

A G E N D A

Strategic Monitoring Committee

Date: **Monday, 7th July, 2003**

Time: **10.30 a.m.**

Place: **The Council Chamber, 35 Hafod
Road, Hereford**

Notes: Please note the **time, date** and **venue** of
the meeting.

For any further information please contact:

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**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Strategic Monitoring Committee

To: Councillor T.M. James (Chairman)
Councillor Mrs. P.A. Andrews (Vice-Chairman)

Councillors W.L.S. Bowen, A.C.R. Chappell, J.H.R. Goodwin, Mrs. M.D. Lloyd-Hayes, D.C. Short M.B.E., J. Stone, J.P. Thomas and W.J.S. Thomas

	Pages
1. CHAIRMAN AND VICE-CHAIRMAN	
To note that Councillor T.M. James was appointed Chairman of the Committee and Councillor Mrs P.A. Andrews was appointed Vice-Chairman of the Committee at the Annual Meeting of Council on 23rd May, 2003.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on this agenda.	
3. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
4. MINUTES	1 - 6
To approve and sign the Minutes of the meeting held on 1 April, 2003	
5. WORK PROGRAMMES	7 - 16
To consider the Committee's work programme and those of the other Scrutiny Committees.	
6. REVIEW OF THE CONSTITUTION	17 - 24
To recommend to Cabinet and onwards to council a number of amendments to the Constitution arising from the review of Cabinet and Scrutiny committees at the May Council.	
Note: Copies of the revised draft Constitution are enclosed separately for Members of the Committee and available on request.	
7. FINAL REVENUE OUTTURN 2002/2003	
To consider the final outturn position for 2002/2003.	
8. CAPITAL PROGRAMME - FINAL OUTTURN - 2002/2003	25 - 30
To advise Strategic Monitoring Committee of the Capital Outturn for 2002/2003.	

9. LPSA OUTTURN	To report progress towards achievement of the Council's Local Public Service Agreement.	
10. RACE EQUALITY SCHEME PROGRESS REPORT	To note progress against the Council's Race Equality Scheme Action Plan.	31 - 42
11. PAYMENT OF UNDISPUTED SUPPLIER INVOICES WITHIN 30 DAYS - BEST VALUE INDICATOR BV8	To report on the latest performance information in respect of this Best Value indicator.	43 - 48
12. PERFORMANCE MONITORING - CORPORATE HEALTH	To consider a report to Cabinet on the outturn figures for the 2002/2003 national corporate health and local corporate performance indicators.	49 - 64
13. COMPLAINTS AND COMPLIMENTS MONITORING	To inform Members of the figures for complaints and compliments recorded for the year ended 31 march 2003 and the 1 st quarter of 2003/2004 with comparative data.	65 - 68
14. LOCAL GOVERNMENT OMBUDSMAN AND COMPLAINTS PANEL - 2002/2003	To inform members of the figures for complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31 March 2003.	69 - 70
15. SCRUTINY ACTIVITY REPORT	To consider the work being undertaken by the Scrutiny Committees.	71 - 72

PUBLIC INFORMATION

HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES

The Council has established Scrutiny Committees for Education, Environment, Social Care and Housing and Social and Economic Development. A Strategic Monitoring Committee scrutinises Policy and Finance matters and co-ordinates the work of these Committees.

The purpose of the Committees is to ensure the accountability and transparency of the Council's decision making process.

The principal roles of Scrutiny Committees are to

- Help in developing Council policy
- Probe, investigate, test the options and ask the difficult questions before and after decisions are taken
- Look in more detail at areas of concern which may have been raised by the Cabinet itself, by other Councillors or by members of the public
- "call in" decisions - this is a statutory power which gives Scrutiny Committees the right to place a decision on hold pending further scrutiny.
- Review performance of the Council
- Conduct Best Value reviews
- Undertake external scrutiny work engaging partners and the public

Formal meetings of the Committees are held in public and information on your rights to attend meetings and access to information are set out overleaf

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- Inspect agenda and public reports at least three clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the Strategic Monitoring Committee held at Brockington, 35 Hafod Road, Hereford on 1 April 2003 at 2.00 pm.

Present: Councillor R.J. Phillips (Chairman)
Councillor Mrs. J.P. French (Vice-Chairman)

Councillors: B.F. Ashton, Mrs. L.O. Barnett, Mrs. P. Robinson, R.V. Stockton, J. Stone, J.P. Thomas

In attendance: Councillors CE Grover – Cabinet Member (Environment), TM James – Leader of the Council.

88. APOLOGIES FOR ABSENCE

There were no apologies for absence.

89. DECLARATIONS OF INTEREST

There were no declarations of interest made.

90. MINUTES

RESOLVED: That the Minutes of the meeting held on 10th February, 2003 be approved as a correct record and signed by the Chairman.

91. BEST VALUE REVIEW OF HUMAN RESOURCES – STAGE 4 REPORT

Further to its consideration of the Stage 3 report in October 2002 the Committee was asked to consider the Improvement Plan resulting from the Best Value Review of Human Resources.

The Interim Head of Human Resources presented the Improvement Plan. He outlined the consultation undertaken within the Council and the contribution made by Bulmers as the external experts. The improvement plan identified six improvement areas and set out actions to achieve the targets set out for each area.

In the course of discussion the following principal points were made:

- It was suggested that, as drafted, it was difficult to see how progress towards achieving the targets set out in the Plan could be monitored. In reply the Interim Head of Human Resources commented that the targets in the Improvement Plan did not readily lend themselves to measurement. A number of statistical measures were included in other documents in particular the Human Resources Strategy.
- The proposals for regular briefings for Members were welcomed. It was suggested that consideration still needed to be given to enhancing Member involvement in and oversight of human resources issues.
- That there was an absence of any costings. In response it was acknowledged that whilst there were Service Level Agreements with Directorates the issue of costs would be addressed as part of the Plan.

- That the question of outsourcing would be a matter for future consideration. The focus at this stage had been on reshaping the service so that it would be able to respond to the challenges presented by any future review along those lines.
- In relation to the recommendation that the Head of Human Resources should be located at Brockington the Chief Executive confirmed that this would be a matter he would wish to discuss with the Head of Human Resources when appointed.

RESOLVED: That the Improvement Plan be noted.

92. TRANSPORT CROSS-SERVICE REVIEW IMPLEMENTATION TARGETS AND MILESTONES

Further to its request in February the Committee was informed of the key targets and milestones to be achieved in implementing the recommendations of the transport cross-service review.

The Director of Environment reported on progress and reiterated why for practical reasons a revised policy towards discretionary transport, if approved, could not be implemented before September 2005.

RESOLVED: That the targets and milestones for the implementation of the transport cross-service review be endorsed.

93. WORK PROGRAMMES

The Committee considered the work programmes adopted by the individual Scrutiny Committees.

It was reported that a number of additions had been made to its programme by the Education Scrutiny Committee at its meeting on 26th March. It was noted that the work programmes would provide a suggested basis for scrutiny work over the rest of the year. Account would need to be taken in due course of any amendments to the Council's Constitution, for example, any change to the role of programme panels.

The Education Committee's work programme provided for a review of the Education budget. In response to a question the Chief Executive confirmed that, as proposed by the Committee in February, an overall examination would be undertaken in the new Council of every budget head and service and action would be taken to ensure that a consistent approach to this exercise was agreed.

RESOLVED: That the work programmes be noted.

94. LOCAL PUBLIC SERVICE AGREEMENT

The Committee considered an updated schedule setting out progress towards achievement of the Council's Local Public Service Agreement (LPSA).

The Policy Officer reported that the schedule contained details of those targets for which the Committee was responsible. The next report would include a full monitoring report with the year-end figures for each target.

In the ensuing discussion the following principal points were made:

- That industrial action by firefighters had not had an effect on achievement of the target with which the Fire Service was directly involved. However, it should be borne in mind that the target involved rather small numbers, creating the

possibility that a small number of incidents could have a significant impact on progress.

- It was confirmed that, despite the fact that there was now to be an all-postal ballot for May 2003, the target in relation to improving voting figures had been renegotiated but would continue to be based on the area covered by the three wards referred to, rather than the County as a whole
- That although the pump priming funding had only now been received account had been taken of this in the budgeting process. Its late receipt had not therefore had any detrimental impact on service budgets in the interim. Progress in negotiating a draft basket of indicators to measure increased cost effectiveness was noted.
- That details of the initiatives to increase the quality of community consultation would be included in the next report.
- That the target in relation to the number of young people involved in local decision making would be assessed by a survey. Reference was made to a recent event on the subject of involving young people and an assurance was sought that the messages from the event would be captured. The Director of Policy and Community undertook to discuss how best the views of the event could be fed back to Members.
- The Director of Policy and Community stated that it was expected that the revised target of 31st March, 2004 for the delivery of services electronically would be achieved. Interim arrangements had been made to address the departure of the IT Services Manager.

RESOLVED: That the LPSA schedule be noted.

95. LAND CHARGES

The Committee reviewed progress in improving Land Charges response times to standard search requests.

The report set out the latest position and measures which had been put in place to improve the situation. However, it was noted that securing long term sustainable improvements was dependent upon Information Communication Technology and in particular the establishment of an electronic database. The County Secretary and Solicitor added that the fee for the full search had been increased from £90 to £120.

In the ensuing discussion the following principal points were made:

- In response to questions it was confirmed that the financial resources were available for ICT development and reiterated that the difficulty lay in accessing historic information. It was proposed that further reports should identify targets for the capture of historic data for the required period.
- The County Secretary and Solicitor advised that provided that it could be guaranteed that the full searches were conducted within the required timescale demand for the full search would continue and the increase in the fee could be sustained.

RESOLVED: That the position be noted and reviewed in six months time with the report to identify targets for capturing the required data to enable progress to be measured.

96. SPACE UTILISATION IN BUILDINGS AND COMPARATIVE ENERGY AND WATER USE IN 2001/02

The Committee considered space utilisation in buildings and comparative energy and water use.

Following consideration by the Environment Scrutiny Committee of the Council's energy and water consumption the Committee received detailed data, circulated as a separate document, on energy and water consumption and use of office space in twenty-five of the Council's major buildings. The Head of Property Services commented that whilst comparisons were difficult the data had highlighted some anomalies. It was proposed that these would now be examined and action taken where possible to reduce overhead costs. It was also proposed that the information would be used to support the Council's asset management plan and the targets set by the GEM system (good environmental management).

In the course of discussion the information was welcomed and it was noted that it would also be useful information for the in-depth review of property. It was also suggested that similar comparative information on schools would be useful for the Committee and of benefit to schools and School Governors. The Head of Property Services undertook to investigate and report back.

RESOLVED:

That (a) the report be noted and it be recommended that the information contained in the detailed data sheets be used to reduce overhead costs;

and

(b) it be recommended that the information be used to support the GEM target on energy management and the asset management process.

97. PERFORMANCE MONITORING – CORPORATE HEALTH

The Committee considered a report to Cabinet on corporate performance indicators for the period 1 April 2002 – 31 January 2003 and reviewed the proposed improvement activity.

RESOLVED: That corporate performance for the period 1 April, 2002 – 31 January, 2003 be noted.

98. CAPITAL PROGRAMME MONITORING 2002/03 TO 31 JANUARY 2003

The Committee considered the Capital programme forecast for 2002/03.

The report stated that monitoring systems and procedures continued to be refined and improved and these improvements would be reflected in the future development of the capital programme. The County Treasurer confirmed that it was not expected that any resources with conditions attaching to their expenditure would be lost.

It was requested that a report be made on the breakdown of expenditure on the housing stock transfer.

RESOLVED: That the position be noted and a breakdown of expenditure on housing stock transfer incorporated in a report to a future meeting.

99. REVENUES & BENEFITS SERVICES BEST VALUE REVIEW – IMPROVEMENT PLAN PROGRESS REPORT

Further to the report in November, 2002 the Committee considered progress against the Improvement Plan.

The report provided information on the exceptions to the programmed progress, during the first year of the plan; details of the revisions and additions to the improvements planned for the coming year; and the revised Improvement Plan for 2003/04.

The Assistant County Treasurer (Revenue and Benefits Services) explained the basis for the amendments which had been made.

RESOLVED: That the implementation of and the revisions to the Improvement Plan be noted and officers congratulated on the progress made.

100. SCRUTINY ACTIVITY REPORT

The Committee noted the work being undertaken by the Scrutiny Committees.

(In closing the meeting the Chairman thanked the Committee for their work over the past three years and commented on the learning process the Committee had experienced and the further work which remained to be carried out by the new Council.)

The meeting ended at 3.30 pm

CHAIRMAN

5. WORK PROGRAMMES

Report By: County Secretary and Solicitor

Wards Affected

County-wide

Purpose

1. To consider the Committee's own work programme and the work programmes adopted by the individual Scrutiny Committees.

Background

2. This Committee approved a work programme for itself on 16th January, 2003. A copy is attached at appendix 1. In fulfilling the co-ordinating role prescribed for it in the Constitution the Committee also requested that the work programmes of the individual Scrutiny Committees should be reported to it. These were noted by the Committee on 1st April. In general the work programmes incorporate a number of items identified as requiring periodic monitoring and attention providing a basis for the Committees' work, to be added to as required.
3. At their first meetings following the election the Scrutiny Committees have been or are being asked to confirm their work programmes. The work programmes of the Environment Scrutiny Committee, the Social and Economic Development Scrutiny Committee and Social Care and Housing Scrutiny Committee as presented to those Committees are attached at appendix 2. These are subject to further refinement.
4. The Education Scrutiny Committee meets on 14th July, 2003 and the programme to be submitted by the Committee in April 2003 will be circulated separately. Preparations are being made for the development of a programme by the new Health Scrutiny Committee.

RECOMMENDATION

THAT (a) the Committee's work programme be confirmed, subject to any comments the Committee wishes to make;

and

(b) the Committee determine what action it wishes to take regarding the work programmes of the other Scrutiny Committees.

BACKGROUND PAPERS

- None

Further information on the subject of this report is available from Tim Brown, Committee Manager (Scrutiny) on 01432 260239

Strategic Monitoring Committee – work programme 2003

Date	Items
10 February 2003	<ul style="list-style-type: none"> • Eight months' performance monitoring • Response to Performance Plan recommendations • District Audit management letter • Revenue budget consideration • Health scrutiny update
1 April 2003	<ul style="list-style-type: none"> • LPSA monitoring • 10 months' performance monitoring • Revenues and Benefits Improvement Plan monitoring • Best Value Review programme
July 2003	<ul style="list-style-type: none"> • Annual sickness report • Annual Audit Report • Budget outturns (capital and revenue) • Ombudsman complaints and Council complaints • End of year performance outturns • Human Resources Strategy monitoring • LPSA monitoring • Local Learning and Skills Council • Race Equality Scheme • Annual report – The Herefordshire Plan • Update on property scrutiny review
October 2003	<ul style="list-style-type: none"> • LPSA monitoring • Monitoring of Community Safety Ambition (The Herefordshire Plan) – annual report and progress report • Internal Audit mid-year assurance report • Update on health scrutiny
December 2003	<ul style="list-style-type: none"> • Final report on property scrutiny review • Six months' performance monitoring • Asset Management Plan • Human Resources Strategy monitoring • LPSA monitoring • Race Equality Scheme
February 2004	<ul style="list-style-type: none"> • Eight months' performance monitoring • Response to Performance Plan recommendations • District Audit management letter • Revenue budget consideration • Health scrutiny update • LPSA monitoring

ENVIRONMENT SCRUTINY COMMITTEE WORK PROGRAMME

Date	Items
June 2003	<ul style="list-style-type: none"> • Sickness Absence • Capital Budget 2003/04 • Revenue Budget 2003/04 • Payment of Invoices Within 30 days • Best Value Reviews Relevant Stages • Best Value Reviews Improvement Plans • Performance Indicators • GEM Targets End of Year Report • Decriminalised Parking Scheme • Procurement of Contract Services • Procurement of Technical Consultancy Services
September 2003	<ul style="list-style-type: none"> • Sickness Absence • Capital Budget 2003/04 • Revenue Budget 2003/04 • Payment of Invoices Within 30 days • Best Value Reviews Relevant Stages • Best Value Reviews Improvement Plans • Performance Indicators • Kerbside Collection of Recyclables
November 2003	<ul style="list-style-type: none"> • Sickness Absence • Capital Budget 2003/04 • Revenue Budget 2003/04 • Payment of Invoices Within 30 days • Best Value Reviews Relevant Stages • Best Value Reviews Improvement Plans • Performance Indicators • GEM Targets Half-Yearly Progress Report • Lengthsman Scheme
January 2004	<ul style="list-style-type: none"> • Sickness Absence • Capital Budget 2003/04 • Revenue Budget 2003/04 • Payment of Invoices Within 30 days • Best Value Reviews Relevant Stages • Best Value Reviews Improvement Plans • Performance Indicators • Highway Maintenance

Social Care and Housing Scrutiny Committee – Draft Work Programme 2003-2004

Date	Items
June 2003	<ul style="list-style-type: none"> • Joint Review of Social Services Outcome • Budget Report Outturn • Health Scrutiny Progress Review • Performance Monitoring (&LPSA) end of year outturns • Southbank Close Residential/Respite Establishment • Ivy Close Residential/Respite Establishment • Serious Case Review Update • Response to Laming Report • Best Value Reviews – progress reports
Sept 2003	<ul style="list-style-type: none"> • Business Plan (including joint review action plan) • Performance Monitoring four months (&LPSA) • Budget 2003/4 four month report • Report on Human Resources issues, including sickness absence, accident statistics. • Herefordshire Plan Ambition Groups • Best Value Reviews – progress reports • Provision of Respite Care
November 2003	<ul style="list-style-type: none"> • Performance Monitoring six months (&LPSA) • Budget 2003/04 six month report • Better Care Higher Standards (Annual Report) • Serious Case Review Update • SSI Annual Review of Performance • Best Value Reviews – progress reports

January 2004	<ul style="list-style-type: none"> • Performance Monitoring eight months (&LPSA) • Budget 2003/2004 eight month report • Business Plan (including Joint Review Action Plan) • Supporting People Strategy • Best Value Reviews – progress reports
April 2004	<ul style="list-style-type: none"> • Performance Monitoring 10 months (&LPSA) • Budget 10 month report • Herefordshire Plan Ambition Groups • Best Value Reviews – progress reports

Further additions to the work programme will be made as required

Social and Economic Development Scrutiny Committee – work programme 2003

19 June 2003	<ul style="list-style-type: none"> • Performance monitoring (outturns) • Budget outturns • Best Value improvement plans • Adult Learning Inspection outcome • Voluntary sector • Strategic Review of Libraries • Staffing Report
2 October 2003	<ul style="list-style-type: none"> • Sickness figures • Invoice monitoring • Performance monitoring (4 months) • Leisure Trust – first year's achievements • Community Youth Services
27 November 2003	<ul style="list-style-type: none"> • Internal Audit report • Performance monitoring (6 months) • Best Value Improvement Plans • Parks and open spaces • Implementation of Countryside Rights of Way Act • Staffing Report
29 January 2004	<ul style="list-style-type: none"> • Herefordshire Plan ambitions monitoring • Invoice monitoring • Performance monitoring (8 months) • Objective 2/RRZ/SRB/Leader + projects • Levering of external funding – achievements
15 April 2004	<ul style="list-style-type: none"> • Performance monitoring (10 months) • Town centre management • Parish Council liaison

6. REVIEW OF THE CONSTITUTION**Report By: County Secretary and Solicitor****Wards Affected**

County Wide

Purpose

1. To recommend to Cabinet and onwards to Council a number of amendments to the Constitution arising from the review of Cabinet and Scrutiny responsibilities at the May Council.

Considerations

2. A working draft of the Constitution showing the amendments recommended as a consequence of the changes agreed by Council to the Cabinet and Scrutiny Committees of the Council is enclosed separately for Members of the Committee and available to the public on request. This also sets out a number of minor textual corrections or updates which have been made. The main changes are summarised below.

Foreword

3. This has been updated.

Part 1 – Aims and Principles

4. No changes necessary.

Part 2 – Councillors

5. This needs to be revised to delete reference to Programme Panels.

Part 3 – Chairman and Vice-Chairman of the Council

6. No changes necessary.

Part 4 – The Council Meeting

7. The following changes need to be made.
 - Housing Stock Transfer – Following the successful transfer in 2002, the Constitution does not need to make reference to housing stock transfer.
 - Reference to Programme Panels needs to be removed.
 - The new arrangements approved by Council authorising the Leader to appoint a Deputy Executive Leader need to be made.

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

- The Herefordshire Commercial Services Board no longer needs to meet as a member working group.

Motions

8. It is suggested that the Constitution be revised to make it clear that the Chairman, in consultation with the County Secretary and Solicitor, has a discretion not to accept a Notice of Motion on the grounds that it is not relevant to the Council's powers or duties (Standing Order 4.21).

Questions

9. It is suggested that new Standing Order 4.24.16 and 4.25.9 be added to the Constitution to make it clear that by convention questions will not be accepted at the first meeting following elections as office holders will only be appointed at that meeting.

Part 5 – Orders Applying to Committees and Other Council Bodies

10. Changes need to be made to reflect the abolition of the Programme Panels and rights of members to attend meetings.

Part 6 – The Executive

11. The Council has agreed to a Cabinet comprising the following ten portfolios:
 - Corporate Strategy and Finance (Leader)
 - Audit and Performance Management
 - Community and Social Development
 - Economic Development, Markets and Property
 - Education
 - Environment
 - Highways and Transportation
 - Human Resources and Corporate Support Services
 - Rural Regeneration and Smallholdings
 - Social Care and Strategic Housing
12. A set of responsibilities for each of the ten portfolios was agreed by the Council on 23 May. These are as set out in Part 6 of the working draft of the Constitution. The following additional changes are also recommended.
 - The Highways and Transportation portfolio should be extended to include responsibility for all of the Council's engineering functions including, in particular, land drainage because of the implications for highways, safety of large reservoirs, disused mines and quarry tips and also public sewerage functions where agency agreements exist with the water companies. Aside from the synergy in relation to these matters, they also fall within the scope of services for which the Head of Engineering and Transportation is responsible.

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

- It is recommended that the Customer Services function be included as part of the Human Resources and Corporate Support Service responsibilities, particularly in relation to the links with information technology and e-government.
- It is recommended that the Rural Regeneration and Smallholdings portfolio be extended to also include responsibility for market towns. It is also recommended that consideration be given to reviewing the composition and role of the Smallholdings Selection Panel to comprise the Cabinet Member plus two non-executive members with an advisory role on smallholding tenant appointments.

Cabinet Procedure Rules

13. Rule 6 currently provides:

“If either Cabinet or a Cabinet Member proposes to take a decision which affects individual wards they shall consult the relevant ward members and those members may be invited to attend and speak at any meeting which considers the matter.”

14. At the Council meeting on 25 April 2003, it was noted that this only gave permissive rights to ward members. It was suggested in the debate that this should be revised to create a right for ward members to be able to attend and speak at Cabinet when decisions were taken affecting individual wards. It has been suggested that Rule 6 should be revised to make it clear that Members “will” be invited to attend and speak on matters affecting their wards.
15. It is considered that extending the Rule in this way will cause procedural and legal risks for the Cabinet. Some issues will have an effect across all wards creating the potential for all Councillors to have the right to speak at the Cabinet meeting. In order to manage these risks, it would be necessary to contain the right by a requirement to give notice and to limit the amount of speaking time. Against that background, it is recommended that the current rule remain leaving the discretion to the Leader of the Council as Chairman of Cabinet to call ward members to contribute.

Public Speaking at Cabinet

16. Members also need to consider the Notice of Motion moved at the Council meeting in April 2003 by former Councillor G.H.M. Woodford recommending that the public be given an opportunity to attend and participate at Cabinet meetings. Similar practical and legal considerations apply to this proposal as outlined in relation to ward members. It is considered that the current arrangement whereby the relevant ward member has a right within the Constitution to be consulted direct and for those members to be invited to attend and speak as appropriate provides a more relevant means of alerting Cabinet to local considerations. Cabinet continues to meet in public and reports are available subject to the statutory rules on confidentiality. Plans are also well advanced to improve public access to Cabinet reports and decisions via the Council’s website.

Part 7 – Overview and Scrutiny Arrangements

17. At its meeting on 23 May 2003, the Council resolved to continue the four Scrutiny Committees covering Education, Environment, Social and Economic Development and Social Care and Housing. In addition, the Council has resolved to set up a

separate Scrutiny Committee to undertake the Council's statutory overview and scrutiny role in relation to Health Services in the County.

18. Following the changes to the Cabinet portfolios outlined above, it is proposed that the following overview and scrutiny arrangements will apply to each individual Cabinet Member portfolio, reserving to Strategic Monitoring Committee the overview and scrutiny of strategic county-wide issues which may arise in each portfolio from time to time.

Cabinet Member	Scrutiny Committee
Corporate Strategy & Finance (Leader)	Strategic Monitoring
Audit and Performance Management	Strategic Monitoring
Community and Social Development	Social and Economic Development
Economic Development, Markets and Property	Social and Economic Development
Education	Education
Environment	Environment
Highways and Transportation	Environment
Human Resources and Corporate Support Services	Strategic Monitoring
Rural Regeneration and Smallholdings	Social and Economic Development
Social Care and Strategic Housing	Social Care and Housing

19. It is recommended that the following additional terms of reference be added to Standing Order 7.3.2 to make explicit the Scrutiny Committee's powers:
- to allow additional co-opted members
 - to allow public participation in their meetings
 - to receive information, evidence and presentations from external experts and other witnesses

Scrutiny Committee Rules

20. At present, Rule 6 which deals with call-in requirements, requires matters that have been called in which the Scrutiny Committee wish to refer back to the decision maker, to be reconsidered by the decision making body. In the case of a Cabinet decision this currently means convening a meeting of Cabinet. This can sometimes cause practical difficulties particularly when time is of the essence. In order to protect the Council's interests, it is therefore suggested that:
- In the case of a Cabinet decision, the matter will be referred back to the Leader of the Council in the first instance who will decide whether to reconsider the matter on behalf of the Cabinet or to refer the matter back to a meeting of Cabinet.

Co-ordinating Role of the Strategic Monitoring Committee

21. Rule 17 of the Scrutiny Committee Rules will also benefit from clarification and it is suggested that these be revised as follows:

"In dealing with cases other than call-in, where a Scrutiny Committee has reached a view on a matter which it is scrutinising and wishes to make recommendations to the Council, its views will normally be submitted first to the Cabinet. The Strategic Monitoring Committee will be responsible for regulating the flow of reports to Cabinet."

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

Part 8 – The Standards Committee and Standards Commission

22. Initially, the Council set up an independent Standards Commission to guide the work of the Council in dealing with the introduction of a new statutory ethical framework. The Standards Commission have met on a very occasional basis to provide independent advice and support to the Standards Committee. The setting up of the Standards Board for England and the issue of statutory guidance and subsequent regulations now provide a rigid framework within which the Standards Committee has to work. Against that background, it is therefore recommended that the formal role of the Standards Commission in the Constitution be repealed.
23. The legislation requires the Standards Committee to comprise at least two councillors (who may not include the Leader of the Council) and at least one person who is a wholly independent member (that is not a member or an officer of the Council). Where the Committee comprises more than three members, at least 25% must be independent. Additionally, the Standards Committee must comprise at least one member of any of the town and parish councils which the Standards Committee exercises responsibility. That person must be present when matters relating to town and parish councils or their members are considered.
24. New Regulations recently issued provide for the Standards Committee to determine complaints referred to it by the Standards Board for England. These Regulations give the Standards Committee powers to impose a number of sanctions ranging from disqualification from office for a period of up to 3 months, to public censure. The Regulations require the Committee, or a sub-committee of it, to meet and determine such complaints within 30 days. It is further understood that the Standards Committee will, later this year, be required to conduct its own investigations in relation to complaints against town and parish councils and also assume responsibility in relation to referred complaints concerning Herefordshire Council Members.
25. Against that background and the need to meet the quorum requirements of the legislation and to determine matters within statutory deadlines, it is recommended that one further independent member be recruited to serve on the Standards Committee and that the Herefordshire Association of Local Councils be asked to nominate two further parish councillors representative of the town and parish councils to serve on a sub-committee of the Standards Committee to deal with its town and parish council responsibilities under Section 55 of the Local Government Act 2000.

Part 9 – Other Committees and Bodies

26. Because of the current plans to outsource the Council's contract work, it is proposed that the Herefordshire Commercial Services Board not be appointed. It is also proposed to clarify the arrangements for appointments to external bodies and the term of office of those appointments. A new Member body also needs to be set up to sign off the Council's accounts each year. It is recommended this be called the Statutory Accounts Committee and comprise the Leader and Deputy Leader of the Council, the Cabinet Member Audit and Performance Management and the Chairman and Vice-Chairman of the Strategic Monitoring Committee.

Planning Committee and Area Planning Sub-Committees

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

27. There need to be consequential changes to reflect the increase in size of the various planning committees.

Smallholdings Selection Panel

28. It is proposed this Panel be revised as set out above in paragraph 12.

Local Joint Consultative Committee

29. The Constitution needs to be clarified (Standing Orders 5.5 and 4.4.2) that Members of the Council do not generally have the right to attend these meetings.

Part 10 – Local Area Forums

30. A review is under way in relation to local area forums.

Part 11 – Joint Arrangements

31. No changes necessary.

Part 12 – Officer Responsibilities

32. No changes necessary.

Part 13 – Decision Making

33. No changes necessary.

Part 14 – The Public

34. No changes necessary.

Cabinet Procedure Rules

35. Please see details above in paragraphs 13 – 15.

Scrutiny Committee Rules

36. Please see details above in paragraphs 20 and 21.

Policy Framework and Budget Rules

37. No changes necessary.

Financial Procedure Rules and Financial Standing Orders

38. These need to be revised consequent on the other changes outlined in this Report.

Appendix 12 – Protocols on Member/Officer Working Relationships and Use of Facilities

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

39. A revised set of Protocols have been recommended by the Standards Committee but have not yet been adopted by Council pending further consultation.

RECOMMENDATION

THAT the changes summarised in the Report as detailed in the working draft of the Constitution be recommended to Cabinet and Council for approval.

BACKGROUND PAPERS

- None

8. CAPITAL PROGRAMME – FINAL OUTTURN 2002/03

Report By: County Treasurer

Wards Affected

Countywide

Purpose

1. To advise Strategic Monitoring Committee of the Capital Outturn for 2002/03.

Financial Implications

2. The report has no direct financial implications.

Considerations

3. The final capital programme outturn for 2002/03 totalled £32,500,000 compared to an original budget of £27,370,000, which represents an increase of £5,130,000 or 19%. The main reason for this increase is owing to the transfer of the housing stock in November, which involved capitalised costs of £4,130,000 in 2002/03. Other increases amounting to £2,450,000 reflect additional borrowing approvals and grant funding received after the establishment of the original capital programme budget. The final outturn, therefore, represents 95% of the adjusted capital budget. Appendix 1 gives a detailed breakdown. Appendix 2 provides details of specific movements in individual capital programme areas.
4. The programme is financed by credit approvals of £14,010,000, grants totalling £9,720,000 and capital receipts and reserves totalling £8,770,000. Key points to note include:
 - A significant proportion of the approved programme has been spent in year, indicating improved programming and monitoring capacity.
 - Basic Credit Approval (BCA) funding of £900,000 has been transferred to Warwickshire, this will be returned in 2003/04.
 - Capital reserves amounting to £570,000 have been used in place of revenue contributions to capital in order to enhance the revenue reserves position within the Council's overall unallocated reserves.
 - No conditional funding resources have been lost and the Council has maximised the use of resources available.
5. The overall management of the capital programme is improving with regular monitoring exercises being carried out during the year. Regular reports have been produced for Chief Executive's Management Team, Cabinet and Strategic Monitoring

Committee highlighting movements in the forecast. This process ensures that no conditional capital resources are lost.

Conclusion

6. Capital monitoring systems and procedures continue to be developed and improved through the cross directorate Capital Programme Monitoring Working Group.

RECOMMENDATION

THAT Strategic Monitoring Committee note the position.

BACKGROUND PAPERS

- None identified.

APPENDIX 1

CAPITAL OUTTURN 2002/03

Capital Programme Area	Original Budget	Outturn	Variance	
	£'000	£'000	£'000	%
Education	4,327	5,760	1,433	33%
Social Care	247	618	371	250%
P&F – Property	100	865	765	865%
P&F – General	4,548	320	(4,228)	(93%)
P&F – eModernisation	-	968	968	N/a
Environment Planning	4	4	-	0%
Environment General	9,399	9,745	346	4%
Social Development	792	873	81	10%
Economic Development	1,508	849	(659)	(44%)
Housing Revenue Account	3,653	3,250	(403)	(11%)
Strategic Housing	2,771	3,687	916	33%
HCS	16	66	50	413%
Joint Finance	-	1,358	1,358	N/a
Outturn	27,365	28,363	998	4%
Housing Revenue Account – LSVT	-	4,132	4,132	N/a
Total Outturn	27,365	32,495	5,130	19%

SPECIFIC MOVEMENTS IN INDIVIDUAL CAPITAL PROGRAMME AREAS

2.1 Education

New schemes have been identified throughout the year and a number of schemes have slipped for various reasons. The main reason for the increase in capital expenditure relates to the inclusion of £1,294,000 for National Grid for Learning schemes and £300,000 relating to various enhanced maintenance capital works for which external funding has been obtained. The overdrawn capital receipts reserve for this area has been repaid during the year.

2.2 Social Care

The increased expenditure for the year relates to £185,000 Local Public Service Agreement (LPSA) capital grant funded expenditure, £100,000 capitalised revenue costs which enhances the Council's revenue reserve position and £92,000 Improving Information Management expenditure financed by capital grant.

2.3 Property

The budget has increased by £448,000 relating to the Hillside Intermediate Care Unit capital project funded by the Primary Care Trust capital grant. There were also £188,000 capitalised revenue costs enhancing the Councils revenue reserve position.

2.4 Policy & Finance

The original budget includes £3,798,000 relating to capital projects now within the eModernisation programme area. The Info in Bromyard capital project has slipped by £502,000 (to be funded by BCA) which will be spent in 2003/04.

2.5 eModernisation

This programme area is continuing to be developed with the capital projects constantly being reviewed and amended.

2.6 Environment

The environment capital programmes increased spend relates to Ross Flood Alleviation £130,000 funded by Supplementary Credit Approval (SCA), capitalised revenue expenditure £151,000 enhancing the revenue reserve position and the Bye Street toilets Ledbury capital cost of £124,000 which was funded through the Capital Receipts Reserve.

2.7 Social Development

The increased spend is mainly due to the Hereford Health Suite over spending by £40,000. The total spend is unfunded by £158,000, which is being financed by Corporate Capital Receipts Reserve until new sources of funding have been identified which will be used to repay this amount.

2.8 Economic Development

The reduction is mainly due to slippage of £365,000 on the original budget for the Leominster Industrial Estate Access road. The project is scheduled to start in September.

2.9 Housing Revenue Account

This will close one year from the date of transfer of the housing stock. The major repair allowance funding for the year was reduced due to the Housing Stock Transfer. It was recognised before the date of transfer that the HRA Capital Programme was over-committed by some £777,000. This was due to the Major Repairs Allowance being reduced from a full year sum to a smaller sum to cover the period prior to transfer. The final over-commitment was £821,000. This over-spend is being met by Housing capital receipts but it has been agreed that Herefordshire Housing will reimburse the Council for £476,000 of this cost.

2.10 Strategic Housing

The Social Housing grants spend has increased from the original budget by £638,000, mainly due to commitments carried forward and underspends in previous years. Also included is £130,000 being the cost of moving from Housing Benefit to Rent Allowance following the housing stock transfer.

2.11 Herefordshire Commercial Services

The original budget did not include the cost of moving Grafton Depot of £50,000.

2.12 Joint Funding

This budget was not included as an original budget and is dependent on external grants. These schemes will be integrated into programme areas in the future.

2.13 LSVT Costs

The housing stock was transferred in November. The transfer incurred costs, to be met from the capital receipt, of £4,132,000. The levy of £3,379,000 will be paid in 2003/04 and rent allowance capitalisation cost of £990,000 will be paid over the next three years.

10. RACE EQUALITY SCHEME PROGRESS REPORT**Report By: Head of Policy and Communication****Wards Affected**

County-wide

Purpose

1. To note progress against the Race Equality Scheme action Plan.

Background

2. In line with Performance Management arrangements set out in the Council's Race Equality Scheme this annual report sets out progress against the Action Plan which accompanies the Scheme.
3. The Government felt that insufficient action was being taken by Statutory Authorities in response to the findings of the Stephen Lawrence enquiry (McPherson report). They therefore decided to place a number of statutory requirements on Local Authorities through the Race Relations Amendment Act 2000.
4. In line with the Race Relations Amendment Act (2000) Herefordshire Council published a Race Equality Scheme in May 2002 providing a framework for how the Council intends to promote race equality through.
 - Eliminating unlawful racial discrimination
 - Promotion of equal opportunity
 - Promotion of good relations between people of different racial groups
5. In line with guidance from the Commission for Racial Equality, a cross Directorate steering group was established to oversee implementation of the actions detailed within the scheme. This group is chaired by the Head of Policy and Communication
6. It is an integral part of the Race Equality Scheme that the Authority's progress is monitored. This report has been considered by Chief Executive's Management Team and Cabinet. The information on progress will be made available to the public via the Council's website.
7. A report was submitted to Chief Executive's Management Team on 1st April 2003 setting out the difficulties being encountered in securing engagement across the Council. That report also set out details of broader diversity issues requiring a corporate response.
8. Despite these difficulties progress has been made on a number of fronts;
 - Research has been commissioned
 - An awareness raising campaign has commenced

Further information on the subject of this report is available from Alan Blundell, Head of Policy and Communication on 01432 260239

- A pilot monitoring exercise has been introduced alongside the comments and complaints procedure.
 - A pilot common racial incident reporting form has been introduced across local agencies.
9. In response to the report made to Chief Executive's Management Team, a Strategic Diversity Group was set up, chaired by the Director of Policy and Community. This will provide leadership for the Council in all areas of work with regard to the Equalities Agenda e.g. Race, disability, gender, sexual orientation.
 10. A report on the progress to date against the Equality scheme action plan is attached at Appendix 1.
 11. It should be noted that in recognition of Herefordshire's relatively low Black and Minority Ethnic Population, a partnership approach has been adopted with many of the larger projects being undertaken in conjunction with other agencies. The interface for this approach has been the Herefordshire Race Equality Group (HREG), a multi-agency working group whose focus rests solely on Race Relations within Herefordshire.
 12. With regard to next steps, the timescale on the action plan needs to be revisited in order to align it with the work plan of the new Strategic Diversity Group.
 13. A further progress report will be made to Cabinet and Strategic Monitoring Committee in six months time



RECOMMENDATION

THAT Strategic Monitoring Committee note progress to date.

BACKGROUND PAPERS



- Herefordshire Council Race Equality Scheme






PROGRESS AGAINST OUR ACTIONS

	No progress made on action
/	Action completed but outside of timescale
	Action completed within timescale

COUNCIL-WIDE ACTIVITIES

- To ensure that all Councillors, Council employees and those working with or for the Council understand their responsibility for implementing equalities, the standards of behaviour required by the Council and the consequences of unacceptable behaviour.

Ref	What we will do...	To achieve...	By when...	Achievement	Indicator	Notes
CA1	Establish steering group	A strategic management of Herefordshire Council's approach to race equality	July 2002	Group set up by 2 nd October 2002	/	
CA2	Undertake research into minority ethnic residents within Herefordshire	An understanding of the spread of minority ethnic residents in Herefordshire	March 2003	Invitation to tender issued April 2003	/	Several Tenders were submitted and subsequently researchers have been commissioned to undertake the work. A final date for the completion of the research is still under negotiation
CA3	Introduce amendments to policy development process and Forward Plan	A mainstreaming of race equality considerations into key decision making	December 2002			
CA4a	Identify priority services based on the initial assessments undertaken in March 2002	An appreciation of those services having the greatest impact on and relevance to minority ethnic residents	September 2002	The initial assessments were of little use as there had been no uniformity in how they had been filled		A new assessment grid is proposed to be circulated in September 2003 which will clarify the extent to which individual services impact upon Black and Minority Ethnic Residents and enable priorities to be defined. The research which has been commissioned will inform this assessment.


Ref	What we will do...	To achieve...	By when...	Achievement	Indicator	Notes
CA4b	Develop and oversee the implementation of monitoring procedures for all priority services	A better alignment of services to the needs of Herefordshire's residents	December 2002	A monitoring pilot has been set up under the complaints procedure		Performance under CA4a impacts negatively upon this action. Lessons learnt from action will be used to enhance performance after priorities are decided
CA5	Revise business planning framework and self-assessment	A mainstreaming of race equality considerations into service planning and delivery	September 2002			The Business Planning Framework is currently under review as part of the New Performance Management Framework. Consideration is being given as to how the Equalities Agenda should be incorporated
CA6	Undertake further assessment of functions and policies	An up to date and robust approach to race equality	May 2005			
CA7a	Provide equality training for new Council Members as part of the Member Induction programme	A better approach to the promotion of equality, good race relations and elimination of discrimination	May 2003			It is proposed that all training should be inclusive of the entire diversity agenda This is an issue that will be put to the Strategic Diversity Group
CA7b	Provide equality training for Cabinet and Strategic Monitoring Committee	A more focused implementation and scrutiny of the Council's approach to race equality	April 2003	See CA7a		Timetable was inappropriate given the elections.
CA8a	Review the formal complaints procedure to ensure that all explicit race harassment and victimisation complaints are accelerated into the	A commitment to confronting and dealing with explicit racism within Herefordshire	September 2002			

Appendix 1

Ref	What we will do...	To achieve...	By when...	Achievement	Indicator	Notes
CA8b	Ensure a unique identifier for complaints relating to racial discrimination	A better appreciation of the number and scale of complaints of racial discrimination against the Council	September 2002	A Racial Harassment Form Pilot has been underway since May 2003	/	Through Herefordshire Race Equality Group, a harassment reporting form has been introduced at a number of key community access points such as Info shops and the CAB
CA8c	Report on findings quarterly to the Steering Group and ensure appropriate corrective action	A mainstreaming of race equality considerations into service delivery	December 2002 (first report)	See CA8b	🔊	First report is due in August 2003
CA9	Publish first annual report on the implementation of the Scheme	A greater awareness of what the Council has achieved in relation to the Scheme and its Action Plan over the year	May 2003	Report submitted June 2003	/	Due to elections timetable has slipped


SERVICE SPECIFIC ACTIVITIES

- To eliminate barriers for anyone who needs or wishes to access services delivered by the Council, including barriers relating to affordability, language, accessibility, culture and attitude.

Ref	What we will do...	To achieve...	By when...	Achievement	Indicator	Notes
SA1	Implement formal monitoring of priority services in each Directorate/Department	A better alignment of services to the needs of Herefordshire's residents	March 2003	See CA4a & b		Will revise timetable.






CONSULTATION





- To consult with the community, including its own employees, to ensure that people take part in identifying needs and allocating resources to meet those needs.






Ref	What we will do...	To achieve...	By when...	Achievement	Indicator	Notes
C1	Refine policy development process	A mainstreaming of race equality considerations into key decision making	December 2002			At present this action is still undertaken via the "considerations" part of a report
C2	Identify community groups for consultation purposes	The direct involvement of minority ethnic people in Council planning and decisions	May 2003	It has not been possible to identify any community groups suitable for this purpose	/	Work is underway via Herefordshire Race Equality Group to develop links set up by The Herefordshire Partnership Race Relations Development Officer in order to create a Multi-agency Consultative forum

EMPLOYMENT AND TRAINING

- To ensure that everyone is treated fairly in recruitment to, and employment with, the Council.
- To understand customers' needs by reflecting the diversity of the local community (such as ethnic origin, gender, age, disability, etc) in the workforce.

Ref	What we will do...	To achieve...	By when...	Achievement	Indicator	Notes
ET1a	Use ethnic press to advertise Council vacancies	Promotion of equality	May 2002	Ethnic Britain Directory is being used	/	It was decided that the cost of further use of the Ethnic Minority Press was too costly to pursue
ET1b	Analyse how easy the Council makes employment opportunities available	Promotion of equality	September 2002	Please see CA2		
ET2a	Introduce appropriate equality monitoring systems for employment to cover:					
	Recruitment and section	A fairer treatment for all applicants	April 2002			
	Staff employed	A fairer treatment of all staff employed	April 2002			
	Access to training opportunities					
	Staff involved in grievance processes	A fairer treatment of all staff employed	May 2002			
	Staff involved in disciplinary processes					

Ref	What we will do...	To achieve...	By when...	Achievement	Indicator	Notes
	Staff involved in harassment and bullying complaints					
	Staff who benefit or suffer detriment from performance assessment procedures					
	Staff turnover statistics	A fairer treatment of all staff employed	July 2002			
ET2b	Report on the findings of statistics in relation to ET2a above in line with the requirements of the Race Equality Scheme	An equality balance with the wider economically active population	October 2002 (first report)			
ET3a	Revise Staff Review and Development scheme to ensure that equality training is highlighted as part of the annual process	A mainstreaming of equality considerations into employee development	October 2002			It is proposed that all training should be inclusive of the entire diversity agenda This is an issue that will be put to the Strategic Diversity Group
ET3b	Revise policies to ensure that they comply with the equality statement including, for example, recruitment and selection, equal opportunities in employment, disciplinary procedures.	A better promotion of equality and elimination of discrimination	December 2003			

Ref	What we will do...	To achieve...	By when...	Achievement	Indicator	Notes
	grievance procedure and harassment and bullying procedure					
ET4a	Specialist training for Steering Group	A strategic management of race equality implementation	September 2002	Training for group was undertaken in May 2003	/	
ET4b	All new starters to receive equality training as part of central induction	A better promotion of equality and elimination of discrimination	September 2002			Further development of this is still being undertaken
ET4c	Training for each member of the Managers' Forum	A strategic management and mainstreaming of race equality implementation	March 2003			This will be an outcome of ET4a
ET4d	Training for all Complaints Officers	A mainstreaming of race equality issues into service delivery	December 2002			This will be an outcome of ET4a
ET5	Incorporate diversity training workshop into the generic skills training programme – run two modules	A better promotion of equality and elimination of discrimination	October 2002 March 2003			This will be influenced by action ET4a although it will also require the input of the Strategic Diversity Group
ET6	Develop a common set of management competencies to involve a measurement of management competence for promoting equality	A better promotion of equality and elimination of discrimination	December 2003			

Appendix 1

Ref	What we will do...	To achieve...	By when...	Achievement	Indicator	Notes
ET7	and fairness in the workplace All managers to take a proactive approach to eliminating racist jokes and inappropriate comments/behaviour	A better promotion of equality and elimination of discrimination	March 2005		/	This action will be an outcome of an awareness campaign currently being implemented by the group. A poster campaign has already been launched throughout the Council. This will be followed by a Core News Special outlining the Council's work with relation to the Race Relations Agenda and a guide to what to do should you or someone you know be a victim of racial harassment.
ET8	Develop support networks for minority ethnic staff	A better promotion of equality and elimination of discrimination	December 2003		/	Part of the core News Special would be a "tear-off" slip allowing people to reply should they wish to become part of a BME staff group which would not only provide support but contribute to development of the overall diversity agenda.

**11. PAYMENT OF UNDISPUTED SUPPLIER INVOICES
WITHIN 30 DAYS BEST VALUE INDICATOR BV8****Report By: County Treasurer****Purpose**

1. To report on the latest performance information in respect of this Best Value indicator.

Financial Implications

2. None identified.

Considerations

3. Following the report to this Committee on 8th July 2002, reports giving performance information have been submitted to individual Scrutiny Committees on a regular basis.
4. Appendix 1 shows the latest performance information for the financial year 2003/03 for the Council as a whole.
5. Further information at Heads of Service level for the Policy and Finance Programme Area Services and other areas not reported elsewhere is shown in Appendix 2.
6. The figures for 2002/03 do show an improvement particularly in the second half of the year although the performance is still well short of the 100% target set by the Government. The percentage performance for the last six months was just under 87%.
7. The improvement during 2002/03 reflects the managerial action, which is being taken in all Directorates and Departments, but also changes to the way in which we calculate our data.
8. All the percentages shown relate to payments to outside suppliers in accordance with the terms of the performance indicator. Internal transfers are not included.
9. Social Care and Housing Scrutiny Committee expressed the view at its recent meeting that reports to each Scrutiny Committee meeting were no longer necessary. The Council's Performance Monitoring Framework reports variances on an exception basis rather than regular reports.
10. The County Treasurer supports the view that Payment of Invoices performance data should be reported to Strategic Monitoring Committee on an exception basis in future in accordance with the Council's Performance Management framework provided the present level of improvement continues. Monthly information will continue to be circulated to Heads of Service and progress on improvement monitored.

RECOMMENDATION

THAT the Committee notes the report and considers whether future reports should be on an exception basis subject to the present improvement continuing.

BACKGROUND PAPERS

None identified.

APPENDIX 1

**PERCENTAGE OF INVOICES (UNDISPUTED)
PAID WITHIN 30 DAYS AS PER BV8**

2001/02	%	2002/03	%
APRIL	82.16	APRIL	86.83
MAY	75.5	MAY	79.88
JUNE	80.63	JUNE	77.25
JULY	81.21	JULY	78.65
AUGUST	78.96	AUGUST	79.0
SEPTEMBER	73.56	SEPTEMBER	74.62
OCTOBER	81.72	OCTOBER	88.61
NOVEMBER	78.67	NOVEMBER	86.16
DECEMBER	78.21	DECEMBER	88.25
JANUARY	58.62	JANUARY	79.54
FEBRUARY	81.59	FEBRUARY	92.82
MARCH	81.63	MARCH	85.57
Total Percentage for the year	78.09	Total Percentage for the year (to date)	83.43

Note:

1. The number of invoices paid during the year 2002/03 was 138,376 which was a reduction compared to the previous year of approximately 5,000 invoices.
2. The figures include invoices for all services, including schools, and Commercial Services.

APPENDIX 2

POLICY AND FINANCE / OTHER SERVICES

PAYMENT OF INVOICES WITHIN 30 DAYS

	April %	May %	June %	July %	August %	September %	October %	November %	December %	January %	February %	March %	TOTAL %
2001/02													
Property Services	81.6	83.5	84.3	75.1	73.3	68.8	82.4	75.4	68.3	68.4	87.2	83.1	77.3
Corporate Support (incl. Chief Executive, County Treasurer and County Secretary)	72.0	79.6	82.4	76.8	76.3	77.8	74.5	74.6	77.7	63.4	80.3	74.5	75.7
Joint Funding	87.2	80.6	91.6	93.0	88.9	95.1	83.1	93.0	91.8	70.8	89.0	94.5	88.4
Capital	83.5	97.4	76.1	81.0	71.3	71.3	73.3	71.9	80.0	50.6	79.1	75.4	78.1
2002/03													
Property Services	88.7	79.8	67.2	70.2	69.6	66.7	89.0	90.6	87.6	83.6	93.2	91.9	82.3
Corporate Support	77.8	77.1	68.0	76.3	83.0	77.3	94.1	86.8	86.2	93.6	91.4	95.1	83.6
Joint Funding	83.1	96.5	89.8	89.6	89.0	87.4	98.3	89.3	94.2	92.9	94.0	92.3	90.9
Capital (all services)	98.6	96.8	100.0	100.0	50.0	72.3	81.4	74.1	85.7	87.2	86.4	84.3	92.4

12. PERFORMANCE MONITORING - CORPORATE HEALTH

Report By: Policy Officer

Wards Affected

County-wide

Purpose

1. To consider a report to Cabinet on the outturn figures for the 2002/2003 national corporate health and local corporate performance indicators.

Financial Implications

2. None identified

Considerations

3. Attached at Appendix 1 is the corporate performance report to be considered by Cabinet on 10 July 2003.
4. As part of the Council's new performance management arrangements further reports on corporate performance will be prepared at 4, 6, 8, 10 and 12-month intervals for 2003/2004.

RECOMMENDATION

THAT corporate performance for the period 1 April 2002 – 31 March 2003 be noted and proposed improvement activity for 2003/2004 be reviewed.

BACKGROUND PAPERS

- None identified

2002/2003 CORPORATE PERFORMANCE OUTTURNS

PROGRAMME AREA RESPONSIBILITY: AUDIT AND PERFORMANCE MANAGEMENT

CABINET

10TH JULY, 2003

Wards Affected

Countywide

Purpose

To advise Cabinet of the outturn figures for the 2002/2003 national corporate health and local corporate performance indicators, and to highlight areas for improvement on an exception basis.

Key Decision

This is not a key decision.

Recommendation

THAT Cabinet note the corporate performance outturns for 2002/2003 and the improvement activity planned for 2003/2004.

Reasons

1. The Council has developed revised performance monitoring arrangements as outlined in the Comprehensive Performance Self-assessment document submitted to the Audit Commission. The revised arrangements ensure that the Chief Executive's Management Team, the Strategic Monitoring Committee and Cabinet are all involved in the performance monitoring process. This work has been taken forward and developed, as part of the revised performance management framework approved by Cabinet on 13 March 2003.

Considerations

1. Attached to this report at Appendix 1 are the outturn figures relating to the 2002/2003 national corporate health and local corporate performance indicators. These indicators have been reported in the Council's Best Value Performance Plan (BVPP), which was published on 30 June 2003, and will be subject to audit, by the District Auditor in the usual way.
2. Summary performance is illustrated on the attached table, in accordance with the method adopted in the BVPP, by way of 'faces' as follows:
 - ☺ = Performance on or above target and better than previous years
 - ☹ = Data not monitored or performance below target and/or performance has deteriorated compared to previous years

☹ = Improved performance compared with previous years but target not achieved

3. Performance has been highlighted on an exception basis where data has not been monitored in relation to targets or there is a variation on target of minus 10% and performance has deteriorated compared to previous years. Information has also been provided on actions and activity designed to improve performance during 2003/2004.
4. **National Corporate Health Performance Indicators** – Performance against the 19 corporate health indicators measured during 2002/2003 has generally been on target and shown improvement over 2001/2002, with the exception of the following:
 - **BV14 (Early Retirements)** - The Audit Commission changed the method of calculation of this performance indicator in February 2003 and therefore it is difficult to compare the outturn for 2002/2003 with the target set under the old regulations. One of the six strategic aims in the Human Resources Strategy is to '*ensure a safe and supportive working environment*'. Specific actions include risk assessments, preventative action, health monitoring programmes, well-person studies, alternative work policies, and the introduction of flexible working to support work life balance. These measures will assist staff to continue their employment with the Council for longer than would otherwise have been the case.
 - **BV16a/b (Disability)** - These indicators measure the percentage of staff meeting the Disability Discrimination Act disability definition in comparison to the percentage of economically active disabled people in Herefordshire. Again there are statistical factors that complicate the comparability of the data for these indicators. However, the Human Resources Strategy recognises that more needs to be done on this issue and a new Diversity Group has been established to drive forward improvement. Specific actions to date have included gaining the Disability Symbol User status in 2002 and a review of recruitment guidance. The Council also operates a 'guaranteed interview' for applicants declaring disability, who meet the essential requirements of a post.
 - **BV179 (Land Searches)** - During 2002/03 only 53% of land charge search requests were completed within 10 working days compared to the target of 100%. The number of searches received during this period was double the total for the previous year and there was also a large increase in personal searches during 2002/03. Staffing sickness issues and information technology difficulties also resulted in delays. Extra staff have been brought in to deal with the backlog and cover long- term staff sickness. Additional investment into IT systems is also planned together with more effective use of existing investment. Progress on searches is monitored on a weekly basis to give advance warning of any future problems.
5. **Local corporate performance indicators** – Performance against the authority-wide local performance indicators, which were introduced for the first time during 2001/2002, has been inconsistent. There has also been some confusion over the definitions of the indicators and delays in putting in place accurate systems to collect the data. The number of local corporate indicators for 2003/2004 has been reduced, in line with advice from District Audit, from 48 to 35. The issues highlighted in relation to the local indicators are:
 - **People** – It has not been possible to develop an accurate data collection system for the percentage of training plans implemented. A new system will be introduced during 2003/2004 to collect baseline information so that a realistic target can be established for 2004/2005. A survey to monitor the penetration of

Core News was not undertaken due to staff shortages, as a result of staff turnover, in the Public Relations and Research Teams. These vacancies have now been filled and a survey will be undertaken during 2003/2004.

- **Communications** – The percentage of complaints resulting in a change of practice during 2002/2003 was only 3% compared to a target of 15% and actual performance for 2001/2002 of 9%. Complaints Officers have been asked to review procedures within their Directorates and Departments in order to identify areas of improvement for 2003/2004. A detailed report will also be submitted to the Strategic Monitoring Committee on 7 July 2003, analysing complaints performance during 2002/2003 and outlining improvement activity for 2003/2004.
- **Access/Equalities** – Information on the percentage of new employees receiving Directorate induction within 4 weeks of commencing employment has not been collected due to the different approaches adopted across the authority and differing perceptions of what 'Directorate Induction' comprises. The situation will be reviewed during 2003/4 and in the meantime this indicator will not be used as a measure of local performance.
- **Customers** – Data on the overall percentage of local people who feel that the Council does enough to give them the opportunity to influence important decisions was not collected during 2002/2003. However, as part of the Council's Local Public Service Agreement (LPSA), a survey of the Herefordshire Voice, Citizens Panel, was undertaken asking: "*Do you feel that the Council does enough to give local people the opportunity to influence important decisions?*" The survey resulted in a positive response of 24% compared with a target for 2004/2005 of 20%. For future years attention will be focussed on the achievement of the LPSA target using data collected from the Citizens Panel.
- **Legal Services** – The percentage of the electorate from Wards affected by content attending Council/Committee meetings during 2002/2003 was recorded as 1.65% compared to a target of 2%. The Secretary and Solicitors Department are seeking to improve public access to Council decision making by putting agendas, reports and decision notices on the Council web site in an easy to use format and to improve information about public transport to encourage public attendance at meetings and knowledge of Council matters.
- **Excellent Services – County Secretary and Solicitor's Department** –The Department have been working with the European Foundation for Quality Management Standard as part of its commitment to service improvement. An assessment was undertaken in October 2002 when performance was shown to have been increased by 12%. An improvement plan arising from the assessment forms part of the Service Plan for the Department for 2003/4. No survey was undertaken by the New Unitaries Benchmarking Group in relation to the percentage of service indicators in the top quartile of National BVPI's. Other measures to compare the quality of the service against national performance are being investigated. Additionally, the Department recently successfully passed its LEXCEL audit. This is a national Law Society standard used across legal practices primarily in the private sector.
- **Research** – Data was not collected during 2002/2003 on the percentage of customers who were satisfied or very satisfied with the service provided and the percentage of project outputs completed to deadline, due to staff shortages, as a result of staff turnover. No targets have been set for these indicators during 2003/2004, but systems will be developed to collect the data so that baselines can be established and targets set for 2004/2005.

Risk Management

Failure to review corporate performance and improvement activity would undermine the implementation of the Council's Performance Management Framework.

Background Papers

- Herefordshire Council's Performance Management Framework
- Best Value Performance Plan 2003/2004

NATIONAL PERFORMANCE INDICATORS										
BV ref	Indicator	Audited outturn for 2001/2002	Top quartile 2001/2002	Target for 2002/2003	Actual outturn for 2002/2003	Summary Performance	Target for 2003/2004	Target for 2004/2005	Target for 2005/2006	
<i>Corporate Health</i>										
BV1a	Does the authority have a community strategy developed in collaboration with the local strategic partnership for improving the economic, social and environmental well being in a way that is sustainable?			Yes	Yes	☺	Yes	Yes	Yes	
BV1b	By when will a full review of the community strategy be completed? If such a review was scheduled for this year, was it completed on time?			March 2005	N/a	☺	December 2005	December 2005	December 2005	
BV1c	Has the authority reported progress towards implementing the community strategy to the wider community this year? If no, by when will this be undertaken?			Yes	Yes	☺	Yes	Yes	Yes	
BV1	Has the authority established a timetable for preparing a community strategy that works towards a long term sustainable vision for the area?	Yes	80% of authorities have established a timetable							
BV2a	The level (if any) of the Equality Standard for Local Government to which the authority conforms			Level 1	Level 1	☺	Level 2	Level 2	Level 3	
BV2b	The duty to promote race equality						50%	60%	70%	
BV3	The percentage of citizens satisfied with the overall service provided by their authority. (Information collected every three years)	Not to be collected in 2001/2002	Not to be collected in 2001/2002	Not to be collected in 2002/2003	Not to be collected in 2002/2003		70%	Not to be collected in 2004/2005	Not to be collected in 2005/2006	

NATIONAL PERFORMANCE INDICATORS										
BV ref	Indicator	Audited outturn for 2001/2002	Top quartile 2001/2002	Target for 2002/2003	Actual outturn for 2002/2003	Summary Performance	Target for 2003/2004	Target for 2004/2005	Target for 2005/2006	
BV4	The percentage of those making complaints satisfied with the handling of those complaints. (Information collected every three years)	Not to be collected in 2001/2002	Not to be collected in 2001/2002	Not to be collected in 2002/2003	Not to be collected in 2002/2003		60%	Not to be collected in 2004/2005	Not to be collected in 2005/2006	
BV8	The percentage of undisputed invoices for commercial goods and services which were paid by the authority within 30 days of such invoices being received by the authority	78.09%	94%	100%	83.5%	☹	100%	100%	100%	
BV9	Percentage of council tax collected	97.6%	98%	98%	98.3%	☺	98.4%	98.5%	98.6%	
BV10	The percentage of non-domestic rates due for the financial year which were received by the authority	97.7%	99%	98%	98.7%	☺	98.8%	98.9%	99.00%	
BV11a	The percentage of top 5% of earners that are women			28%	38.02%	☺	39%	40%	40%	
BV11b	The percentage of top 5% of earners that are from black and minority ethnic communities			4%	1.8%	☹	2%	2.75%	2.75%	
BV12	The number of working days/shifts lost to sickness absence per full time equivalent employees	9.32 FTE	8.5	9 FTE	9.09 FTE	☺	8.5 FTE	8 FTE	8 FTE	
BV14	Early retirements (excluding ill-health retirements) as a percentage of the total workforce	0.20%	0.7%	0.22%	0.29%	☹	0.27%	0.25%	0.25%	
BV15	Ill-health retirements as a percentage of the total workforce	0.3%	0.5%	0.3%	0.16%	☺	0.14%	0.11%	0.11%	

NATIONAL PERFORMANCE INDICATORS										
BV ref	Indicator	Audited outturn for 2001/2002	Top quartile 2001/2002	Target for 2002/2003	Actual outturn for 2002/2003	Summary Performance	Target for 2003/2004	Target for 2004/2005	Target for 2005/2006	
BV 16a	The number of staff declaring that they meet the Disability Discrimination Act disability definition as a percentage of the total workforce	1.25%	3.2%	2%	0.97% ¹	☹	1%	1.1%	1.25%	
BV 16b	The percentage of staff declaring that they meet the Disability Discrimination Act disability definition compared with the percentage of economically active disabled people in the authority area	4.30% ²	Data unsuitable for producing summary statistics	2%	0.97% : 7.8%	☹	1% : 7.8%	1.1% : 7.8%	1.25% : 7.8%	
BV 17a	Minority ethnic community staff as a percentage of the total workforce	0.73%	Data unsuitable for producing summary statistics	1%	1.02%	☺	1.06%	1.12%	1.12%	
BV 17b	The percentage of employees from minority ethnic communities compared with the percentage of the economically active minority ethnic community population in the authority area	0.50% ³	Data unsuitable for producing summary statistics	1%	1.02% : 0.8%	☺	1.06% : 0.8%	1.12% : 0.8%	1.12% : 0.8%	
BV 156	The percentage of authority buildings open to the public in which all public areas are suitable for and accessible to disabled	17.81%	47%	5% (subsequently revised)	25.17%	☺	30%	35%	40%	

¹ 2002/2003 definition revised from 2001/2002

² 1991 data provided by Herefordshire Council's Research Unit

NATIONAL PERFORMANCE INDICATORS										
BV ref	Indicator	Audited outturn for 2001/2002	Top quartile 2001/2002	Target for 2002/2003	Actual outturn for 2002/2003	Summary Performance	Target for 2003/2004	Target for 2004/2005	Target for 2005/2006	
	people			to 22%)						
BV 157	The number of types of interactions that are enabled for electronic delivery as a percentage of the types of interactions that are legally permissible for electronic delivery			40%	43%	☺	100%	100%	100%	
BV 179	The percentage of standard searches carried out in 10 working days	96.30%	100%	100%	58%	☹	100%	100%	100%	

LOCAL PERFORMANCE INDICATORS						
Description	Target for 2001/2002	Actual outturn for 2001/2002	Target for 2002/2003	Actual outturn for 2002/2003	Summary Performance	Target for 2003/2004
Authority-Wide Indicators						
People						
Percentage of Staff Review and Development interviews completed in previous 12 months	100%	52%	100%	80%	☹	100%

LOCAL PERFORMANCE INDICATORS									
Description	Target for 2001/2002	Actual outturn for 2001/2002	Target for 2002/2003	Actual outturn for 2002/2003	Summary Performance	Target for 2003/2004			
Percentage of agreed training plans arising from SRD interviews	70%	92%	70%	95%	☺	90%			
Percentage of agreed training plans successfully implemented in previous 12 months	70%	Not collected for 2001/2002	70%	Not monitored	☹				
Penetration of Core News – percentage of staff receiving each issue of Core News	100%	91%	95%	Not monitored	☹	95%			
Communications									
Number of recorded complaints, both formal and informal	Not yet fixed	244	268	317	☺	285			
Percentage of complaints resolved at Complaints Officer level			70%	52%	☹	70%			
Percentage of these complaints resulting in change of practice	Not yet fixed	9%	15%	3%	☹	6%			
Number of telephone calls answered as a percentage of all telephone calls received			90%	77.48%	☹	80%			
Percentage of telephone calls answered in 10 seconds			90%	85.79%	☹	90%			
Percentage of positive or neutral coverage from national and local media	Not yet fixed	Not available for the full year	75%	88%	☺	90%			
Resources									
Percentage variance on budget	Not yet fixed	0.7%	1%	1.06%	☹	1%			
Capital spend	Not yet fixed	100% of resources used within time limits	100% of resources used within time limits	100% of resources used within time limits	☺	100% of resources used within time limits			

LOCAL PERFORMANCE INDICATORS							
Description	Target for 2001/2002	Actual outturn for 2001/2002	Target for 2002/2003	Actual outturn for 2002/2003	Summary Performance	Target for 2003/2004	
Staff mileage	Reduce by 2% per annum	9% increase	0% increase	9% reduction	☹	1% reduction	
Use of public transport	Not yet fixed	£13,000	Increase expenditure on public transport by 5%	11% increase	☺	5% increase	
Access/Equalities							
Percentage of new employees receiving Directorate induction within 4 weeks of commencing employment	100%	Not collected in 2001/2002	100%	Not collected in 2002/2003	☹		
Percentage of employees receiving corporate induction within 3 months of commencing employment	100%	21%	100%	45%	☹	100%	
Customers							
Percentage of local people who feel that the Council does enough to give them the opportunity to influence important decisions			20%	Not collected in 2002/2003	☹		
County Secretary and Solicitor's Department							
Legal							
Quality of advocacy in court of the in-house legal service as rated by court staff	Good or better	Achieved	Good or better	Achieved	☺	Good or better	

LOCAL PERFORMANCE INDICATORS							
Description	Target for 2001/2002	Actual outcome for 2001/2002	Target for 2002/2003	Actual outcome for 2002/2003	Summary Performance	Target for 2003/2004	
Cost of providing the legal service	Significantly less than comparable costs in the private sector locally and regionally and within the top 50% of other authorities in the NUB Club	Achieved	Significantly less than comparable costs in the private sector locally and regionally and within the top 50% of other authorities in the NUB Club	Achieved	☺	At least 30% cheaper than comparable costs in private sector	
Success rate in claims for possession	100%	100%	100%	100%	☺	100%	
Court proceedings issued against the Council for an uninsured claim which was successful at trial where the Legal Service has advised they should or could be defended	0	0	0	0	☺	0	
Successful administrative law actions against the Council except where a strategic decision has been made at senior level to test a particular point of administrative law or practice	0	0	0	0	☺	0	
Success rate in court actions of all types (excluding cases where a decision has been made to proceed with court action following advice from the Legal Service that there is a less than 50% chance of success)	At least 98%	100%	At least 90%	97%	☺	At least 90%	
Success rate during the year of public enquiries in which the Legal Services has provided the advocacy	At least 50%	Achieved	At least 50%	Achieved	☺	At least 50%	

LOCAL PERFORMANCE INDICATORS							
Description	Target for 2001/2002	Actual outcome for 2001/2002	Target for 2002/2003	Actual outcome for 2002/2003	Summary Performance	Target for 2003/2004	
Number of contested Parish Council elections	50%	Not applicable – none held in 2001/2002	No Parish Council elections expected in 2002/2003	None to collect	☹	No Parish Council elections expected in 2003/2004	
Percentage of electorate from Wards affected by content attending Council/ Committee meetings			2%	1.65%	☹	2%	
Excellent Services							
Percentage of Service indicators in the top quartile of New Unities Benchmarking Group and National BVPI's.	50%	Achieved	50%	Not collected. No survey carried out	☹		
Percentage of improvement in EFQM score.	30%	15% increase across Department	30%	12% increase	☹		
Percentage of direct services achieving/ maintaining identified excellence standard (e.g. ISO 9000, Lexcel)	88%	Achieved	88%	Achieved	☺	88%	
Number of non-conformances identified during external audit.	0	0	0	0	☺	0	
Corporate Governance							
Number of complaints upheld by standards committee	0	0	0	0	☺	0	
Percentage of key executive decisions open to public scrutiny	Not yet fixed	Not available	90%	75%	☹	90%	
Public Relations							
Reply to telephone calls within five rings	100%	96.2%	100%	96.1%	☹	100%	

LOCAL PERFORMANCE INDICATORS							
Description	Target for 2001/2002	Actual outturn for 2001/2002	Target for 2002/2003	Actual outturn for 2002/2003	Summary Performance	Target for 2003/2004	
Answer media enquiries within first deadline	90%	98.3%	90%	98%	☺	100%	
Use of news releases/statements by the media	90%	96%	90%	96.75%	☺	98%	
Percentage of graphic design commissions completed within agreed customer deadlines	90%	100%	90%	100%	☺	100%	
Modern Records							
Customer satisfaction with the timeliness of the service			100%	95%	☹		
Customer satisfaction with the quality/professionalism of service provided by staff			100%	95%	☹		
Percentage increase in boxes stored for existing customers			20%	20.9%	☺		
Number of boxes stored for new customers within the Council			2,500	91	☹		
Number of new boxes stored for Partnership organisations			350	20	☹		
Percentage of records disposed of within 28 days of date agreed in retention schedule			100%	100%	☺		
Research							
Percentage of customers who are satisfied or very satisfied with the service provided			90%	Not monitored	☹		
Percentage of project outputs completed to deadline			90%	Not monitored	☹		

LOCAL PERFORMANCE INDICATORS							
Description	Target for 2001/2002	Actual outturn for 2001/2002	Target for 2002/2003	Actual outturn for 2002/2003	Summary Performance	Target for 2003/2004	
Number of different service areas and organisations represented at HIRN meetings			20	59	☺	60	
Info in Herefordshire							
Resolution of first stop customer enquiries	90%	79.9%	95%	100%	☺	100%	
Resolution of one stop customer enquiries	100%	100%	75%	73%	☹	80%	
Percentage increase in number of service level agreements with public/private and voluntary agencies	20%	8%	20%	35%	☺	37%	

**13. COMPLAINTS AND COMPLIMENTS MONITORING
2002/2003****Report By: Director of Policy & Community****Wards Affected**

County-wide

Purpose

1. To inform Members of the figures for complaints and compliments recorded for the year ended 31 March 2003 and the 1st Quarter of 2003/2004 with comparative data.

Background

2. The Complaints Administrators in each of the Directorates, maintain detailed records on behalf of the Nominated Complaints Officers using ComTrac, the Council's computerised recording system. Reports can be produced for Directorate Management Teams.
3. A leaflet is available at receptions, libraries and Info Shops or Points to enable the public to register their complaints about the Council's services. The leaflet is currently being updated, it will make it easier for the public to record compliments as well as complaints and will be in circulation by the end of July. This leaflet will also incorporate a section to enable the Council to undertake its legal obligations to monitor the ethnicity of complainants.
4. Customers can also register their feedback on line by accessing either the Herefordshire Council or Info in Herefordshire websites to complete the electronic complaints form.
5. Prior to the implementation of ComTrac, informal and formal complaints were not recorded separately, therefore for the purposes of comparisons in this report the informal and formal complaints have been combined. Informal complaints cover those comments or requests for service, where failure to take action could result in escalation to a formal complaint.
6. Since February 2002 the Council has achieved:
 - The implementation of a computerised complaints recording system;
 - Complaints Administrators who provide support with the recording and administration of the complaints process;
 - A revised Complaints Leaflet;
 - Revised Comments and Complaints Procedure;
 - Creation of a Compliments Procedure;
 - Creation of a Customer Service Strategy.

A Customer Service Pack containing the Comments and Complaints Procedure, Compliments Procedure and the Customer Service Strategy will be available to Members shortly.

Further information on the subject of this report is available from Mark Warren, Customer Service, Libraries and Information Manager on (01432) 260617 or Colin Brothers Business Support Manager on (01432) 260496

Herefordshire's Comments and Complaints Procedure

7. The Council's Best Value Performance Improvement Plan set a corporate target for informal & formal complaints received during 2002/2003. The table below shows performance against targets for 2001/2002, 2002/2003 and the first quarter of 2001, 2002 and 2003.

Total Informal and Formal Complaints received	Target for 2001/2002	Actual for 2001/2002	Target for 2002/2003	Actual for 2002/2003	Target for 2003/2004	Quarter Apr to Jun		
	Not fixed	244	268	317	285	2001	2002	2003
						63	42	140*

* It is estimated that the final figure for the 1st quarter of 2003 will be 160

8. It is proposed that a % of the overall corporate target is set within Directorates, as part of their Service Planning process, based on the outturn of last years performance.
9. A detailed breakdown of the informal and formal complaints received, by Directorate/Department, is shown in the table below:

	April 2001 to March 2002	April 2002 to March 2003	% +/- 2001/02 to 2002/03	Quarter April to June		
				2001	2002	2003**
Commercial Services (incl. IT to Mar 03)	33	41	+24%	16	7	88
County Secretary & Solicitor	16	8	-50%	5	1	1
County Treasurer	37	34	-9%	7	8	5
Education	43	52	+21%	8	8	8
Environment	64	86	+34%	17	13	13
Social Care & Strategic Housing	42	94	+123%	10	4	24
Policy & Community (incl. IT from Apr 03)	9	2	-76%	0	1	1
Totals	244	317	+30%	63	42	140

10. The table shows there has been a dramatic increase in the number of complaints recorded in the first quarter of 2003/2004 compared to the same period for 2002/2003. Although formal complaints have risen from 38 to 51 the number of comments/requests for service has leapt from 4 in 2002 to 89 this year. This increase has been due mainly to improvements in the recording of comments/requests for service where a formal complaint is likely to result from a failure to action.
11. Of the 140 complaints received so far in 2003/2004, 22% have been referred to the next stage of the process; however, none have to date resulted in a change of working practice. A target of 6% has been set for 2003/2004 where complaints have resulted in a change of working practice.

Further information on the subject of this report is available from Mark Warren, Customer Service, Libraries and Information Manager on (01432) 260617 or Colin Brothers Business Support Manager on (01432) 260496

12. Compliments are also recorded on ComTrac. The table below shows the number of compliments received last year and a comparison for the first quarter of 2002 and 2003.

COMPLIMENTS			
	April 2002 to March 2003	Quarter April to June	
		2002	2003**
Commercial Services (incl. IT to Mar 03)	39	15	6
County Secretary & Solicitor	66	10	19
County Treasurer	28	4	8
Education	3	0	0
Environment	188	0	24
Social Care & Strategic Housing	55	0	7
Policy & Community (incl. IT from Apr 03)	9	0	3
TOTAL	388	29	67

** As at 17 June

13. The number of compliments recorded over the 1st quarters has more than doubled resulting from staff having been encouraged to make sure that all complimentary letters etc are recorded. The new Compliments Procedure will reinforce the need to record all acknowledgements of excellent customer service to promote the sharing of best practice.
14. Work is ongoing to:
- review and improve the electronic recording system;
 - the process for reviewing and sharing of best practice across the Council;
 - the process for considering the changes in working practices following the investigation of complaints.

Complaints Website

15. For the period April 2002 to March 2003 there were a total of 70 hits on the website. 57 were valid complaints, 10 were requests for information and 3 came from customers mistaking Herefordshire for Hertfordshire.

Consideration for Improvements

16. Consideration is to be given to the setting of targets within the Service Planning process. Work continues to make improvements in the review process of changes in working practices and the sharing of best practice.

RECOMMENDATION

THAT the report is noted and agreed.

BACKGROUND PAPERS

- None identified

Further information on the subject of this report is available from Mark Warren, Customer Service, Libraries and Information Manager on (01432) 260617 or Colin Brothers Business Support Manager on (01432) 260496

14. LOCAL GOVERNMENT OMBUDSMAN AND COMPLAINTS PANEL – 2002/03

Report By: County Secretary and Solicitor

Wards Affected

County-wide

Purpose

1. To inform Members of the figures for complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31 March 2003.

Background

2. The Local Government Ombudsman's office investigates complaints about councils with the aim of putting things right if they have gone wrong: it is unbiased and independent. Ombudsmen have similar powers to the High Court to order anyone to produce information or documents for their investigation. Their investigations are carried out in private and there is no charge for their service. They provide an invaluable service to users of public services and are an independent means of monitoring aspects of council performance.
3. The Council's Best Value Performance Improvement Plan 2002/03 set targets for the number of complaints to the Ombudsman classified as maladministration. There have been no such findings against the Council since it was set up in 1998. The table below shows the total number of complaints determined by the Ombudsman for Herefordshire in 2002/03 and the three previous years.

	1999/00	2000/01	2001/02	2002/03
Total number of complaints determined by the Ombudsman	38	37	27	35
Total number of complaints to the Ombudsman settled locally.	2	8	5	5

4. As shown in paragraph 5, most of the complaints were found by the Ombudsman to be unfounded. In five cases however, the Council did agree to take some further action to resolve the complaint.
5. The table below sets out the number of complaints received by the Ombudsman by Directorate for 2002/03.

Further information on the subject of this report is available from
Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

Directorate	LS	NM	OD	OJ	Total
Environment	4	12	2	1	19
Education	1	10	-	2	13
Policy and Community	-	-	-	-	0
Social Care and Strategic Housing	-	-	-	1	1
Treasurers	-	1	-	1	2
County Secretary and Solicitor	-	-	-	-	0
Chief Executive	-	-	-	-	0
Total	5	23	2	5	35

Key: LS – Complaint settled locally
 NM – No or insufficient evidence of maladministration
 OD – Ombudsman’s Discretion (ie not proceeded with for a variety of reasons)
 OJ – Outside LGO’s Jurisdiction

Complaints Panel

6. The Complaints Panel meet to hear unresolved complaints from members of the public following review at level 1 (by the local manager) and level 2 (by Director). The Panel comprises the Chief Executive and two Group Leaders advised by the County Secretary and Solicitor. During 2002/03 it heard 13 complaints. Two were upheld.

Directorate/Department	No. of Complaints / Section	Outcome
County Treasurer’s	1 – Financial Policy & Audit Services 2 – Revenue & Benefits Services	1 Upheld (FP & AS) 2 Not Upheld
Environment	6 – Planning 1 - Public Rights of Way 1 - Trading Standards	1 Upheld (Planning) 7 Not Upheld
Policy & Community	1 – Policy & Community	Not Upheld
Social Care & Strategic Housing	1 – Housing	Not Upheld

7. The Ombudsman has produced an Annual Report on overall performance for 2001/02 which shows overall complaints are beginning to show a decline particularly in the area of housing benefit. The Ombudsman found maladministration in just over 1% of the cases dealt with nationally in 2001/02. The cost of determining complaints rose slightly to £484 per complaint. Nationally, the largest number of complaints concern Housing, mainly housing benefit, followed by Planning and Education.

RECOMMENDATION

THAT the report is noted.

BACKGROUND PAPERS

- None

Further information on the subject of this report is available from
 Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

15. SCRUTINY ACTIVITY REPORT**Report By: County Secretary and Solicitor****Wards Affected**

County-wide

Purpose

1. To consider the work being undertaken by the Scrutiny Committees.

Financial Implications

2. None

Background

3. This report summarises the matters considered by the Scrutiny Committees and is intended to assist in identifying matters which are to be reported to Council as part of this Committee's regular report.
4. The work of the Committees is analysed below as far as practicable under the following five roles for overview and scrutiny: holding the executive to account, best value reviews, policy development and review, external scrutiny, and improvement (performance management and review).

Summary By Programme Area**Education**

5. The Education Scrutiny Committee is to meet on 14th July, 2003.
7. The Environment Scrutiny Committee met on 13 June, 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	Commercial Enforcement – Progress Report Implementation of Improvement Plans
Policy Development and Review	Parking Enforcement in Herefordshire
External Scrutiny	-
Improvement (Performance Management and Review)	Human Resources Capital Programme Monitoring Revenue Budget Monitoring Payment of Invoices within 30 days

Further information on the subject of this report is available from Tim Brown Committee Manager (Scrutiny)
on 01432 260239

	Performance Indicators GEM Performance
Other	Work programme

8. The Social Care and Housing Scrutiny Committee met on 17 June 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	-
Best Value Reviews	Progress Report/Membership of Review Teams
Policy Development and Review	Extra Care Housing
External Scrutiny	Patient and Public Involvement in Health/Health Scrutiny
Improvement (Performance Management and Review)	Budget Monitoring Serious Case Review Payment of Invoices
Other	

9. The Social and Economic Development Scrutiny Committee met on 19 June 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	Membership of Voluntary Sector Review Team
Policy Development and Review	
External Scrutiny	
Improvement (Performance Management and Review)	Performance Indicators Payment of invoices
Other	Work Programme Review of Community and Partner Involvement in Scrutiny

BACKGROUND PAPERS

- None

Further information on the subject of this report is available from Tim Brown Committee Manager (Scrutiny) on 01432 260239