

**REPORT TO:** Policy and Performance Review Committee

**MEETING DATE:** 9 June 2022

**BY:** Executive Director for Place

**SUBJECT:** Legacy Report

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## **1 PURPOSE**

- 1.1 To provide Policy and Performance Committee with a report on Committee 'legacy' matters and the Standards of Performance Direction issued by the Accounts Commission.

## **2 RECOMMENDATIONS**

Committee is asked to:

- 2.1 Comment on, request further information or reports on Committee legacy matters and otherwise note the report on legacy matters
- 2.2 Note that the key performance indicators reported to Committee are being revised and will be presented for approval to Committee in the autumn.
- 2.3 Note that the performance management framework, Improvement to Excellence is being revised and will be presented to the Committee in the autumn.

## **3 BACKGROUND**

- 3.1 The Policy and Performance Review Committee (PPRC) considers two types of reports:
- regular reports on performance including Performance Indicators quarterly reports and an annual report on the Council's key performance indicators, an annual report on the Improvement Service's Local Government Benchmarking Framework (which includes over 80 indicators), and annual updates on the Council Plan Top 50 indicators

- reports requested by members of the committee seeking further information on issues of interest that have arisen out of the performance reports or are otherwise of particular interest to one or more elected member.
- 3.2 Over and above the performance reports over the last five years the Committee has received reports on a wide range of subjects, including:
- Customer Feedback Reporting
  - Customer Contact Centre
  - Coastal Car Parking Scheme
  - Library Service Performance
  - Roads Asset Management – Annual Status and Options Report
  - Non-Residential Social Care Charging and Charging Appeals
  - Progress with the Business Recovery Investment Fund
  - Review of Performance of the Planning Service
  - Records Management Plan Progress
  - Public Protection Annual Report
- 3.3 In scrutinising the quarterly performance reports members have asked for explanations and further information on a wide range of indicators including:
- Universal Credit
  - Street lighting fault repairs
  - Ward breakdown of Council Tax collection data and information around legislative changes that have impacted on collection rates
  - Community Payback Orders
  - Comparator figures regarding pupil attendance.
- 3.4 The Committee has an annual work programme, which is updated following each Committee meeting. The work programme lists the regular performance reports to be received by Committee and any other reports that have been requested by members.
- 3.5 The latest Direction on Standards of Performance issued by the Accounts Commission in December 2021 (Appendix 1) details two Statutory Performance Indicators each council should report on.

***Statutory Performance Indicator 1 (SPI1): Improving local services and local outcomes***

- *Its performance in improving local public services, both provided by itself and in conjunction with its partners and communities.*
- *Progress against the desired outcomes agreed with its partners and communities.*

*The Commission expects the council to report such information to allow comparison (i) over time and (ii) with other similar bodies (thus drawing upon information published by the Local Government Benchmarking Framework and from other benchmarking activities).*

## **Statutory Performance Indicator 2 (SPI2): Demonstrating Best Value**

- *Its assessment of how it is performing against its duty of Best Value, including self-assessments and service review activity, and how it has responded to this assessment.*
- *Audit assessments (including those in the annual audit) of its performance against its Best Value duty, and how it has responded to these assessments.*
- *Assessments from other scrutiny and inspection bodies, and how it has responded to these assessments.*

3.6 The council meets the requirements of SPI1 through the reporting of quarterly and annual key performance indicators, the annual Local Government Benchmarking Framework, and the Top 50 Council Plan Indicators. The key performance indicators and the Top 50 Council Plan indicators are due to be reviewed, refreshed and revised following adoption of the new Council Plan. The revised indicators will be presented for approval to Committee in the autumn.

3.7 The council meets the requirements of SPI2 mainly through undertaking council and service based self-assessments and reports to the Audit & Governance Committee, including the Corporate Governance Self-Evaluation, monitoring reports on the Council Improvement Plan, which incorporates corporate improvement actions arising from the self-evaluation, audit assessments and assessments carried out by scrutiny and inspection bodies.

3.8 The council's overall approach to performance management and meetings its legal requirement to provide, and show how it is providing, Best Value is set out in the Improvement to Excellence, the council's Performance Management Framework, which was last updated in March 2019. The framework is being updated, and the revised framework, which will take account of the 2021 Standards of Performance Direction will be presented to the Committee later this year.

## **4 POLICY IMPLICATIONS**

4.1 Reporting performance helps the Council demonstrate that it is achieving Best Value in regard to 'Commitment and Leadership', 'Sound Governance at a strategic, financial and operational level' and 'Accountability'.

4.2 The scrutiny of performance by Elected Members is part of 'Commitment and Leadership'. The Best Value Guidance explains that the scrutiny of performance means 'That members are involved in setting the strategic direction for Best Value and there is a mechanism for internal scrutiny by members of performance and service outcomes.' Reporting the performance indicators for each service every quarter is intended to aid this process.

## **5 INTEGRATED IMPACT ASSESSMENT**

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

## **6 RESOURCE IMPLICATIONS**

6.1 Financial – none.

6.2 Personnel – none.

6.3 Other – none.

## **7 BACKGROUND PAPERS**

7.1 None.

**Appendix 1:** Local Government Act 1992: The Publication of Information (Standards of Performance) Direction 2021 Statutory Performance Indicators; Accounts Commission, December 2021

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## **Appendix 1: Local Government Act 1992: The Publication of Information (Standards of Performance) Direction 2021 Statutory Performance Indicators; Accounts Commission, December 2021**

### **FOREWORD**

Our Strategy 2021-26 recognises that the next five years will, amongst other priorities, see Scotland build on its recovery from the Covid-19 pandemic and work towards addressing the climate emergency. We want our work to amplify these important areas in our role of reporting on the performance of local government and supporting it to improve.

Accordingly, we have revised our Statutory Performance Information Direction which sets out our requirements on councils to report their performance to their citizens and communities.

The Accounts Commission has a statutory power to define the performance information that councils must publish for performance comparison and benchmarking purposes. While this power pre-dates our responsibilities in relation to Best Value, we use the Direction to complement and add value to our powers of auditing Best Value, particularly in relation to public performance reporting.

Rather than prescribing in detail the information that councils should publish, we use this power to encourage councils themselves to improve such reporting in a way that reflects their local context. In recognising the benefits of councils reporting benchmarking information to the public, we also continue our interest in the further development of the Local Government Benchmarking Framework (LGBF) project.

In publishing this 2021 Direction, we have reviewed councils' response to the previous Direction which we published in 2018. In summary, we found that councils have responded well to the Direction (albeit with variation between councils), thereby presenting a strong case for maintaining the Commission's strategy of encouraging council-led improvement. This Direction has a similar overall shape to its predecessor, but includes the following revisions:

- Underlining the importance of service reviews and self-assessments of performance.
- Reflecting the Commission's ambitions with coordinated scrutiny of local government, including reference to the assessments of other scrutiny and inspection bodies.
- Underlining the importance of empowering communities and ensuring accessibility to the performance information reported publicly.
- Reflecting the Commission's ambitions with the integrated audit, including reference to the annual audit's role in assessing performance against the Best Value duty.

While we do not use the revised Direction to require reporting in specific areas, we expect that issues such as recovery from the Covid-19 pandemic and the climate emergency will feature in the local outcomes agreed between councils, their partners and their communities.

For the avoidance of doubt, the Commission applies this Direction only to councils, and not to joint committees, joint boards or health and social care integration joint boards.

The Commission hopes our new approach will be welcomed and responded to positively by councils and their partners.

Tim McKay  
Interim Deputy Chair of the Accounts Commission for Scotland  
December 2021

**LOCAL GOVERNMENT ACT 1992  
THE PUBLICATION OF INFORMATION  
(STANDARDS OF PERFORMANCE) DIRECTION 2021**

1. This Direction is given by the Accounts Commission for Scotland (“the Commission”) under section 1(1)(a) of the Local Government Act 1992, which requires the Commission to direct relevant bodies to publish such information relating to their activities in any financial year or other specified period as will, in the Commission’s opinion:

“facilitate the making of appropriate comparisons (by reference to the criteria of cost, economy, efficiency and effectiveness and of securing best value in accordance with section 1 of the Local Government in Scotland Act 2003) between –

- i. the standards of performance achieved by different relevant bodies in that financial year or other period; and
- ii. the standards of performance achieved by such bodies in different financial years or, as the case may be, other periods”

Such information is also to facilitate the drawing of conclusions about the discharge of those bodies’ functions under the Community Empowerment (Scotland) Act 2015 (in essence, carrying out community planning for the “improvement in the achievement of outcomes”).

2. This Direction is given to all local authorities, as defined by the Local Government (Scotland) Act 1973, and amended by the Local Government etc. (Scotland) Act 1994.

3. Each of the bodies referred to in paragraph 2 shall, in accordance with section 13 of the Local Government in Scotland Act 2003 and associated regulations and guidance from Scottish Ministers, publish the information specified in the schedule to this Direction for all those activities which are carried out by the body.

4. The periods for which the information in the schedule must be published are the financial years ending 31st March 2023, 2024 and 2025.

5. In the schedule, the term ' Best Value' shall be interpreted in accordance with the definition and requirements of Part 1 of the Local Government in Scotland Act 2003. This includes reference to the Best Value: revised statutory guidance 2020 and the Best Value themes of:

1. Vision and leadership
2. Governance and accountability
3. Effective use of resources
4. Partnerships and collaborative working
5. Working with communities
6. Sustainability
7. Fairness and equality

## **Schedule**

Each council will report a range of information covered by the following two indicators (including in combination if desired):

### **Statutory Performance Indicator 1: Improving local services and local outcomes**

- Its performance in improving local public services, both provided by itself and in conjunction with its partners and communities.
- Progress against the desired outcomes agreed with its partners and communities.

The Commission expects the council to report such information to allow comparison (i) over time and (ii) with other similar bodies (thus drawing upon information published by the Local Government Benchmarking Framework and from other benchmarking activities).

The Commission expects the council to, in agreeing its outcomes with its partners and communities, report on how it has engaged with, responded to and helped to empower its communities, including those who require greater support.

### **Statutory Performance Indicator 2: Demonstrating Best Value**

- Its assessment of how it is performing against its duty of Best Value, including self-assessments and service review activity, and how it has responded to this assessment.
- Audit assessments (including those in the annual audit) of its performance against its Best Value duty, and how it has responded to these assessments.
- Assessments from other scrutiny and inspection bodies, and how it has responded to these assessments.

In satisfying the requirements set out in this schedule, the Commission expects the council to take cognisance of current statutory guidance on Best Value requirements, and in particular to ensure:

- Balance in reporting areas of improvement that have been achieved and not achieved.
- This is undertaken in a timely manner.
- Easy access to its performance information for all of its citizens and communities, with such information presented in an accessible style.