the monitoring exercise can be addressed.
- 3.11.3 **Children’s Services:** A key issue for Children’s Services is dispute resolution procedures. The Director of Children’s Services circulated the results back to all partnership lead officers and asked for detailed responses to the issues raised. This has resulted in issues being considered at partnership meetings and/or as part of partnerships’ reviews of their Terms of Reference. As the Children’s Trust arrangements are undergoing a significant review, no amendments to the Children Leeds Partnership Terms of Reference are currently being proposed; however the

Framework is being used to inform development of the new Children's Trust arrangements.

- 3.11.4 **Policy, Performance and Improvement:** Governance arrangements in partnerships where there was cause for concern have been reviewed, resulting in improvements to the extent to which the partnership complies with the requirements of the Framework. The remaining issues are whistle-blowing policies and risk management frameworks, which are not in place for a significant number of partnerships. Further reviews will be carried out.
- 3.11.5 **Environment and Neighbourhoods:** The key issue for this Directorate is counter fraud and corruption policies for partnerships. However other issues for partnerships include document retention policies; codes of conduct; and financial procedures. Lead officers for all partnerships have been asked to assess how their partnership could improve its governance arrangements in light of the findings of the monitoring exercise. The lead officer for the Beeston Hill/Holbeck Regeneration Board (which complied with fewer than 75% of the requirements) has confirmed that the partnership is reviewing its membership and governance arrangements, and will be using the results of the monitoring exercise to inform the review.
- 3.11.6 **Resources:** Key issues in Resources are information sharing protocols; access to information rules; and financial procedures. The lead officer for the Local Resilience Forum has reported back on the results to the Chair. The results are being used to review and make improvements to the governance arrangements that are currently in place. The lead officer for the Local Education Partnership is working with the Public Private Partnerships Unit on governance arrangements in the LEP, and the results from the monitoring exercise are feeding into these discussions.

Next steps

- 3.12 As this is the first year that compliance with the Framework has been monitored, the results of this monitoring exercise are valuable in providing a baseline against which progress in subsequent years can be monitored. However, the results do provide an assurance that governance arrangements in the Council's significant partnerships are generally sound, and that where there are concerns these are being addressed.
- 3.13 The monitoring exercise will be repeated in Summer 2010, and the results (including progress compared with this year) will be reported back to Corporate Governance and Audit Committee.
- 3.14 Directors have just completed the annual review of their entries on the Register of Significant Partnerships, and have advised Governance Services of any amendments that need to be made.
- 3.15 Lead officers for each significant partnership will be asked to confirm that they have carried out a review of the Council's involvement in the partnership by the end of the municipal year.

4.0 Implications For Council Policy And Governance

- 4.1 The monitoring that has taken place enables the Council to give an assurance about the extent to which the Council's significant partnerships are complying with good governance standards, as set out in the Council's Governance Framework for Significant Partnerships.

5.0 Legal And Resource Implications

5.1 There are no legal or resource implications arising from this report.

6.0 Conclusions

- 6.1 Monitoring of the minimum governance requirements in place for the Council's significant partnerships has now taken place. Completed checklists have been received from 38 of the 39 partnerships on the register of significant partnerships.
- 6.2 While across the Council there are no "red" areas, 10 areas have been identified as "amber". These are listed in paragraph 3.5.
- 6.3 8 partnerships have been identified as having a lower level of compliance with the requirements of the Framework.
- 6.4 Results have been reported back to Directors, and as a result Directors and partnership lead officers have identified actions to take to improve the governance arrangements in significant partnerships. The results of the monitoring exercise provide a base-line assessment from which progress on this can be annually assessed in future.
- 6.5 While recognising that any assurance given about partnership governance is based on self-assessment, the Assistant Chief Executive (Corporate Governance) is satisfied that a **moderate assurance** can be given on compliance with the Governance Framework for Significant Partnerships.

7.0 Recommendations

- 7.1 Corporate Governance and Audit Committee is asked to consider the results of the monitoring of compliance with the minimum governance arrangements in the Governance Framework for Significant Partnerships.
- 7.2 The Committee is also asked to note the work being done in Directorates to further improve governance in significant partnerships.

Background documents

Governance Framework for Significant Partnerships

Report to Corporate Governance and Audit Committee, 12th May 2009

Report to Corporate Governance Board, 5th October 2009



Report of the Assistant Chief Executive (Corporate Governance)

Corporate Governance and Audit Committee

Date: 10th February 2010

Subject: Work Programme 2009/10

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Purpose Of This Report

1.1 The purpose of this report is to notify members of the Committee of the draft work programme for the current municipal year. The draft work programme is attached at Appendix 1 to this report.

2.0 Background Information

2.1 The work programme provides information about future items for the Corporate Governance and Audit Committee agenda, when items will be presented and the which officer will be responsible for the item.

3.0 Main Issues

3.1 The draft work programme for 2009/10 is attached at Appendix 1.

3.3 Members are requested to consider whether they wish to add any items to the work programme.

4.0 Implications for Council Policy And Governance

4.1 There are no implications for Council Policy and Governance.

5.0 Legal And Resource Implications

5.1 There are no legal or resource implications.

6.0 Recommendations

- 6.1 Members are asked to note the draft work programme and advise officers of any additional items they wish to add.

**CORPORATE GOVERNANCE AND AUDIT COMMITTEE
WORK PROGRAMME 2009/10**

ITEM	DESCRIPTION	RESPONSIBLE OFFICER
17th March 2010		
Information Security – Annual Report	<p>To receive an annual report on the Council’s Information Security arrangements.</p> <p>(This report is being brought to the Committee as part of the Committees role to gain assurance on Information Security)</p>	Chief Officer (Business Transformation) Lee Hemsworth
Children’s Services Inspection	<p>To receive a report updating the Committee on the results of the Children’s Services Inspection.</p> <p>(Requested at the meeting held on 15th December 2009. The report to come to the Committee following the Children’s Services Review in February)</p>	Deputy Director (Children’s Services) Mariana Pexton
Decision Making and Data Quality	<p>To receive a report explaining the arrangements the Council has in place to ensure that the Council produces relevant, reliable data and information to support decision making and managing performance.</p> <p>(Requested at the meeting held on 30th September 2009 following discussions on the Audited Statement of Accounts)</p>	Chief Officer (Business Transformation) Lee Hemsworth
Anti Social Behaviour	<p>To receive a report on the arrangements in place on how the Council responds to complaints of anti social behaviour.</p> <p>(Requested at the meeting held on 30th September 2009 following discussion of the Local Government Ombudsman’s Letter - report moved from February’s meeting to March to ensure that the Committee is presented with information on the Council wide response to anti social behaviour and not just the response of the anti social behaviour unit.)</p>	(Public Safety Manager) Harvinder Saimbhi

**CORPORATE GOVERNANCE AND AUDIT COMMITTEE
WORK PROGRAMME 2009/10**

ITEM	DESCRIPTION	RESPONSIBLE OFFICER
International Financial Reporting Standards – Update	<p>To receive a report providing an update on the progress being made in relation to the Council using International Financial Reporting Standards (IFRS) as part of its procedures.</p> <p>(Placed on the agenda at the request of the Chief Officer (Financial Management) for the Committee to gain assurance that IFRS are being used as part of the Council’s procedures)</p>	<p>Chief Officer (Financial Management) Doug Meeson</p> <p>Principal Financial Manager Chris Blythe</p>
Progress made against KPMG report	<p>To receive a report updating the Committee with progress made against the previous KPMG report on health equalities.</p> <p>(Requested at the meeting held on 13th January during discussion of the Annual Audit Letter)</p>	<p>Deputy Director of Adult Services (Partnerships and Organisational Effectiveness) John England</p>
14th April 2010		
Consultation on External Audit and Inspection Plan 2010/11	<p>To receive a report consulting Members on the content of the External Audit and Inspection Plan 2010/11.</p> <p>(Report to be received as part of the Committee’s work programme)</p>	<p>Chief Officer (Audit and Risk) Tim Pouncey</p>
Corporate Governance Statement Action Plan	<p>To receive a report detailing progress made against actions the Corporate Governance Statement Action Plan.</p> <p>(6 monthly update on progress made against the Corporate Governance Statement Action Plan)</p>	<p>Head of Governance Services Andy Hodson</p>
Corporate Governance and Audit Committee Annual Report 2009/10	<p>To receive a report presenting the draft Corporate Governance and Audit Committee Annual Report 2009/10.</p> <p>(To inform the Committee of the draft Annual report)</p>	<p>Head of Governance Services Andy Hodson</p>

**CORPORATE GOVERNANCE AND AUDIT COMMITTEE
WORK PROGRAMME 2009/10**

ITEM	DESCRIPTION	RESPONSIBLE OFFICER
Phantom Tenancies	<p>To receive a report regarding the occurrence and monitoring of phantom tenancies in the last 12 months.</p> <p>(Report requested at the meeting held on 30th April 2009 requesting an update on phantom tenancies in 12 months)</p>	<p>Head of Housing Delivery and Governance John Statham</p>
Internal Audit Protocol	<p>To receive a report detailing a revised Internal Audit Protocol to enable arrangements to be formalised.</p> <p>(Requested at the meeting held on 13th January during the discussion of the Half Yearly Internal Audit item)</p>	<p>Head of Internal Audit Neil Hunter</p>
12th May 2010		
Annual Report on Risk Management	<p>To receive a report regarding the Council's risk management arrangements.</p> <p>(Annual update on the Council's risk management arrangements for the Committee to gain assurance that risk management arrangements are in place)</p>	<p>Chief Officer (Audit and Risk) Tim Pouncey</p>
Annual Report on Delivering Successful Change	<p>To receive a report presenting the annual report on Delivering Successful Change.</p> <p>(The annual report to the Committee to gain assurance that the Delivering Successful Change agenda is making progress)</p>	<p>Chief Officer (Audit and Risk) Tim Pouncey</p>
Annual Report on Community Engagement	<p>To receive a report presenting the annual report on Community Engagement.</p> <p>(The annual report to the Committee to gain assurance that work on Community engagement is being effectively undertaken)</p>	<p>Assistant Chief Executive (Planning, Policy and Improvement) James Rogers</p>

**CORPORATE GOVERNANCE AND AUDIT COMMITTEE
WORK PROGRAMME 2009/10**

ITEM	DESCRIPTION	RESPONSIBLE OFFICER
Annual Monitoring of Key and Major Decisions	<p>To receive a report presenting the outcome of the monitoring process relating to Key and Major decisions.</p> <p>(The annual report to the Committee to gain assurance that Key and Major decisions are being made in line with procedure)</p>	Head of Governance Services Andy Hodson
Decision Making arrangements in Planning	<p>To receive a report informing the Committee of the decision making arrangements in Planning.</p> <p>(This report was requested by the Committee at the meeting held on 30th June 2009 to clarify the Planning decision making arrangements and for the Committee to gain assurance that the arrangements in place are operating as intended)</p>	Chief Planning Officer Phil Crabtree
Decision Making Arrangements in Licensing	<p>To receive a report informing the Committee of the decision making arrangements in licensing.</p> <p>(This report was requested by the Committee at the meeting held on 30th June 2009 to clarify the Licensing decision making arrangements and for the Committee to gain assurance that the arrangements in place are operating as intended)</p>	Chief Officer (Legal, Licensing and registration) Stuart Turnock
Unscheduled Items / Items for 2010/11		
Section 106 and Section 278 Agreements – Update	<p>To receive a report which updates Members on the actions being taken to ensure the transparent monitoring of Section 106 and Section 278 agreements.</p> <p>(This report was requested by the Committee at the meeting held on 18th June 2008)</p>	Chief Officer (Planning Services)

**CORPORATE GOVERNANCE AND AUDIT COMMITTEE
WORK PROGRAMME 2009/10**

ITEM	DESCRIPTION	RESPONSIBLE OFFICER
Governance arrangements for arms length management organisations	<p>To receive a report regarding the management / governance arrangements in place to manage the Council's relationship with its other arms length management organisations.</p> <p>(Report to be brought to the Committee to gain assurance that Governance arrangements to there is an effective relationship between the Council and the ALMO's)</p>	Assistant Chief Executive (Corporate Governance)
ALMO Re-inspection Reports	<p>To receive a report informing Members of the outcomes of the re-inspections of East North East Homes Leeds and West North West Homes Leeds.</p> <p>(Report requested by the Committee 29th July 2009 during discussion of the Belle Isle Tenant Management Organisation – Governance Arrangements)</p>	Head of Housing Delivery and Governance John Statham
Children's Trusts – Governance Arrangements	To receive a report regarding the governance arrangements of Children's Trusts, including the involvement of Members, in light of the new guidance from the Department for Children, Schools and Families.	Director of Children's Services Rosemary Archer
Children's Services Performance Measurement	<p>To receive a report outlining a consistent process by which Children's Services can measure its own performance, including a 'traffic light' system.</p> <p>(Report to be brought to the Committee to gain assurance on the process used by Children's Services to measure its own performance)</p>	Director of Children's Services Rosemary Archer
Value for Money Arrangements	<p>To receive a report regarding the Council's arrangements in relation to achieving Value for Money.</p> <p>(Report to be brought to the Committee to gain assurance that value for money is being achieved across the Council)</p>	Director of Resources Alan Gay

**CORPORATE GOVERNANCE AND AUDIT COMMITTEE
WORK PROGRAMME 2009/10**

ITEM	DESCRIPTION	RESPONSIBLE OFFICER
Assessment of demographic change	<p>To receive a report looking into the Council's arrangements for assessing changes in current demographics and how partners contribute to this.</p> <p>(Will be scheduled following the completion of a review by Scrutiny in this area – requested at the 30th September 2009 meeting during discussion of the Local Government Ombudsman letter)</p>	<p>Chief Business Transformation Officer Lee Hemsworth</p>
Senior Officer Remuneration Arrangements	<p>To receive a report requesting further clarification about the new legislation, specifically how it effects employees of bodies such as ALMOs and Education Leeds, and in relation to the disclosure of compromise agreements.</p> <p>(Requested at the meeting held on 13th January 2010 during discussions on Senior Officer Remuneration Arrangements)</p>	<p>Head of HR Strategy Helen Grantham</p>