Division(s): N/A

COPY ITEM CG8

EXECUTIVE - 29 APRIL 2003

OXFORDSHIRE PLAN 2003/04

Report by Director for Resources

Introduction

- 1. The Council is under a statutory obligation to produce an annual Best Value Performance Plan (the 'Oxfordshire Plan'), complying with a range of requirements under the relevant legislation and the Councils own Constitution:
 - (a) The plan has to be accessible to the public.
 - (b) The plan has to be published by 30 June 2003.
 - (c) The Executive need to agree initial proposals for the plan at this 29 April meeting.
 - (d) The Corporate Governance Scrutiny Committee at its meeting on 8 May 2003 will need to consider what, if any, comments to make on the initial proposals.
 - (e) The Executive on 27 May 2003, subject to considering the Scrutiny Committee's comments, will need to recommend the plan to the full Council on 17 June 2003.
- 2. The Office of the Deputy Prime Minister published updated guidance on 'Best Value and Improvement Planning' on 13 March 2003 placing new and amended requirements on the contents of Best Value Performance Plans:
 - (i) A brief summary of the authority's strategic objectives and priorities for improvement. This should be drawn from the authority's overall vision, community strategy, its corporate planning processes, and the opportunities and weaknesses identified in its CPA, where applicable.
 - (ii) CPA scores, as presented in the Audit Commission's scorecard, where applicable.
 - (iii) Progress in, and future plans for, delivering local and national priorities including:
 - progress over the past 3 years in implementing improvement measures, including those identified in best value reviews and audit and inspection recommendations;
 - outcomes from, or impact of, improvement measures implemented over the past 3 years;
 - plans for improvement over the current and subsequent 2 years, including best value review and inspection programmes for the current year and, if available, future years.
 - (iv) Details of past, current and planned performance against local and national performance indicators, including:
 - actual performance over the past year on:
 - o all BVPIs;
 - indicators used to measure progress against Local PSA targets where applicable; and
 - local indicators set by the authority to measure performance in priority areas;
 - details of the performance targets for the past year as set out in the last year's Performance Plan for all BVPIs and other indicators referred to above;
 - targets for the current year and the subsequent 2 years, for all BVPIs, and local indicators set by the authority to measure performance in priority areas. These must have regard to nationally set standards and floor targets applying to the relevant year.

- (v) A brief summary of financial information. This should record budgeted and actual (or estimated) income and expenditure for the past financial year, and provide a brief explanation of any significant variation. It should also include planned income and expenditure for the current year.
- (vi) A brief statement on contracts. Authorities should state and certify that all individual contracts awarded during the past year which involve a transfer of staff comply, where applicable, with the requirements in the Code of Practice on Workforce Matters in Local Authority Service Contracts.
- 3. At this point in the planning round it is not possible to provide a completed document. An initial draft of the plan is attached (Annex 1) and the arrangements for its publication have been identified and it is these issues that the Executive are being asked to recommend initially to the Corporate Governance Scrutiny Committee.

Draft Oxfordshire Plan

- 4. The initial draft includes:
 - (i) The structure of the plan (see pages x to x of Annex 1).
 - (ii) Priorities (approved by Council, 11 February 2003).
 - (iii) Public Service Agreement information (included as part of Priorities section).
 - (iv) Appendices detailing BVPI data requirements and PSA data.

Arrangements for Publication

5. As in 2002, the plan will be published principally via the County Council website. Paper copies will be produced simply and available in all libraries across the County.

Current Position

6. Work is now in progress to provide the necessary detail to comply with ODPM requirements and this planned for completion by 9 May 2003.

RECOMMENDATIONS

- 7. The Executive is RECOMMENDED to:
 - (a) adopt the arrangements for production of the Oxfordshire Plan 2003/04 set out in the report;
 - (b) agree the outline set out in Annex 1 as the Executive's initial proposals for the Plan;
 - (c) invite the Corporate Governance Scrutiny Committee to make any comments on he initial proposals in time for consideration by the Executive on 27 May 2003.

JOHN JACKSON Director for Resources

Background papers: Nil

Contact Officer: Seán Gibson, Tel: (01865) 815482

April 2003

ANNEX 1

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BEST VALUE PERFORMANCE PLAN 2003 - DRAFT 01 [15 Apr 03]

Foreword

The Executive has been in place for just over a year. We are encouraged that the County Council is benefiting from consistent leadership, clear political priorities and an Executive accountable for their delivery.

This is the second Oxfordshire Plan under the new political administration. It identifies the priorities we need to pursue over the next year in order to improve the services we provide to the public.

The Oxfordshire Plan is the apex of the work carried out by the authority. Beneath it lie other service plans and strategies that outline how our priorities will be delivered. However, all of our plans rely on the commitment of our staff. As we said last year, we know we can rely on their support; they, in turn can rely on us to value them and to provide the support and development they need to do their jobs well.

Leader & Deputy Leader

Our Aim & Values

Our Aim is to improve the quality of life in Oxfordshire by:

- ✓ Helping People to Fulfil their Potential
- ✓ Protecting our Environment
- ✓ Safeguarding our Communities
- ✓ Sustaining Prosperity; and
- ✓ Raising our Performance

Our values, identified below, guide the way we work. We endeavour to live by these values in everything we do.

Serving the people and communities of Oxfordshire

This means we are accessible, courteous and efficient; we understand and represent the needs of the people we serve and their communities, and enable them to influence our services and thus to value local government.

It means we do not use unnecessary jargon; we do not avoid giving feedback, convey dogmatic or parochial viewpoints, or restrict contact by being arrogant or remote.

Honesty and integrity

This means we listen to people and communities and respond to their needs with understanding, honesty and professionalism.

It means we do not pass the buck or promise what we cannot deliver; we do not avoid accountability or work to our own agendas; we do not ignore what we hear or dislike, pay lip service or make false promises.

Valuing our staff

This means we enable all our staff to develop and perform to the best of their abilities, we recognise that people are our foundation and seek to build pride in working for Oxfordshire County Council.

It means we do not set targets or impose processes that are unrealistic or unfair; focus undue attention on mistakes or be overcritical; be judgmental or stifle initiative; accept unnecessary bureaucracy or lack of decent facilities; block career development or avoid discussions on personal development; abdicate responsibilities or dump tasks on others without training.

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Teamwork and co-operation

This means we work collaboratively with other teams, services and organisations in order to address the interests of the people and communities of Oxfordshire.

It means we do not withhold knowledge or impose power or bureaucracy; operate in a rigid or superior way; resent working with others or pursue our own agendas; blame others or create unnecessary duplication of effort; withhold our resources or expertise or act with undue stubbornness.

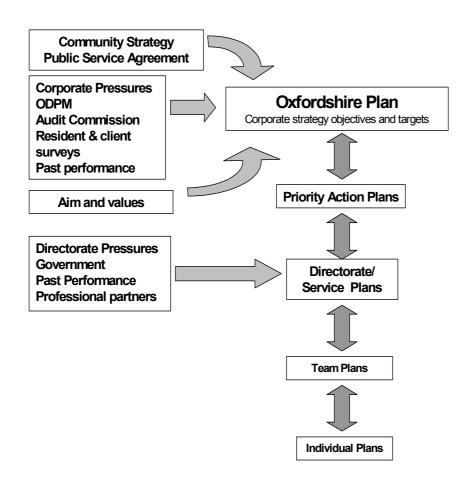
Our Priorities

On the following pages, we summarise our key priorities and targets for each of our five Strategic Objectives. Some can be achieved in the year 2003/04; others will be achieved over the medium term. A few are long term targets.

The priorities reflect issues raised by residents, councillors and our partners. The Executive and Directors have considered 'what success would look like' for each Strategic Objective and how it could be achieved. The outcome of this exercise was used as the framework for the development of the Oxfordshire Plan.

Planning is undertaken in such a way that we can identify the activities that contribute to delivering a strategic objective. This means that there can be clarity over the allocation of resources (people, time and money) and that the outcomes are clear in terms of targets and timescales.

Individual members of staff can easily see how their work contributes to achieving the Strategic Objectives of the organisation and how their work plan links to the organisation's strategic plan.



Central & Local Government 'Shared Priorities'

The Oxfordshire Plan contributes to the 'shared priorities' agreed between the Office of the Deputy Prime Minister and the Local Government Association:

- raising standards across our schools by helping all schools match the excellence of the best, sustaining improvement in primary schools, transforming secondary schools and ensuring that the school workforce has the capacity to support this;
- improving the quality of life:
 - of children, young people and families at risk by tackling child poverty, maximising the life chances of children in care or in need and strengthening protection for children at risk of abuse:
 - o **of older people** by enabling them to live as independent lives as possible and avoid unnecessary periods in hospital;
- promoting healthier communities and narrowing health inequalities by targeting key local services – such as health, education, housing, crime and accident prevention – to match need; and the encouragement of healthy lifestyles;
- creating safer and stronger communities by working with the police and other local agencies to reduce crime and anti-social behaviour, strengthen community cohesion and tackle drug abuse;
- **transforming our local environment** by improving the quality, cleanliness and safety of our public space;
- meeting local transport needs more effectively by improving bus services and other forms of local transport and securing better access to jobs and services, particularly for those most in need; and
- promoting the economic vitality of localities by supporting business improvement, providing positive conditions for growth and employment, improving adult skills, helping the hardest-to-reach into work, and extending quality and choice in the housing market.

Community Strategy

Our Strategic Objectives and associated priorities support the eight key themes identified by the Oxfordshire Community Partnership:

- Safe and supportive communities
- Affordable housing
- Improving the transport system

- Oxfordshire's economy
- Education and lifelong learning
- Health and well being
- Improving Oxfordshire's environment
- Recreation, culture and leisure

The Community Strategy aim to tackle the need for affordable housing for key public service workers is also supported by our Public Service Agreement. The first Oxfordshire Community Partnership voted affordable housing the most important issue facing Oxfordshire followed by safe and supportive communities and improving the transport system.

Public Service Agreement

The local public service agreement is an agreement between Oxfordshire County Council and the government that aims to improve services for local people. It covers the period 1 April 2003 to 31 March 2006. The Council was provided with just over £1.3 million "pump priming" money to enable investment in the areas covered by the agreement. If the Council successfully achieves all the targets then the Council will receive up to £11 million further funding from the government. If the targets are not achieved but are nearly achieved then a proportion of the money can be awarded.

The target areas are highlighted as part of the Oxfordshire Plan. For each target the base figure is the Council's performance in financial year 2000-2001, and the target figure is for financial year 2005-2006. (See Annex 1a for details). The government will implement a range of changes to statutory requirements to help achieve the PSA targets:

- GCSEs can include equivalent qualifications as defined by the Qualifications & Curriculum Authority.
- The Department of Health will work with OCC to explore how information sharing between the NHS and social services can be better facilitated.
- The Youth Justice Board has agreed to the pooling of funds for original projects within the Youth Offending Team's statutory duties.
- A range of flexibilities with regard to transport including: the use of cameras to enforce bus priorities, bus priority on certain parts of the A34 and the A41, and the ability to offer bus contracts that run for more than five years
- Permission to borrow, unsecured, an additional £1 million.

See Annex 1b for details and deadlines for Freedoms & Flexibilities.

✓ Helping people to fulfil their potential

Through our schools and by working with our partners we will equip young people with the skills they will need in the adult world, provide access to learning and cultural opportunities throughout people's lives and work with the NHS and the voluntary sector to maintain people's independence in spite of age or incapacity.

Raising educational standards by

Increasing the percentage of children at LEA supported schools achieving P 5 or more GCSEs at grades A*-G, including English and Maths.

S

A Increasing the percentage of children in LEA supported schools who achieve level 5 in Key Stage 3 in English, Mathematics, Science and ICT.

Improving achievement at all levels in our schools particularly but not exclusively in public examinations.

We aim to increase the number of children obtaining 5 GCSE passes (at grades A - G) from 87% to 94.5% and the number obtaining 5+ GCSEs (grades A - C) from 51.5% to 58% by 2005

Securing major refurbishment of selected school sites to improve their environment for pupils and staff.

Improve learning opportunities at 6 schools through planned refurbishment of schools sites.

Reducing disadvantage and promoting inclusion by

Increasing the percentage of children of Bangladeshi, Pakistani and Black Caribbean origin achieving 5 or more GCSEs at grades A*-C.

P S A

Reducing the number of children permanently excluded during the year.

Improving the educational achievement of children in care.

Improving support for underachieving children.

For children leaving County Council care we aim to increase the number achieving 5 GCSEs (grades A - C) from 4.5% to 15% by 2004/05.

Improving the health, educational and emotional well-being of children in need or looked after by the County Council.

Increase the proportion of teenage parents in education or training from 13% to 17.4% by 2006/07

Increasing the number of people with disabilities in employment.

Help an additional 50 people with disabilities gain employment by 2005/06.

Improving school attendance and support for children with behaviour difficulties by reinforcing parental responsibility and by making the learning experience more relevant to the needs of the students.

We aim to reduce the percentage of half-days missed at Secondary Schools from 8.1% to 6.8% by 2005.

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Encouraging lifelong learning by

Increasing the number young of people staying on in education.

Increasing the number of young people staying on in education or training to 87% by 2005/06.

Increasing the use of the county's libraries and museums and encouraging more people to be involved in cultural activity.

We aim to increase the number of visits to our libraries by 6% by 2005/06.

Promoting independence by

Increasing the number of older people using rehabilitation services.

Increase the number of older people being helped by the Rapid Response and Reablement team by 5% by March 2004.

Enhancing day care services for older and disabled people to enable them to feel secure and remain independent.

To work in partnership with the NHS to promote and increase the effectiveness of community hospitals in 2003/04.

Developing services to help those who look after a relative or friend who need support because of frailty, disability or illness.

During 2003/04, we will adapt our 3 main Children's Resource Centres in partnership with Barnardo's and the NHS Trust to enable carers of profoundly disabled children to have regular respite care breaks.

Supporting working families and lone parents by

Increasing nursery and child care provision.

Increase the number of publicly funded education places for 3 year olds from 41% (2001/02) to 87% by 2006/07.

Promoting family friendly employment policies both in the County Council and among partners.

During 2003/04 we will work with partners to agree action.

✓ Protecting our Environment

We will work with our partners to protect the environment and help people to enjoy the county we have inherited, while recognising the need for appropriate development to sustain prosperity

Protecting and enhancing the urban environment by

Working in partnership with District Councils and the business sector to improve the quality of our urban centres.

By 2003/04, to extend and formalise partnership working to improve the quality of urban centres and complete a landscape character appraisal/strategy for the county.

Successfully resurfacing the pedestrian area of Oxford's Cornmarket.

Successful completion of the scheme during Summer 2003.

Improve access to and enjoyment of the countryside and heritage by

Increasing access to public rights of way, museums and other heritage sites.

Provide free access to the Oxfordshire museum from 2003.

Promoting and enhancing the rivers and canals in the county, particularly the Thames and the Wiltshire & Berkshire Canal, as a means of travel, as a tourist attraction and as a fine environmental feature.

Work with partners to develop a strategy with a particular focus on the use of the River Thames and the Wilts & Berks canal.

Ensure future generations have a heritage they can enjoy by

Increasing the percentage of household waste that is recycled or composted.

Reducing the amount of household waste that is put in landfill.

Reduce by 18% the amount of household waste that is put in landfill sites by 2006/07.

Protecting the county's varied landscape, plant, wildlife and green spaces.

During 2003/04 we will review the adequacy of existing conservation and enhancement strategies.

Striking a balance between economic development and housing needs and the quality of our environment by

Publishing for consultation, a draft Structure Plan that strikes a balance between economic, social and environmental needs. The Plan will be published by Autumn 2003.

P

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✓ Safeguarding our communities

We will work with our partners to ensure the safety of our communities, their people and their possessions. We will work to develop self-sufficient communities which are vibrant supportive and tolerant environments in which to live, work and grow up and grow old.

Making our communities safer by

Narrowing the gap between the proportions of children in care and their peers who are cautioned or convicted.

P S

Increasing the participation of problem drug misusers in treatment programmes and in treatment to completion.

Reducing the incidence of crime, in particular crimes committed by young people, against young people and related to drug use.

Reducing the number of young people involved in robbery by 14% by 2005.

Developing a strategy to ensure that buildings and urban environments are designed with safety in mind.

Working with partners to develop a strategy for consultation by March 2004.

Making our roads safer and reducing the number of deaths and serious injuries.

Complete 25 road improvements targeted to prevent at least 6 collisions involving death or serious injury by 2003/04, as we work towards our target of a 40% reduction in deaths and serious injuries on our roads by 2010.

Reducing the number of fires.

Reduce accidental dwelling fires by 10% by 2003/04.

Improving protection for children at risk from sexual and physical abuse.

Ensuring that 95% of child protection conferences are reviewed within 6 months by 2005/06.

Increasing the number of problem drug misusers in treatment programmes.

Increase number in treatment programmes by 44 % by 2005/06.

Working with partners to develop strategies that reduce the impact of flooding.

Working with partners during 2003/04 to develop strategies that reduce the impact of flooding.

Helping everyone play their part in developing their communities by

Having regard to the needs of the socially excluded and ethnic minority groups.

Implement the council's Race Equality Scheme action plan.

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Enhancing facilities and support for young people in towns and villages that reflects their needs and adds to community well being.

To increase the number of youth service participants gaining accreditation for personal and social development work offered through the youth service from 8% in 2002/03 to 60% in 2006/07

Promoting and encouraging voluntary work.

To work with partners to audit the level of volunteering in Oxfordshire and existing delivery strategies and develop an action plan.

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✓ Sustaining prosperity

A successful economy is fundamental to ensuring that the quality of life in Oxfordshire is protected and improved. This does not mean encouraging indiscriminate economic growth but supporting investment in high value sectors that have low environmental impact. We will work with partners to promote economic benefits that extend to all sectors of society and to provide infrastructure that supports the demands of the economy.

Supporting sustainable and inclusive economic growth by

- P Providing homes for key workers whose services are essential to
- S Oxfordshire and who need to live within a reasonable travelling distance of
- A their work.

Supporting the Oxfordshire Economic Partnership strategy to sustain and develop our educational, scientific and technological economy.

Increasing the opportunities for companies to participate in support networks during 2003/04, for example *Venturefest* (an annual entrepreneurs fair which draws attention to new business innovation and growth).

Working with the farming community to enable them to respond to market changes while remaining key custodians of the rural environment.

We aim to increase the number of farmers involved in local food projects from 50 to 125 by 2006/07.

Promoting and supporting the redevelopment of central Oxford focusing on the castle site, the Westgate Centre and the relocation of the Oxford railway station.

To work with partners and other relevant bodies to ensure the partial opening of the Oxford castle site by December 2004.

Working with major employers and the business sector to provide housing that can be afforded by people who want to live and work in the county. Together with Oxford City Council, we will pilot a scheme to help 22 key workers by 2005/06.

Completing broadband connections to schools and libraries. Examine feasibility of extending connection to council offices (where cost effective) and develop a strategy for sharing the capacity with small businesses especially in rural areas of the county.

Broadband connections to schools and libraries completed by Dec 2003. Over the next 12 months we will develop a strategy for sharing the capacity and economic and social benefits with others.

Improving travelling conditions by

S

Increasing the number of passenger journeys per year on local bus services.

Promoting better public transport. During 2003/04 we will pilot an electronic Bus

Information System at bus stops in Oxford City and, if successful, extend in subsequent

years.

Improving the condition of our roads. In 2003/04 we aim to ensure that 99% of

reported incidences of dangerous damage to roads and pavements repaired or made safe

within 24 hours of notification.

Championing development of the Guided Transit Expressway from Pear Tree through Oxford Station to Redbridge with later extensions to Witney and Bicester.

Our ambition is to see the GTE developed

within the next 6 years.

Promoting the opening of the East-West rail link

(Oxford/Bicester/Bedford).

Our ambition is to have an hourly rail service

from Oxford to Bicester by 2005/06.

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✓ Raising our Performance

Our ambition is to make Oxfordshire County Council a top performing council, providing cost effective services that are responsive to resident's needs. We will also seek to promote the County's interests in the region, nationally and within Europe.

Improving services by

- P Ensuring continuous improvement in the economy, efficiency and
- S effectiveness of local services through annual improvements of at least
- A 2%.

Involving the community in our key decisions about priorities and funding allocation and keeping all residents, businesses, local organisations and other stakeholders informed about our work on their behalf.

We will circulate a Council magazine to every household at least twice each year.

Improving public access to our services and information by exploiting the opportunities of modern technology.

By 2005 we aim to have electronic access to 100% of our services where this route is relevant.

Improving the efficiency of our services and secure additional grant funding for Oxfordshire through the Public Service Agreement with the Government.

Achieve the 12 Public Service
Agreement targets in 2006/07
including a 2.5% productivity increases
will be achieved per year

Carrying out a comprehensive review of our £1 billion operational property to improve the quality of buildings for the benefit of users and staff, without adding to overall costs.

The property review strategy will be completed by 30 September 2003.

Implementing improvements in forward planning and performance management in accordance with the Comprehensive Performance Assessment findings and Raising our Performance strategy.

Securing a Council's Comprehensive Performance Assessment to 'Good' by 2004.

Standing up for Oxfordshire by

Working with partners to ensure that the bid for the European Capital of Culture for Oxfordshire results in a strong shared plan for cultural development in Oxfordshire leading up to 2008.

Development of an inclusive programme of countywide cultural activity, building to celebration in 2008 of our role as a Centre of Culture or as Capital of Culture.

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Working with our partners

In the NHS to keep to a minimum 'bed-

blocking'.

Reduce by 20% in the period to

2006/07.

In the housing sector to reduce

homelessness.

To have in place action plans with each district council by July 2003.

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Improvement Strategy 2003 - 2006

Improvement Planning

CPA scores, as presented in the Audit Commissions scorecard'.

- 1. Improvement planning activities undertaken following CPA
- 2. plans for improvement over the current (2003 2004) and subsequent 2 years (2004 2005, 2005 2006), including
- 3. <u>best value review</u> and <u>inspection programmes</u> for the current year (2003 2004) and, if available, future years'

Under development.

Comprehensive Performance Assessment

During 2002 the County Council was subject to the Comprehensive Performance assessment (CPA), conducted by the Audit commission. This examined every aspect of the council's performance. Three areas requiring improvement were identified:

- Forward Planning
- Performance Management, and the need to
- Increase our Corporate Capacity

In overall terms, the CPA process assessed Oxfordshire as 'Fair' but acknowledged that the council was rapidly improving. We accept this assessment and we are working hard to make Oxfordshire a top performing council.

Past Performance

Key targets 2002 - 2003

In the Best Value Performance Plan 2002 - 2003, we identified 19 priorities to help achieve our 5 Strategic Objectives:

Helping People to Fulfil their Potential

Increase the percentage of children leaving school with five or more GCSE passes at grades A-C from 50% to 56% by 2004



Target of 54% missed for summer 2002 (financial year 2002 - 2003) – actual figure was 51.5%. The target for 2003 - 2004 will be 55%.

Provide fast and easy access to the Internet by linking 40% of our schools and all of our libraries to the Oxfordshire Community Network by March 2003



Increase the number of elderly people whom we help to live at home from 6,900 (2001) to 7,300



Social & Health Care expect to be just below the target due to a drop in the intensive home care figures. Being addressed in consultation with the Social Services Inspectorate and by monitoring the profile of care packages.

Protecting Our Environment

Review the guidelines for new development up to 2016 in Oxfordshire in consultation with local people and business by March 2003



Redevelop the site of the Oxford Caste and prison to give quality public access. We will complete a full archaeological survey and start redevelopment by December 2002.



Improve footpaths by installing over 250 new signposts and ensuring that over 1,700 miles of our footpaths are easy to use by March 2003



Increase recycling and composting of Oxfordshire's household waste from 16% to 18% in partnership with District Councils.



Safeguarding Our Communities

Introduce a new fire prevention campaign to reduce the number of fires by more than 160 by March 2003



Undertake a range of road safety initiatives that will contribute to the national target of a 40% reduction in deaths on our roads by 2010. We will implement some 25 casualty reduction schemes targets to prevent at least 6 accidents involving death or serious injury in 2002.



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Reduce the number of children who need to be excluded from our schools from 71 to 65 and reduce the number of schools that have less than 92% attendance from 42 to 30



Introduce a 'Good Trader' scheme to protect the elderly and other vulnerable groups from 'rogue traders' by providing a register of reputable businesses in the home maintenance and repair sector



Sustaining Prosperity

Maintain and develop the transport infrastructure to ensure people and traffic move as safely and smoothly as possible.



Develop the first phase of a high speed digital communications network (Broadband) to support local businesses and key County council sites by March 2003



Work to enhance opportunities for business and employment, particularly in rural areas of the County



Raising Our Performance

Commence work on a significant IT development programme that will contribute to improvements in the services offered by the County council



Campaign for protection of the 'Area Cost Adjustment' which provides grants to cover the higher costs of providing services in Oxfordshire. Without this, council taxes will rise faster



Campaign to persuade the Government to abandon proposals to centralise responsibility for land use planning at a regional level. We believe such important decisions are better taken by democratic local councils



Undertake a significant staff training and development programme during 2002 – 2003



Identify 2% productivity gains for all services

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<u>'Progress over the past 3 years (2002 – 2003, 2001 – 2002, 2000 – 2001) in implementing improvement measures, including those identified in the implementation of the implementation of the including the including</u>

- 1. best value reviews and
- 2. audit and inspection recommendations'.
- 3. 'Outcomes from, or impact of, improvement measures implemented over the past 3 years (2002 2003, 2001 2002, 2000 2001)'.

Under development.

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Actual Performance on all BVPIs 2002 – 2003 against targets set

Best Value Performance Indicators form part of a national performance management framework devised by the Government. Each year performance is measured against targets set for specific indicators. In 2002 – 2003, Oxfordshire County Council:

	Number	<u>%</u>
Met/exceeded target		
Less than target		
No target set		

Annex 2 shows the targets for 2002 – 2003 and the performance actually achieved (targets for 2003 – 2006 are also provided).

'Explain any significant differences between targets and actual performance' (Broken down by portfolio area – use Audit Commission methodology for identifying 'significant differences' ie +/-15%?).

Outturn data not available until 25 April.

Further information can be found at: http://www.bvpi.gov.uk/home.asp

Finance

Our Budget Plans and Council Tax

The table sets out the Council's net expenditure on running services and shows the budgeted and actual expenditure for 2002/03 and budgeted expenditure for the forthcoming year.

Indicative Figures

	2002/03	2002/03	2003/04
	Budget	Actual	Budget
	£ million	£ million	£ million
Central	13.4	16.8	14.2
Court & Probation	1.7	1.8	1.7
Cultural Services	15.0	14.7	15.2
Environmental	17.4	25.5	18.4
Education	363.2	394.6	366.6
Fire	20.0	20.5	21.0
Highways & Transport	40.8	41.7	43.0
Planning & Development	2.3	2.3	2.6
Social Services	170.1	163.4	202.4
Gross Cost of Services	643.9	681.3	685.1
Capital Charges Adjustment	-80.1	-79.1	-56.1
Capital Financing Costs	20.7	20.7	23.3
GROSS EXPENDITURE	584.5	622.9	652.3
Government Grants	-78.1	-94.5	-86
Other Grants & Contributions	-39.8	-32.4	-43.5
Customer & Client Receipts	-11.3	-39.7	-14.0
Service Income	-129.2	-166.6	-143.5
Net Interest on Balances	-1.8	-1.8	-1.5
Contributions to Reserves &	-2.3	-3.3	0.8
Balances			
Internal Financing	-4.1	-5.1	-0.7
Revenue Support Grant	-109.4	-109.4	-147.6
National Non-Domestic Rates	-167.9	-167.9	-162.4
Precept (Council Tax)	-173.9	-173.9	-198.1
External Financing	-451.2	-451.2	-508.1
TOTAL INCOME	-584.5	-622.9	-652.3

Note: total capital charges for 2003/04 have reduced because of a reduction in the notional interest rate.

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Actual expenditure for 2002/03 is expected to be £** million under/over the budget. This is the result of ??? (add detail once available)

Gross service expenditure of £652.3 million for 2003/04 is offset by income from Government Grants, contributions and fees and charges of £651.6 million.

As part of our five year Medium Term Financial Plan net service expenditure is forecast to increase by an average of 6% a year between 2003/04 and 2007/08.

The County Council Tax for 2003/04 is £870.41 for a property in Band D. This is 13.4% more than in 2002/03. Lower increases are planned for 2004/05 onwards.

More detailed information about our financial strategy is given in our Medium Term Financial Plan publications that are available from Mike Petty, Principal Financial Manager (01865) 815622.

Capital Investment

Capital investment is spending on buildings, new roads or other large items. The Council spent £102 million in 2002/03 and plans to invest £118 million from 2003/04 onwards. This spending is paid for by borrowing, contributions from developers (who pay for roads to service new housing estates, for example), income from the sale of unwanted land or property and Government grants.

This capital spending is planned to support the Council's priorities. It includes improving properties to bring existing buildings up to a satisfactory state of repair and reduce operating costs, building new schools, for example, to meet increased demand, and improvements to Oxfordshire's roads to end the decline in standards and support Oxfordshire's economy.

Some of the largest schemes/areas of expenditure which either started in 2002/03 or are due to start in 2003/04 are shown in the following table:

Scheme	Planned Cost
Schools	
	00.0 1-1-1
Hanwell Fields, Banbury – New Primary School	£2.0m total
Nettlebed – Replacement Primary School	£1.6m total
Upper and Lower Heyford – New Primary School	£1.8m total
Matthew Arnold School – New Science Laboratories	£1.5m total
Minor Works	£3.1m in 2003/04
New Deals for Schools Programme	£14.0m in 2003/04
Oxford City Schools Review	£45.8m total
Libraries	
Kidlington Library, Day Centre and Highways Offices	£1.6m total
Roads	
Oxford Integrated Transport Strategy	£3.7m in 2003/04
Witney Cogges Link Stage I and II	£9.3m total
Structural Maintenance	£10.0m in 2003/04
Community Safety Transport Schemes	£1.7m in 2003/04
Sustainable Transport Schemes	£3.3m in 2003/04
Integrated Transport Strategies	£3.4m in 2003/04
Social & Health Care	
Wallingford Day Centre	£1.0m total
Homes for Older People Externalisation Stage II	£4.5m total

From 2004/05 the Government is likely to relax the controls around capital spending, as part of new "Prudential Guidelines". These allow Councils to borrow additional money. The cost of any additional borrowing will fall directly on the Council Tax.

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The Executive's Budget Strategy for 2003/04 highlights the need to view our Revenue and Capital budgets as a whole and to use them to deliver on strategic objectives. It is also proposed to introduce a 4/5 year capital programme, and system of option appraisals for assessing scheme priority and suitability. Implementation of the Prudential Guidelines will give us the opportunity to take a fresh look at the way we allocate capital resources.

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Code of Practice on Workforce Matters

Authorities should state and certify that all individual contracts awarded during the past year which involve a transfer of staff comply, where applicable, with the requirements in the Code of Practice on Workforce Matters in Local Authority Service Contracts'. See annex 3.

To be drafted.

APPENDIX 1a

Public Service Agreement: performance indicators

		Baseline (as recorded in PSA)	2003/04 Target	2004/05 Target	2005/06 Target
1	Improve GCSE results at grades A*-G	~	~	~	
BV39	Percentage of 15 year old pupils in schools (all state schools in the local education authority area, including special schools and CTCs) achieving 5 or more GCSEs or equivalent at grades A*-G including Englsih and Maths.	86%	91%	93.50%	94.50%
2	ImproveGCSE results for Ethnic Minority pupils	~	~	~	~
	Percentage of 15 year old pupils in schools (all state schools in the local education authority area, including special schools and CTCs) achieving 5 or more GCSEs or equivalent at grades A*-C - Bangladeshi.	27%	40.00%	41%	42.00%
	Percentage of 15 year old pupils in schools (all state schools in the local education authority area, including special schools and CTCs) achieving 5 or more GCSEs or equivalent at grades A*-C - Pakistani.	32%	45.00%	46%	47.00%
	Percentage of 15 year old pupils in schools (all state schools in the local education authority area, including special schools and CTCs) achieving 5 or more GCSEs or equivalent at grades A*-C - Black Caribbean.	35%	50.00%	51%	52.00%
3	Improve pupil achievement at Key Stage 3	~	~	~	~

	Percentage of 15 year old pupils in schools (all state schools in the local education authority area, including special schools and CTCs) who achieve level 5 in Key Stage 3 in: English.	65%	77%	79%	84%
	Percentage of 15 year old pupils in schools (all state schools in the local education authority area, including special schools and CTCs) who achieve level 5 in Key Stage 3 in: Maths.	69%	81.00%	83.00%	84%
	Percentage of 15 year old pupils in schools (all state schools in the local education authority area, including special schools and CTCs) who achieve level 5 in Key Stage 3 in: Science.	70%	76%	78%	80%
	Percentage of 15 year old pupils in schools (all state schools in the local education authority area, including special schools and CTCs) who achieve level 5 in Key Stage 3 in: ICT.	65.00%	76.00%	78.00%	84%
4	Reduce school exclusions	~	~	~	~
	Number of children permanently exclusded from school during the year (all state schools in the local education authority area, including special schools and CTCs).	71	65	63	4 5
5	Provide high quality pre-admission and rehabiliation care to older people to help them live as independently as possible.	~	~	~	~
Sitrep	Number of people in an acute hospital bed, from local authority area, who could be discharged.	28			22
	Supported admissions of older people to residental and nursing care per 10,000 population aged 65 and over.	95			85
PAF B11	Intensive home care to older people as a proportion of total intensive home and residential care.	25%			34%
	Older People helped to live at home per 1000 population aged 65 or over.	71			90
6	Improve the educational achievement of children in care.	~	~	~	~

OC1	Percentage of children leaving care aged 16 and over with 5 GCSEs A*-C (or equivalent).	4.50%	15%	18%	20%
OC2a	Percentage of children after 1 year or more with 5 GCSEs A*-G (or equivalent).	37.00%	40.00%	50.00%	65.00%
OC2b	Percentage of children looked after for a year with 1 GCSE A*-G (or equivalent).	44.00%	50.00%	60.00%	80.00%
7	Narrow the gap between the proportions of children in care and their peers who are cautioned or convicted.	~	~	~	~
	The proportion of children who were given a reprrimand, final warning or convicted furing the year for an offence committed whilst they were looked after.	9.7			3
_ocal	Total number of offences committed by looked after children during year.	300			100
_ocal	Total number of looked after children committing offences during year.	40			16
8	Increase the participation of problem drug misusers in treatment programmes and in treatment to completion	~	~	~	~
а	Number of people in treatnment as measured on the national drug treatment monitoring system.	659			1,113
b	Numbers of people accessing residential rehabilitation	72			120
С	Percentage of people at (b) with planned discharge.	0%			80%
9	Recyling and composting of household waste (between years 2003-04 and 2005-06)	~	~	~	~
	Percentage of the total tonnage of household waste arising which have been recycled or composted.	18%	20%	26%	33%
10	Increase bus use	~	~	~	~

BVPI 102	Local bus services - passenger journeys per year.				
11	Provide housing for key workers whose services are essential to Oxfordshire and who need to live within reasonable travelling distance of their work.	~	~	~	~
	Net number of homes	0	7	14	22
12	Improved cost effectiveness	~	~	~	~
157	Types of interaction delivered electronically	49%			100%
8	Invoices paid on time	85%			100%
34 a	Percentage of primary schools with 25% or more places unfilled	10%			7%
37	Avg. GCSE point score	41.00			43.50
38	Pupils 5 or more GCSE's, A*-C	54%			57%
39	Pupils 1+ GCSEs, A*-G	90%	91%	93.5%	94.5%
40	Pupils level 4+ KS2 Maths	80%			88%
41	Pupils level 4+ KS2 English	81%			87%
?	Increase the % of youth service participants gaining accreditation for personal and social development work offered through the youth service	8%			60%
43b	SENs in 18 weeks with exceptions	62%			85%
44	All maintained school exclusions	0.76			0.43
EDP	Percentage of Pakistani pupils achieving 5 or more GCSEs A*-C	35%			49%
48	Percentage of schools subject to Special measures	0.90%			0.00%
30	Percentage of 3 year olds receiving good quality Early Years education	64.70%			85.00%
	Children Looked After in Foster Placement or placed for adoption	76.00%			72.00%
	Intensive home care as a proportion of intensive home care and residential care	21.00%			18.00%

162	Reviews of CPR cases	98.00%			98.00%
54	Older people helped to live at home - PAF C32	85.00			90.00
59	Assessments - PAF E49	101.40			150.00
82a	Recycling	12.00%	14%	18%	20.00%
82b	Composting	6.00%	6.5%	9%	13.00%
96	Condition: principal roads (2002/03)	7.91%	7.00%	6.50%	6.50%
117	Visits to libraries	6660.0			6800.0
170a	Visits/ usages of museums	385.00			387.0
	Cost/Performance index				

APPENDIX 1b

Public Service Agreement: Freedoms & Flexibilities

	Target Date 2003-04	Target Date 2004-05	Achieved ? (Date)	Alternative F&F (Date)	Target abated	04 8 - 05
Targets 1, 2, 4 and 6					01-Apr-04	01-Apr-05
All LEAs to be able to exploit a common nationally established set of pre- and post- 16 equivalences both in target setting and reporting of performance indicators.	Autumn 2003					
Target 5						
The Department of Health committs to working with Oxfordshire, as part of its programme of work on information for social care, in order to explore how information sharing between NHS and social services can be better faciliated in order to support service improvement.						
Target 7						
The Youth Justice Board agrees to allow up to 25% of funds allocated by YJB (apart from the ISSP funds) to be pooled between schemes.	April 2003?					
Target 10						
DfT will relax the regulations on the use of on- street parking surpluses (section 55(4(d)) of the Road Traffic Regulation Act 1984). Namely:	31-Mar-04	31-Mar-05			0.20%	0.20%
DfT will allow the use of cameras to enforce bus priorities within the area of the existing Oxford Special Parking Area.	31-Mar-04	31-Mar-05			0.35%	0.35%

DfT will allow use of cameras to enforce bus priorities, including enforcement of bus priorities (but not necessarily parking) in other parts of the county.	31-Mar-04	31-Mar-05	0.25% 0.25%
DfT will allow Oxfordshire County Council to restrict local bus operators to changing timetables no more than 3 times a year, to ensure accuracy of public travel information provided by the county council.	31-Mar-04	31-Mar-05	0.10% 0.109
DfT will allow Oxfordshire County Council the power to vary the times of commercial bus services by up to 50% of the headway to even out the frequency on common sections of routes (to avoid scheduled 'bunching').	31-Mar-04	31-Mar-05	0.10% 0.10%
The Highways Agency will introduce bus priority on the A34 and the A41 on the approach to their junction with the M40 and on the A34 on the approach to its junction with the A423 at the Hinksey Hill interchange.		31-Mar-05	0.20% 0.20%
DfT will allow Oxfordshire County Council to include frequency conditions in the local Bus Quality Partnerships.	31-Mar-04	31-Mar-05	0.15% 0.15%
Subject to a change in primary legilation, DfT will allow Oxfordshire County Council to offer for competitive tender contracts with bus operators that run for more than 5 years.	31-Mar-04	31-Mar-05	0.15% 0.15%

APPENDIX 2

Best Value Performance Indicators

BVPI	Description	2002/03	2002/03	2003/04	2004/05	2005/06
no.		Target	Outturn	Target	Target	Target
	COMMUNITY SAFETY					
126	Domestic burglaries per 1000 households	20%				
127a	Violent offences by a stranger per 1000 pop					
127b	Violent offences in a public place per 1000 pop					
127c	Violent offences in licensed premises per 1000 pop					
127d	Violent offences under the influence per 1000 pop					
128	Vehicle crimes per 1000 population	18.4				
176	No of domestic violence refuge places per 10,000 population	0.4				
11a	The percentage of senior management posts filled by women					
11b	The percentage of top 5% of earners from black & ethnic minority					
	communities					
12	The proportion of working days/shifts lost due to sickness absence	6				
15i	Firefighters - III health retirements as % of total workforce	2.10%				
15ii	All staff - III health retirements as % of total workforce					
17a	%age of uniformed staff from minority ethnic communities	0.80%				
17b	%age of minority ethnic community population in the brigade area					
142i	Calls to fires attended per 10,000 population	48				
142ii	Calls to primary fires per 10,000 population	30				
142iii	Calls to accidental fires in dwellings per 10,000 dwellings	15				
143i	Deaths from accidental dwelling fires per 100,000 population	0.32				
143ii	Injuries from accidental dwelling fires per 100,000 population	10.5				
144b	Accidental dwellings fire confined to origin room - smaller cities/larger	97%				
	towns					
	Accidental fire in dwellings confined to origin room in smaller towns	93%				
144d	Accidental fire in dwellings confined to origin room in rural village	90.00%				

	areas		İ	
145	Calls to fire meeting national standards	100.00%		
146	Number of calls to malicious false alarms per 1,000 population	0.6		
147	Average time taken to issue fire safety certificates (days)	180		
149	False alarms from auto fire detection equip per 1,000 non dom props	200		
150	Expend per head of population	£23.13		
166	Score against best practice checklist	uq (85%)		
	CORPORATE GOVERNANCE			
1a	Does the authority have a Community Strategy?	Yes		
1b	By when will a review of the Community Strategy be completed?	Dec-03		
1c	When will progress be reported to the wider community?	Yes		
1d	When will the authority have a Community Strategy in place?	Mar-03		
2a	Level of equility standard for local govt which authority conforms	2		
2b	Duty to promote Race Equality			
3	The percentage of citizens satisfied with overall service provided			
4	%age of complainants satisfied with the handling of them			
8	The percentage of undisputed invoices paid within 30 days	100%		
11a	The percentage of top 5% earners that are women	50.00%		
11b	The percentage of top 5% of earners from black & ethnic minority communities	2.00%		
12	The number of working days/shifts lost due to sickness absence	5		
14	Early retirements as % of total workforce	0.20%		
15	III health retirements as % of total workforce	0.10%		
16a	% of LA e/ees declaring they are disabled per Disability Disc Act	2%		
16b	% of economically active people in LA area declaring they are disabled	3.50%		
17a	% of LA e/ees from minority ethnic communities	4.50%		
17b	% of economically active people in LA area from minority ethnic communities	5.00%		
157	%age of interactions with public capable of electronic service delivery	42.00%		
174	Racial incidents recorded by authority per 100,000 population			
175	% racial incidents that resulted in further action	100%		

177	Percentage of authority expenditure on Community Legal Services	0%			
	ENVIRONMENT, ROADS & TRANSPORT				
82a	% household waste that is recycled	12.00%	14.00%		
82b	% household waste that is composted	6.00%	5.00%		
82c	% household waste that is used to recover heat, power etc	0%	0%		
82d	% household waste that is landfilled	82.00%	81.00%		
84	Kg of household waste collected per head	492	480.76		
87	Cost of waste disposal per tonne of municipal waste	£34.81	£35.47		
89	%age of people satisfied with cleanliness standards				
90c	%age of people satisfied with civic amenity sites				
96	Condition of principal roads	6.00%	7%		
97a	Condition of non principal roads - classified	20.00%	33.30%		
97b	Condition - non-classfied	50.00%	20.00%		
99a(i)	Road safety - pedestrians killed/serious injury per 100,000 popn	8.6	8.7		
99a(ii)	Road safety - pedestrians slight injury per 100,000 popn	31.2	32.7		
99b(i)	Road safety - pedal cyclists killed/serious injury per 100,000 popn	5.7	5.9		
99b(ii)	Road safety - pedal cyclists slight injury per 100,000 popn	39.5	41.4		
99c(i)	Road safety - 2 wheeled MVs - killed/serious injury per 100,000 popn	13.2	13.7		
99c(ii)	Road safety - 2 wheeled MVs slight injury per 100,000 popn	35.5	37.1		
99d(i)	Road safety - car users killed/serious injury per 100,000 popn	49.1	51.2		
99d(ii)	Road safety - car users slight injury per 100,000 popn	310.6	325.8		
99e(i)	Road safety - other veh. users killed/serious injury per 100,000 popn	6.2	6.6		
99e(ii)	Road safety - other veh. users slight injury per 100,000 popn	35.5	36.6		
100	Temporary controls/rd closures per km of traffic sensitive road	2.00%			
102	Local bus services - passenger journeys per year				
		35,157,000.00			
103	%age users satisfied with local public transport information				
104	%age users satisfied with local bus services				
165	Pedestrian crossings with facilities for disabled	99.00%			
178	% footpaths and rights of way easy to use by the public	70%	66%		
186a	Principal roads not needing major repair	8.40%	8.38%		

186b	Non-principal roads not needing major repair	23.80%	23.75%		
	Condition of footways (Category 1, 1a, 2)				
	Condition of footways (Category 3 & 4)				
	Condition of surface footways (Category 1, 1a, 2)				
	Planning cost per head of population	£2.50	£2.07		
	Applications determined in 13 weeks	20.00%	20%		
	Applicants and commentators satisfied with the service				
	Do you have a development plan				
200b	If no is there a published timetable within three years				
180a	Energy consumption of LA op property compared with UK as a whole	350	350		
180b	Average lamp circuit wattage compared with average consumption by	413.54	428		
	LA's				
156	Authority building open to the public accessible by disabled	49%	49.00%		
	LEARNING & CULTURE				
30	%age 3 year olds access to free early years educn place	64.7%			
33	Net Youth service expend per head age 13-19	£52.67			
34a	%age of primary schools with 25% places unfilled				
34b	%age of secondary schools with 25% places unfilled				
36a	Net exp per pupil in LEA schools - nursery, and primary under 5	£3,067.46			
36b	Net exp per pupil in LEA schools - primary pupils 5+	£3.030.53			
36c	Net exp per pupil in LEA schools - secondary pupils under 16	£3,769.47			
38	5 or more GCSEs A to C	54%			
39	5 or more GCSE G and above or equivalent including Maths & English	90.00%			
40	Level 4 in Key stage 2 Maths	76%			
41	Level 4 in Key stage 2 English	80%			
43a	%age SEN statements in 18 weeks excluding exceptions	93%			
43b	%age SEN statements in 18 weeks including exceptions	62%			
44	Excluded LEA school pupils per 1000 maintained school pupils	0.76			
45	%age 1/2 days missed to unauthorised absence in sec schools	8.00%			
46	%age 1/2 days missed to unauthd absence in prim schools	5.40%			
48	%age special measures schools	0.90%			

	%age permanently excluded pupils attending <5 hours tuition	30.00%		
	%age permanently excluded pupils attending 6-12 hrs tuition	22.00%		
	%age permanently excluded pupils attending 13-19 hrs tuition	29.00%		
159d	%age permanently excluded pupils attending 20 hrs or more tuition	19.00%		
181a	14 year olds achieving level 5 Key Stage 3 English	72.00%		
181b	14 year olds achieving level 5 Key Stage 3 Maths	73.00%		
181c	14 year olds achieving level 5 Key Stage 3 Science	72.00%		
181d	14 year olds achieving level 5 Key Stage 3 ICT Assessment			
192a	Quality of teaching for early years and childcare services			3.
192b	Quality of teaching for early years and childcare services			
193a	School budget compared to school funding assessment			
193b	School budget compared to school funding assessment			
194a	% of pupils achieving level 5 or above in Key Stage 2 English			
194b	% of pupils achieving level 5 or above in Key Stage 2 Mathematics			
114	Local cultural strategy (Score against checklist)	Yes		
115	Cost per visit to public libraries	£2.28		
117	Visits to public libraries per head of population	6,600		
118	Library users who found what they wanted			
119	Residents satisfied with cultural/recreational activities			
170a	Visits to/use of museums per 1000 population	620		
	Visits that were in person per 1000 population	192		
170c	Pupils visiting museums and galleries in organised school groups	4,500		
	SOCIAL & HEALTH CARE			
49	Stability of placements of children looked after	10%		
50	Educational qualifications of children looked after	50%		
51	Costs of services for children looked after	£381 - £508		
52	Cost of intensive social care for adults	£560		
53	Intensive home care	9.2		
54	Older people 65+ helped to live at home	85		
55	Clients receiving a review	60%		
	-			

56	Equipment under £1000 delivered in 3 weeks	96%		
58	%age people receiving a statement of needs/how they'll be met	80%		
161	Employment education and training for care leavers	45.00%		
162	Children on CPR - cases should have been reviewed and were	98%		
163	Adoptions of children looked after	7%		
182	Users satisfied with the help they received from Social Services	50.00%		
190	Users who asked for changes and those changes were made	50.00%		
195	Accecptable waiting time for assessment			
196	Accecptable waiting time for care packages			
197	Conceptions to females under 18			
198	Drug misusers in treatment per 1000 pop 15-44			

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APPENDIX 3

CODE OF PRACTICE ON WORKFORCE MATTERS IN LOCAL AUTHORITY SERVICE CONTRACTS

Workforce matters under best value

- 1. This document sets out an approach to workforce matters in local authority service contracts which involve a transfer of staff from the local authority to the service provider, or in which staff originally transferred out from the local authority as a result of an outsourcing are TUPE transferred to a new provider under a retender of a contract. This Code will form part of the service specification and conditions for all such contracts.
- 2. The Code recognises that there is no conflict between good employment practice, value for money and quality of service. On the contrary, quality and good value will not be provided by organisations who do not manage workforce issues well. The intention of the authority is therefore to select only those providers who offer staff a package of terms and conditions which will secure high quality service delivery throughout the life of the contract. These must be sufficient to recruit and motivate high quality staff to work on the contract and designed to prevent the emergence of a 'two-tier workforce', dividing transferees and new joiners working beside each other on the same contracts.
- 3. Service providers who intend to cut costs by driving down the terms and conditions for staff, whether for transferees or for new joiners taken on to work beside them, will not provide best value and will not be selected to provide services for the council. However, nothing in this Code should discourage local authorities or service providers from addressing productivity issues by working with their workforces in a positive manner to achieve continuous improvement in the services they deliver.

Treatment of transferees

- 4. In its contracting-out of services, the local authority will apply the principles set out in the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector and the annex to it, A Fair Deal for Staff Pensions. The service provider will be required to demonstrate its support for these principles and its willingness to work with the local authority fully to implement them.
- 5. The intention of the Statement is that staff will transfer and that TUPE should apply, and that in circumstances where TUPE does not apply in strict legal terms, the principles of TUPE should be followed and the staff involved should be treated no less favourably than had the Regulations applied. The Government has now indicated an intention to legislate to make statutory within local government the provisions in the Cabinet Office Statement.

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6. The annex to the Statement requires the terms of a business transfer specifically to protect the pensions of transferees. Staff must have ongoing access to the Local Government Pension Scheme or be offered an alternative good quality occupational pension scheme, as defined in the annex to the Cabinet Office Statement, under which they can continue to earn pension benefits through their future service. There must also be arrangements for handling the accrued benefits which staff have already earned.

Treatment of new joiners to an outsourced workforce

- 7. Where the service provider recruits new staff to work on a local authority contract alongside staff transferred from the local authority, it will offer employment on fair and reasonable terms and conditions which are, overall, no less favourable than those of transferred employees. The service provider will also offer reasonable pension arrangements (as described at paragraph 10 below).
- 8. The principle underpinning the provisions of paragraph 7 is to consider employees' terms and conditions (other than pensions arrangements which are dealt with in paragraph 10) in the round as a 'package'. This Code does not prevent service providers from offering new recruits a package of non-pension terms and conditions which differs from that of transferred staff, so long as the overall impact of the changes to this package meets the conditions in paragraph 7. The aim is to provide a flexible framework under which the provider can design a package best suited to the delivery of the service, but which will exclude changes which would undermine the integrated nature of the team or the quality of the workforce.
- 9. The service provider will consult representatives of a trade union where one is recognised, or other elected representatives of the employees where there is no recognised trade union, on the terms and conditions to be offered to such new recruits. [References to 'trade unions' throughout this code should be read to refer to other elected representatives of the employees where there is no recognised trade union.] The arrangements for consultation will involve a genuine dialogue. The precise nature of the arrangements for consultation is for agreement between the service provider and the recognised trade unions. The intention is that contractors and recognised trade unions should be able to agree on a particular package of terms and conditions, in keeping with the terms of this Code, to be offered to new joiners.

Pension arrangements for new joiners to an outsourced workforce

10. The service provider will be required to offer new recruits taken on to work on the contract beside transferees one of the following pension provision arrangements:

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- membership of the local government pension scheme, where the employer has admitted body status within the scheme and makes the requisite contributions;
- membership of a good quality employer pension scheme, either being a contracted out, final-salary based defined benefit scheme, or a defined contribution scheme. For defined contribution schemes the employer must match employee contributions up to 6%, although either could pay more if they wished;
- a stakeholder pension scheme, under which the employer will match employee contributions up to 6%, although either could pay more if they wished.

On a retender of a contract to which this Code applies the new service provider will be required to offer one of these pensions options to any staff who transfer to it and who had prior to the transfer a right under the Code to one of these pension options.

Monitoring arrangements

- 11. Throughout the length of the contract, the service provider will provide the local authority with information as requested which is necessary to allow the local authority to monitor compliance with the conditions set out in this Code. This information will include the terms and conditions for transferred staff and the terms and conditions for employees recruited to work on the contract after the transfer.
- 12. Such requests for information will be restricted to that required for the purpose of monitoring compliance, will be designed to place the minimum burden on the service provider commensurate with this, and will respect commercial confidentiality. The service provider and the local authority will also support a central Government sponsored review and monitoring programme on the impact of the Code, drawn up in consultation with representatives of local government, contractors, trade unions and the Audit Commission and will provide information as requested for this purpose. Such requests will follow the same principles of proportionality and confidentiality.

Enforcement

13. The local authority will enforce the obligations on the service provider created under this Code. Employees and recognised trade unions should, in the first instance, seek to resolve any complaints they have about how the obligations under this Code are being met, directly with the service provider. Where it appears to the local authority that the service provider is not meeting its obligations, or where an employee of the service provider or a recognised trade union writes to the authority to say that it has been unable to resolve a complaint directly with the service provider, the local authority will first seek an explanation from the service provider. If the

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service provider's response satisfies the local authority that the Code is being followed, the local authority will inform any complainant of this. If the response does not satisfy the local authority, it will ask the service provider to take immediate action to remedy this. If, following such a request, the service provider still appears to the local authority not to be complying with the Code, the local authority will seek to enforce the terms of the contract, which will incorporate this Code. In addition, where a service provider has not complied with this Code, the local authority will not be bound to consider that provider for future work.

- 14. The contract shall include a provision for resolving disputes about the application of this Code in a fast, efficient and cost-effective way as an alternative to litigation, and which is designed to achieve a resolution to which all the parties are committed. The service provider, local authority and recognised trade unions or other staff representatives, shall all have access to this 'alternative dispute resolution' (ADR) process. The Government has asked local authorities, trade unions and contractors to come forward with an ADR mechanism which is consistent with this Code, for inclusion in contracts. In the event that within a specified timescale the parties are unable to agree, the government will publish as an annex to this Code its proposed ADR mechanism.
- 15. Local authorities will be required to certify in their Performance Plans that individual contracts comply with best value requirements, including workforce requirements in this Code and the accompanying statutory guidance. The Audit Commission's appointed auditor will through the audit of the Performance Plan:
 - provide assurance that local authorities are meeting their statutory duty of certifying their compliance with the Code and that they have put in place adequate arrangements to ensure compliance;
 - receive information from third parties about any concerns with the authority's compliance;
 - consider the information received and decide how to deal with those concerns;
 - where the subject of any concern is of material significance (e.g. large contracts or where a major breach of this Code is alleged) the auditor will decide on a proportionate response to investigate the concerns.
- 16. If, as a result of investigations, the auditor has concerns about an authority's compliance with this Code, they may exercise their appropriate statutory powers, which include:
 - requiring the authority to respond publicly to a written recommendation;
 - recommending that the Secretary of State should give a direction under Section 15 of the Local Government Act 1999.

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The Audit Commission will issue guidance to local authorities and auditors on how these matters will be dealt with.

Sub-contractors

17. This Code sets out procedures for handling matters between the local authority and a primary service provider. Where the primary service provider transfers staff originally in the employ of the local authority to a sub-contractor in consequence of the terms of the primary service provider's obligations to the local authority, the primary service provider will be responsible for the observance of this Code by the sub-contractor.

Operation of this Code

18. The Government will monitor the operation of this Code and consult with representatives of local government, trade unions, service providers and the Audit Commission to assist in this process.