



APSE response to 'Local Government (Wales) Measure 2009 - Consultation on related statutory guidance'

This briefing provides details of APSE's response to the Welsh Assembly Government's consultation on the 'Local Government (Wales) Measure 2009 consultation on related statutory guidance. This briefing is provided to local authority chief executives, council leaders and all APSE contacts in Wales and to England, Scotland and Northern Ireland contacts for information.

Key Issues:

- This briefing includes APSE's response on the Welsh Assembly Government's proposed statutory guidance on the Local Government (Wales) Measure 2009.
- APSE generally welcomes the guidance contained in part 1 and part 2, which includes further emphasis on a number of issues APSE raised as part of the initial consultation process.
- APSE would welcome further detail about the corporate assessment and performance assessment.

1. Introduction

The Local Government (Wales) Measure 2009 has two substantive parts – Part 1 which deals with improvement and business planning by local authorities and Part 2 which deals with strategic community planning by local authorities and a range of public sector partners. The original consultation on the measure was launched in October 2008 and APSE, following consultation with its membership, responded to the consultation. The measure was passed on 28 April 2009 and received Royal approval on 10 June.

The Assembly issued statutory guidance on both Part 1 and Part 2 of the measure in October 2009. For a copy of the full consultation documents, please [click here](#). The remainder of this briefing replicates APSE's response to the consultation.

2. APSE response to the Welsh Assembly Government

The Association for Public Service Excellence (APSE) represents officers and members involved in the management and provision of quality public services. APSE's mission statement positions the organisation as 'networking organisation which consults, develops, promotes and advises on best practice in the delivery of public services'. APSE is currently working with almost 300 authorities within the United Kingdom and all 22 councils in Wales are members of APSE. APSE has consulted with its membership and has included their comments within this submission.

APSE generally welcomes the guidance contained in Part 1, which includes further emphasis on a number of issues APSE raised as part of the initial consultation process on the Proposed Local Government Measure Committee. This includes the use of performance measures which are relevant to local circumstances and the need to co-ordinate regulatory functions to reduce the burden on local authorities. APSE also supports the approach taken by the Welsh Assembly Government to look at current comparative performance as well as performance over time.

The proposed statutory guidance highlights that there will be a much stronger emphasis on the range and quality of information that councils provide about how they are performing and improving. This is welcomed by APSE as local authorities have developed comprehensive systems to manage performance over the past decade which should be used and this will ultimately lead to a reduction in duplication. As a result, systems that have been developed and refined over the years by local authorities such as APSE's performance networks (<http://www.apse.org.uk/performance-network.html>) will of great value in the reformed Wales Programme for Improvement.

APSE welcomes that the guidance does not stipulate what authorities' priorities for improvement are and that authorities themselves should determine their own priorities for improvement based on a thorough understanding of local needs and their capacity to address them. APSE also agrees that authorities should be able to draw on a 'basket' of evidence to assess the performance of their services. A combination of measures which

assess council services in relation to past performance (trends) and comparisons with like-for-like organisations should be used to assess both positional and improvement information. A key part of any performance framework is to learn from the information, to identify best performers and to disseminate this; therefore, APSE supports the need for disseminating good practice and using this as a tool for improvement.

APSE would welcome further detail about the corporate assessment and performance assessment and how these assessments will be reported; will there be a categorisation of councils in terms of their likely ability to comply with the statutory duty and assessment of performance? APSE would urge the Welsh Assembly Government to learn from the lessons of Comprehensive Area Assessment in England that there are dangers in using crude labels such as the demoralising effect that these have on councils who were labelled as 'weak' plus the problems associated with basing this score on a limited number of council services. However, on the other hand, this approach in England has probably helped drive and recognise improvement in England, the results of which by 2006, 79% of councils reached the top two star rating categories.

In relation to citizen engagement, APSE is committed to a partnership between the local council, its employees and the community and welcomes the involvement of relevant stakeholders. APSE also welcomes the Assembly's recognition that authorities need to ensure that this is centred on a balanced assessment of the needs of the community as a whole, rather than a particular organisation or interest group within it.

APSE agrees that the power to collaborate could be useful for authorities, although the guidance does also need to reference the raft of other powers which can be used by authorities to work together such as Local Government Act 2000 and the power to promote or improve economic, social or environmental well-being 2001.

APSE generally welcomes the statutory guidance contained in Part 2. APSE agrees that community planning is a local activity and therefore there should be flexibility to local partners to decide how to undertake community planning and identify the objectives they will develop and pursue. APSE also welcomes the leadership role of local authorities asserted in the guidance with their duty to facilitate the community planning process as community leaders. This is conversant with local authorities being the only local democratic elected body. APSE also agrees that it is vital that elected members are fully involved in the

process and that the community strategy should also have a central position in overview scrutiny committees work programmes.

APSE thinks that the common duty to co-operate on all major local agencies may prove difficult due to cultural differences and the different individual priorities of the organisations involved. The guidance does acknowledge that it could take some time for the consensus to be reached. However, the guidance also states that the Assembly expect community strategies to be in place during 2010. This timeline may be tight given the consultation doesn't close until January 2010.

Thank you for the opportunity to respond to this consultation. APSE would welcome being involved in any further working parties to develop the revised Wales Programme for Improvement.

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