

## COMMISSION FOR LOCAL ADMINISTRATION IN ENGLAND

**Minutes of the meeting of the Commission held at Millbank Tower,  
Millbank, London SW1P 4QP in Room 1 on the 20<sup>th</sup> floor on  
Tuesday 11 March 2008 at 10.30am**

**Present:** Mr T Redmond (Chairman)  
Mr J R White (Vice Chairman)  
Ms A Seex

**In attendance:** Mr N H Jones  
Mr N J Karney  
Mr M King  
Mr P MacMahon  
Mr R Duveen (item 6)  
Ms J Feeney  
Ms S Ruckwood  
Mr A L Creech

### 1. Apologies

Apologies were received from Ann Abraham.

### 2. Matters arising from the minutes of 29 January Commission meeting

The minutes of the 29 January meeting were confirmed as an accurate record, and signed by Tony Redmond.

There were two matters arising from the minutes.

#### ***Minute 1: Freedom of Information: Information Tribunal***

Jerry White reported to the Commission on the unsuccessful outcome of the Information Tribunal hearing on 18 February; the formal judgment had been issued on 10 March. He was currently considering whether it would be appropriate to lodge an appeal (the deadline was 28 days from the date of the judgment) and was seeking Counsel's advice. The decision had implications for the Commission's investigation procedures and file management practices.

The Commission **AGREED** to discuss the issue further in the light of Counsel's advice. Meantime, Nigel Karney will update the Commission's guidance for staff.

**NJK**

#### ***Minute 1: Customer satisfaction survey 2007***

Nigel Karney gave a progress report. The working group (the Deputies and three AOs) had met and produced a draft action plan to address the issues arising from the survey. But he had agreed with Tony Redmond, in the light of the budget/organisational implications of some of proposed actions, that staff consultation on the plan should be deferred until the Commission's review of the 2009/10 and 2010/11 budgets was underway. This was noted by the Commission.

### 3. Commission Pls: February 2008

CLA 1630 had been circulated.

The Commission noted the following points:

*Table 2: Complaints received:* the total number of complaints received had maintained a downwards trend, with 17,753 complaints received over the past 12 months compared with 18,407 over previous 12 months. But, within this overall position, there were significant differences between the three offices. For example, York had previously experienced a drop in complaints received, but there was an increase in recent months (for example up 8% in the month of February), whereas the number of complaints received by Coventry had reduced by 12% in the month of February.

*Table 3: Complaints received by category:* the number of complaints about Parking matters had risen significantly (up 52% over the previous 12 month period). These complaints would largely be removed from the Ombudsmen's jurisdiction from April 2008.

*Table 4: Complaints workload:* Mick King reported that the York Management Team had agreed a number of specific workload targets, including the number of complaints unallocated for longer than four weeks and the number of complaints in hand over 52 weeks, and these were all moving in the right direction. This was noted by the Commission.

*Table 5: Decisions:* the Commission agreed that the table should in future show decisions per head split into quartiles (and shown by office). Peter MacMahon referred to minor differences between decisions per head figures shown in the local office and Commission PIs.

**NJK; DP**

*Table 8: Reports:* Mick King pointed out that two further reports had been issued by York in the period, but these were not shown in the table.

**NJK; DP**

#### **4. Budgetary control report: January 2008**

CLA 1631 had been circulated.

Tony Redmond stated that it was encouraging to note that the report showed a projected underspend of about £500k against the 2007/08 budgets which would be added to reserves. This was broadly in line with the forecast level. This was largely attributable to savings in staffing costs because of the vacancies being held (and which formed part of the savings identified for 2008/09). It was important that the reasons for this underspend were well explained in the published accounts as it could affect the allocation of future funding by the Government.

The Deputies highlighted the following points in their budget reports:

*Corporate Services:* the main underspend was in respect of salaries including temporary staff and vacancies held open.

*London:* the London Management Team's review of all PDPs, so as to better target learning and development activities, was proving to be a valuable exercise.

*York:* the underspend in the learning and development budget was being redirected to fund various team building activities to support the new specialist investigative/support staff structure in York, and to follow up issues arising from the Mori survey and the creation of LGOAT.

*Coventry/LGOAT:* income was below the forecast because of continuing problems with the "under tenant".

The budgetary control reports and budget holders' comments were noted by the Commission.

## 5. Budgets 2008-11

CLA 1632 had been circulated.

Introducing the paper, Nigel Karney pointed out that:

- Staff comments were being placed on the Intranet, and the Staff-side's comments were attached to the paper. Key points from the comments were set out in the covering paper, together with a management response.
- A number of minor amendments had been made to the draft 2008/09 budgets considered by the Commission in January, and were set out in the paper.
- A number of comments related to 2009/10 and 2010/11. These would be the subject of a separate consultation exercise.

The Commission considered carefully the results of the consultation exercise. It paid particular attention to the general points raised concerning the extent to which the budget situation could have been anticipated; premises; and the number of Ombudsmen/senior management. The Commission was agreed upon the importance of providing staff with a response to these points.

After further discussion, the Commission **AGREED**:

- i. To note the results of the consultation exercise.
- ii. That Tony Redmond will write to all staff, on its behalf, with a response to the general points raised.
- iii. To approve the revised draft 2008/09 budgets.

TR

## 6. Business Plan 2008/09

CLA 1633 had been circulated, comprising the draft Business Plan and the "horizon scanning" (corporate and forward planning development) document. Nigel Karney explained that:

- The three-year Corporate Plan for 2008-11 approved by the Commission in October 2007 formed the basis of the one-year draft Business Plan for 2008/09. The three-year Corporate Plan will be revisited in the light of the Commission's years two and three review.
- There was a strong dynamic between the draft Plan and the document derived from the horizon scanning exercise (which had been reviewed/revised in the light of staff comments), particularly Chapter 3 "The challenges facing our organisation".
- The Business Plan contained planned activities for 2008/09 that reflected the 2008/9 budgets and stated what evidence would be used to test the achievement of the business goal performance targets.

- The Plan was primarily for internal purposes, but a copy would be posted on the LGO website.

The Commission gave the following directions concerning amendments to the draft Plan:

**Chapter 1 - Foreword:** expand the reference in the final two paragraphs to the budgetary situation, their adverse effects on the Commission's operations and the actions that are being taken by the Commission to address them.

**Chapter 3 - Challenges:** continue to refer to the horizon scanning exercise, but remove references to the separate horizon scanning document and the 11 bullet points listed on page five. In the discussion, the Commission agreed that it was important to refresh/update the horizon scanning document to take account of emerging developments; to keep it relevant and interesting for staff; and to identify potential opportunities as well as threats.

**Chapter 4 - Business goal one:** omit performance target 1.5 (100% compliance by councils with LGO recommendations) and replace with a target for numbers of successful judicial reviews against the LGO (nil target).

**Chapter 5 - Business goal two:**

- Performance target 2.1 - review the wording "addresses as far as possible points of concern".
- Performance target 2.4 - include a protocol with the Housing Ombudsman as a priority for 2008/9 and delete the reference to a protocol with the E&HR Commission as a specific project, as this was more likely for 2009/10.
- Performance target 2.5 - Neville Jones will recommend a revised time target for processing premature complaints (shown as nine weeks) following discussion with LGOAT local management. The other time targets were confirmed.

NHJ

**Chapter 6 - Business goal three:** performance target 3.4 - confirmed but noted that outreach activities will have to be scaled down in 2008/09 to reflect the budget situation.

**Chapter 7 - Business goal four:**

- Performance target 4.2 – remove "no more than two" from the target number of Special Reports per year to allow for the possibility of more Reports being published (but noted that the budget provision was based on two reports).
- Performance target 4.5 - confirmed as an important target (with direct linkages to the corporate forward planning document), but noting the difficulties in delivery in the absence of a Head of Policy and Research. This will be further considered as part of the years two and three review.

**Chapter 8 - Business goal five:**

- Performance target 5.2 - review the wording "Conduct a self-assessment survey and development of a training delivery plan".

- Performance target 5.4 - revise the wording of the target to specify action to tackle underperformance rather than expressing this as a fixed percentage of staff performing satisfactorily.

**Next steps**

The Commission **AGREED** that:

- i Nigel Karney will revise the draft Business Plan in the light of the discussion and circulate a further draft to the Commissioners for approval by the Chairman prior to publication.
- ii Tony Redmond will arrange for the horizon scanning document to be reviewed/updated along the lines discussed.

**NJK**

**TR**

**7. IT Strategy 2008-11**

CLA 1634 had been circulated. Introducing the Strategy, Ricky Duveen explained that:

- The draft Strategy focused resources and efforts on an upgrade path to the implementation of COIN 2 in 2010, including server replacements and migration to Microsoft Office 2007. The timescales for these steps could be shortened if additional resources become available.
- A number of minor projects not related to this core activity had been dropped from the Strategy and implementation plans in the light of the budget situation.

The Commission explored the following points:

- Para 2.1 – electronic document transmission: while recognising that direct LGO access to different local authority databases would not be practicable at the present time, because of security and other issues such as the number of different systems in place, there was recognition that this could be a longer term development aim to improve efficiency.
- While it was not possible to predict with any certainty future storage requirements brought about by increased transmission of video files/audio clips etc, Ricky Duveen confirmed that the Strategy included generous provision for additional storage space.
- Para 4 – D2 (facilitate better use of office space by staff): it was clarified that the IT dimension was in the provision of laptops to facilitate hotdesking/working from home.

The Commission **AGREED** to approve the draft Strategy, subject to minor amendments to reflect the discussion (to be approved by the Chairman).

**RKD**

**8. HR Strategy 2008-11**

CLA 1635 had been circulated.

In discussion, the Commission concluded that it would be premature to consider the draft Strategy in isolation from the emerging results of the organisational review.

The Commission therefore **AGREED** to defer consideration of the draft HR strategy until the review was more advanced.

SR

## 9. Annual Report and Annual Review 2007/08

CLA 1636 had been circulated. Jackie Feeney explained that her paper sought guidance from the Commission on a number of issues flowing from the LGPIH Act 2007 requirement that the Commission's Annual Report must be laid before Parliament.

The following key points were noted in the Commission's discussion:

- The Annual Report would be a very important vehicle for getting the Commission's messages across to Government and other key stakeholders. The Report should therefore alert readers to new developments such as the RRO/joint working, FOIA matters and the budget situation, as well as reporting on the previous year's activities.
- The Annual Report would be likely to have greater impact if it included a report from all three Local Commissioners (ie LGOs).
- As a first step, the LGOs will set out/circulate to each other for discussion outside the meeting their thoughts on points they would want the Report to cover.

LGOs

- Consideration would need to be given in due course to how the Report would be drafted. There may be a role for external advice on the drafting.

The Commission then went through the specific issues for discussion and agreement set out in Jackie Feeney's paper, and **AGREED** the following:

- i Not to produce individual LGO reports, but for all three LGOs to sign/contribute to the same report for inclusion in the Annual Report.
- ii To include the summary accounts information with the Annual Report.
- iii To lay the Report in Parliament before the summer recess on 22 July. Jackie Feeney will circulate a production timetable.
- iv To continue to also produce an Annual Review.

JF

## 10. Communications Strategy 2008-11

CLA 1637 had been circulated. Jackie Feeney explained that the draft Strategy:

- was based on three key themes agreed in 2007 (Corporate reputation/credibility; Managing customer expectations; Internal communications/cultural change), with sub strategies beneath them.
- focused on development activities in 2008/09, with background information updated to take account of factors such as the Mori survey and the LGPIH Act.

The Commission discussed the development of outreach work by the three offices (paragraph 5.2 of the Stakeholder strategy, bullet point three). While the Commission recognised the importance of including some outreach work in the activities planned for 2008/09, these would need to be commensurate with the limited staff/financial

resources available within the teams to do the work. Peter MacMahon commented that it would be important to prioritise work such as the Children and Young People initiative. He suggested that an efficient model to consider – based on London experience – was for AOs arranging to talk to local advisers at the same time as they visited council offices.

The Commission **AGREED** to approve the draft Strategy.

JF

#### 11. Local Authorities Training Business Plan 2008-10

CLA 1638 had been circulated. The Commission noted that:

- The draft 2008-10 Training Business Plan drew on the in-depth evaluation of the training provided so far by the Communications Project Officer, Theresa Kimble.
- The Plan incorporated an increase in charges for 2008/09, which was a move away from the original aim of recovering direct and some other costs such as course development and marketing, in view of the current budget situation and the new funding regime.
- The delivery target remained unchanged at 120 courses per year.

Nigel Karney highlighted the importance of investigative staff continuing to volunteer to deliver the training, especially since the £100k income formed part of the 2008/09 budgets.

The Commission **AGREED** to:

- i Place on record its appreciation to all the staff involved in the training initiative, and especially Theresa Kimble and Jenny Long, the administrator, for their considerable achievements in 2007/08.
- ii Approve the three-year Business Plan.

JF;TK

#### 12. Audit Committee: Final Terms of Reference March 2008

CLA 1639 had been circulated.

The Commission **AGREED** to approve the final terms of reference of the Audit Committee.

SDJ

#### 13. LGPIH Act 2007

In reply to a query from Jerry White, Peter MacMahon confirmed that a guidance note for staff on the LGPIH Act was in preparation.

Anne Seex referred to a recent discussion within the York office which had raised a number of interesting points, such as whether the new provisions would apply retrospectively to complaints made before 1 April. Peter MacMahon commented that that a definitive view on this could not be taken until the Commencement Order for the Act was enacted. This was noted by the Commission.

#### 14. Date of next meeting

Tuesday 20 May, 11.15 am in MBT.