

Policy Committee

Date: **Wednesday, 20 June 2012**
Time: **10:30**
Venue: **County Hall**
Address: **County Hall, West Bridgford, Nottingham NG2 7QP**

AGENDA

1	<u>Minutes of the last meeting held on 23 May 2012</u> Details	3 - 6
2	<u>Apologies for Absence</u> Details	1-2
3	<u>Declarations of Interest</u> (a) Personal (b) Prejudicial	1-2
4	<u>Film Friendly Partnership Charter</u> Details	7 - 12
5	<u>Proposals for Sherwood Forest Regional Park</u> Details	13 - 20
6	<u>Draft Annual Governance Statement 2011/12</u> Details	21 - 34
7	<u>Proposal for a Nottinghamshire Annual Satisfaction Survey</u> Details	35 - 40
8	<u>Improvement Programme Annual Report and Update</u> Details	41 - 60
9	<u>Statement on the Community Right to Challenge</u> Details	61 - 78
10	<u>Update on Nottinghamshire Local Broadband Plan</u> Details	79 - 82
11	<u>Work Programme</u> Details	83 - 90

(1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting. A meeting of the Conservative Group will be held at 9.45 am on the day of the meeting

(2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 08449 80 80 80

(3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Standing Orders. Those declaring must indicate whether their interest is personal or prejudicial and the reasons for the declaration. Any Member or Officer who declares a prejudicial interest in an item must withdraw from the meeting during discussion and voting upon it, unless a dispensation has been granted.

Members or Officers requiring clarification on whether to make a declaration of interest are invited to contact Chris Holmes (Tel. 0115 9773714) or a colleague in the Governance Team prior to the meeting.

(4) Members are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.

Meeting POLICY COMMITTEE

Date Wednesday, 23rd May 2012 at 10:30am

membership

Persons absent are marked with 'A'

COUNCILLORS

Mrs Kay Cutts (Chairman)
Martin Suthers OBE (Vice-Chair)

	Reg Adair	Philip Owen
A	Joyce Bosnjak	Alan Rhodes
	Richard Butler	Kevin Rostance
	Steve Carroll	June Stendall
	John Clarke	Andy Stewart
	John Cottey	Brian Wombwell
	Richard Jackson	Martin Wright
	Stan Heptinstall MBE	Jason Zadrozny
	Mick Murphy	

ALSO IN ATTENDANCE

Councillor Mel Shepherd MBE

OFFICERS IN ATTENDANCE

Carl Bilbey	(Policy Planning & Corporate Services)
Mick Burrows	(Chief Executive)
Martin Done	(Policy Planning & Corporate Services)
Deborah Hinde	(Policy Planning & Corporate Services)
Chris Holmes	(Democratic Services)
Marie Lewis	(Policy Planning & Corporate Services)
Celia Morris	(Policy Planning & Corporate Services)
Michelle Welsh	(Policy Planning & Corporate Services)

APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN

RESOLVED 2012/001

That the appointment by the County Council of Councillor Mrs Kay Cutts as Chairman and Councillor Martin Suthers OBE as Vice Chairman of the Committee be noted.

MEMBERSHIP

RESOLVED 2012/002

That the membership of the Policy Committee as set out on the agenda be noted.

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Joyce Bosnjak (medical / illness).

DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

None

NOTES OF THE LAST CABINET MEETING

RESOLVED 2012/003

That the notes of the last cabinet meeting held on 18th April 2012 be noted.

TERMS OF REFERENCE

RESOLVED 2012/004

That the terms of reference of the Policy Committee be noted.

POLICY FRAMEWORK AND POLICY LIBRARY

Consideration was given to a report on progress towards implementing a policy framework and policy library.

RESOLVED 2012/005

That the progress be noted.

IMPLEMENTING THE LOCALISM POLICY

Consideration was given to a report which detailed an implementation plan for the Council's Localism Policy.

RESOLVED 2012/006

That the implementation plan for the Council's Localism Policy be approved.

OLYMPIC TORCH RELAY COMMUNITY FUND

Consideration was given to a report on a Community Fund – Knots in Notts which was funding initiatives being undertaken to provide a lasting legacy of the passage of the Olympic Torch through Nottinghamshire on the 28th June 2012.

RESOLVED 2012/007

That the progress to date of the Knots in Notts Community Fund be noted.

WORK PROGRAMME

A report on the Committee's proposed Work Programme for 2012/3 was considered.

RESOLVED 2012/008

1. That the Committee's Work Programme be noted
2. That it be noted that items to comply with the statutory requirements for scrutiny and responses to previous Scrutiny Reviews which are relevant to the Committee will be included in the Work Programme.
3. That the Committee note the policy reviews and developments proposed and that policies referred to the Policy Committee for determination be included in the Work Programme.

The meeting closed at 11.10am.

CHAIRMAN
M_23May2012

REPORT OF SERVICE DIRECTOR, COMMUNICATIONS AND MARKETING

FILM FRIENDLY PARTNERSHIP CHARTER

Purpose of the Report

1. To seek permission for Nottinghamshire to become a 'Film Friendly' County by agreeing to sign up Creative England's Film Friendly Partnership Charter.

Information and Advice

BACKGROUND

- 2 Nottinghamshire County Council has worked with a number of independent film makers and television production companies in the past who sought to use the county as a filming location.
- 3 Most recently the Council was involved with the critically acclaimed *Oranges and Sunshine* (which told the story of Nottinghamshire Social Worker Margaret Humphries) which was filmed partly in Nottinghamshire. A number of scenes were filmed in County Hall where Margaret once worked.
- 4 These productions often provide jobs for local people working in the creative industries as well as boosting the local economy. Creative England states that the daily local spend for the filming on location of a soap opera is on average £15k with this figure rising to £22k for a major UK film.
- 5 Such benefits are multiplied when a large-scale production is linked to the County. While not filmed on location here, the release of Ridley Scott's *Robin Hood* in 2010 generated substantial local activity, including local exhibitions and a gala screening. The total value of the Visit Britain and Universal Pictures partnership around the film was £9.3 million.
- 6 In October 2011, Creative England was established to replace regional film agencies outside London. It will help film production companies choose suitable locations in England. It is establishing Film Friendly Partnerships with relevant bodies in the English regions to set out agreements about how they will support the film industry and has approached Nottingham City Council and Nottinghamshire County Council to this end.

7. Establishing a Film Friendly Partnership would mean that the Council makes a pledge to work with each production company as positively and proactively as possible, whilst continuing to ensure that the region benefits from filming activity. The Film Friendly Partnership will ensure production companies have a positive experience of filming in our region, which will result in productions returning with future projects. Furthermore it will enable us to maximise the publicity and marketing opportunities of filming.

8. The Partnership aims to:

- Open the channels of communication between local authorities, ancillary organisations and Creative England, sharing experiences, expertise and best practice with the common goal of bringing more production to the region.
- Ensure that the locality and the region as a whole get the maximum benefit possible from the use of local people, services and facilities.
- Ensure that local authorities, communities and locations are able to maximise the publicity, press and subsequent tourism opportunities that filming can bring with it.
- Work towards each member, local authority or organisation signing up to the Film Friendly Partnership Charter.

9. The Film Friendly Partnership Charter is a short document (Appendix 1) pledging a commitment to ensure Nottinghamshire is among the most film friendly counties in the UK. Signed by the Chief Executive and Leader of the Council, the Charter provides a clear public statement that we are committed to proactively supporting filming in their area. The Charter sets out in effect a service agreement that the Council will work to ensure the County is truly film friendly. This will mean productions are able to fully understand the level of service they can expect to receive from each area.

Reason for Recommendation

10. Signing up to the Film Friendly Partnership Charter would support the Council's strategic aim of promoting economic prosperity in Nottinghamshire.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

1) That Policy Committee agrees to the Council signing up to the Film Friendly Partnership Charter, and where appropriate, financial contributions will be sought.

Name of Report Author Marie Lewis

Title of Report Author Group Manager Media Relations

For any enquiries about this report please contact:

Marie Lewis on 0115 9774918

Constitutional Comments (CEH 17/05/12)

12. This decision falls within the remit of the Policy Committee.

Financial Comments (MB 17/05/12)

13. There are no specific financial implications arising from the report.

Background Papers

None

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

Appendix 1

CREATIVE ENGLAND



PRODUCTION LIAISON CHARTER

[Council] is a member of the Production Liaison Partnership in association with Creative England

[Council] is committed to encouraging the facilitation and development of film and television production. **[Council]** recognises Creative England as the official regional agency working for and on behalf of the English Regions in supporting all types of filming and attracting production to the area. **[Council]** Local Authorities have adopted the following procedures to assist the production process.

- Ensure all departments within **[Council]** are aware of the commitment to the Production Liaison Partnership and a positive approach to filming is encouraged in all areas of the organisation.
- **[Council]** will view filming requests positively understanding the economic, employment and promotional benefits filming can bring to the area.
- Nominate a relevant employee to join the Production Liaison Partnership who will be the first point of call for the Production Liaison Service as delivered by Creative England:
 - Work proactively with Creative England's Production Liaison department to maximise filming for their area of the region.
 - Work with Creative England's Production Liaison department to ensure filming requests and filming related enquiries are dealt with swiftly.
 - Attend quarterly Production Liaison Partnership meetings.
 - Act as a conduit within **[Council]** to ensure all relevant departments understand the benefits of being filming friendly. Where necessary, work interdepartmentally with support from Creative England's Production Liaison department to implement new procedures to support filming.
 - Identify an agreed senior member of the organisation to escalate requests when required.
 - Work in partnership with Creative England's Production Liaison department to capitalise on any marketing opportunities that may arise from filming.
 - Ensure filming requests that come directly to the Production Liaison Partnership member are also put in touch with Creative England's Production Liaison department.

- **[Council]** agrees to approach all filming requests fairly and openly.

Name..... *Position*.....

Signed..... *Date*.....
.....

Signed in the presence of Creative England

Name..... *Position*.....

Signed..... *Date*.....

The procedures apply to film and broadcast productions working within the local authority/organisation boundaries and apply to any production, which has a significant impact on a location.

For small-scale productions and student projects, the general principles of good practice, co-operation and general courtesy will apply

Production Liaison Part

REPORT OF THE CHAIRMAN OF THE CULTURE COMMITTEE

PROPOSALS FOR SHERWOOD FOREST REGIONAL PARK

Purpose of the Report

1. To provide an update on proposals for establishing a Sherwood Forest Regional Park.

Information and Advice

2. The importance of Sherwood to Nottinghamshire and the need to work collaboratively have long been recognised. In 1974, local authorities and other partners worked together to publish the Sherwood Forest Study and this was followed by many years of partnership working on a whole range of plans and programmes.
3. A major opportunity to deliver some of the ambitions for Sherwood came with the BIG Lottery £50m Living Landmarks programme and the broad partnership that came together for the Living Legend bid. Although the Living Legend bid was not successful, the strength of the partnership was such that it has delivered a step change in collaborative working and shared ambitions for Sherwood, culminating in proposals to create a Regional Park.
4. Regional Parks, unlike National Parks, are not statutory designations and have no fixed definition but are based on local characteristics and aspirations. They have been established across the UK and Europe and all use environmental enhancements as the foundation for economic and social improvements. They have no formal planning powers but can help to co-ordinate approaches to planning whilst retaining local flexibility and democratic accountability.
5. The reasons for establishing Regional Parks are diverse, reflecting local challenges and opportunities. All, however, have a common aim to create a shared vision that recognises the special character and heritage of the area and adds value through increased co-operation and co-ordination across boundaries and between sectors and through the adoption of a long-term and strategic approach. The value of the Regional Park is, therefore, significantly greater than the sum of its parts.
6. Under the aegis of the former Living Legend Project Management Board, Nottinghamshire County Council commissioned a Regional Park feasibility study in 2008. This was undertaken jointly by Hallam Environmental Consultants Ltd

and Sheffield Hallam University and reported favourably, setting out the aspirations for the establishment of Sherwood Forest Regional Park. Elected Members were consulted through a seminar and workshop.

7. Since the publication of the Feasibility Study, the Project Management Board (PMB) has formed a shadow Regional Park Board to take forward the development of a draft Vision Statement, Regional Park boundary and broad objectives. Current membership of the Board is listed at Appendix 1 and the proposed Regional Park Boundary is included at Appendix 2.
8. The Vision that has been developed is for *“a future for the Sherwood Forest area where the outstanding natural and cultural heritage is nationally and internationally recognised – where vibrant communities, economic regeneration and environmental enhancement thrive together in this inspiring natural setting”*. The Vision is supported by four broad objectives:
 - Objective 1 - To manage, enhance and promote the landscape character of the Forest, including its biodiversity and geodiversity.
 - Objective 2 - To manage, enhance and promote the historic character of the Forest, its settlements, heritage assets and culture, including its industrial heritage.
 - Objective 3 - To promote sustainable leisure and tourism.
 - Objective 4 - To support agricultural diversification, woodland and rural economy uses which respect local character.
9. Partners have also identified the following key benefits that a Regional Park could bring:
 - Improvements for the environment, social well being and the local economy.
 - Coordination of delivery across the public, private and voluntary sectors.
 - Potential for more sustainable income generation and inward investment.
 - Opportunities for job creation, training and skills.
 - Linking Sherwood Forest to its gateway towns and villages and to historic Nottingham.
 - Adding value by facilitating the delivery of existing organisations rather than duplicating effort.
 - Bringing new resources by providing the partnership basis for bids that is required by major sources of funding.
 - Supporting economic development in line with Regional park objectives.
 - Ensuring a consistent approach to planning across authorities.
 - Helping to protect and enhance the internationally renowned assets.
 - Providing a coordinated approach to landscape restoration.
 - Supporting a coherent marketing of the Sherwood Forest offer.
 - Enabling an effective attract & disperse marketing strategy.
 - Creating the context for speciality local brands.
 - Unlocking potential new markets for agricultural and forestry products.
10. Having developed the Vision and Objectives, work is now underway with local planning authorities to ensure that policies consistent with the Vision and Objectives of the Regional Park are embedded in Local Plans. This aims to provide consistency and ensure co-ordination and co-operation whilst retaining local flexibility and democratic accountability to reflect local differences and

priorities. A funding group has also been established to explore funding opportunities for delivery of some of the key objectives.

11. In order to move forward with Regional Park designation, formal endorsement of the Vision, objectives and boundary by all partners is required. This is not a statutory designation, such as those for National Parks and Areas of Outstanding Natural Beauty but Local Authorities have a key role in providing formal backing for the establishment of the Regional Park and in helping to take it forward. A Board that is properly constituted and representative of all the key sectors can then be formed and tasked with investigating how the Regional Park can be co-ordinated to ensure that it achieves its objectives.
12. There are a number of models for Regional Park co-ordination in existence but partners are agreed that any preferred solution for Sherwood will take a light-touch approach. Once the Board has completed its investigation into possible models, a further report will be brought to Members for consideration.

Other Options Considered

13. The County Council could choose not to support the process of Regional Park designation. As one of the leading partners in the current work, if the County Council does not support the proposed designation, the remaining partners could still choose to move forward but it is considered unlikely that they will do so and the opportunities a Regional Park could bring to the area will be lost.

Reason/s for Recommendation/s

14. The proposal to designate a Sherwood Forest Regional Park and the vision and objectives for that Regional Park are consistent with the County Council's Strategic Priorities 2010-14, specifically Priority Two: to promote the economic prosperity of Nottinghamshire and to safeguard our environment.
15. The tourism, community, environment, voluntary, statutory, local authority and land management representatives currently engaged with the process have identified that a Sherwood Forest Regional Park could offer the opportunity to deliver benefits across sectors and at a greater scale than is achievable through existing partnerships. It will also bring greater recognition for the existing activities of partners in contributing to the overall Vision for Sherwood, whilst at the same time retaining local flexibility and democratic accountability. This identification of the potential added value of a Sherwood Forest Regional Park by cross-sectoral partners, alongside the consistency with the County Council's Strategic Priorities, has informed the recommendation to support the process of Regional Park designation.

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below.

Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

17. All partners recognise that the co-ordination of the Regional Park will need to be resourced and the difficulty of doing so from existing budgets. It is intended to task the Board with investigating how this can be achieved to ensure the delivery of the required benefits in the most cost-effective manner.

RECOMMENDATION/S

1. To note the work to date on proposals for establishing a Sherwood Forest Regional Park.
2. To approve County Council support for the process of Regional Park designation.
3. To endorse the Vision and Objectives for the proposed Regional Park.

Councillor John Cottee
Chairman of the Culture Committee

**For any enquiries about this report please contact: Heather Stokes,
Conservation Team Manager (0115 969 6508)**

Constitutional Comments (SG 01/06/2012)

18. The Committee is the appropriate body to consider the matters set out in this Report.

Financial Comments (MA 07.06.2012)

19. Existing resources will be utilised to support the Regional Park designation process.

Background Papers

Sherwood Forest Regional Park Feasibility Study
Sherwood Forest Regional Park Vision Statement

Electoral Division(s) and Member(s) Affected

All Bassetlaw, Mansfield, Ashfield and Gedling Divisions plus Ollerton, Rufford, Southwell & Caunton, Farnsfield, Calverton, Rufford and Radcliffe-on-Trent Divisions.

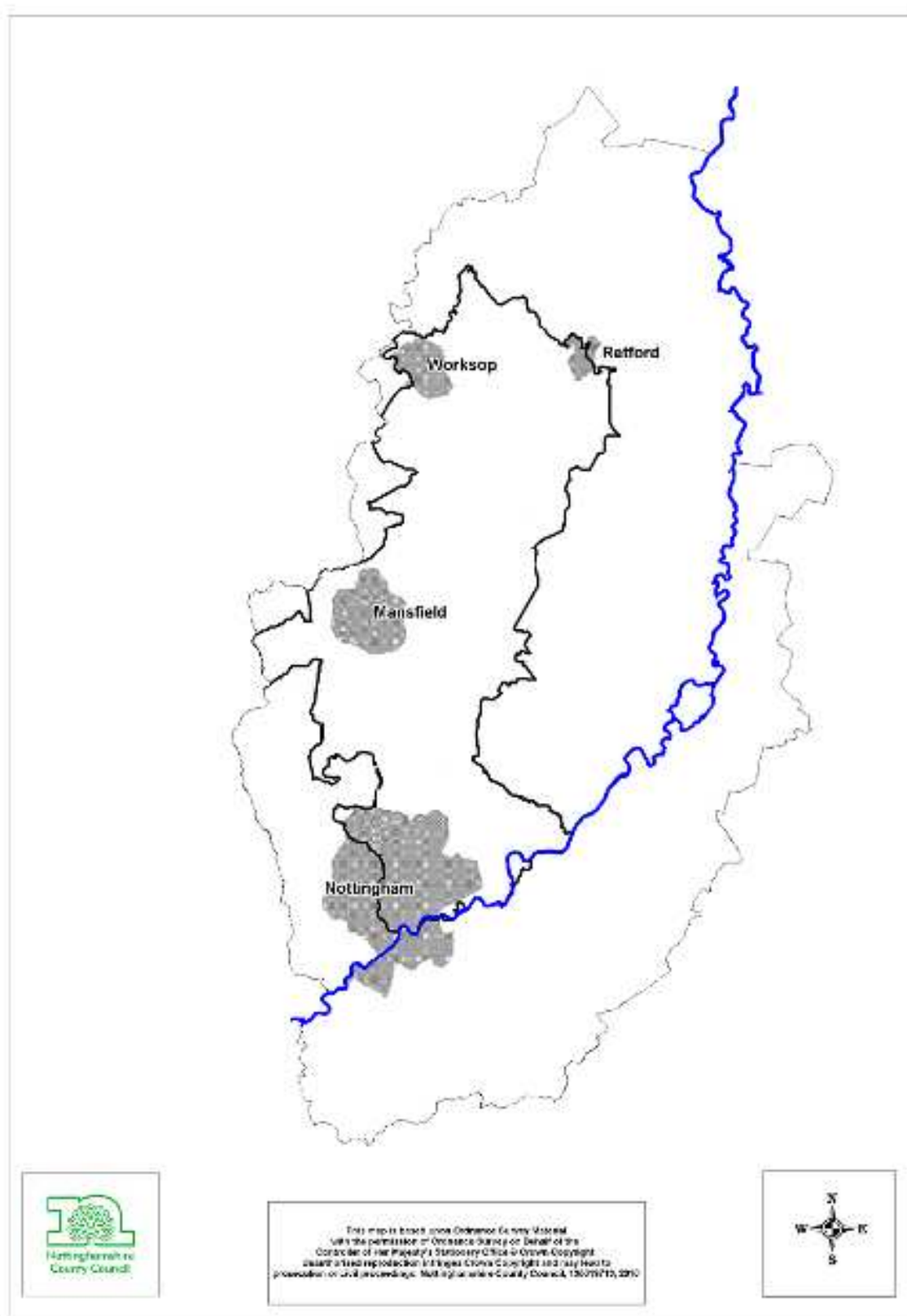
Shadow Regional Park Board

The Membership currently comprises

- § Elected Members and officers from
 - Nottinghamshire County Council (Councillor John Cottee, Sally Gill/ Heather Stokes, Patrick Candler)
 - Gedling Borough Council (Councillor Darrell Pulk) and
 - Newark & Sherwood District Council (Councillor Roger Blaney, Andy Norton)
- § representatives from
 - Campaign to Protect Rural England (Charlotte Elliott)
 - Edwinstowe Parish Council (Councillor John Peck)
 - Experience Nottinghamshire (Jennifer Spencer)
 - Forestry Commission (Jo Atkinson)
 - Friends of Greenwood Forum (Colin Barson)
 - Greenwood Community Forest (Malcolm Hackett)
 - Groundwork
 - Natural England (Tom Moat, David Kingsley-Rowe),
 - National Trust (Beth Dawson)
 - Nottinghamshire Wildlife Trust (John Everitt)
 - Royal Society for the Protection of Birds (Colin Wilkinson)
 - Rural Community Action Nottinghamshire (Rob Crowder)
 - Sherwood Forest Trust (Lewis Walker, Julie Rusby)
 - Thoresby Estates (also representing Country Land and Business Association) (Nick Brown)
 - Woodland Trust

New Board members are actively being sought to ensure that the views of all sectors are represented.

Proposed Regional Park Boundary



**REPORT OF CORPORATE DIRECTOR, ENVIRONMENT AND RESOURCES
DRAFT ANNUAL GOVERNANCE STATEMENT – 2011/12****Purpose of the Report**

1. To inform members of the proposed annual governance statement 2011/12 and to invite members to consider and approve the statement prior to its accompanying the statement of accounts 2011/12.

Information and Advice

2. The Accounts and Audit (England) Regulations 2011 require the authority to review the effectiveness of its system of internal control and publish an annual governance statement, prepared in accordance with proper practices in relation to internal control.
3. Using guidance developed by the Chartered Institute of Public Finance and Accountancy and the Society of Local Authority Chief Executives, an annual governance statement has been produced and is attached. It has been compiled by a small corporate group which has considered the governance arrangements in place.
4. As the statement covers corporate governance and risk management issues, it needs to be referred to Full Council which will be done as part of the approval process for the statement of accounts 2011/12.
5. The Council's governance arrangements have changed since 2011/12, following the implementation of the Localism Act 2011. The Act introduced a number of changes, including a general power of competence.

Other Options Considered

6. The requirement to publish an annual governance statement is set out in the Accounts and Audit Regulations 2011. No other options are available.

Reason/s for Recommendation/s

7. To set out how the Council has met its governance responsibilities for 2011/12.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

That the Committee endorses the annual governance statement 2011/12 and makes any comments or recommendations which it considers ought to be included in the report which is required to be taken to the next appropriate Council meeting, to accompany the statement of accounts 2011/12.

Tim Gregory
Corporate Director, Environment and Resources

For any enquiries about this report please contact:

John Bailey
Head of Internal Audit

Constitutional Comments (SG 30/05/2012)

The Committee is the appropriate body to consider the matters set out in this Report.

Financial Comments (JMB 26/4/12)

The statement is required to demonstrate the Council has a sound system of governance and internal control in place. This is important for the overall control of the Council's finances as well as other areas of its operation. However, it has no direct financial implications.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972:

None.

Electoral Division(s) and Member(s) Affected

All

NOTTINGHAMSHIRE COUNTY COUNCIL
ANNUAL GOVERNANCE STATEMENT 2011/12

1. SCOPE OF RESPONSIBILITY

Nottinghamshire County Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards. Public money must be safeguarded and properly accounted for, and used economically, efficiently and effectively. The Authority has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The Localism Act 2011 has, among other things, established a general power of competence for local authorities.

In discharging this overall responsibility, the County Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, including the arrangements for the management of risk.

The County Council has approved and adopted a local code on corporate governance, which is consistent with the principles of the CIPFA/SOLACE (Chartered Institute of Public Finance and Accountancy / Society of Local Authority Chief Executives) Framework *Delivering Good Governance in Local Government*. This statement explains how the Authority complied with the code during 2011/12 and also meets the requirements of regulation 4 of the Accounts and Audit Regulations (England) 2011 in relation to the publication of an annual governance statement. The Localism Act 2011 has now come into effect, and the Council has changed its governance arrangements for 2012/13.

2. THE PURPOSE OF THE GOVERNANCE FRAMEWORK

The governance framework is made up from the systems, processes, culture and values put in place by the Authority. The Authority uses this framework to direct and control its work and ensure that it engages with, leads, and accounts to the community. The framework enables the Authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate cost-effective services.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Authority's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the

impact should they be realised, and to manage them efficiently, effectively and economically.

The governance framework has been in place at the County Council for the year ended 31 March 2012 and up to the date of approval of the Statement of Accounts.

3. THE GOVERNANCE FRAMEWORK

The Authority's governance framework comprises many systems and processes including the arrangements for:-

a) Identifying and communicating the Authority's vision of its purpose and intended outcomes for citizens and services users.

The Council's Strategic Plan for 2010-14 was approved in 2010. The Plan:-

- Provided a clear statement of the Authority's priorities, promises and values.
- Enabled agreed political objectives and statutory requirements to drive the Authority's activities.
- Enabled the communication of the Authority's priorities to the community of Nottinghamshire, partner organisations and staff.
- Provided a broad framework of objectives and performance indicators, to ensure effective performance management.

The performance indicators used to monitor its delivery and the key actions undertaken to deliver the priorities are reviewed and refreshed each year to ensure they remain achievable and appropriate.

Each year the Authority approves the annual budget and capital programme which includes an update of the Medium Term Financial Strategy. The Medium Term Financial Strategy is the financial plan which underpins the Strategic Plan.

b) Reviewing the Authority's vision and its implications for the Authority's governance arrangements

The Strategic Plan provides the basis for future corporate and service planning over the period 2010 to 2014. Progress on the Authority's achievements is assessed by the monitoring of agreed key actions and meeting performance indicator targets. Performance is reported quarterly to the Performance Improvement Board, who are mandated by the Corporate Leadership Team to manage performance on their behalf. An annual report on performance for 2011/12 will be presented to Policy Committee in July 2012. The Authority has a performance management framework which sets out in detail the individual factors that are required to manage performance and how they work together in the Authority. This framework is currently being reviewed to reflect the

changing political and economic climate in which the Authority now operates. This will be presented to the Corporate Leadership Team and Policy Committee.

- c) **Measuring the quality of services for users, ensuring that they are delivered in accordance with the Authority's objectives and ensuring that they represent the best use of resources.**

The Authority carries out annual budget consultations. A new corporate complaints team was established from April 2011 to ensure there is a robust complaints procedure. A Citizens Panel, 'Nottinghamshire Listens', made up of approximately 6,000 people is in place and has been used to engage with citizens throughout the County on a wide range of issues. Progress towards delivering the Strategic Plan's priorities and objectives is monitored quarterly and reported to full Council every 6 months through the lead member for performance.

- d) **Defining and documenting the roles and responsibilities of the executive, non-executive, scrutiny and officer functions, with clear delegation arrangements and protocols for effective communication.**

The Constitution sets out how decisions are made and the procedures followed to ensure that these are efficient, transparent and accountable to local people. Responsibility for decision making during 2011/12, the role of full Council, the Cabinet, Committees and the process for determining key decisions are defined in the Constitution. Delegations were detailed so that the functions of full Council, Cabinet, Cabinet Members, Committees and Officers were specified. Appropriate protocols were in place. The Annual Overview and Scrutiny Report provides a summary of the scrutiny work carried out during the year and highlights the recommendations made by Members to improve the delivery of public services to the communities of Nottinghamshire. The arrangements for 2012/13 have changed following the implementation of the Localism Act 2011.

- e) **Developing, communicating and embedding codes of conduct, defining the standards of behaviour for Members and staff.**

Codes of Conduct, for both Members and staff, are contained within the Constitution together with the Code on Member and Officer Relationships. The Constitution is posted on the Council's website. The Authority's Standards Committee is responsible for promoting and maintaining high standards of conduct by the County's Members and officers. As part of its annual work programme during 2011/12, the Standards Committee reviewed complaints against the Authority's services and updates on a range of issues including Freedom of Information, Data Protection Act, Whistleblowing and Members' attendance at meetings. In addition, the Standards Committee

presented an annual report to the County Council on 3rd November 2011 setting out the work carried out and significant issues arising.

- f) **Reviewing and updating standing orders, standing financial instructions, a scheme of delegation and supporting procedure notes/manuals, which clearly define how decisions are taken and the processes and controls required to manage risks.**

The Monitoring Officer is responsible for keeping the Constitution under review and reporting any proposed amendments to Council. The most recent review was in November 2011. The Authority's Risk Register is reviewed at each of the five meetings a year of the Risk, Safety and Emergency Management Board to determine whether additional steps are required to mitigate key risks.

- g) **Ensuring the Authority's financial management arrangements conform with the governance requirements of the CIPFA Statement on the Role of The Chief Financial Officer in Local Government**

The Statement sets out the five principles that need to be met, to ensure that the Chief Financial Officer can carry out the role effectively. The principles are that the Chief Financial Officer:-

- Is a key member of the Leadership Team
- Must be actively involved in all material business decisions
- Must lead the promotion and delivery of good financial management
- Must lead and direct a finance function that is resourced to be fit for purpose
- Must be professionally qualified and suitably experienced.

The Chief Financial Officer for the Authority is the Service Director – Finance and Procurement. This post reports to the Corporate Director for Environment and Resources who is a member of the Leadership Team. Although the Chief Financial Officer is not a member of the Leadership Team, a number of measures have been put in place to ensure that the impact is the same. These include providing details of all issues discussed at Leadership Team to the Chief Financial Officer, who has the right to attend the meeting if he considers it necessary. In addition, the Chief Financial Officer will attend whenever material business decisions are made. The Authority have set up the Business Support Centre which manages financial transactions on behalf of the Authority, including payroll, pensions and income transactions. As the Business Support Centre does not report to the Chief Financial Officer, controls have been established to ensure that the Chief Financial Officer can secure the promotion and delivery of good financial management in these areas. The Chief Financial Officer is professionally qualified and has experience from a range of organisations. The finance function is currently being revised to reflect the changing requirements under the new Business Management System.

h) Undertaking the core functions of an audit committee, as identified in CIPFA's Audit Committees – Practical Guidance for Local Authorities.

In its Review of Internal Audit, completed in 2008, the External Auditor commented that the Audit Committee was carrying out the functions expected of it and that its role was in line with the expectations of the CIPFA Code. The core functions relate to the review of Internal and External Audit work, the effectiveness of the Authority's control environment, the review of the annual assurance statement, scrutiny of Treasury Management and the review of the financial statements. These functions are covered by the Audit Committee.

i) Ensuring compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful.

The Monitoring Officer is responsible, after consultation, for reporting to full Council or Cabinet if it is considered that any proposal, decision or omission would give rise to unlawfulness. In addition, Legal Comments are contained in reports to Council, the Executive and Committees to advise on compliance with the policy framework and the Constitution. The Service Director - Finance and Procurement also has a responsibility to highlight any proposal, decision or course of action which will involve any unlawful expenditure. The External Auditors also carry out an external audit of the Council's accounts.

j) Whistle-blowing and receiving and investigating complaints from the public.

The Authority's Whistleblowing Policy was reviewed by the Standards Committee during 2007/8 and a number of changes made. These were approved by the County Council and the new Policy was implemented from 1 February 2008. The Authority's complaints procedure is well established and is monitored by the Standards Committee. In January 2012 the Standards Committee received a report on the discharge of the Authority's duties under the Whistleblowing Policy.

k) Identifying the development needs of members and senior officers in relation to their strategic roles, supported by appropriate training.

During 2011/12 the member development programme continued to respond to changing national and local policy. Briefings have been arranged to ensure that members were kept up to date on issues and developments, including, among other things, the Localism Bill, Mental Health Guardianship, effect of the Health and Social Care Bill and interviewing skills for recruitment of senior staff. The member reference group has agreed to a process of assessing individual development needs, which will feed into the programme for 2012/13. All officers,

including senior officers, are subject to annual Performance and Development Reviews. These reviews specifically identify and monitor development and training needs in relation to the individual employee's role. During the year, a new Competency Framework has been introduced, which sets out the observable skill levels and behaviours required of every employee at each tier of the organisation.

l) Establishing clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation.

Communication channels include the County News civic newspaper delivered to every household in the County, the County website and targeted audiences e.g. service user and carer groups. The setting of the 2012/13 budget has been subject to extensive and robust consultation, reflecting the scale of decisions the Council has needed to make. The Budget Conversation campaign was launched on 26th September 2011 and was designed to gauge the public's view on their broad priorities, and how the Authority's spend should be apportioned at a strategic level. This included the use of an on-line budget simulator, where participants could give their opinions and ideas on how the Council could make the most of its 2012/13 budget. Methods for consulting have included, amongst other things, an on-line questionnaire, inviting comments in County News, making information and questionnaires available at libraries and information points, providing a freepost address for residents to send in their letters, community groups have been engaged via Networking Action for Voluntary Organisations (NAVO) via meetings and correspondence, seeking citizens' panel members views, and direct correspondence with stakeholders.

m) Incorporating good governance arrangements in respect of partnerships and other group working as identified by the Audit Commission's report on the governance of partnerships, and reflecting these in the Authority's overall governance arrangements.

The Constitution sets out policy guidance for County Council involvement in partnerships and guidance on entering into partnerships has also been produced. The policy guidance sets out, among other things, the need for clarity on why the County Council has entered into a partnership, the Council's objectives and how the partnership will help deliver them, the powers enabling involvement and the exercising of those powers.

4. REVIEW OF EFFECTIVENESS

The Authority has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal

control. The review of effectiveness is informed by the work of the executive managers within the Authority who have responsibility for the development and maintenance of the governance environment, the Head of Internal Audit's annual report, and also by comments made by the External Auditor and other review agencies and inspectorates.

Throughout 2011/12, the Authority has maintained and reviewed the effectiveness of the governance framework. In particular:-

- a) The County Council has received and considered a number of reports, including:-
 - Strategic Plan Performance Report 2010/11
 - Refresh of the Strategic Plan 2010-14
 - Amendments to the Constitution
 - A report from the Chair of the Overview Committee
 - Statement of Accounts 2010/11
 - Treasury Management Policy and Strategy for 2011/12
 - Review of Treasury Management activity
 - Budget Report 2012/13 and Medium Term Financial Strategy 2012/13 to 2015/16
 - A report from the Chairman of the Standards Committee
 - Changes to the Governance Arrangements.
- b) Cabinet has considered and approved a number of reports in its role as the Executive including:-
 - Management Accounts for 2010/11
 - Budget and Capital Programme Proposals for 2012/13 to 2015/16
 - Revenue Budget Monitoring.
- c) The Audit Committee and Overview Committee have considered a wide variety of issues including:-
 - Internal Audit Annual Plan 2011/12
 - Counter Fraud Measures
 - Annual Governance Statement
 - Audit Commission Audit and Inspection Plan
 - External Audit Governance Report
 - Treasury Management Policy for 2011/12
 - Health and well being
 - Education
 - Communities and the environment.
- d) The Standards Committee, in its role as promoting and maintaining high standards of conduct by the County Council has received reports on:-
 - Freedom of Information policy
 - Corporate complaints procedure – a summary of complaints

- Monitoring of Members Attendance at committees
 - Data Protection Act
- e) Internal Audit has undertaken planned reviews of internal control procedures across all departments and across a range of functions in the Authority. Each review contains an opinion on the internal controls in place and Internal Audit's overall opinion of the Authority's system of internal control, based on the audits completed in 2011/12, is that it is adequate.
- f) External Audit's Annual Audit Letter 2010/11, stated that the Auditor issued an unqualified opinion on the County Council's 2010/11 accounts. The accounts were presented on time and complied with the requirements of the newly introduced International Financial Reporting Standards. The accounts were free from material error and no significant weaknesses in internal control arrangements were identified. The Auditor also concluded that the Council had put in place proper arrangements for securing value for money, and that financial governance arrangements are well established and supported by a strong financial management culture.

5. SIGNIFICANT GOVERNANCE ISSUES

The Authority faced an extremely challenging year in 2011/12 as it sought to manage significant budget reductions, increasing demand for some key services and new ways of working, simultaneously. The environment for 2012/13 and beyond will continue to be challenging. However, the transformation programme now underway delivered significant savings in 2011/12 of the order of £70 million and further savings of £71 million are already planned for 2012/13 – 2013/14.

Other key governance issues that need to be addressed against this background are set out below.

- a) Potential for continuing reduction in Government Funding. Whilst there is an element of certainty regarding the anticipated reduction in Grant for 2012/13, the situation beyond remains unclear and is further complicated by changes to local government funding and other policy proposals that have far reaching implications for the Council's service and financial planning.
- b) The implementation of new organisation structures has changed governance and control arrangements. New management processes have been, or are being, established and will be kept under review to ensure that they are effective.
- c) The new Business Management System (BMS) was implemented in November 2011. This has resulted in significant changes to the control structures of the Council, and has involved new ways of working for many employees. A continued focus will be needed to ensure that the

many benefits available from the new system are realised and that the next phase is implemented successfully.

- d) The Council have approved changes to governance arrangements from the Leader / Cabinet Executive arrangement to a committee system from 17th May 2012. This follows the implementation of the Localism Act 2011, which permits councils to return to a committee system.
- e) Responsibility for public health will transfer to local authorities from April 2013. Transition to the new arrangements will take place during 2012/13. This work is progressing well under the remit of the Health and Wellbeing Board on behalf of the Council.
- f) The current standards regime has been abolished by the Localism Act 2011. As a result the Council will be considering what measures it will need to put in place to ensure continuing high standards.

The Audit Committee and Policy Committee reviewed the governance framework detailed in this statement at their meetings on 23 May 2011 and 20 June 2012 respectively. We are aware of the steps that are being and will be taken to address the above significant governance issues and we are satisfied that these are appropriate. We will monitor their implementation during the course of 2012/13.

Signed:.....

LEADER

Signed:.....

CHIEF EXECUTIVE

REPORT OF THE LEADER**PROPOSAL FOR A NOTTINGHAMSHIRE ANNUAL SATISFACTION
SURVEY****Purpose of the Report**

1. This report seeks approval to undertake an annual satisfaction survey to gather information on public perceptions of value for money, communication, quality of life, and health and wellbeing from the Council's public services.

Information and Advice

2. Customer satisfaction is a key element of assessing the performance of public bodies. Research by Ipsos MORI shows that the top performing councils undertake annual citizens' surveys of one form or another as a way of measuring and understanding perceptions, behaviours and priorities amongst residents. The Strategic Plan makes a number of references to raising satisfaction levels including:

- Satisfaction with the way the Council runs things
- Providing value for money
- People feeling informed
- People feel they can influence decision making

However, there are currently no formal processes in place to measure performance in this respect.

3. Since 2000 there have been four statutory national benchmarking regimes involving local authorities which have provided information on the performance of local services from the citizen perspective. These surveys allowed the comparison of satisfaction ratings between authorities and identified both poor performers as well as exemplars of best practice.
4. The only other form of reputation measure undertaken by the County Council has been carried out as part of a programme of consultations undertaken through the Nottinghamshire citizens' panel in conjunction with stakeholder partners in the following areas:-

2008 : *'Improving customer access to services'*.
2009/10 : *'Reputation and Communication in Nottinghamshire'*.

2011 : *'Satisfaction with the local area and local services in Nottinghamshire'*.

5. The citizens' panel was established in 2007 and is made up of around 6,000 residents from across Nottinghamshire, recruited from a sample of residents aged 18+. The sample is made up of a random selection of postal address files in Nottinghamshire. The majority of panellists are in the 55+ age category.
6. The use of the citizens' panel has proved beneficial for gauging views on specific service performance, preferences or policy change. There has been no cost to the Council when the panel has been managed in-house as the intellectual rights belong to the County Council; costs have only been incurred when surveys have been managed on our behalf. Although beneficial, the panel may lack statistical validity if it is used annually to measure overall satisfaction, as such, it is not considered an appropriate mechanism to measure overall satisfaction ratings for the Council on an annual basis.
7. Following the cessation of the four statutory surveys (three Best Value surveys and the Place Survey) the majority of other County Councils have introduced some form of proxy measure, although the methodology used varies from council to council. Leicester, Staffordshire, Cambridge, Essex, Norfolk, Derbyshire and Buckinghamshire all conduct a residents' satisfaction survey. For the last three years, Nottingham City Council has conducted an annual face-to-face residents' satisfaction survey in partnership with NHS Nottingham City and have shared the costs.
8. An annual Council satisfaction survey will also act as a strategic evaluation tool to enable the Council to effectively measure a number of key Council strategies, and inform improvements to information provision and customer service.

Options

9. It would be preferable to confidently quantify customer satisfaction and the reputation standing of the County Council on an annual basis, both in terms of performance levels as well as direction of travel. Research undertaken has defined the *minimum* sample size for our County at 700 citizens (100 in each of the districts). However, any subgroup analysis at district level based on this number would not be reliable – it would be indicative rather than statistically robust. It is, therefore, recommended that our sample size would be at least 1,050 across the county (150 in each of the districts).
10. The Local Government Association (LGA) has recently launched LG Inform, a new (free) prototype service to allow senior local authority staff and councillors access to key data about their council and its area, and to enable comparison with other councils. Clearly, to have effective benchmarking, the data needs to be consistent, robust and meet certain quality standards. To this end LGA commissioned Ipsos MORI to develop a standard set of benchmarking questions and accompanying benchmarking criteria for councils to use. The

County Council has already adopted these benchmarking questions as part of its performance monitoring, and therefore, will be able to input local results into LG Inform, to enable direct comparison with other authorities.

11. Value for money is the single measure, above all others, that most correlates with the overall satisfaction rating for a council. On average, a council's value for money rating accounts for eighty-one percent of its overall satisfaction rating. This clearly demonstrates the importance of this measure and its specific impact on council reputation and the need for it to be included in any survey undertaken.
12. Another group of key drivers of reputation are residents' perceptions about how they are treated by councils, and public services. Research suggests that these measures link into perceptions of trust and fairness and also highly correlate with the overall satisfaction rating for a council, and need to be incorporated into future surveys.
13. Resident perceptions of how well informed they are also closely connects to perceptions of councils performance. In the Place Survey, residents were asked about how well they felt informed about local public services as opposed to just their local council. It is proposed that perceptions will also be measured in future surveys.
14. If a decision is taken to go ahead with an annual residents' survey, a procurement process would need to be undertaken to identify a preferred supplier. This will be done in collaboration with Corporate Procurement in order to secure best value for money. The final survey price will be subject to the outcome of the procurement exercise.
15. There is the possibility of undertaking an annual citizens' survey in partnership with our public sector partners and a number of district/borough council's as well as Nottingham City and NHS Nottinghamshire have expressed an interested in this approach in principle:-

Partner	Interest
Ashfield	Yes
Bassetlaw	Yes
Broxtowe	Yes
Gedling	<i>tbc</i>
Mansfield	Yes
Newark & Sherwood	Yes
Rushcliffe	No
NHS Nottinghamshire	Yes
Police Authority	Yes
East Midland Ambulance Service	Yes
Nottinghamshire Fire and Rescue Service	No
Nottingham City	Yes

16. The Council's contribution would depend on the number of partners taking part and would be met from the Communications and Marketing budget. The costs relating to partner organisations will be recharged to them.

17. It is proposed that tender documentation will invite potential providers to submit proposals for both a postal questionnaire as well as face-to-face interviews and to provide the preferred process and rationale for the most effective approach in the known context of Nottinghamshire. The procurement process would take a minimum of two months with a provisional survey date being September/October 2012.
18. To ensure the results of an annual residents' survey are integrated into corporate performance management processes, survey data will be reported and managed alongside other service delivery and financial performance information using TotalNotts; the council's performance management software system. This data will form an important element of our 'balanced scorecard' approach to performance management currently being developed.

Other Options Considered

19. A number of other options have been considered including :-
 - i. an annual residents' survey via County News; however, unless a significant incentive were offered, it is unlikely that the required response rate to make the survey statistically reliable would be achieved;
 - ii. an annual residents' survey using the County Council's Customer Service Centre (CSC); however, the information captured would only include the views of residents who have proactively contacted the County Council and as such would not be statistically valid;
 - iii. an annual residents' survey using the Nottinghamshire citizens' panel; however this is known to lack statistical validity given the nature of the survey.

Reason/s for Recommendation/s

20. Understanding resident or customer views is a key element of assessing the effectiveness of the authority, alongside cost and performance information. Furthermore, understanding resident satisfaction and being able to make informed comparisons can strengthen local accountability and is a key part of the Council's approach to managing its own performance.
21. Satisfaction ratings are a key performance area for the County Council with the Strategic Plan containing a number of references to raising satisfaction levels. The recommendations set out in the report provide for a mechanism to measure performance in this area and to inform achievement of the Strategic Plan commitments.
22. In addition to reporting against the Council's key performance indicators, data provided by the Council's annual satisfaction survey will be used to inform improvements to information provision, customer service and benchmark against other authorities.

Statutory and Policy Implications

23. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATIONS

- 1) It is recommended that Policy Committee approves:-
- i. the undertaking of an annual satisfaction survey;
 - ii. the selection of a supplier via an approved procurement method;
 - iii. the entry into a contract with the selected supplier subject to approval of the contract price by the Leader, Deputy Leader, Chair of Finance and Property and the Corporate Director Policy, Planning and Corporate Services.

Councillor Kay Cutts
Leader of the Council

For any enquiries about this report please contact: Angela Smeeton, Senior Consultation Officer telephone: 0115 9772937 E: angela.smeeton@nottsc.gov.uk

Constitutional Comments [HD 29/05/12]

1. The proposals within the report and the associated decisions fall within the terms of reference for Policy Committee.

Financial Comments [MB 30/5/12]

2. The cost can be met from the 2012/13 budget for Communications and Marketing.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

Electoral Division(s) and Member(s) Affected

All

REPORT OF THE SERVICE DIRECTOR - IMPROVEMENT**IMPROVEMENT PROGRAMME ANNUAL REPORT AND UPDATE****Purpose of the Report**

1. The purpose of this report is to provide Policy Committee with an overview of the activity of the Improvement Programme during 2011/12 and to update Members on the future development of the Programme.

Information and Advice

2. The Improvement Programme was established by the County Council in February 2010 to support the organisation in meeting a significant and unprecedented budget challenge that was estimated to be in the region of £180m, out of which £70m would be reinvested in priority demand services over the following three years. The Programme was designed to improve services, drive out inefficiency, target resources, minimise the impact of budget reductions on service delivery and help create an organisation that is fit for purpose, offers good value for money and is financially sustainable in the longer term.
3. The Programme included the following core strands of work:
 - a. Procurement Transformation
 - b. Business Management System
 - c. Ways of Working
 - d. Service Review and Redesign
 - e. Integration of support services including communications and complaints
 - f. Restructuring and management de-layering
 - g. Department/service -specific improvement activities
4. The Programme was supported by the following cross-cutting themes of work:
 - a. Organisation design
 - b. Culture
 - c. Communications
5. Work has progressed well on delivering the core strands of work, with the following progress being made over the last year:
 - a. Establishment of a strengthened corporate Procurement Centre, significant progress on implementing category management and improved delivery of procurement savings.

The Procurement Centre was transferred back to the relevant department in January 2012 and continues to develop

- b. Implementation of phase I of the Business Management System in November 2011, along with the establishment of a Business Support Centre to manage its operation. Work is progressing well on dealing with outstanding issues from phase I and phase II delivery is under way
 - c. Work on the refurbishment of County Hall and Trent Bridge House is well under way and a number of office moves have already been implemented by the Ways of Working team to enable office buildings to be released
 - d. Significant reductions have been achieved in management numbers and layers, through a structured process of organisation re-design
 - e. A new competency framework and associated Employee Performance and Development Review process have been implemented
 - f. There have been significant improvements in our approach to communication, supported by the centralisation of communications and marketing resources
6. The service review process that was carried out between March 2010 and October 2010 resulted in the identification of approximately 150 individual projects that would deliver savings to meet the increasing budget challenge. Since that time, considerable time and effort has been focussed on delivering those projects, with the work supported by a small central Improvement Programme team. To date, the Programme has delivered savings of over £70m and the projects that are still being implemented will deliver a further £70m over the next two years.
7. In addition to providing oversight and governance of progress, the Improvement Programme team provide specialist resources to support the delivery of projects in departments. The attached Annual Review document provides an overview of the team's activity and contains a number of case studies that identify how the team supports other parts of the Council.
8. Whilst the work undertaken to date has enabled the Council to meet the current budget challenge, nationally it is anticipated that there will be further financial pressures for local government from 2014 and beyond. The future financial forecasts, coupled with continuing increasing service demand, require the Council to consider its longer term transformation requirements. External support was secured to provide guidance on how the Council might meet these longer term challenges, whilst maintaining a focus on service improvement and meeting increasing customer expectations.
9. Following a competitive tendering exercise, KPMG were commissioned to undertake a review of our progress to date, carry out further research, identify best national practice and prepare a report to help inform the next stage of the Council's ongoing transformation. Alongside this work, senior officers have also been analysing and assessing progress to date on the Improvement Programme projects and visiting other councils to identify best practice.
10. Officers are now considering the information gained through this process, as they prepare recommendations for Policy Committee to consider in the autumn on how the Council can further improve the way it works, whilst prioritising frontline services and making appropriate savings in the future.

Other Options Considered

11. None.

Reason/s for Recommendation/s

12. Activity that falls within the remit of the Improvement Programme forms a significant element of the transformation of the County Council and it is therefore appropriate that Members are regularly updated on the Programme's activity.

Statutory and Policy Implications

13. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

14. That Policy Committee notes the Improvement Programme annual report and the arrangements for developing the Council's Improvement Programme.

Deborah Hinde
Service Director - Improvement

For any enquiries about this report please contact: Deborah Hinde, extension 73804

Constitutional Comments (HD 07/06/2012)

15. Policy Committee is the appropriate Committee to decide the issues set out in the report as responsibility for the Improvement Programme falls within Policy Committee's terms of reference.

Financial Comments (MA 07/06/2012)

16. The financial implications of the various core strands of work have been included in Committee budgets and the Medium Term Financial Strategy. A sum of £18m is available to support implementation of the remaining programme and any future projects.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

One Council-One Business-One Plan: Improvement Programme: Report to County Council 25 February 2010 (previously published)

Electoral Division(s) and Member(s) Affected

ALL



Improvement Programme Annual Report 2011/12

June 2012
Version 2

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Introduction

This report sets out the achievements and progress to date of the Improvement Programme during 2011/12. A number of project case studies exemplify the added value that the Improvement Programme is bringing to the Council.

The Improvement Programme has been delivered with the full collaboration and cooperation of all departments and services across the Council. It has been a genuine 'One Council' effort which has been recognised on a national stage.

In November 2011 the Leader of the County Council and the Improvement Director showcased the role the Improvement Programme was having in transforming the Council at the County Councils' Network (CCN) Annual Conference. A short video was developed for the event which described the journey and success to date.

There remains more to be done, but achievements in 2011/12 create a solid platform for the future.



Screenshots: Transformation Infomercial presented at CCN Conference, 2011.

Assuring Progress

The Improvement Programme has robust methodologies in place to measure and control progress in delivering agreed benefits, savings and efficiencies. A proportional approach to governance is in place which is designed to ensure that project management requirements in delivering projects are relative to the project's value, risk and complexity. This is an area that will be reviewed in the coming months with the benefit of 18 months experience.

The Programme continues to use a web-enabled project and benefits tracking system to give accountability, visibility and transparency to the delivery of projects within the Programme. Project managers submit monthly highlight reports for all 'live' projects. These are used to produce an aggregated Programme report against which progress is tracked and project exceptions considered for resolution.

The Programme also employs a robust change control process which ensures that any material changes to a project's scope, timeline, cost or benefits are considered and recorded.

In a key development to Programme governance in 2011/12 a project gateway review process has been developed for use with high governance projects. This was used at a key point in the Children's Social Care Transformation programme (see case study later in the document). Gateway reviews provide additional assurance of delivery by assessing readiness to progress to the next stage of the project lifecycle. Gateway reviews have proved to be a valuable addition to the Programme.

'The Improvement Programme governance arrangements are strong and good progress is being made in delivering the Programme'.

Ian Sadd
District Auditor
November 2011

Improvement Programme Annual Report 2011/12

Cashable Benefits for 2011/12

	Expected Savings (£000's)	Realised (£000's)	Slipped - to be realised in future years (£000's)
Department			
Adults Social Care, Health and Public Protection	27,237	25,497	1,740
Children, Families and Cultural Services	23,921	23,921	
Policy, Planning and Corporate Services	4,887	4,887	
Environment & Resources	18,656	15,656	3,000
Horizontal	773	773	
Total	75,474	70,734	4,740
% of Total		93.7%	6.3%

Project breakdown detail

Nos of projects achieving savings	155
Nos of projects with slipped savings	9
Nos of projects completed in 2011/12	88

Headlines:

1. Almost 94% of the £75.5m 2011/12 savings target has been delivered across 164 projects
2. Nine projects had a delivery shortfall of £4.74m (6.3%) which will be realised in future years. The slippage includes £3m in respect of additional procurement savings and a methodology for extracting these savings will be put in place shortly.



Expenditure

In 2011/2012 expenditure for the Improvement Programme was £5.6m, which included the following:

- The revenue cost of implementing BMS was £ 2.4m
- Support to CFCS was £1.5m
- Support to ASCH&PP was £ 0.9m
- Support to E&R was £ 0.6m

Key Work Streams – progress to date

The following are just some of the achievements of the key Improvement Programme programmes / projects which are being delivered across the County Council.

Ways of Working

- Data capture of all departmental headcount, desk requirement and work style profiles
- Construction and Migration Plan programme for County Hall & TBH in place
- 2 building disposals - 39/41 and 47 Loughborough Road
- Centenary House emptied and on the market for sale
- Successfully moved 667 people without disruption to services
- Refurbishment of County Hall reception completed
- Fire and lift refurbishment works at TBH and CH completed
- New ways of working protocols developed

Business Management System

- BMS went live on November 29th 2011
- Extensive staff training programme to use the new system completed
- Council payroll successfully transitioned into the new system
- Year end system processing successfully completed
- Self Service HR Environment deployed county wide
- Resolution of first year system issues successfully completed
- Work is ongoing to resolve the cultural and technical issues associated with such a major system change

Organisational Design & Development

- Council structures streamlined by moving from 13 to 7 tiers
- Significant savings as a result on management de-layering
- Implemented a Competency Framework for the Council including an integrated Learning & Development offer
- Rolled out the 'One Council - One Team' agenda led by the Chief Executive to articulate to staff the Council's vision and values and the need for change

Key Work Streams – progress to date

The following are just some of the achievements of the key Improvement Programme programmes / projects which are being delivered in specific areas of the County Council.

Adult's Social Care Transformation

- 16 of 49 projects completed
- £25.5m savings delivered (93% of savings target)
- £1.1m of year 2 target delivered ahead of schedule
- Significant number of business processes streamlined to ensure greater efficiency
- Increased capacity in project management skills (e.g. project planning, analytical skills, process mapping) to identify and address inefficiencies in the way business is undertaken

Children's Social Care Transformation

- 18 of 35 projects completed
- £23.9m savings were delivered (100% of savings target)
- Internal project team established to drive the design phase of the Children's Social Care Transformation programme
- A robust benefits realisation plan in place for the Children's Social Care Transformation programme
- Service re-configuration of Early Years on track to deliver better outcomes for children and families

Other Projects

- The modernisation of the Council's fleet services which was supported, was delivered on time, and realised £1.2m of savings
- The Services to Schools project launched a more customer focused service offer and provided a model of how services should operate under a single brand
- Plans to redevelop Sherwood Forest Visitor Centre and the National Water Sports Centre are moving forward in line with member expectations

Deploying Resources Effectively

Right People, Right Place, Right Time

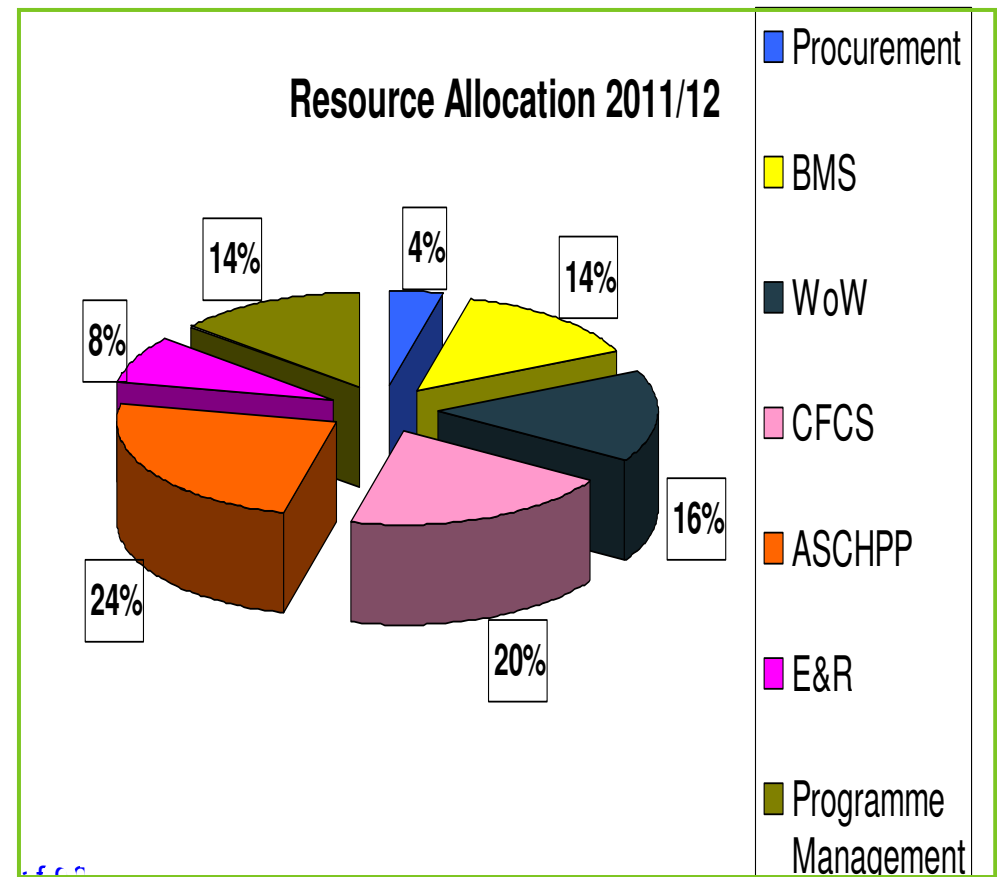
The main focus of the Improvement Programme is the delivery of high governance projects. These are the projects which are at the forefront of transforming the County Council to be a leading local authority of the future.

The Improvement Programme regularly reviews the deployment of staff resources across the programmes and projects to ensure that the right people are in the right place, at the right time, doing the right things.

The blended approach, of using Improvement Programme and departmental staff alongside specialised temporary contractors, has been successful both in terms of building organisational capability and providing capacity.

Improvement Programme staff are engaged in a range of activities to ensure Programme execution including:

- planning and setting projects up for success
- project management (including risks and issues)
- problem solving and trouble shooting
- stakeholder engagement & communication





Adding Value – Case Studies

The following pages contain a series of case studies which exemplify the work of the Improvement Programme in supporting either diagnostics, design or project implementation.

Embedding project discipline: Learning Disability & Mental Health Community Care ProjectThe Project

The project was charged with saving £5.124m (14% of the service's net budget) over 4 years. 10 work streams were launched to achieve a target saving of £1.28m during 2011/12. The division's intention was to focus mainly on reducing the unit costs of services in order to protect front line services.

Improvement Programme Approach and Outcomes

The Improvement Programme provided a dedicated Project Manager (PM) to oversee the delivery of all work streams. The PM established a number of mechanisms with work stream leads in order to capture progress and savings achieved. Monthly board meetings have been used to systematically review progress against targets, acted as a forum for managing interdependencies and resolving issues.

A systematic and structured approach has contributed to some positive outcomes to date:

- The year 1 target of £1.2m savings has been exceeded
- The majority of the savings achieved to date have come from successfully working together with providers to ensure that the services delivered represent value for money
- 15 adults, out of 500 living in residential care, have been helped to move into supported living
- The programme is now largely self-managing and the Improvement Programme input has therefore been reduced accordingly

"The Improvement Programme provided a coordinated approach towards managing a large number of work streams and ensured that all work streams moved forward at a faster pace than might otherwise have been the case."

Jon Wilson
Service Director,
ASCH&PP

Building Organisational Capacity: Children's Social Care Transformation Programme

The Programme

Phase 1 & 2 of the programme involved defining a new operating model for the division based on entry and avoidance, care and support for looked after children (LAC) and providing permanent accommodation solutions for children. Phase 3 was designed to be a transitional phase during which planning would be undertaken and phase 4 would be the implementation phase. The projects within the programme include:

- Multi Agency Safeguarding Hub (MASH)
- Managing transitions between CFCS and ASCH&PP
- Reducing the time taken for children to be adopted

The department's original intention was that the appointed consultancy would lead all phases of the programme and that skills and Knowledge transfer would take place towards the end of the programme.

Improvement Programme Approach and Outcomes

The Improvement Programme undertook a Gateway Review and a skills analysis review to assess progress and future resource needs. A resourcing hierarchy was proposed to minimise dependency on external consultancy and to maximise use of Council resources. Skills sets across the Improvement Programme were deployed to support the programme and the short term capacity issues were resourced from interim contractors who provided better value for money than consultants. This resulted in the department deciding not to renew its contract with the consultancy. A cost avoidance of £215,000 was achieved, this money was then re-invested in an internal project team.

A more recent Gateway Review indicated a high level of engagement on the part of the Children's Social Care service with the Improvement Programme.

"A skills gap analysis and resourcing review allowed us to develop our internal capacity and capability to lead the Programme ensuring reduced dependency on consultants and better value for money."

Steve Edwards
Service Director,
CFCS

Driving out wasted effort: ASCH& PP Organisational Redesign Project

The Project

The Department had committed to budget reductions of £2.9 m from an Organisational Redesign project and intended to achieve these through staff reductions. Savings of almost £1.4m had been already achieved through reductions in management and the second wave of savings was focused on a wider staffing reduction. Additional analysis was required to ensure that the planned reduction in staffing could be mitigated and supported by improving processes for staff and outcomes for customers. A Business Process Re-engineering (BPR) review formed an integral part of the consultation process for the redesign.

Improvement Programme Approach and Outcomes

The Improvement Programme provided a Commercial / Business Analyst who was tasked with providing the Senior Leadership Team with a fuller picture of how the savings target could be achieved. The Commercial Analyst worked alongside the project manager with the specific aim of ensuring that there was an effective transfer of skills to the Council. The specific interventions of the BA which delivered the greatest impact were as follows:

- Identifying at what point in the customer journey the business process could be re-engineered in order to make the most significant savings.
- Identifying how changes to business processes could create capacity amongst front line staff and their line managers.
- demonstrating that by working more effectively, the Department could mitigate against the risk that services to the public would be adversely impacted by staffing reduction.
- Identifying a short, medium and long term programme to achieve outcomes beyond the life of the redesign that is supportive of the new ASCH & PP operational commissioning structure.

“The skills and knowledge held by the Business Analyst have complemented staff in-house and helped to provide sufficient confidence in the readiness to proceed with the restructure consultation process.”

Mandy Shiel
Programme Manager,
ASCH&PP

Embedding a commercial approach: Services to Schools Project

The Project

The project aimed to review and re-market the range of services which the Council was selling to schools at an annual income of £47m in 2011/12. A key work stream of the project was dedicated to understanding and evaluating the true cost of services that the Council provides to schools.

Improvement Programme Approach and Outcomes

The Improvement Programme provided a Commercial / Business Analyst to lead on this work stream and provided a dedicated Project Manager to oversee the delivery of all work streams.

Using a commercial 'profit & loss' approach, the Commercial / Business Analyst designed a financial model to understand and capture all individual sold services, summarising income streams; costs of sales; staff resource and costs as well as providing an estimate for the allocation of departmental and corporate overheads.

This approach contributed to the following outcomes;

- Identifying an additional £17m of income received from sold services to schools
- Highlighting a projected loss of secondary school income, as a result of academy conversions
- Identifying the surplus / deficit position of all sold services
- Providing intelligence and understanding of sold service buy-back, identifying trends, strengths and weaknesses
- Producing recommendations for those sold services with the potential to benefit from business process re-engineering

"Taking a commercial approach has helped us to understand more about the true cost of services and the total income generated, providing valuable management information for the Programme Board. Although it's early days, I'm confident that this level of analysis will help us achieve our project goals."

Anthony May
Corporate Director
CFCS Department

Lessons Learned - Stakeholder Management: Ways of Working Programme

The Programme

This programme focuses on the alignment of a property rationalisation and office accommodation strategy to create flexible office space, underpinned by new working practices and improved technology to facilitate flexible and mobile working.

Programme approach to date

Learning from other successful programmes (e.g. Nottingham City Council, Rotherham MB Council, Boots, BMS) has enabled early adoption of targeted stakeholder management. To build and sustain ownership and commitment to the programme, a blended approach to stakeholders has been initiated which involves the Programme's project managers working with cross-departmental groups (to identify common approaches / risks and issues) and with specific departmental groups (to identify and address department specific issues).

Early involvement of key stakeholders was created by investing heavily in discussions with senior officers and strategic managers to obtain a comprehensive picture of future business needs. This has enabled planning of team locations and space designs. Targeted workshops and briefings have been key in initiating understanding of the implications and benefits of ways of working.

Early engagement was created through briefings and meetings during the scoping and planning stage, with more active stakeholder involvement planned for the design stage and refurbishment works. For 2011/12, the construction programme focussed on the West Bridgford campus, which required a targeted engagement approach with the 1,650 employees located in those sites.

"Making sure the Ways of Working Programme supports, translates and communicates our business needs is a real challenge, but one that the Ways of Working team works hard to get right."

John True
Service Director,
CFCS Department

Achievements for 2011/12 and Priorities for 2012/13

Achievements for 2011/12

- ✓ Almost 94% of the £75.5m 2011/12 savings target has been delivered across 164 projects
- ✓ Built organisational capability through targeted use of interims and consultants (eg Commercial /Business Analysts) working alongside Council staff
- ✓ Developed Business Process Reengineering capacity within the Improvement Programme
- ✓ Developed and implemented a robust Gateway review process to assure on-going project viability and readiness to proceed from one stage to the next
- ✓ Developed and cascaded a robust approach to programme and project planning
- ✓ Nationally showcased at the County Council's Network (CCN)

Priorities for 2012/13

- ✓ Build on the outcomes of the work undertaken to date to develop an updated programme of improvement work for the Council
- ✓ Develop a more strategic role, providing analysis to underpin future service improvement
- ✓ Lead a council wide programme of process improvements
- ✓ Provide expert resources to support delivery of existing and new change programmes and projects
- ✓ Focus on the delivery of high governance projects and their outcomes and benefits
- ✓ Continue to build organisational capacity and capability in key, business critical areas



REPORT OF THE DEPUTY LEADER OF THE COUNCIL

STATEMENT ON THE COMMUNITY RIGHT TO CHALLENGE

Purpose of the Report

1. To consider a statement on the operation of the statutory requirement to introduce a Community Right to Challenge.

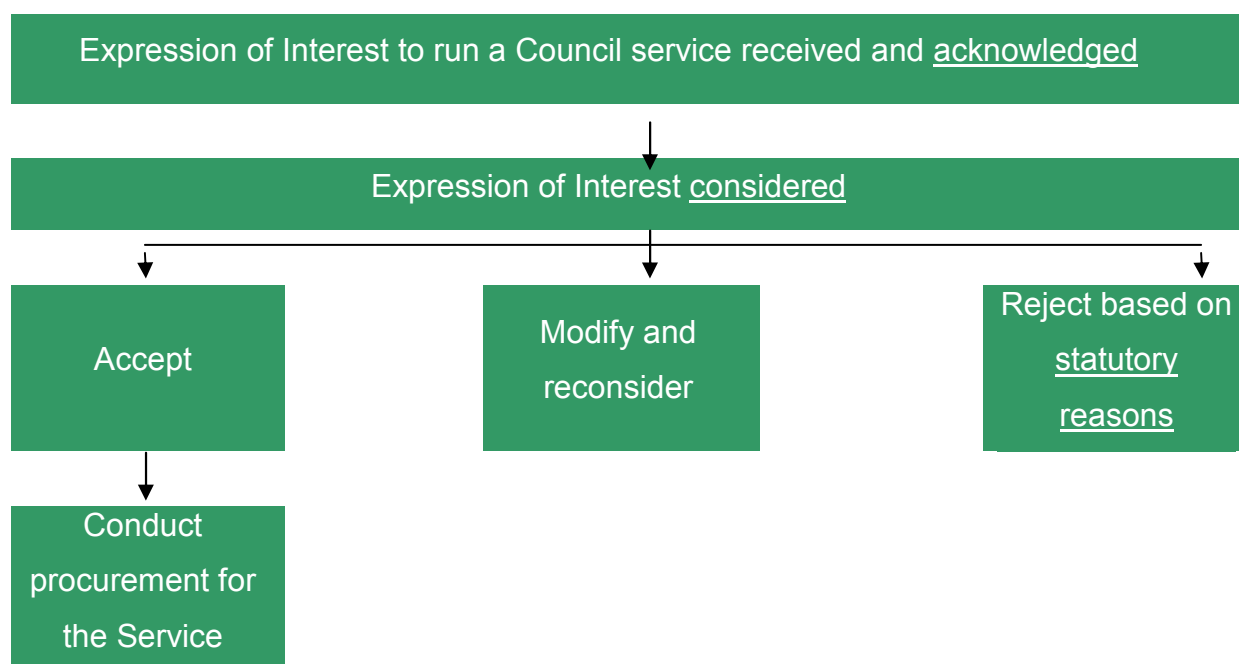
Information and Advice

2. The Council's Strategic Plan for 2010-14 has a specific objective to embrace Localism as part of the priority to foster aspiration, independence and personal responsibility.
3. The County Council is also committed to ensuring that:
 - local people can make decisions about their lives and where they live.
 - communities are involved in the way services are shaped and delivered.
 - communities can be proud of their local area and residents can help to keep their local areas clean, tidy and safe.
4. The Council's Localism Policy was agreed by County Council on 26 January 2012 to progress these commitments and includes an action to develop options for parish/town councils, voluntary and community organisations which might seek to deliver local services. The Policy confirms the County Council's commitment to supporting precepting bodies through consultation and the implementation of a framework for devolving services to parish/town councils seeking to deliver local services.
5. The Policy also includes provision to prepare for new statutory requirements arising from The Localism Act 2011. These statutory requirements include introducing a Community Right to Challenge (to provide services) which is expected to come into force on 27 June 2012.
6. On 26 January 2012 Council agreed that a further report be brought setting out a statement of the Council's intended procedures for the Right to Challenge once further detail became available from the government.

7. The Department of Communities and Local Government has now issued Regulations which are subject to Parliamentary approval. Statutory guidance was published on 21 May 2012 and is effective on 27 June 2012.
8. The requirements placed on the County Council are set out in the report. A draft procedure is attached as Annex A.

Overview of the Community Right to Challenge

9. In brief, the Right to Challenge will operate:



Requirements of the Community Right to Challenge

10. A relevant body will be entitled to submit an Expression of interest for delivering Council services. The Council will have a duty to consider Expressions of Interest for these services and either accept, reject or modify them. The Council is required under the regulation to carry out a procurement exercise for a service where it accepts an Expression of interest. Relevant bodies are described in Annex B but they include parish and town councils, community and voluntary groups and employees of the Council.
11. The Community Right to Challenge applies to all relevant services. A relevant service is defined as "a service provided by or on behalf of the Council in the exercise of its functions, except any services which are excluded from the right in secondary legislation."
12. The Community Right to Challenge only applies to the provision of services. It does not provide for delegation of the functions of a relevant authority. The responsibility for the function itself remains with the relevant authority. Examples of Council services and functions are given at Annex C.

13. The Council may choose to specify periods during which expressions of interest can be submitted in relation to a particular relevant service. In specifying periods for submission of Expressions of Interest the Council must have regard to the factors identified in Annex D. The Council must publish details of any periods specified in a manner as thought fit, including on the Council's website.
14. Should the Council choose not to set periods, expressions of interest can be submitted at any time.
15. The Council may only reject an expression of interest on one or more of the grounds specified in the regulations. These are listed in Annex E.
16. If the Council believes it would otherwise reject an expression of interest, it may seek instead to agree to it being modified. Any modification must be agreed with the relevant body. If an agreement cannot be reached, the Council may reject the Expression of interest.
17. If the Council decides to modify or reject an Expression of interest, it must give reasons for that decision in its notification to the relevant body. The Council must publish the notification in such a manner as it thinks fit, which must include publication on the Council's website.
18. The Council may require the information in Annex F to be provided in Expressions of Interest. The Council may also require bodies to demonstrate they meet the definition of a relevant body.
19. The Council may request further information from relevant bodies but cannot make inclusion of such information a requirement in order for the expression of interest to be considered. The Council should make it clear in any such request that provision of the further information is optional. Information outside the scope of requirements in the regulations may not be used as a ground on which to reject an Expression of interest. The Council should make this clear to relevant bodies.
20. The Council is required to consider the social value of Expressions of Interest in carrying out procurement exercises. This is also reflected in the Public Services (Social Value Act) 2012 and the general duty of best value in the Local Government Act 1999. Expressions of Interest should demonstrate how the proposal might offer social, economic or environmental benefits to the community and take into account social considerations, over and above the provision of the service. This could include creating local jobs, improving local skills, increasing local volunteering opportunities, or improving environmental conditions.
21. It is important that proposals in Expressions of Interest meet the needs of service users. In demonstrating how they will deliver outcomes that meet the needs of users of the relevant service, relevant bodies may refer to evidence such as needs assessments prepared by the Council, or other sources. This

may, for example, include a survey of service users conducted by the relevant body itself.

22. The Council must specify the maximum period that it will take to acknowledge receipt of an Expression of interest.
23. The Council must also notify a relevant body that has submitted an Expression of interest of the timescale within which the Council will notify the body of its decision and publish details of the specification, including on its website. This notification must be made in writing and done within 30 days after the close of any period specified by the Council for submitting Expressions of Interest or, if no such period has been specified, within 30 days of the Council receiving the expression of interest.
24. Different periods may be specified for different cases. In specifying periods for notifying relevant bodies of decisions on expressions of interest, the Council should have regard to the factors detailed in Annex G.
25. The Council must specify periods between an Expression of interest being accepted and a procurement exercise starting. This enables the Council to weigh up the factors described in Annex H. Depending on local circumstances, this aims to allow relevant bodies the time they need to prepare to compete in the procurement exercise.
26. The Council may well already have a contract with a third party to provide a service. In order to take into account its contractual obligations and commissioning cycle it is for the Council to set the period between accepting an Expression of interest and starting a procurement exercise. The guidance states "It would be undesirable if an expression of interest was accepted and there was a lengthy period before a procurement exercise could be started."
27. When the Council accepts one or more expressions of interest for a relevant service, it must carry out a procurement exercise for the service. The procurement exercise must be appropriate having regard to the value and nature of the contract that may be awarded as a result of the exercise. As is already the case, the Council will need to comply with procurement law.
28. The Council should have regard to the Department for Communities and Local Government Code of Recommended Practice on publishing new contracts and tenders information as part of the government's transparency agenda.

Other Options Considered

29. The Council Community Right to Challenge procedures have been developed to implement procedures that ensure compliance with Government Regulations as set out in the report expected to take effect from 27 June 2012.

Reason/s for Recommendation/s

30. The Council's refreshed Strategic Plan for 2010-14 has a specific action to embrace Localism. The County Council's Localism Policy provides a coherent approach for the Council to meet the principles, commitments and actions set out in the Strategic Plan.
31. The adoption of Community Right to Challenge procedures deliver an action from the Localism Implementation Plan and implements statutory requirements arising from the Localism Act 2011.

Statutory and Policy Implications

32. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

- 1) It is recommended that Policy Committee approve the Council's Community Right to Challenge procedure.
- 2) The procedure be reviewed within twelve months.

Councillor Martin Suthers
Deputy Leader of the Council

For any enquiries about this report please contact: Matthew Garrard, Team Manager, Policy, Performance and Research T: (0115) 9772892
E: matthew.garrard@nottsc.gov.uk

Constitutional Comments (SG 01/06/2012)

The Committee is the appropriate body to decide the issues set out in this Report.

Financial Comments (DJK 01.06.2012)

The administration of the process will be contained within existing resources. Service delivery implications will be assessed as part of the Expression of interest decision making process.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Department of Communities and Local Government – Community Right to Challenge, Statutory Guidance.

Nottinghamshire County Council Localism Policy.

The Localism Act 2011.

Electoral Division(s) and Member(s) Affected

All

Procedure – Community Right to Challenge

Introduction

The Council's Strategic Plan for 2010-14 has a specific objective to embrace Localism as part of the priority to foster aspiration, independence and personal responsibility. The Council's Localism Policy was agreed by County Council on 26 January 2012 to progress these commitments and to prepare for new statutory requirements arising from the Localism Act 2011

The County Council is also committed to ensuring that:

- local people can make decisions about their lives and where they live.
- communities are involved in the way services are shaped and delivered.
- communities can be proud of their local area and residents can help to keep their local areas clean, tidy and safe.

The Council already contracts with external providers for the delivery of many services, including with parish/town councils, voluntary and community organisations.

The Council is continually seeking opportunities to enhance the provision of services for our customers and welcomes opportunities to discuss ideas and proposals.

In addition, the County Council provides for the Community Right to Challenge - which gives a number of relevant organisations and groups, including parish/town councils, voluntary and community groups and Council employees the right to be considered for delivering an existing and continuing Council service.

The Community Right to Challenge details are set out in:

Community Right to Challenge Guidance.

Community Right to Challenge procedure – how an expression of interest is handled by the Council.

An Expression of interest submission form.

The Council provides a standard form for use when submitting a Community Right to Challenge Expression of interest. The form can be downloaded from the Council website.



The Community Right to Challenge procedure:

1. Expression of interests will include the information requested on the Council's expression of interest form. They will be received via a generic e-mail address e.g. *CRTC@nottsc.gov.uk* or in writing to (Service) Nottinghamshire County Council, (address.)
2. The expression of interest will be recorded, (Date, submitting organisation, service, response required by and responsible person at the Council) and this record updated as the Expression of interest is processed.
3. The expression of interest will be acknowledged within 30 days of receipt.
4. The Council will advise, in writing, within 30-days of receiving an expression of interest, to the organisation submitting the expression of interest (and post on the Council website) the latest date that a decision is to be given by. The decision time frame can differ depending on a number of factors including:-

the need to notify relevant bodies of a decision within a reasonable period;

the nature, scale and complexity of the service to which expressions of interest relate (e.g. is the service shared with one or more other relevant authorities, or jointly commissioned with one or more other public bodies);

the complexity of the expressions of interest received (e.g. they propose radical change to the way a service is delivered?)

the likely need to agree modifications to expressions of interest in order to accept them;

the timescales for any existing commissioning cycle relevant to the service which an expression of interest relates to, or any other relevant Council processes (e.g. Council / Committee decision making or budget setting).

5. Brief details of the expression of interest will be posted on the Council web page.
6. The Expression of interest will be checked to ensure that it is valid e.g. it comes from a relevant organisation, it has been submitted within any prescribed timeframes and provides the prescribed information.
7. If valid, confirmation will be sought that the expression of interest refers to a current and continuing service of the Council.
8. All expressions of interest will be considered by the Council's Policy Committee. In considering the expression of interest the Council will have regard to how any subsequent procurement exercise can promote or improve the social, economic or environmental well being of its area. This will ensure the Council takes account of the benefits that relevant bodies and others can provide over and above delivery of the service. The Council will also take account of the best value duty. The regulations require authorities to undertake these considerations in a way that complies with procurement law.
9. The organisation submitting the expression of interest will be informed of the decision and the reasons for any rejection or modification request.
10. Should the expression of interest be approved then the organisation who submitted it will be informed, the decision posted on the Council public website and a procurement exercise put in place. This will follow the normal Council procurement procedure.
11. The Council will specify and publish the minimum and maximum period between an expression of interest being accepted and a procurement exercise starting. Different periods may be specified for different cases. In specifying a period the Council will have regard for:-

the need to provide employees of the Council, and other relevant bodies, with a fair and reasonable and realisable opportunity to bid in the procurement exercise for the service;

the nature, scale and complexity of the service being procured;

the timescales for any existing commissioning cycle relevant to the service being procured, or any other relevant Council processes (e.g. Council Committee decision making or budget setting).

Annex B – Relevant Bodies

Relevant bodies who can submit a Community Right to Challenge expression of interest are:

A voluntary or community body;

A body of persons or a trust which is established for charitable purposes only;

A parish council;

Two or more employees of the relevant authority; or

Any other person or body specified by the Secretary of State by regulations.

Partnership working: relevant bodies may submit expressions of interest both with other relevant bodies and with non-relevant bodies. Information in the expression of interest must be provided in respect of all partners.

Joint ventures: An incorporated joint venture would have to meet the definition of a relevant body, however, in a contractual joint venture, in which the parties keep their separate identity, it is sufficient that one organisation meets the definition of a relevant body.

Further detail is provided in the regulations.

Annex C – Functions and Services

The Right to Challenge can be used in relation to services but not function of the Council. The Department of Communities and Local Government has provided two examples of what constitutes a function and a service, which are set out below:

Example 1: Planning

Section 70(1) of the Town and Country Planning Act 1990 gives powers to local planning authorities to grant or refuse planning permission where a planning application is made to the Council. The right does not allow for the function of determining planning applications to be provided by a third party.

The delivery of planning functions, for example the processing of a planning application (not the decision), may be carried out by the local planning authority itself, or by a third party on behalf of the authority.

Example 2: Youth justice

The Crime and Disorder Act (1998) places a duty on local authorities to ensure there is appropriate provision of youth justice services. Decisions (reached following consultation with interested parties as part of the commissioning cycle) on which services are provided, where they are located, funding etc. are a function of the authority. The Community Right to Challenge will not apply here.

Individual (parts of) services with young people to prevent further offending may be provided by the local authority, or by a third party on behalf of the authority. This means the authority would set out the requirements of the service as part of any procurement exercise which potential providers would bid to deliver. This may, for example, include addressing specific difficulties faced by young offenders, such as drug and alcohol problems or homelessness. The right will apply here.

Annex D – Expressions of interest, setting periods for acceptance.

In specifying periods for submission of expressions of interest, the Council should have regard to the following factors:

- a) The need to provide relevant bodies with sufficient time to prepare and submit expressions of interest. In considering this the Council may take account of how much notice they are giving relevant bodies ahead of the period;
- b) The nature, scale and complexity of the relevant service for which a period is being specified. For example, it may take relevant bodies longer to prepare expressions of interest for larger, complex services than smaller more straightforward ones; and
- c) The timescale for any existing commissioning cycle relevant to the service for which a period is being specified, or any other relevant authority processes. These may include Council decision making or budget setting processes.

If the Council should opt to specify periods the regulations encourage considering where such periods can be aligned allowing expressions of interest relating to two or more services to be submitted.

Annex E– Grounds for rejecting an expression of interest

The following form the statutory grounds for rejecting an expression of interest:

- a) The expression of interest does not comply with any of the requirements specified in the Act or in regulations.
- b) The relevant body provides information in the expression of interest which in the opinion of the Council, is in a material particular inadequate or inaccurate.
- c) The Council considers, based on the information in the expression of interest, that the relevant body or, where applicable-
 - any member of the consortium of which it is a part, or
 - any sub-contractor referred to in the expression of interestis not suitable to provide or assist in providing the relevant service.
- d) The expression of interest relates to a relevant service where a decision, evidenced in writing, has been taken by the Council to stop providing that service.
- e) The expression of interest relates to a relevant service -
 - provided, in whole or in part, by or on behalf of the Council to persons who are also in receipt of a service provided or arranged by an NHS body which is integrated with the relevant service; and
 - the continued integration of such services is, in the opinion of the Council, critical to the well-being of those persons.
- f) The relevant service is already the subject of a procurement exercise.
- g) The Council and a third party have entered into negotiations for provision of the service, which negotiations are at least in part conducted in writing.
- h) The Council has published its intention to consider the provision of the relevant service by a body that two or more specified employees of that authority propose to establish.
- i) The Council considers that the expression of interest is frivolous or vexatious.
- j) The Council considers that acceptance of the expression of interest is likely to lead to contravention of an enactment or other rule of law or a breach of statutory duty.

Annex F – Expression of interest requirements

- a) Where the relevant body proposes to deliver the relevant service as part of a consortium or to use a sub-contractor for delivery of any part of the relevant service, the information in paragraphs b and c must be given in respect of each member of the consortium and each sub-contractor as appropriate.
- b) Information about the financial resources of the relevant body submitting the expression of interest.
- c) Evidence that demonstrates that by the time of any procurement exercise the relevant body submitting the expression of interest will be capable of providing or assisting in providing the relevant service.
- d) Information about the relevant service sufficient to identify it and the geographical area to which the expression of interest relates.
- e) Information about the outcomes to be achieved by the relevant body or, where appropriate, the consortium of which it is a part, in providing or assisting in the provision of the relevant service, in particular:
 - how the provision or assistance will promote or improve the social, economic or environmental well-being of the Council's area; and
 - how it will meet the needs of the users of the relevant service.
- f) Where the relevant body consists of employees of the Council, details of how that relevant body proposes to engage other employees of the Council who are affected by the expression of interest.

Annex G - Notifying decisions on expressions of interest

In specifying periods for notifying relevant bodies of decisions on expressions of interest, the Council should have regard to the following factors:

- a) The need to notify relevant bodies of a decision within a reasonable period;
- b) The nature, scale and complexity of the service to which expressions of interest relate (for example is the service shared with one or more other relevant authorities, or jointly commissioned with one or more other public bodies?);
- c) The complexity of the expressions of interest received (for example do they propose radical change to the way a service is delivered?);
- d) The likely need to agree modifications to expressions of interest in order to accept them
- e) The timescales for any existing commissioning cycle relevant to the service which an expression of interest relates to, or any other Council processes. These may include Council decision making or budget setting processes.

Annex H - Period between an expression of interest being accepted and a procurement exercise starting.

In specifying these periods the Council should have regard to:

- a) The need to provide employees of the Council, and other relevant bodies, with a fair, reasonable and realisable opportunity to bid in the procurement exercise for the service;
- b) The nature, scale and complexity of the service being procured. For example, it may take relevant bodies longer to prepare to bid for larger, complex services than smaller more straightforward ones;
- c) The timescales for any existing commissioning cycle relevant to the service being procured, or any other Council authority processes. These may include Council decision making or budget setting processes.

REPORT OF THE LEADER OF THE COUNCIL**UPDATE ON NOTTINGHAMSHIRE LOCAL BROADBAND PLAN****Purpose of the Report**

1. To note progress with the Nottinghamshire Local Broadband Plan and to agree for formal representation to be made to the Government relating to delays in the process.

Information and Advice

2. County Council on 15 December 2011 agreed the submission of the Nottinghamshire Local Broadband Plan to Government, and allocations of capital (£2.15 million) and revenue (£400,000) funding to support delivery of this vital infrastructure project.
3. The Nottinghamshire Plan received Ministerial sign off in April 2012, and Nottinghamshire was given an indicative procurement slot of September 2012. The Government has been clear from the outset that it expects all projects across the country to be contracted by the end of December 2012 and delivered by the end of March 2015.
4. Members will be aware that the lead and accountable body role for broadband projects in England was allocated to upper tier authorities. This includes responsibility for securing a £4.25 million funding package to match the Government's investment in Nottinghamshire. Significant private sector investment is also anticipated from the successful contractor, which should lead to total investment in broadband in the County of approximately £17 million.
5. The procurement of a telecoms supplier will take place through a framework agreement that the Government is currently negotiating with two telecoms providers and the European Commission. Alongside this, a State Aid clearance is being negotiated, which will enable the UK Government to manage competition and State Aid issues at the national level, rather than requiring individual projects to seek clearance from the European Commission.
6. Due to the complexities of investing public funds in the telecoms market, both the framework agreement and the State Aid clearance are taking longer to agree than initially expected. Recent guidance from the Government advised all projects to

postpone pre-procurement activities (i.e. engaging with potential suppliers, open market consultations) until further notice.

7. Nottinghamshire County Council's broadband project team continue to push the Government for solutions to the delays that are now beginning to impact on key project milestones. The viability of a procurement slot in September is in question now, given that the Government advises at least three months' work is required before they will allow Councils to start their procurement processes. This also impacts on the Council's ability to meet the December deadline for contracting, and ultimately on the Council's ability to deliver the project by the stated national deadline of March 2015.
8. Given the potentially negative impacts on the deliverability of the broadband project to time, and the need for the Council to effectively manage public expectations, it is proposed that the Leader of the Council writes to Ed Vaizey MP (Minister for Culture, Communications and Creative Industries) outlining the Council's concerns.
9. It is suggested that further updates on the Nottinghamshire Local Broadband Plan will be brought to this Committee, as and when required, along with regular updates to the Economic Development Committee.

Other Options Considered

10. The Council could do nothing. However it may be prudent to alert the Government to local concerns, and to understand whether there will be any flexibility in the national timescales when, and if, the framework agreement and State Aid clearance is agreed.

Reason/s for Recommendation/s

11. To inform the Committee of progress with the Nottinghamshire Local Broadband Plan and secure support for the proposed approach to Government.

Statutory and Policy Implications

12. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the report is noted and that the Leader of the Council writes to Ed Vaizey MP to underline the Council's concerns about delays to the broadband programme.

**Councillor Mrs Kay Cutts
Leader**

For any enquiries about this report please contact:
Matt Lockley (0115 977 2446)

Constitutional Comments

13. As the report is for noting only, no constitutional comments are required.

Financial Comments (MB 11/06/12)

14. There are no financial implications arising directly from the report

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

1. Report to County Council – 15 December 2011 (published)
2. Nottinghamshire Local Broadband Plan (published)

Electoral Division(s) and Member(s) Affected

All

**REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To review the Committee's work programme for 2012/13.

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme was drafted in consultation with the Chairman and Vice-Chairman and reported to the first meeting of the Policy Committee. It includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, committees are expected to review day to day operational decisions made by officers using their delegated powers. Such decisions will be included in the work programme on an annual basis.
5. The Policy Committee will be asked to determine policies, strategies and statutory plans developed or reviewed by other Committees of the Council. A list of proposed policy developments and policy reviews is included as an appendix to the report. This list will be updated regularly following the meetings of each of the Council's Committees and policies referred to the Policy Committee for determination will be included in the work programme.
6. Committee Chairmen are invited to advise the Policy Committee of any additional policy reviews that are being considered.

Other Options Considered

7. None.

Reason/s for Recommendation/s

8. To assist the committee in preparing and managing its work programme.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the committee's work programme be noted, and consideration be given to any changes which the committee wishes to make;

Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Matthew Garrard, Team Manager, Policy, Performance and Research T: (0115) 9772892 E: matthew.garrard@nottsc.gov.uk

Constitutional Comments (SLB 30/04/2012)

10. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (PS 2/5/12)

11. There are no financial implications arising directly from this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

POLICY COMMITTEE - WORK PROGRAMME

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information</u>	<u>Lead Officer</u>	<u>Report Author</u>
July 2012 18th				
Joint Strategic Needs Assessment and Health and Wellbeing Strategy	To agree the Joint Strategic Needs Assessment and Health and Wellbeing Strategy	Decision	Dr Chris Kenny	Cathy Quinn
Communications & Marketing Strategy	To consider a communications and marketing strategy for the County Council including a Commercial Policy, Media Relations Policy and Social Media Policy	Decision	Martin Done	Matt Dodd Clare Yau Marie Lewis
Youth Homelessness Strategy	To consider proposals from the Early Years and Young People's Sub Committee on 3 July for a Youth Homelessness Strategy	Decision	Derek Higton	Laurence Jones
Sherwood Forest Visitor Centre	Report on outcome of Work Concession tender process	Decision	Derek Higton	Patrick Candler
Community Covenant Pledge	To agree an armed forces community covenant pledge for Nottinghamshire	Decision	Tim Gregory	Matthew Garrard
Annual Performance Report 2011/12	Report on the overall progress of the County Council towards its strategic priorities in 2011-12.	Information	Celia Morris	Chris Common
Policy Library	To demonstrate the policy library	Information	Celia Morris	Matthew Garrard
LINK Annual Report	To receive the annual report from Nottinghamshire's Local Involvement Network	Information	Jayne Francis-Ward	Caroline Agnew
September 2012 12th				
Strategic Performance Report – Q1	Report on the overall progress of the County Council towards its strategic priorities over the first quarter of the year.	Information	Celia Morris	Matthew Garrard
Improvement Programme – Performance	Quarterly report on the progress of the Council's Improvement Programme.	Information	Deborah Hinde	Deborah Hinde
Performance Framework	To consider a framework for performance management of the Council.	Decision	Celia Morris	Matthew Garrard
Review of Complaints	Bi-annual overview of complaints received by the County Council.	Information	Celia Morris	Jo Kirkby
Single Access Fund Housing	The Single Access Fund (SAF) Housing scheme is an investment fund being established to help local authorities to develop housing and accommodation for vulnerable groups. This report provides information on the	Information	Jon Wilson	Jon Wilson

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information</u>	<u>Lead Officer</u>	<u>Report Author</u>
	opportunities which may be present from the Single Access Fund Housing initiative, and to determine the County Council's future interest in this scheme.			
Local Health watch	To consider the procurement of a local health watch for Nottinghamshire	Decision	Jayne Francis-Ward	Caroline Agnew
October 2012 17th				
Nottinghamshire Growth Plan	To consider proposals from the Economic Development Committee on 3 July for a Nottinghamshire Growth Plan	Decision	Celia Morris	Matt Lockley
Economic Development Strategy	To consider proposals from the Economic Development Committee on 3 July for an economic development strategy for Nottinghamshire	Decision	Celia Morris	Matt Lockley
Framework for devolving services to parish/town councils	To consider the development of the framework as part of the implementation of the Council's Localism Policy	Decision	Celia Morris	Matthew Garrard
Legal Settlements	Bi-annual overview of legal settlements reached in the preceding 6 months	Information	Heather Dickinson	
November 2012 14th				
Initial Committee Budget and Capital Proposals for 2013-14	To consider initial budget proposals for services within the terms of reference of the Policy Committee	Decision	Mick Burrows	
National Water Sports Centre – future management	To agree future management arrangements for the National Water Sports Centre	Decision	Derek Higton	Steve Bradley
December 2012 12th				
Strategic Performance Report – Q2	Report on the overall progress of the County Council towards its strategic priorities over the second quarter of the year.	Information	Celia Morris	Matthew Garrard
Improvement Programme – Performance	Quarterly report on the progress of the Council's Improvement Programme.	Information	Deborah Hinde	
Communications & Marketing Development	Report on the Development of Communications & Marketing Services	Information	Martin Done	
January 2013 16th				
Communications & Marketing	Report on the reach of communication and marketing	Information	Martin Done	Clare Yau

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information</u>	<u>Lead Officer</u>	<u>Report Author</u>
Campaigns	campaigns 2012-13.			
Risk Management Strategy	To review the Risk Management Strategy	Information	Tim Gregory	Rob Fisher
February 2013 13th				
Budget 2013-14 - Proposals	To receive the budget recommendations of the Finance and Property Committee.	Refer to Council	Paul Simpson	
Pay Policy Statement	To receive the recommendations of the Personnel Committee on the Pay Policy Statement.	Refer to Council	Marje Toward	
March 2013 13th				
Strategic Performance Report – Q3	Report on the overall progress of the County Council towards its strategic priorities over the third quarter of the year.	Information	Celia Morris	Matthew Garrard
Improvement Programme – Performance	Quarterly report on the progress of the Council's Improvement Programme.	Information	Deborah Hinde	
Review of Complaints	Bi-annual overview of complaints received by the County Council.	Information	Celia Morris	Jo Kirkby
Equalities Plan	To consider the annual equalities plan in accordance with statutory duties arising from equalities legislation.	Decision	Celia Morris	Matthew Garrard
April 2013 17th				
Legal Settlements	Bi-annual overview of legal settlements reached in the preceding 6 months	Information	Heather Dickinson	
Freedom of Information and Data Protection	Annual report and review of freedom of information and data protection performance and processes	Information	Celia Morris	Jo Kirkby
May 2013 22nd				
Community Safety Agreement	To consider proposals from the Community Safety Committee on 23 April for the new community safety agreement	Decision	Jayne Francis-Ward	Chris Walker
Strategic Vision for Nottinghamshire	To consider the outline process for the Strategic Plan 2014-18	Decision	Celia Morris	Matthew Garrard
June 2013 13th				
Annual Performance Report 2012/13	Report on the overall progress of the County Council on its strategic priorities over the final quarter of the year and across the whole year.	Information	Celia Morris	Matthew Garrard

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information</u>	<u>Lead Officer</u>	<u>Report Author</u>
Improvement Programme – Annual Report	Annual report of achievements for 2012-13.	Information	Deborah Hinde	

Policies under Development or Scheduled for Review

Policy	Committee/Body	Scheduled Dates for			Draft Plan	Progress Review
		Review / development	Completion	Draft Policy for approval *		
Localism Policy	Council/Policy Committee	Sept 11	Jan 12	26 Jan 12 <i>Council</i>	23 May 12	tbc
Communications and Marketing Strategy	Policy Committee		Jul 12	18 Jul 12		
Looked After Children Strategy	Children and Young People's Committee		18 Jun 12	18 Jul 12 tbc		
Youth Homeless Strategy	Early Years and Young People's Sub Committee		3 Jul 12	18 Jul 12		
Nottinghamshire Health and Wellbeing Strategy 2012-13	Health and Wellbeing Board	Jul 11	2 May 12	18 Jul 12		
Economic Development Strategy	Economic Development Committee	3 Jul 12	4 Sept 12	17 Oct 12		
Nottinghamshire Growth Plan	Economic Development Committee	3 Jul 12	4 Sept 12	17 Oct 12 Council Nov 12		
Volunteering Strategy	Policy Committee	Council 26 Jan 12	Oct 12			
Early Intervention and Prevention Strategy Refresh	Early Years and Young People's Sub Committee	Autumn 2012	17 Oct 12	14 Nov 12 tbc		
Customer Strategy	Policy Committee					
Pay Policy Statement	Personnel Committee	23 Jan 13	23 Jan 13	13 Feb 13 <i>Council</i> 28 Feb 13		
Cultural Strategy (monitoring)	Culture Committee	2 Oct 12	2 Oct 12			6 months
Libraries Strategy(monitring)	Culture Committee	2 Oct 12	2 Oct 12			6 months
Archive Acquisition Policy	Culture Committee	30 Oct 12				
Review of Child Poverty Strategy	Children and Young People's Committee	8 Oct 12				
School Strategy	Children and Young People's Committee		5 Nov 12			
Review of Closing Gap Strategy	Children and Young People's Committee	5 Nov 12				
Review of Grant Aid Strategy	Grant Aid Sub Committee	12 Nov 12				
Home to School / SEND Transport Policy	Children and Young People's Committee		May 2013			
Post 16 Transport Policy	Children and Young People's Committee		May 2013			

