



## Corporate Governance Committee

<b>Date:</b>	<b>Wednesday, 7 December 2011</b>
<b>Time:</b>	<b>5.30 pm</b>
<b>Venue:</b>	<b>Committee Room 1 - Wallasey Town Hall</b>

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### AGENDA

**1. MEMBERS CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members are requested to consider whether they have a personal or prejudicial interest in connection with any of the items on this agenda and, if so, to declare it and state the nature of such interest.

**2. MINUTES (Pages 1 - 14)**

To receive the minutes of the meeting held on 16 November 2011.

**Items for Discussion**

**3. IMPROVING THE COUNCIL'S CORPORATE GOVERNANCE (Pages 15 - 50)**

**4. PERFORMANCE MANAGEMENT - DELIVERING THE COUNCIL'S VISION AND VALUES (Pages 51 - 56)**

**5. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 1)**

**6. EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC**

The public may be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information.

RECOMMENDED – That, in accordance with section 100(A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part 1 of Schedule 12A (as amended) to that Act. The public interest test has been applied and favours exclusion.

**7. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 2)**

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## CORPORATE GOVERNANCE COMMITTEE

Wednesday, 16 November 2011

Present:

Councillor	S Foulkes (Chair)		
Councillors	P Davies	A McArdle	
	AER Jones	AR McLachlan	
Invited Members: (Non Voting)	Councillors	JE Green	T Harney

### 11 MEMBERS CODE OF CONDUCT - DECLARATIONS OF INTEREST

No declarations of interest were received.

### 12 MINUTES

It was noted that the draft Minutes did not differentiate between those Members who had voting rights and those who had been invited by the Leader and the Cabinet, to attend the Committee's meetings to speak, contribute to the debate and help shape its decisions but who had no voting rights.

Councillor S Foulkes told the Committee that he hoped the invitation he had extended to those Members without voting rights, had been received in the spirit it had been given and that it would be nice to get the full agreement of all the Members present at the meeting, when decisions were taken.

It was reported that since the last meeting Officers had revisited the meetings schedule, in the light of the input required from the Executive Team, and were now attempting to reschedule briefing meetings by trying to identify appropriate dates and times, prior to the statutory publication dates for the Committee's agendas and reports (five clear working days before meetings), in accordance with Access to Information regulations. This work was still ongoing.

#### **RESOLVED: That**

- (1) subject to Councillors JE Green and T Harney being recorded as in attendance as Invited Members (Non Voting), the Minutes of the meeting of the Committee held on 26 October 2011 be confirmed as a correct record; and
- (2) agreement be given for Officers to continue to consult with Political Group Offices in order to identify a series of suitable dates and times for the Committee's briefing meetings.

### 13 WORK PROGRAMME, PROGRESS AND ASSOCIATED ISSUES

At the inaugural meeting of the Committee held on 26 October 2011 Members had requested further development of the Comprehensive Work Programme. Consequently, a report by the Chief Executive presented the Committee with Project

Initiation Documents (PIDs) for prioritised areas from the programme previously considered; discussed issues around how external support was to be acquired; and contained an initial summary timeline for the programme.

The report also included a number of other issues considered by the Committee at its last meeting, including:

- a review of Legal and Committee Services;
- the formation of a Policy Unit; and
- the need for specific budgetary provision.

Some Members considered that a definition of the Lead Member's role should be drawn up to provide clarity whilst others were of the view that it was wrong to be too prescriptive and that a single definition might not suit all ten of the Key Lines of Enquiry (KLOEs). Ultimately, it was acknowledged that the Committee's role was to test, debate and reach final decisions.

It was proposed that an information gathering exercise be undertaken, best practice models identified and options, based on experience, be reported to the Committee at a future meeting for its consideration. Once the Committee was able to discuss this report, it was hoped that a consensus could be reached on how to take the KLOEs forward. The Chief Executive agreed that an email to this effect would be drafted and the three Group Leaders be consulted on it, before it was sent to all Members of the Committee for information and clarity.

The Committee considered the ten KLOEs in detail and noted their content. The Chief Executive circulated a revised list of suggested Lead Members, Lead Officers and Managers for the ten KLOEs. Councillor J Green offered support to Councillor S Foulkes the proposed Lead Member for KLOE 1 - Alignment of Corporate Planning & Budget Making Process and his offer was accepted.

Councillor S Foulkes referred to AKA's Supplemental Report entitled 'Wirral Metropolitan Borough Council's Corporate Governance Arrangements: Refresh and Renew' (The Corporate Governance Report) which had summarised organisational weaknesses which the Council had failed to address. He informed that one of its criticisms was that Members' involvement had not been sufficient. This had now been addressed and improved as Members would act as a conduit and lead on each of the KLOEs. It was noted that Lead Officers would be responsible for keeping Lead Members up to date and briefed on the KLOEs.

The Chief Executive also circulated a revised Appendix 2 to the Committee's report which set out a revised procedure for recruiting external assistance to support the Corporate Governance Improvement Programme. The Director of Law, HR and Asset Management reported that the revisions made closer reference to the recently revised Council's Procurement Rules. External assistance would now be procured in accordance with these rules. Councillor Foulkes informed that there had been some concerns expressed about giving priority to AKA's opinion and the Committee was happy to take her advice to make external appointments. Good practice was being encouraged in terms of the Council's Constitution and procurement process and Paragraph 7 summarised exactly what could be done. Councillor Foulkes also made specific reference to Paragraph 8 and reminded Members that AKA had been appointed by a resolution of the Cabinet and so, too, would any external support.

The Committee also considered Appendix 3 to the report detailed an initial summary timeline. It was proposed that if problems were encountered which meant that timelines needed to be amended, a report on the situation should be presented to the Cabinet, rather than Members and Officers finding themselves in a situation where it was obvious that they were working to unrealistic timescales.

**RESOLVED: That**

- (1) **the ten prioritised Projection Initiation Documents be agreed with the following amendments:**

**KLOE 1 - Alignment of Corporate Planning and Budget Making Process**

Lead Members: Councillor S Foulkes *with Councillor J Green*

**KLOE 2 - Review and Refresh Code of Corporate Governance**

Add to Objective *“Ensure issues raised in the Annual Governance Statement are addressed within this process, and that this includes issues raised within previous Annual Governance statements and action taken to address them.”*

Lead Member: Councillor S Foulkes

**KLOE 3 - Relationships between Devolved and Central Corporate Functions**

Add to Objective *“That this should include appropriate representations from Trade Unions”.*

Lead Member: Councillor AER Jones

**KLOE 4 - Review of Internal Audit**

Add to Objective *“to which management and all members respond”*

Lead Member: Councillor J Crabtree, Chair of Audit and Risk Management Committee assisted by the two Political Group Spokespersons

Other Member Involvement: Members of Audit and Risk Management Committee.

**KLOE 5 - Review of Policy**

In the light of the need to keep a separate identity and function for the Policy Unit, and the fact that the Corporate Governance report alludes to the need for a separate identity, delete under Assumptions the statement “A Policy Unit would be an integral part of the Council’s Performance Management Framework. (interdependency with KLOE 3).

Lead Member: Councillor P Davies

**KLOE 6 - Review of Committee Services including a Review of Committee Reports over the last three months**

Add to In Scope *“the provision of independent and consistent advice and guidance to members”*

Lead Member: Councillor A McLachlan

### **KLOE 7 - Review of Performance (Corporate)**

Add in Link to HR Function as far as an appraisal process is concerned.

Lead Member: Councillor AR McArdle

### **KLOE 8 - Equalities**

Under Objectives add: *To ensure that the Council takes on concerns of Trade Unions and external stakeholders in recruitment, employment, service delivery and policy development perspectives.*

Lead Member: Councillor AER Jones

### **KLOE 9 - Fees and Charges**

Add to In Scope: Scope does not include political decision *making on the level of charges to be set.*

Officer led work in first instance.

### **KLOE 10 - Member Capacity**

Lead Member: Councillor T Harney

Member Involvement: Member Training Steering Group

- (2) **the agreed Lead Members, Lead Officers and Managers for the ten KLOEs be as set out in Appendix A to the Minutes;**
- (3) **in the light of the need to move as quickly and expediently as possible to complete this Corporate Governance review by April 2012, and in the light of the urgency of the situation as outlined in the highly critical independent report on the Council's Corporate Governance, this Committee also agrees the recommendations on the procurement of External Support as outlined in Appendix B to the Minutes. The Committee is clear that this refers to advice related to this Committee and supporting improvements in Corporate Governance only; and**
- (4) **the provisional timelines set out in Appendix 3 to the report be endorsed.**

## **14 WIRRAL INTEGRATED SUPPORT - LOCAL GOVERNMENT ASSOCIATION (LGA)**

The Chief Executive provided the Committee with a copy of a letter dated 11 November 2011 addressed to the Leader of the Council and himself from Dr Gill Taylor, Principal Advisor to the LGA. The letter set out an initial proposal, following their conversation on 20 October 2011 and subsequent discussions about how the Council could improve its Corporate Governance and how the LGA could support it.

The letter referred to the Corporate Governance Report that had raised a series of wider organisational and governance failures in the authority. These included a real need to turn round the culture and some systems and practices. It noted that the Cabinet had accepted the Report's findings and had implemented an action plan, titled 'Taking the Lead in Transforming Corporate Governance'. The LGA was aware that despite negative reports the Leader and the Chief Executive were united in their positive response. They were receptive to support and saw these challenges as presenting a 'catalyst for change'.

The Letter also set out the LGA's response which included two broad phases (immediate issues and longer term outcomes), outputs and outcomes, support for the administration and other political groups, cross party and joint activities, officer support and continuing support during 2012/13. Also, included were details of the LGA team who would support the Council, its proposition and its expectations on how the Council to work with it. The total cost of the support on offer was £33,660. This consisted of the following:

<b>Phase and Work Stream 2011/12</b>	<b>Team Member</b>	<b>Days</b>	<b>Day rate</b>	<b>Fee</b>
Project sponsorship	Principal Adviser NW	4	n/a	n/a
Project Manager	Pam Booth	5	n/a	n/a
Labour peer member	Steve Houghton	8 (5 met by CoC)	£300	£900
Conservative and LD peers	TBC	10, (5 days each)	£300	£3000
High level officer challenge	TBC	20 days	£600	£12,000
Officer support to improvement team	TBC	30 days	£400	£13,500

It was noted that evaluating the effectiveness and impact of LGA projects was central to its work and its client approach. The LGA wanted to discuss with the Leader and Chief Executive how:

- they could jointly evaluate the effectiveness of the project during its life and at its completion;
- the Council may wish to sustain the benefits of the project
- they could disseminate generic messages on practice more widely.

The Chief Executive reported that he had been in discussion with the Chief Executive of the North West Employers' Organisation (NWEO) over access to possible funding to assist the improvement work required. NWEO's total budget was somewhere between £50 and £75 K. It was not expected that the Council would be able to attract all of this funding but it was noted that it was the first Council to approach the NWEO with a view to submitting a bid for funding. It was worth making an application for this funding but it was also worth noting that if successful the funding may not all be in monetary form, it may be in terms of Member/Officer time. It was agreed that after the meeting, Officers would attempt to put a monetary value on it.

The Committee considered the letter in detail and raised concerns over the emotive language that Dr Taylor had used. She had written

"The council has decided to postpone the adults' peer challenge which was due to take place in November as a consequence of the current turmoil but it will be important to reschedule this as soon as possible. Wirral was previously categorized as 'adequate' for their adult services."

The Chief Executive told the Committee that he would clarify the situation with the LGA and inform Dr Taylor that the Council fully intended to take up the peer challenge offer but had reason to move the timescale.

**RESOLVED: That**

- (1) the content of the LGA's letter setting out the detail of its offer to the Council to provide integrated support be noted;**
- (2) the LGA's offer to provide integrated support be accepted; and**
- (3) a funding application to assist the support to be provided by the LGA, be prepared and submitted to the NWEO.**

**15 APPROACH TO CORPORATE GOVERNANCE REVIEW, KLOE 10 - MEMBER CAPACITY**

The Committee was informed that the Corporate Governance Improvement Plan listed two broad areas of activity:

- (a) informal discussions with Members to capture areas of development and concern; and
- (b) development activities which enable Members to more robustly undertake their roles and responsibilities.

Councillor T Harney, in his capacity as Chair of the Member Training Steering Group (MTSG), reported that the Group's remit was to drive and lead activity around the development of all Councillors. Activity over the previous twelve months had focussed on delivering a training programme designed to meet the learning and development needs of Elected Members as identified through the completion of Personal Development Plans.

The Group had considered the draft Programme to achieve improvements in Corporate Governance and a proposed action plan at its meeting on 11 November 2011 and a copy of its proposals, including its role in supporting the delivery of the Corporate Governance Improvement Plan and subsequent actions it was willing to take was circulated at the meeting for the Committee's information.

It was proposed that the role of MTSG in supporting the delivery of the Corporate Governance Improvement Plan would be to:

- assess what is required to support the improvement programme from a Member development perspective;
- make recommendations to the Council's Corporate Governance Committee on Member Development needs/activities;
- feedback wider aspects of the Group's work to the Council's Corporate Governance Committee;



- act as a conduit for ideas and suggestions made by other Councillors in relation to Member development; and
- develop a new Corporate Governance Development Programme for all Members.

Councillor Harney told the Committee that in order to perform its role, the Group wished to increase the frequency of its meetings so as to reflect the meeting cycle of the Corporate Governance Committee. The Committee was also informed that the proposed actions for MTSG were as follows:

- Step 1** - informal telephone conversations with all Members to establish individual learning and development needs in the context of Corporate Governance potentially supplemented by two Focus Groups by 9 December 2011.
- Step 2** - collate and evaluate responses from informal telephone conversations & Focus Groups by 16 December 2011;
- Step 3** - design a Corporate Governance Development Programme for all Members which shall be commenced in January 2012;
- Step 4** - evaluate the Corporate Governance Development Programme to determine its effectiveness (and identify any emerging development needs) by June 2012; and
- Step 5** - revise (if appropriate) and incorporate the Corporate Governance Development Programme into the Council's mainstream Member development agenda in June 2012.

The Committee was also provided with copies of the proposed script/questions for the Corporate Governance Development Needs Analysis for consideration. The aim was to involve all Members and receive a response from all Members. This was also considered a good way to identify Members, with relevant expertise, who may wish to make a contribution. After some debate it was agreed that the questionnaire would be subject to some minor revisions to remove jargon etc.

The Committee turned its attention to the introduction and considered it important to make it as full as possible so that Members were made aware of exactly what was happening within the Council to bring about the required improvements. It agreed that Corporate Governance should be defined and it should be set out, in advance, exactly what it was hoped could be achieved in respect of Members' capacity. The Committee also questioned whether a telephone was the best way to draw out the information required and whether Members' aspirations should be raised in respect of training that could be provided. It was noted that it was difficult to engage with Members on training and development issues because of their other commitments. Some would prefer that contact was made with them by electronic means whilst others preferred the telephone. This was all about options and a lengthy discussion ensued about the best way to approach it. The three Political Group Leaders

confirmed that they were happy to sign a letter to all Members encouraging them to engage with the Corporate Governance Development Needs Analysis.

The Committee proposed that it would be very useful to send out the slides, from the presentation made on the Corporate Governance Report by AKA, to all Members. This presentation had included good examples of Corporate Governance and it would serve to remind Members exactly what AKA had identified. They could then think about this and what they required, in terms of their training and development needs.

Members considered the proposals in detail and the opportunities to share other local authority's best practice. They were of the view that the original role of a Councillor should be looked at, along with the required competencies and these should be assessed against this best practice. They also agreed that it would be helpful for Officers to carry out this work.

**RESOLVED: That**

- (1) a letter be sent to all Members of the Council, signed by all three Political Group Leaders, asking for their co-operation with the Corporate Governance Development Needs Analysis, explaining what is happening, including the support which is being offered by the LGA;**
- (2) at the same time as the letter at (1) above is despatched to Members an electronic version of the survey for Members to complete, will be circulated with background information, including the AKA presentation;**
- (3) Members not wishing to respond to the survey electronically will be offered the option of telephoning an Officer to relay their answers to the set questions orally;**
- (4) Members who do not respond, electronically or by telephone, to the survey, by a date to be agreed, will be contacted by an Officer as a reminder; and**
- (5) the MTSG be thanked for its work on the Corporate Governance Development Needs Analysis.**

**APPENDIX A**  
**Agreed Lead Members, Lead Officers, and Managers for the**  
**ten Key Lines of Enquiry ('KLOEs')**

<b>KLOE</b>	<b>Lead Officer</b>	<b>Elected Member</b>	<b>Manager</b>
1. Alignment of Corporate Planning & Budget Making Process.	Chief Executive	Councillor S Foulkes, Leader with Councillor J Green	Head of Financial Services, working with Corporate Planning & Policy Leads
2. Review & refresh Code of Corporate Governance.	Deputy Director of Finance	Councillor S Foulkes, Leader	Head of Regulation
3. Relationship between devolved and central functions	Director of Law, HR and Asset Management	Councillor AER Jones, Cabinet Member for Corporate Resources	Head of Regulation
4. Review of Internal Audit.	Deputy Chief Executive and Director of Finance	Councillor J Crabtree, Chair of Audit & Risk Management Committee, with Political Group Spokespersons	Deputy Director of Finance
5. Review of Policy.	Chief Executive	Councillor P Davies, Deputy Leader & Cabinet Member for Regeneration and Planning Strategy	Director of Public Health
6. Review of Committee Services.	Director of Law, HR and Asset Management	Councillor A McLachlan, Cabinet Member for Children's Services and Life Long Learning	Head of Legal & Member Services
7. Review of Performance.	Deputy Chief Executive and Director of Finance	Councillor AR McArdle, Cabinet Member for Social Care & Inclusion	Programme Manager, Strategic Change Programme, working with Head of HR & Organisational Development
8. Equalities.	Chief Executive	Councillor AER Jones, Cabinet Member for Corporate Resources	Head of Communications and Community Engagement
9. Fees & Charges.	Deputy Chief Executive and Director of Finance	Officer led in the first instance	Head of Financial Services
10. Member Capacity.	Chief Executive	Councillor T Harney, Leader of the Liberal Democrats with assistance from Member Training Steering Group	Specific Commission

## APPENDIX B

### **Procedure for recruiting external assistance to support the Corporate Governance Improvement Programme**

Outlined below are a number of steps which must be complied with in the recruitment of external assistance. The financial limits to which this process applies will be agreed by Cabinet.

1. A Project Initiation Document (PID) comprising the:
  - (a) scope of the document
  - (b) the objectives to be achieved
  - (c) the external benchmarks and information to be sought
  - (d) the methodology for the review including proposed member involvement
  - (e) the project timelines
  - (f) resource requirements including skills, abilities and experiences of those employees or external support required
2. The Chief Executive and Deputy Chief Executive will be asked to approve the requirement for external support. If approved, the Programme Lead Officer will move to the next stage.
3. In accordance with Contract Procedure Rule (CPR) 19.1.1 (i), where the estimated contract value is less than £10,000 (based on an estimate of the type or types of work required and the number of hours work of that type or those types), three written quotations (supported by CVs, or statements of skill, ability and experience) from different organisations, must be sought,. These quotations must be in writing and, normally, one of these organisations will be the Local Government Association.
4. In accordance with CPR 19.1.1 (ii), where the estimated value is between £10,000 and £50,000, procurement shall be by way of five quotations using the Council's eTendering and sourcing portal, unless the Director of Finance (or anyone authorised by him) is satisfied (in accordance with the CPRs) that it is not possible to obtain five quotations in which case a minimum of three quotations must be obtained or it is in the interests of the Council for its eTendering and sourcing portal not to be used in which case written quotations must be obtained.
5. As time is of the essence for the Corporate Governance Improvement Programme, all organisations will be required to submit their quotations and CVs etc. within 7 working days of the requirement being sent out. Those which cannot meet this deadline may be rejected.
6. The quotations and CVs etc will be evaluated on relevance of skills, abilities and experience to the Corporate Governance Improvement Programme together with value for money and a recommendation will be made by the project team to the Chief Executive within 3 days of receiving the submissions for approval.

7. Any exceptions to the above procedures will comply with CPR 21.1 'Exceptions to Procurement Procedure' (a copy of which is annexed to this Appendix). Examples of possible exceptions include where:

- (a) there is only one viable contractor;
- (b) the Council seeks the extension of an existing contract;
- (c) the procurement is required so urgently that it is not possible to invite tenders and the time likely to be taken to undertake the necessary procurement process would (in the opinion of the relevant Chief Officer) expose the Council to an unacceptable risk, challenge and/or reputational harm; and
- (d) where tenders have already been invited by a Local Government consortium or other public body.

8. In all cases, appointments of external support, with appropriate details – including costs and the reasons for decisions - will be recorded in writing by the commissioning officer and reported to the next available Cabinet Committee meeting (and, if required by the CPRs, to Cabinet and/or Council).

## Contract Procedure Rule 21

### 21.1 Exceptions to Procurement Procedure

21.1.1 The procurement of goods and/or services or works valued at £50,000 (excluding VAT) or more but less than any applicable thresholds under European Regulations (minus ten percent), may be made by Official Order in the following circumstances (but only after consultation with the Chief Executive (or his authorised representative) or in his absence the Director of Law, HR and Asset Management or the Director of Finance (or their authorised representatives):

- (i) Where there is only one viable contractor and there would be no genuine competition.
- (ii) Where the Council seeks to procure goods and/or services or works through the extension of an existing contract.
- (iii) Where the procurement is required so urgently that it is not possible to invite tenders and the time likely to be taken to undertake the necessary procurement process would (in the opinion of the Responsible Chief Officer) expose the Council to an unacceptable risk, challenge and/or reputational harm.
- (iv) Where tenders have already been invited by a Local Government consortium or other public body e.g. the Office of Government Commerce, in accordance with the procurement procedures of that organisation, being subject to the provisions of any European or UK procurement legislation.
- (v) Where in the opinion of the Cabinet or Pensions Committee (as applicable) it is in the Council's interests to do so, a single tender may be invited from a contractor or negotiated with a contractor already engaged by the Council. The justification for this must be reported as soon as practicably possible to a meeting of Council.
- (vi) Where only one tender is received in the course of a tender exercise, in which case the Responsible Chief Officer shall, prior to accepting the tender, notify the Council's Cabinet of this fact and, if the intention is to accept the tender, explain to Cabinet how the tender satisfies the Overriding Objective.

21.1.2 Where Rule 21.1.1 applies, the officer leading the procurement shall, in consultation with the Director of Finance (or his authorised representative) undertake an assessment of the procurement which shall include consideration of relevant options available, issues and factors; and must be satisfied that the award of the procurement represents value for money to the Council.

- 21.1.3 The assessment undertaken under Rule 21.1.2 above shall be writing and shall include details of the options, issues and factors taken into account, together with all information considered. The assessment and decision shall be reported to Cabinet or the Pensions Committee (as applicable).
- 21.1.4 Unless otherwise provided for under legislation, where less than three expressions of interest have been received (or where the number of expressions of interests received is below any prescribed legislative minimum) in relation to any procurement exercise for goods and/or services or works valued at the relevant financial threshold under European Regulations (minus ten percent), then the procurement exercise shall proceed in accordance with Rules 7.1 to 17.1, unless it is considered by the Responsible Chief Officer after having had regard to the Overriding Objective that it would not be in the interests of the Council to do so. The Responsible Chief Officer shall keep a written record his/her decision to proceed or abandon the procurement exercise and before implementing the decision shall provide a copy of those reasons to the Director of Law, HR and Asset Management and Director of Finance (or their authorised representatives).

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## WIRRAL COUNCIL

### CORPORATE GOVERNANCE COMMITTEE

WEDNESDAY, 7 DECEMBER 2011

<b>SUBJECT:</b>	<b>IMPROVING THE COUNCIL'S CORPORATE GOVERNANCE</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>THE CHIEF EXECUTIVE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER: LEADER (FINANCE AND BEST VALUE)</b>	<b>COUNCILLOR STEVE FOULKES</b>
<b>KEY DECISION?</b>	<b>NO</b>

#### 1.0 EXECUTIVE SUMMARY

- 1.1 This report has been prepared to assist the improvements under way in respect of the Council's Corporate Governance arrangements whose failings were highlighted in the recent AKA Report on Corporate Governance.
- 1.2 Governance arrangements in local government are closely scrutinised and sometimes criticised. Significant governance failings attract immense attention and one significant failing can taint a whole sector. Local authorities are big business employing over 2 million people and accounting for 25% of public spending. They are vitally important to all tax payers and citizens. Local authorities have a key role in leading their communities as well as ensuring the delivery of high quality services to them. Good governance structures enable an authority to pursue its vision effectively as well as underpinning that vision with mechanisms for control and management of risk.
- 1.3 Good governance means:
  - focussing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area;
  - Members and officers working together to achieve a common purpose with clearly defined functions and roles;
  - promoting the values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
  - taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
  - developing the capacity and capability of members and officers to be effective; and
  - engaging with local people and other stakeholders to ensure robust public accountability.
- 1.4 One of the key factors in improving engagement in corporate governance is the extent to which people feel able to voice their ideas and concerns for these views to be heard and valued.

- 1.5 A number of weaknesses have been identified in respect of the Council's Corporate Governance and this report proposes that Corporate Governance Development and Training be reviewed and improved across the Council and that a Corporate Governance Amnesty be extended so that officers and partners can have confidential conversations and discussions with Cabinet Members to air Corporate Governance concerns in confidence and without fear of reprisal.

## **2.0 RECOMMENDATION**

- 2.1 That Committee considers the recommendations of the Improving Corporate Governance in Wirral MBC (Appendix A).
- 2.2. That Committee notes the project plans (Appendix B)

## **3.0 REASON/S FOR RECOMMENDATION/S**

- 3.1 To improve the Council's Corporate Governance by carrying out recommended actions as part of the Council's Improvement Programme. This is in response to the findings of the AKA Report on Corporate Governance.

## **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 AKA was engaged by the former Leader of the Council to undertake an independent review of the Council's response to claims made by Mr Martin Morton. AKA produced a Supplemental Report entitled 'Wirral Metropolitan Borough Council's Corporate Governance Arrangements: Refresh and Renew' (The Corporate Governance Report) which summarises organisational weaknesses which the Council has failed to address.
- 4.2 The Cabinet had considered the report at its meeting on 22 September 2011 and resolved to accept the criticisms unreservedly and the recommendations designed to help the Council move forward. Consequently, the Council was now in the process of putting an Improvement Plan in place to address all of the Corporate Governance weaknesses that had been identified in the report.

## **5.0 CORPORATE GOVERNANCE DEVELOPMENT AND TRAINING**

- 5.1 An Improving Corporate Governance Report by AKA is attached at Appendix A to this report. It sets out two approaches ((a) and (b)) that could be adopted for the development of the Officer programme and proposes that option (b) be chosen.
- 5.2 The report recommends that Members' development programme runs ahead of the officer programme to enable the change programme to be led by those who have the legitimacy of the electorate. It is considered essential that this programme is shaped by Elected Members taking account of their varying roles within the Council and as its representatives. It is also proposed to work with the Member Training Steering Group and draft a questionnaire and carry out interviews to establish what further development Members would like.
- 5.3 The aim is to consult, design and commission appropriate development programmes for Members, officers and partners.

- 5.4 The report also proposes cross departmental activity, a Joint Cabinet and Chief Officer discussion Forum, sets out overarching timelines for the activity proposed and a list of milestones.
- 5.5. The programme outlined in the report at Appendix A is in addition to the Key Lines of Enquiry (KLOE) work, previously considered by this Committee. Plans in respect of each KLOE are at Appendix B.

## **6.0 RELEVANT RISKS**

- 6.1 Failure to improve the Council's Corporate Governance by addressing the weaknesses identified in the Corporate Governance Report will mean that the Council may be further criticised and suffer further reputational harm.

## **7.0 OTHER OPTIONS CONSIDERED**

- 7.1 There are no other options to consider at this time. The Improvement Programme addresses the issues raised in the Corporate Governance Report.

## **8.0 CONSULTATION**

- 8.1 This report is consulting Members on the options available to improve the Council's Corporate Governance. Opportunities for them to review progress by engaging with Officers and citizens will be included in the detailed Programme which Lead Officers will develop.
- 8.2 Where appropriate, external agencies, Councillors and officers from other Councils will be consulted and invited to share knowledge.

## **9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 9.1 Increasingly, the Council works with and through a range of organisations and partnerships in order to deliver services and enhance local prosperity. Partnerships are regarded as an essential part of the pattern of local government provision. Working in partnership can bring many benefits that the Council could not achieve by other means. However, partnership working brings governance challenges. A one-size-fits-all approach to governance is inappropriate. Governance arrangements must be proportionate to the risks involved. In future it is likely that the Council will be less concerned with direct service delivery and more with commissioning and regulation, influencing behaviour and supporting the local community. Community leadership may become the most important feature of local governance.

## **10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 10.1 There will be a cost to the Council if external resources to implement the Improvement Programme are acquired.
- 10.2 **IT:** None identified at this stage.
- 10.3 **STAFFING:** Significant senior resources will be required to implement the programme.

10.4 **ASSETS:** None identified at this stage.

### 11.0 LEGAL IMPLICATIONS

11.1 Until the existing legislation is repealed, the Council could be subject to an external corporate governance inspection under Section 10 of the Local Government Act 1999.

### 12.0 EQUALITIES IMPLICATIONS

12.1 Equalities is an area of corporate governance weakness identified by AKA in the Corporate Governance Report.

12.2 Equality Impact Assessment (EIA)

- (a) Is an EIA required? No
- (b) If 'yes', has one been completed?

### 13.0 CARBON REDUCTION IMPLICATIONS

13.1 None

### 14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

14.1 None

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### APPENDICES

- (A) The AKA report – Improving Corporate Governance in Wirral MBC.
- (B) Draft Protocol – Promoting Good Corporate Governance, Drop-in Sessions with Cabinet Members.

### REFERENCE MATERIAL

#### SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	22 September 2011

## IMPROVING CORPORATE GOVERNANCE IN WIRRAL

### 1. INTRODUCTION AND BACKGROUND

- 1.1. The AKA report outlining corporate governance issues recommended that the following actions be part of the Council's improvement programme:

<b>“Review and Improve Corporate Governance Development and Training Across the Council”</b>
<b>Consult, design and commission appropriate development programmes for councillors, officers and partners.</b>
<b>3.3 Councillors-Officers “Open Door” Sessions</b> <ul style="list-style-type: none"> <li>• A series of regular, facilitated, “open door” sessions that report back on “Taking the Lead” and introduce, test and interrogate specific issues identified by the wider work programme and work streams.</li> <li>• Data to inform and shape the wider work programme.</li> </ul>
<b>“A Corporate Governance Amnesty”</b>
<ul style="list-style-type: none"> <li>• A confidential and secure way for councillors, staff, contractors and partners to put governance and service issues they are concerned about “on the record”.</li> <li>• Ensure that the resource and capability required to prioritise, investigate and resolve these issues is on place/made available.</li> <li>• Ensure that the learning flowing from any such work is reported back to the Councillor-Officer working group for any further action/ recommendations.</li> </ul>

- 1.2. One of the key factors in improving engagement in corporate governance is the extent to which people feel able to voice their ideas and concerns for these views to be heard and valued
- 1.3. A corporate governance engagement process which is specifically seeks to enable employees and partners to:
- Raise concerns about current governance issues (to support the proposal around an “amnesty”)
  - Offer ideas about how things might be improved
  - Identify areas of strength and weakness
  - Provide feedback as to the pros and cons of the current arrangements
  - Make suggestions as to how the organisation can share good practice and learn from internal successes across the organisation as a whole
- 1.4. Recognising that not all employees will feel comfortable with the same formats and engagement models it is proposed that the Council utilise the following methods:
- Cultural audit/corporate governance survey sent to all employees and partners (possibly available on-line)
  - Drop in sessions on corporate governance
  - Wider workshops on corporate governance

## 2. THE PROPOSALS

### **Action 1 - Review and Improve Corporate Governance Development and Training Across the Council**

#### 2.1. Developing the Officer Corps

##### 2.1.1. There are two approaches which could be adopted here:

- a. Design and deliver a series of corporate staff briefings, training and development sessions now
- b. Undertake the design and delivery in the context of work which needs to be undertaken to assess the cultural and process drivers including the refresh of the corporate governance framework and of course allowing staff, councillors and other stakeholders to provide further information to shape these events.

##### 2.1.2. Whilst (a) would be most effective in terms of achieving change by 1 April 2012, (b) offers the opportunity to provide a rounded and more bespoke approach which will build upon and bring together a number of other actions included in the overall plan including:

- I. The launch of the new corporate plan which will heavily focus upon improvements in corporate governance with the Leader and Deputy Leader undertaking staff events to describe the vision and values which underpin the development of the corporate plan
- II. The integration of the corporate plan with the budget setting process
- III. The refresh and review of the corporate governance framework
- IV. An "audit" of the organisation's culture and its impact upon corporate governance (see section XXX below)
- V. Confidential open door sessions with Councillors

##### 2.1.3. It is therefore recommended that option (b) be chosen for the development of the Officer programme.

#### 2.2. Councillor development programme

##### 2.2.1. Whilst, the options outlined above for the Officers remain true, it is recommended that the Councillor programme runs ahead of that of the Officers to enable the change programme to be led by those who have the legitimacy of the electorate. In addition, it is essential that this programme is heavily shaped by Councillors themselves and that it is differentiated for the differing roles that they undertake both within the Council itself and as its representatives and ambassadors in the community and on other bodies.

##### 2.2.2. It is therefore proposed that the existing Member Training working group be engaged with appropriate support to develop a questionnaire to be sent to all Members which will elicit information about where they believe they require further development. The Member Training working group will also be asked to consider supplementing the results of these questionnaires with a sample of one to one interviews and group workshops (e.g. Cabinet Members, Audit and Risk Management Committee Chair, Councillors drawn from across the wider Council etc).

## **Action 2 - Consult, design and commission appropriate development programmes for councillors, officers and partners**

- 2.3. Much of this action will be addressed through the above actions and the recommendations below with the exception of work with partners. To address this remaining action it is proposed that Members of the Cabinet together with support of one or two Councillors from the wider Council hold externally facilitated workshops with a number of representatives from partner organisations to engage in discussions and achieve agreement about how improved corporate governance can be achieved for mutual benefit.

## **Action 3 - Councillors-Officers “Open Door” Sessions**

As a first step to developing these aspects of the recommendations it is proposed that the Leader and Deputy Leader will, with the support from Cabinet, work with the Corporate Governance Improvement Team to develop and implement a range of activities specifically aimed at engaging the workforce and partners and winning their “hearts and minds”.

The underlying objectives for this aspect of the work programme is to ensure that employees and partners

- Believe in the organisation
  - Want to play their part in working together to make things better, improve performance and governance
  - Have a better understanding of the ‘bigger picture’
  - Are willing to ‘go the extra mile’
  - Will keep up to date with developments in corporate governance field along with their professional development.
- 2.4. Given that the cultural audit and development programmes have not yet commenced, it is recommended that the activities necessary to deliver these objectives be considered in a number of phases which link to the expected improvements in the corporate governance environment:

### **A. Phase 1 – Drop in sessions for members of Cabinet**

It is proposed that members of Cabinet set aside a couple of hours each per week from now until December 2011 to enable Officers and Partners to have confidential conversations/discussions regarding concerns relating to corporate governance.

This will have to be managed particularly carefully and it is suggested that the Deputy Leader provide Councillor leadership and direction to this aspect of the improvement programme, although all Cabinet Members will participate. Each Member before undertaking their role in this action will be asked to sign a confidentiality agreement, breach of which would result in an investigation into their upholding the standards of behaviour in public life (a fundamental of good corporate governance). The proposal will require the maintenance of a confidential booking system via the Cabinet Office and that those employees wishing to meet with Cabinet Members in this way receive the full protection afforded to whistleblowers.

Members of Cabinet will require direct and confidential access to the Deputy Chief Executive as the lead officer for this activity regarding advice and guidance where the issues are not straightforward.

A protocol will need to be agreed with HR and Finance services (who are likely to be the key services in addition to the Cabinet office asked by the Deputy Chief Executive to investigate any allegations raised) to ensure the this protection and anonymity is maintained. This protocol will need to be published to all staff when the “open door” sessions are launched by the Leader and Deputy Leader. In addition, the small cohort of officers involved in this process will be asked to sign a confidentiality agreement which will be identical in nature to that signed by Councillors.

The protocol will support both this aspect of the action and the wider proposal around the corporate governance amnesty and further detail is provided below.

The Cabinet and Deputy Chief Executive will need to make arrangements for confidential and anonymised recording of the types and frequency of issues raised such that this data can feed into the ongoing development programme.

Where serious whistleblowing issues are raised the Leader and Deputy Leader may take on the member leadership role but this will not impact upon the protocol.

#### B. Phase 2 – Corporate Governance amnesty

The proposal has been agreed but the challenge is how to deliver such a proposal. In principle it is proposed that:

- The leader launches the corporate governance amnesty during December 2011.
- The protocol is designed by a team of HR, Finance and Legal colleagues
- The draft document will have been submitted to the Audit Commission and Trades Unions for comments and feedback.
- Member approval must have been secured
- This one-off short-term opportunity to highlight concerns in corporate governance using a whistleblowing type procedure will apply during December 2011 or January 2012. Thereafter any weaknesses in corporate governance will be the subject of normal HR processes
- The nature of the amnesty is in principle an enabling opportunity to allow employees and partners to raise concerns within a confidential process without consequences. However, in practice, the ability to the Council to maintain the “without consequences” approach will, be determined by the severity of the breach in governance. Clearly a fraudulent activity or action that would be deemed gross misconduct could not be ignored.
- Employees, partners and members of the public will, in effect, be using the Council’s whistleblowing policy via submissions to a secure and safe email address for the submission of concerns. It is proposed that this email address and enquiries are managed via the Corporate Governance team as the initial point of contact under the direction of David Taylor-Smith.



### C. Phase 3 – Cross Departmental activity

As part of the overarching programme it is proposed that each Director holds a 2 hour session once per month where a random sample of employees and partners from across its services are invited to attend a discussion forum/learning event which covers:

- What has gone wrong over the month, what could have been done to prevent it and how this can be embedded into the culture or processes of the team going forward
- What has gone well over the last month, what can be learnt and rolled out across the department and ideally the council as a whole
- Issues which still need to be addressed/concerns that staff may have

It is recommended that from time to time and probably without prior warning Members of Cabinet, and/or the chair of Audit and Risk Management Committee attend these meetings.

### D. Phase 4 – Joint Cabinet and Chief Officer discussion forum

It is important that the Non-Executive (Councillor) and Executive leadership teams engage in healthy debate and challenge on a regular basis in advance and after the introduction of self-regulation in April 2012. It is therefore proposed that facilitated half day joint meetings, with due regard to Councillors' employment commitments, be arranged on a 6-8 weekly cycle. These meetings should be specifically arranged to coincide with the development processes for key elements of the corporate governance improvement programme.

### 3. Overarching timelines for this activity

3.1. The timing and interdependencies between all of the above requires careful and detailed planning and delivery will be highly reliant upon officer access to the appropriate internal and/or external resources and Member ability to commit significant time to the programme. What follows in the table below is therefore an initial proposal of the timelines for achievement of milestones only. The detailed project plan will be approved by the Deputy Leader once:

- Members of the Cabinet and the Audit Committee Chair have confirmed their availability
- The Deputy Chief Executive has confirmed with the Chief Executive the officer and/or external resources to be made available to resource this project

3.2. The proposed milestones are as follows:

Milestone	Start	Completion
Development of protocol to support Cabinet drop in sessions and corporate governance amnesty	Mid November 2011	7 December 2011
Development of cultural audit programme (questionnaires and events)	Mid November 2011	December 2011
Corporate Governance Committee approves proposals contained in this report, protocol and next steps	7 December 2011	
Launch of Corporate Plan by Leader and Deputy Leader (post Council)	13 December 2011	
Launch of Corporate Governance Amnesty by Leader and Deputy Leader	13 December 2011	
Launch of cultural audit programme by Leader and Deputy Leader { to coincide with the launch of the new Corporate Plan}	Post 13 December 2011	
Member Training Group meets with Deputy Chief Executive and/or his representative to discuss the proposals contained within this report and any other processes they wish to follow to design a Member development programme	Post 7 December 2011	End December 2011
Cabinet member open door drop in sessions with employees and partners	Post 12 December 2011	End January 2012
Communications publicise the "secure" email address for issues and concerns	Post 12 December 2011	
Issues and concerns submitted during corporate governance amnesty	Post 12 December 2011	End January 2012
Corporate Governance Team deal with issues and concerns raised as a result of corporate amnesty	Post 12 December 2011	Ongoing (the deadline for this will very much depend upon the number and scale of issues and concerns raised)
Send out cultural audit questionnaires	Mid December 2011	
Commencement of monthly departmental meetings to discuss corporate governance improvements and issues	Mid December 2011	Mid December 2012
Commencement of Cabinet and Chief Officer discussion/debate/challenge forum on corporate governance	Mid December 2011	Mid December 2012

Commission external support to undertake the assessment, collection and collation of Member views regarding development programme	Early January 2011	
Employee focus groups with external facilitator	Beginning January 2012	3 <sup>rd</sup> week January 2012
External support undertakes activities on site	Mid – end January 2012	Mid -end February 2012
Analysis of cultural audit findings preparation of report and proposed action plan to support cultural change	4 <sup>th</sup> week January 2012	End of 2 <sup>nd</sup> week February 2012
Corporate Governance Committee receives report and approves next steps in relation to cultural change and officer development programme	29 February 2012	
Corporate Governance Committee receives report and approves next steps in relation to member development programme	29 February 2012	
External support commissioned to deliver cultural change and officer development programme as necessary	March 2012	End March 2012
External support commissioned to deliver member development programme	March 2012	End March 2012
Cultural change and officer development programme launched	April 2012	
Member development programme launched	April 2012	

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# CORPORATE GOVERNANCE - OVERALL WORK PROGRAMME

ID	Task Name	Duration	Start	Finish	1st Quarter	2nd Quarter
1	Timeable of Task/Milestones to 31/03/2012	97 days?	Mon 21/11/11	Tue 03/04/12	7/1 14/1 21/1 28/1 5/12 12/1 19/1 26/1 3/12 10/1 17/1 24/1 31/1	6/0 13/0 20/0 27/0 3/12 10/12 17/12 24/12 31/12
2						
3	<b>Programme Planning</b>	5 days	Mon 21/11/11	Fri 25/11/11		
4	Officer Briefing	0 days	Wed 23/11/11	Wed 23/11/11	23/11	
5	Develop programme Plan	5 days	Mon 21/11/11	Fri 25/11/11		
6	Develop KLOE project plans	5 days	Mon 21/11/11	Fri 25/11/11		
7						
8	<b>Develop protocols for corporate governance amnesty</b>	5 days	Mon 28/11/11	Fri 02/12/11		
9	Establish confidentiality protocol	5 days	Mon 28/11/11	Fri 02/12/11		
10	Develop template for capturing information	5 days	Mon 28/11/11	Fri 02/12/11		
11	Establish procedure with clear follow up process	5 days	Mon 28/11/11	Fri 02/12/11		
12						
13	<b>Develop cultural audit programme (questionnaire &amp; events)</b>	57 days	Mon 28/11/11	Tue 14/02/12		
14	Establish project Lead and team	5 days	Mon 28/11/11	Fri 02/12/11		
15	Develop secure email address for staff to raise issues and concerns	10 days	Mon 28/11/11	Fri 09/12/11		
16	Develop programme for Cabinet open door drop-in sessions	10 days	Mon 28/11/11	Fri 09/12/11		
17	Design/develop staff questionnaire	10 days	Mon 28/11/11	Fri 09/12/11		
18	Develop internal marketing/communications strategy	10 days	Mon 28/11/11	Fri 09/12/11		
19	Launch/distribute on-line and paper Cultural Audit Questionnaire	0 days	Wed 14/12/11	Wed 14/12/11	14/12	
20	Launch secure email address	0 days	Wed 14/12/11	Wed 14/12/11	14/12	
21	Collate/analyse response	30 days	Wed 14/12/11	Tue 24/01/12		
22	Prepare report and cultural change action plan	15 days	Wed 25/01/12	Tue 14/02/12		

Project: Overall Work Programme  
Date: Fri 02/12/11

Task Split Progress Milestone

Summary Project Summary External Tasks External Milestone

Deadline

## CORPORATE GOVERNANCE - OVERALL WORK PROGRAMME

ID	Task Name	Duration	Start	Finish	1st Quarter												2nd Quarter												
					7/1	14/1	21/1	28/1	4/2	11/2	18/2	25/2	1/3	8/3	15/3	22/3	29/3	5/4	12/4	19/4	26/4	3/5	10/5	17/5	24/5	31/5	7/6	14/6	21/6
23																													
24	Commence KLOE Service Reviews	60 days	Mon 28/1/11	Fri 17/02/12																									
25	KLOE 1 Alignment of Corporate Plan & Budget Making Process	60 days	Mon 28/1/11	Fri 17/02/12																									
26	KLOE 2 Review & Refresh Code of Corporate Governance	60 days	Mon 28/1/11	Fri 17/02/12																									
27	KLOE 3 Review of relationship between devolved and central functions	60 days	Mon 28/1/11	Fri 17/02/12																									
28	KLOE 4 Review of Internal Audit	60 days	Mon 28/1/11	Fri 17/02/12																									
29	KLOE 5 Review of Policy	60 days	Mon 28/1/11	Fri 17/02/12																									
30	KLOE 6 Review of Committee Services	60 days	Mon 28/1/11	Fri 17/02/12																									
31	KLOE 7 Review of Performance	60 days	Mon 28/1/11	Fri 17/02/12																									
32	KLOE 8 Review of Equalities	60 days	Mon 28/1/11	Fri 17/02/12																									
33	KLOE 9 Review of Fees & Charges	60 days	Mon 28/1/11	Fri 17/02/12																									
34	KLOE 10 Member Development Programme	60 days	Mon 28/1/11	Fri 17/02/12																									
35																													
36	<b>Corporate Governance Committee Meeting</b>	0 days	Wed 07/12/11	Wed 07/12/11																									
37	Approve action plan, protocols for amnesty and next steps	0 days	Wed 07/12/11	Wed 07/12/11																									
38	Approve procurement of external provider re KLOE4	0 days	Wed 07/12/11	Wed 07/12/11																									
39																													
40	<b>Cabinet Meeting</b>	0 days	Thu 08/12/11	Thu 08/12/11																									
41	Approve Corporate Plan	0 days	Thu 08/12/11	Thu 08/12/11																									
42																													
43	<b>Full Council Meeting</b>	0 days	Mon 12/12/11	Mon 12/12/11																									
44	Approve Corporate Plan	0 days	Mon 12/12/11	Mon 12/12/11																									

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Project: Overall Work Programme Date: Fri 02/12/11	Task Split	Progress Milestone	Summary Project Summary	External Tasks External Milestone	Deadline
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**CORPORATE GOVERNANCE - OVERALL WORK PROGRAMME**

ID	Task Name	Duration	Start	Finish	1st Quarter							2nd Quarter					
					7/1	14/1	21/1	28/1	4/2	11/2	18/2	25/2	31/01	7/02	14/02	21/02	28/02
45																	
46	<b>Launch of Corporate Plan by Leader and Deputy Leader</b>	0 days	Tue 13/12/11	Tue 13/12/11													
47	Launch of Corporate Governance Amnesty	0 days	Tue 13/12/11	Tue 13/12/11													
48	Launch of Cultural Audit Programme	0 days	Tue 13/12/11	Tue 13/12/11													
49																	
50	<b>Member Training Group/DCX set out member development programme</b>	20 days	Mon 05/12/11	Fri 30/12/11													
51	Member Training Group/DCX set out development programme	10 days	Mon 05/12/11	Fri 16/12/11													
52	Commission external support for Member development programme	20 days	Mon 05/12/11	Fri 30/12/11													
53																	
54	<b>Cabinet member open door drop-in sessions with officers and partners</b>	35 days	Tue 13/12/11	Mon 30/01/12													
55																	
56	<b>Corporate Governance Amnesty period</b>	35 days?	Wed 14/12/11	Tue 31/01/12													
57	Issues and concerns collated and analysed	35 days	Wed 14/12/11	Tue 31/01/12													
58	CGCT address issues and concerns raised as a result of Corporate Amnesty	21 days?	Tue 03/01/12	Tue 31/01/12													
59																	
60	<b>Corporate Governance Committee Meeting</b>	0 days	Wed 18/01/12	Wed 18/01/12													
61	Report on outcome of KLOE 4 Review of Internal Audit	0 days	Wed 18/01/12	Wed 18/01/12													
62																	
63	<b>Start monthly departmental corporate governance discussion meetings</b>	0 days	Tue 31/01/12	Tue 31/01/12													
64																	
65	<b>Start Cabinet/Chief Officer discussion forum on corporate governance</b>	0 days	Tue 31/01/12	Tue 31/01/12													
66																	

Project: Overall Work Programme  
 Date: Fri 02/12/11

Task Split

Progress Milestone

Summary Project Summary

External Tasks External Milestone

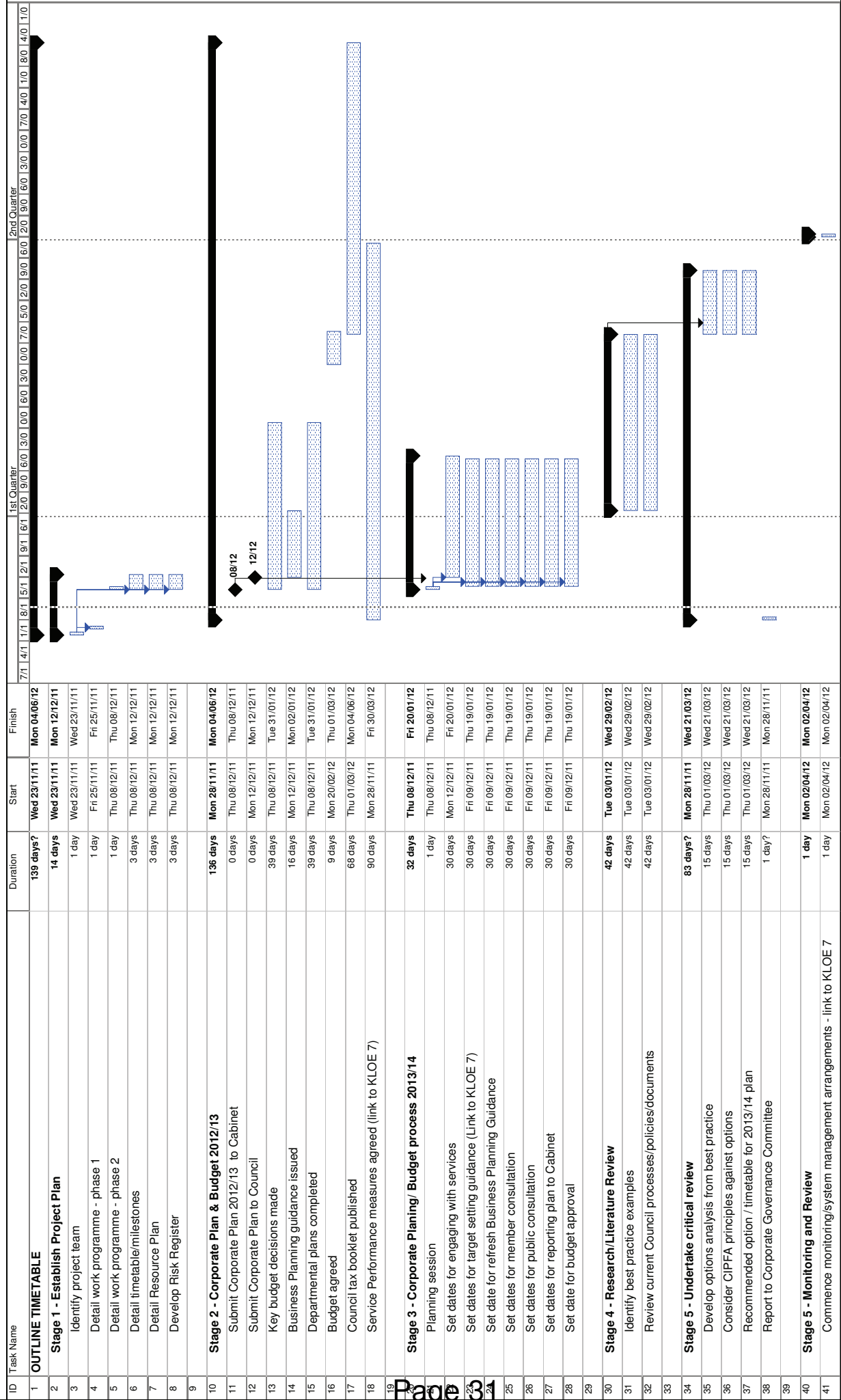
Deadline

Page 3 of 4





# KLOE 1 ALIGNMENT OF CORPORATE PLANNING & BUDGET SETTING - OUTLINE KLOE PROJECT WORKPLAN



Project: CGI outline plan  
Date: Fri 02/12/11

Legend:  
 Task: [Solid bar]  
 Split: [Dashed bar]  
 Progress: [Dotted bar]  
 Milestone: [Diamond]  
 Summary: [Thick bar]  
 Project Summary: [Thick bar with arrow]  
 External Tasks: [Thin bar]  
 External Milestone: [Thin bar with diamond]  
 Deadline: [Arrow pointing right]  
 Progress Milestone: [Diamond with arrow]

Page 1

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# KLOE 2 REVIEW CODE OF CORPORATE GOVERNANCE - OUTLINE PROJECT WORKPLAN

ID	Task Name	Duration	Start	Finish	1st Quarter
1	<b>CGI Outline Plan KLOE 2</b>	52 days	Mon 28/11/11	Tue 07/02/12	4/1   1/1   8/1   5/1   2/1   9/1   6/1   2/0   9/0   6/0   3/0   0/0   3/0   0/0
2	<b>Stage 1 - Establish Project Plan</b>	5 days	Mon 28/11/11	Fri 02/12/11	
3	Identify project team	5 days	Mon 28/11/11	Fri 02/12/11	
4	Detail work programme	5 days	Mon 28/11/11	Fri 02/12/11	
5	Detail timetable/milestones	5 days	Mon 28/11/11	Fri 02/12/11	
6	Detail Resource Plan	5 days	Mon 28/11/11	Fri 02/12/11	
7	Develop Risk Register	5 days	Mon 28/11/11	Fri 02/12/11	
8					
9	<b>Stage 2 - Research/Literature Review</b>	15 days	Mon 05/12/11	Fri 23/12/11	
10	Research local authority practice/models	15 days	Mon 05/12/11	Fri 23/12/11	
11					
12	<b>Stage 3 - Undertake critical review</b>	16 days	Mon 26/12/11	Mon 16/01/12	
13	Review the status of the Code of Corporate Governance	16 days	Mon 26/12/11	Mon 16/01/12	
14	Review the status of the supporting documents (policies and procedures)	16 days	Mon 26/12/11	Mon 16/01/12	
15	Appraisal and analysis of the evidence	16 days	Mon 26/12/11	Mon 16/01/12	
16	Consider best option recommendation	16 days	Mon 26/12/11	Mon 16/01/12	
17	Report to Corporate Governance Committee	1 day	Mon 16/01/12	Mon 16/01/12	
18					
19	<b>Stage 4 - Implementation plan</b>	16 days	Tue 17/01/12	Tue 07/02/12	
20	Develop implementation plan / monitoring & review arrangements	15 days	Tue 17/01/12	Mon 06/02/12	
21	Report Plan to Corporate Governance Committee for Approval	1 day	Tue 07/02/12	Tue 07/02/12	
22					
23	<b>Stage 5 - Monitoring and Review</b>	0 days	Tue 07/02/12	Tue 07/02/12	

Project: CGI outline plan  
Date: Fri 02/12/11

External Tasks

External Milestone

Deadline

Task

Split

Progress

Milestone

Summary

Project Summary

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# KLOE 3 REVIEW RELATIONSHIP BETWEEN DEVOLVED AND CENTRAL FUNCTIONS - OUTLINE PROJECT WORKPLAN

ID	Task Name	Duration	Start	Finish	1st Quarter
1	<b>CGI Outline Plan KLOE 3</b>	52 days	Mon 28/11/11	Tue 07/02/12	4/1   1/1   8/1   5/1   2/1   9/1   6/1   2/0   9/0   6/0   3/0   0/0   3/0   0/0
2	<b>Stage 1 - Establish Project Plan</b>	5 days	Mon 28/11/11	Fri 02/12/11	
3	Identify project team	5 days	Mon 28/11/11	Fri 02/12/11	
4	Confirm project scope	5 days	Mon 28/11/11	Fri 02/12/11	
5	Detail / confirm timetable/milestones	5 days	Mon 28/11/11	Fri 02/12/11	
6	Detail Resource Plan	5 days	Mon 28/11/11	Fri 02/12/11	
7	Develop Risk Register	5 days	Mon 28/11/11	Fri 02/12/11	
8					
9	<b>Stage 2 - Research/Literature Review</b>	15 days	Mon 05/12/11	Fri 23/12/11	
10	Map current status of devolved / central services	15 days	Mon 05/12/11	Fri 23/12/11	
11	Identify best / model practice examples	15 days	Mon 05/12/11	Fri 23/12/11	
12	Engage with service depts / corporate services	15 days	Mon 05/12/11	Fri 23/12/11	
13					
14	<b>Stage 3 - Undertake critical review</b>	16 days	Mon 26/12/11	Mon 16/01/12	
15	Review Council practice through critical appraisal based on stage 3	16 days	Mon 26/12/11	Mon 16/01/12	
16	Develop options analysis	16 days	Mon 26/12/11	Mon 16/01/12	
17	Consider best option recommendation	16 days	Mon 26/12/11	Mon 16/01/12	
18	Report to Corporate Governance Committee	1 day	Mon 16/01/12	Mon 16/01/12	
19					
20	<b>Stage 4 - Implementation plan</b>	16 days	Tue 17/01/12	Tue 07/02/12	
21	Develop implementation plan / monitoring & review arrangements	15 days	Tue 17/01/12	Mon 06/02/12	
22	Report Plan to Corporate Governance Committee for Approval	1 day	Tue 07/02/12	Tue 07/02/12	
23					
24	<b>Stage 5 - Monitoring and Review</b>	0 days	Tue 07/02/12	Tue 07/02/12	07/02

Project: CGI outline plan  
Date: Fri 02/12/11

External Tasks

External Milestone

Deadline

Task

Split

Progress

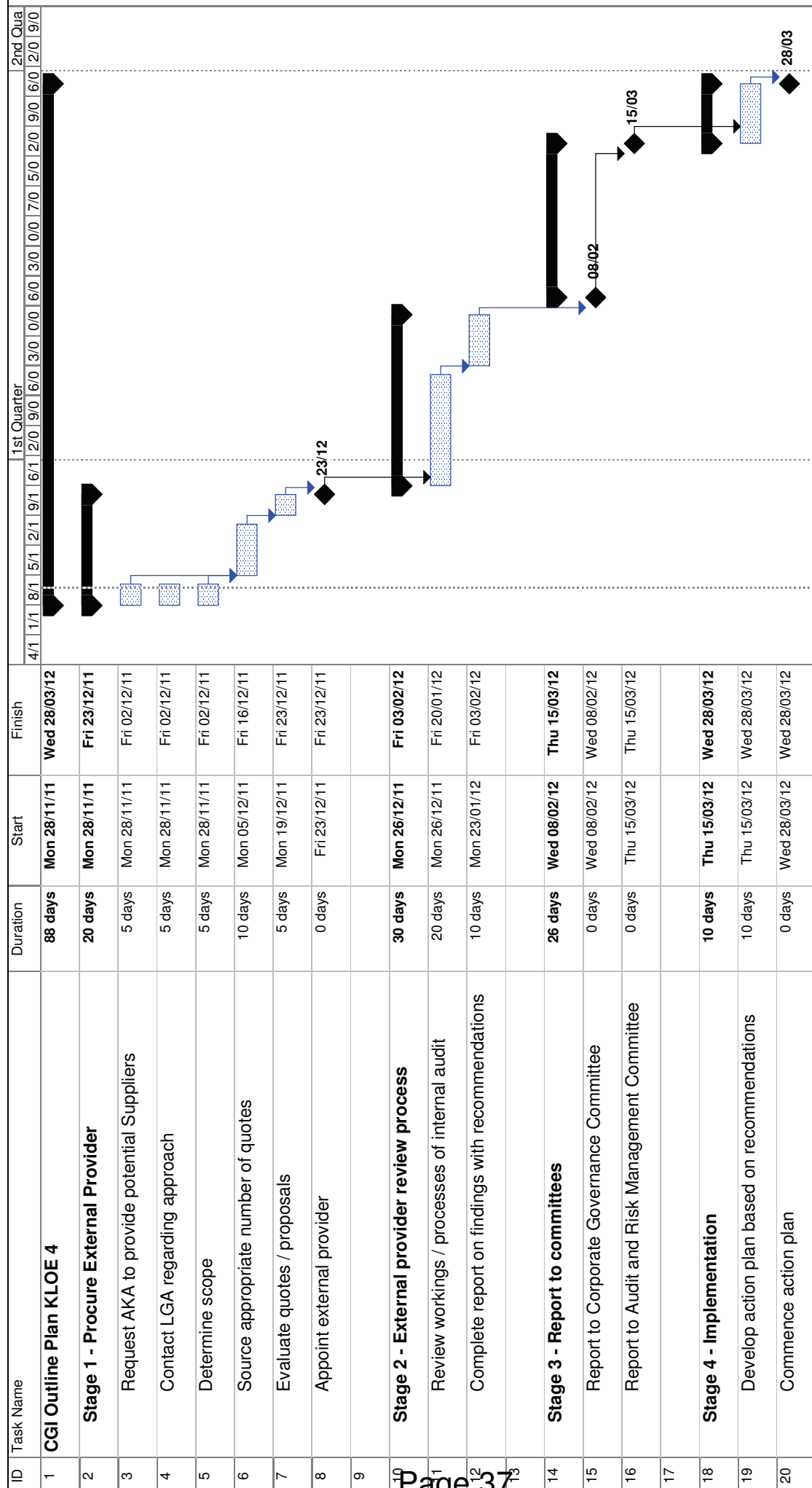
Milestone

Summary

Project Summary

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# KLOE 4 REVIEW OF INTERNAL AUDIT - OUTLINE PROJECT WORKPLAN



Project: CGI outline plan  
Date: Fri 02/12/11

Task  
 Split  
 Progress

Milestone  
 Summary  
 Project Summary

External Tasks  
 External Milestone  
 Deadline

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# KLOE 5 REVIEW OF POLICY - OUTLINE PROJECT WORKPLAN

ID	Task Name	Duration	Start	Finish
1	<b>CGI Outline plan KLOE 5</b>	110 days	Mon 28/11/11	Fri 27/04/12
2	<b>Stage 1 - Establish Project Plan</b>	5 days	Mon 28/11/11	Fri 02/12/11
3	Confirm project team	5 days	Mon 28/11/11	Fri 02/12/11
4	Detail work programme	5 days	Mon 28/11/11	Fri 02/12/11
5	Detail timetable/milestones	5 days	Mon 28/11/11	Fri 02/12/11
6	Detail Resource Plan	5 days	Mon 28/11/11	Fri 02/12/11
7	Develop Risk Register	5 days	Mon 28/11/11	Fri 02/12/11
8				
9	<b>Stage 2 - Review best practice / literature and current resources</b>	10 days	Mon 05/12/11	Fri 16/12/11
10	Identify good practice examples	10 days	Mon 05/12/11	Fri 16/12/11
11	Make contact with policy units in high performing Councils	10 days	Mon 05/12/11	Fri 16/12/11
12	Map existing approach to current Council policy processes / documents	10 days	Mon 05/12/11	Fri 16/12/11
13	Identify outputs and outcomes for the new policy unit	10 days	Mon 05/12/11	Fri 16/12/11
14	Identify success criteria	10 days	Mon 05/12/11	Fri 16/12/11
15				
16	<b>Stage 3 - Options Appraisal</b>	63 days	Mon 19/12/11	Thu 15/03/12
17	Consider findings from review process	10 days	Mon 19/12/11	Fri 30/12/11
18	Construct options for policy unit	5 days	Mon 02/01/12	Fri 06/01/12
19	Assess against existing resources	5 days	Mon 09/01/12	Fri 13/01/12
20	Seek views of stakeholders	5 days	Mon 16/01/12	Fri 20/01/12
21	Report options / recommendations to CG committee	0 days	Tue 07/02/12	Tue 07/02/12
22	Report to Cabinet	0 days	Thu 15/03/12	Thu 15/03/12
23				
24	<b>Stage 4 - Formation of Policy Unit</b>	43 days	Mon 23/01/12	Thu 22/03/12
25	Construct job descriptions for Policy Unit staff	3 days	Mon 23/01/12	Wed 25/01/12
26	Engage with HR	10 days	Thu 26/01/12	Wed 08/02/12
27	Report to Employment and Appointments Committee	0 days	Thu 22/03/12	Thu 22/03/12
28				
29	<b>Stage 5 - Implementation</b>	65 days	Mon 30/01/12	Fri 27/04/12
30	Develop quarterly review process for Corporate Policy Unit	5 days	Mon 30/01/12	Fri 03/02/12
31	Establish unit through recruitment/redeployment of staff	25 days	Mon 26/03/12	Fri 27/04/12

Project: CGI outline plan  
Date: Fri 02/12/11

External Tasks

External Milestone

Summary

Project Summary

Progress

Milestone

Deadline

Page 1

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## KLOE 6 REVIEW OF COMMITTEE SERVICES - OUTLINE PROJECT WORKPLAN

ID	Task Name	Duration	Start	Finish	1st Quarter	2nd
					4/1   1/1   8/1   15/1   2/1   9/1   16/1   2/0   9/0   6/0   3/0   0/0   6/0   3/0   0/0   7/0   5/0   2/0   9/0   6/0   2/0	
1	<b>CGI outline plan KLOE 6</b>	82 days	Mon 28/11/11	Wed 21/03/12		
2	<b>Stage 1 - Establish Project Plan</b>	5 days	Mon 28/11/11	Fri 02/12/11		
3	Establish lead project team	5 days	Mon 28/11/11	Fri 02/12/11		
4	Establish working group (stakeholders, members, relevant officers)	5 days	Mon 28/11/11	Fri 02/12/11		
5	Detail timetable/milestones	5 days	Mon 28/11/11	Fri 02/12/11		
6	Detail Resource Plan	5 days	Mon 28/11/11	Fri 02/12/11		
7	Develop Risk Register	5 days	Mon 28/11/11	Fri 02/12/11		
8						
9	<b>Stage 2 - Review Current / Best Practice</b>	20 days	Mon 05/12/11	Fri 30/12/11		
10	Detail current arrangements (including financial information)	10 days	Mon 05/12/11	Fri 16/12/11		
11	Detail use and scope of Modern.Gov	10 days	Mon 05/12/11	Fri 16/12/11		
12	Identify best practice	10 days	Mon 19/12/11	Fri 30/12/11		
13	Undertake benchmarking exercise	10 days	Mon 19/12/11	Fri 30/12/11		
14						
15	<b>Stage 3 - Critical Review</b>	37 days	Mon 09/01/12	Wed 29/02/12		
16	Identify initial priorities, key issues and areas for improvement	10 days	Mon 09/01/12	Fri 20/01/12		
17	Review priorities / issues against CIPFA principles	10 days	Mon 09/01/12	Fri 20/01/12		
18	Detail key aims and objectives (including needs to be met)	10 days	Mon 09/01/12	Fri 20/01/12		
19	Develop options analysis from best practice to meet aims / objectives	10 days	Mon 23/01/12	Fri 03/02/12		
20	Consider CIPFA principles against options developed	10 days	Mon 23/01/12	Fri 03/02/12		
21	Evaluate resource and financial implications re options developed	5 days	Mon 06/02/12	Fri 10/02/12		
22	Recommend preferred options	6 days	Mon 13/02/12	Mon 20/02/12		
23	Report to Corporate Governance Committees	0 days	Wed 29/02/12	Wed 29/02/12		
24						
25	<b>Stage 4 - Implementation plan</b>	14 days	Thu 01/03/12	Wed 21/03/12		
26	Develop implementation plan / monitoring & review arrangements	8 days	Thu 01/03/12	Mon 12/03/12		
27	Report Plan to Corporate Governance Committee for Approval	0 days	Wed 21/03/12	Wed 21/03/12		

Project: CGI outline plan  
Date: Fri 02/12/11

Task Progress Milestone Split

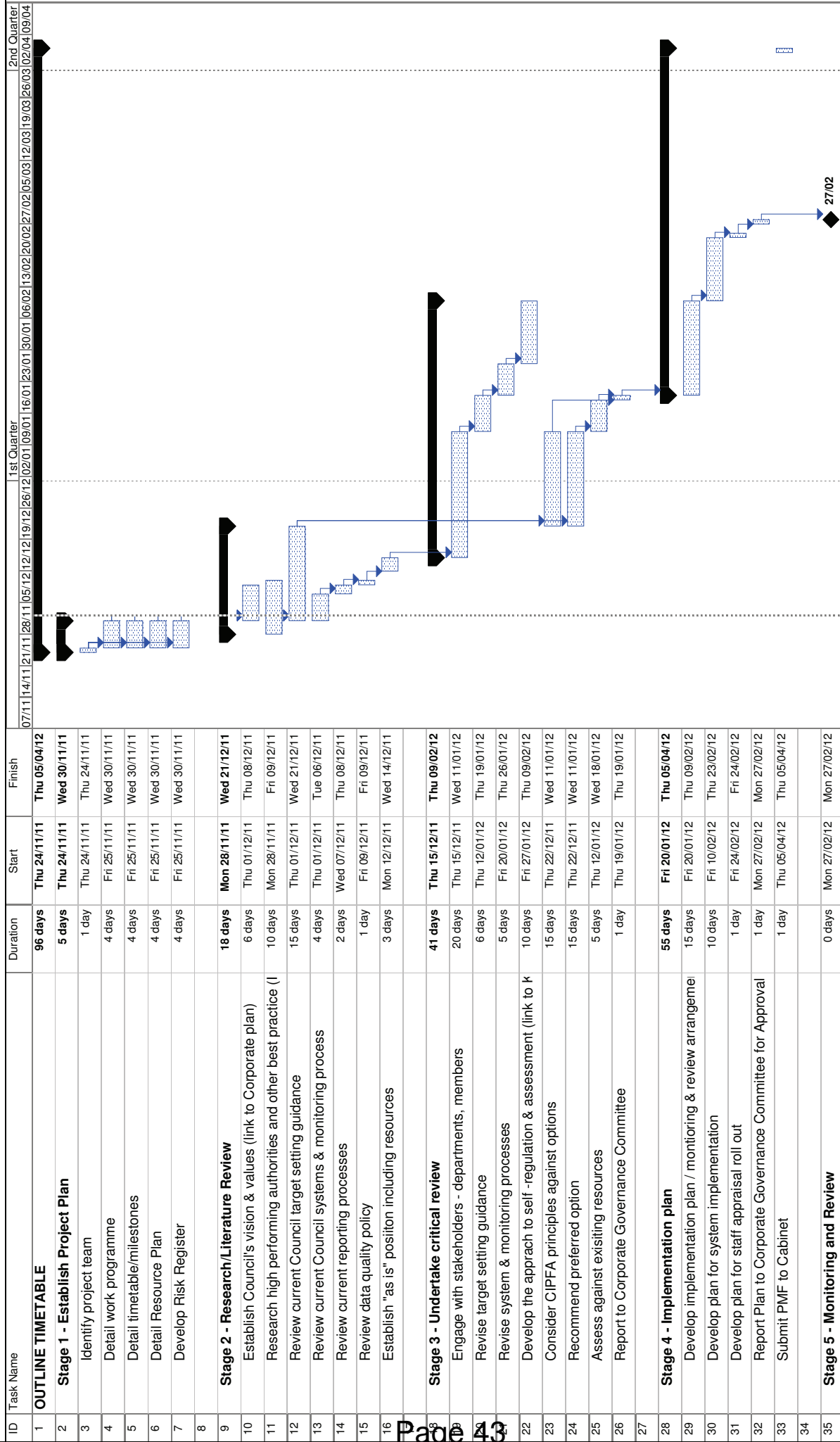
Summary Project Summary

External Tasks Deadline

External Milestone

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# KLOE 7 PERFORMANCE REVIEW OUTLINE PROJECT WORKPLAN



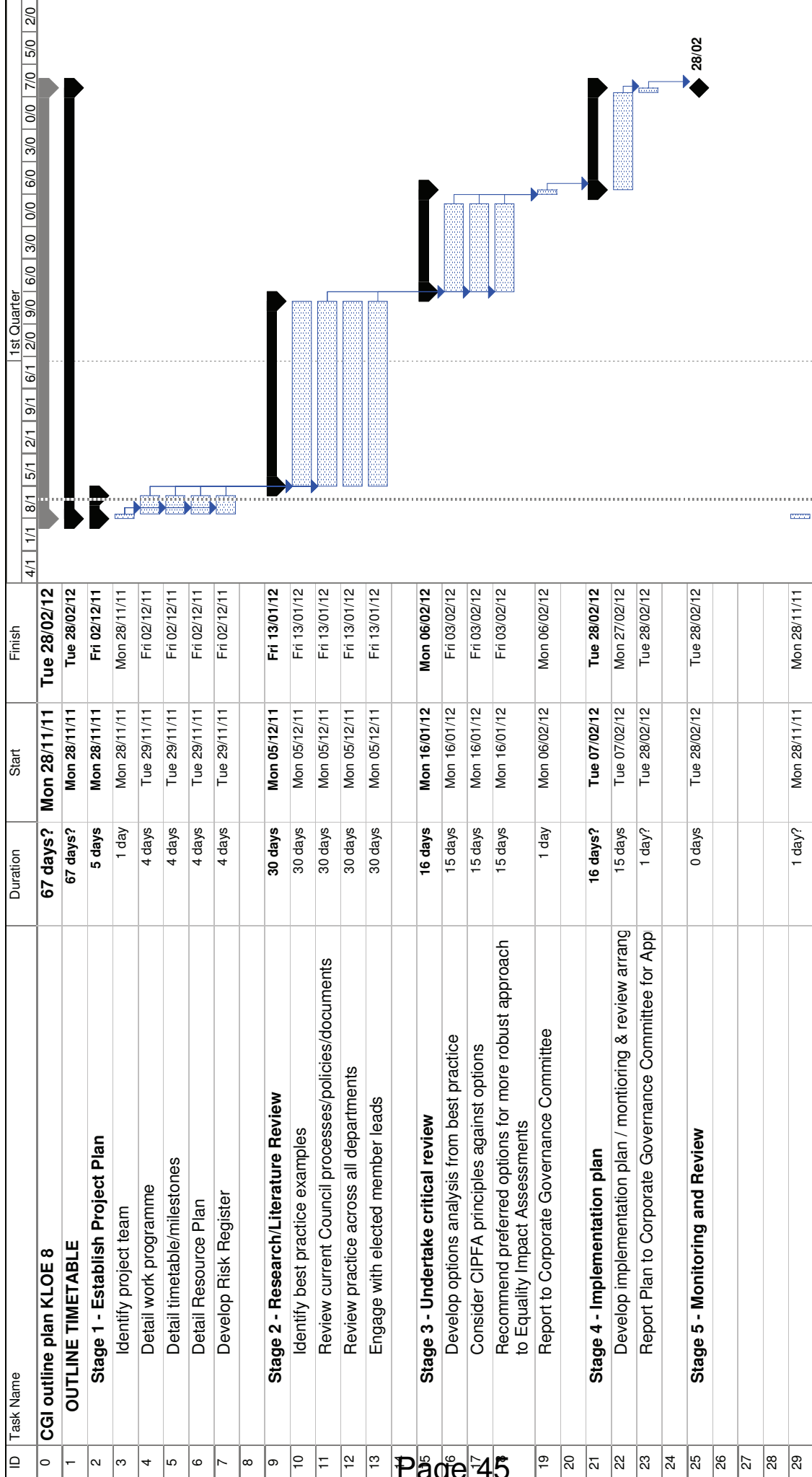
Project: CGI outline plan  
Date: Fri 02/12/11

Legend:

- Task: Solid bar
- Split: Dashed bar
- Progress: Patterned bar
- Milestone: Diamond
- Summary: Thick solid bar
- Project Summary: Thick dashed bar
- External Tasks: Thin solid bar
- External Milestone: Thin diamond
- Deadline: Arrow

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# KLOE 8 REVIEW OF EQUALITIES - OUTLINE PROJECT WORKPLAN



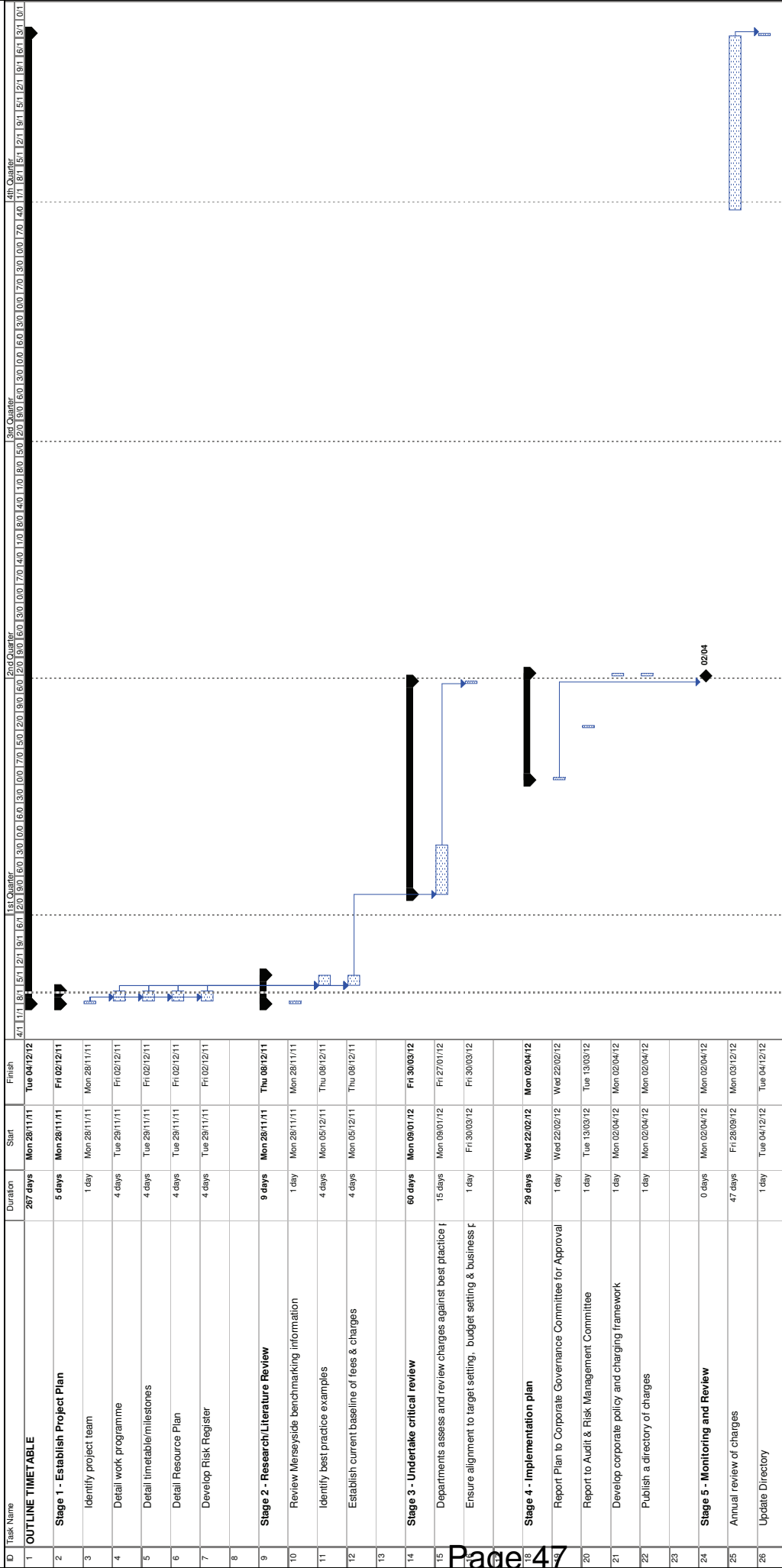
Project: CGI outline plan KLOE 8  
Date: Fri 02/12/11

Task Milestone External Tasks  
Split Summary External Milestone  
Progress Project Summary Deadline

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**KLOE 9 FEES & CHARGES - OUTLINE PROJECT WORKPLAN**



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# KLOE 10 MEMBER DEVELOPMENT/CAPACITY - OUTLINE PROJECT WORKPLAN

ID	Task Name	Duration	Start	Finish
1	<b>CGI outline plan KLOE 10</b>	90 days	Mon 28/11/11	Mon 02/04/12
2	<b>Stage 1 - Project Set Up</b>	5 days	Mon 28/11/11	Fri 02/12/11
3	Confirm project delivery team	5 days	Mon 28/11/11	Fri 02/12/11
4	Detail work programme, timetable and milestones	5 days	Mon 28/11/11	Fri 02/12/11
5	Detail resource plan and risk register	5 days	Mon 28/11/11	Fri 02/12/11
6				
7	<b>Stage 2 - Develop programme of activity</b>	41 days	Mon 05/12/11	Mon 30/01/12
8	Member Training Group meets DCX to set out processes to establish member development programme	10 days	Mon 05/12/11	Fri 16/12/11
9	Make preparations for Cabinet Member open door sessions	5 days	Mon 05/12/11	Fri 09/12/11
10	Cabinet member open door drop-in sessions with officers and partners	35 days	Tue 13/12/11	Mon 30/01/12
11	Commencement of Cabinet and Chief Officer discussion forum on corporate governance	35 days	Tue 13/12/11	Mon 30/01/12
12				
13	<b>Stage 3 - Options Appraisal</b>	57 days	Mon 02/01/12	Wed 21/03/12
14	Commission external support to collate / analyse Member views regarding development programme	10 days	Mon 02/01/12	Fri 13/01/12
15	Report to CG Committee to approve scope of member development programme	0 days	Wed 08/02/12	Wed 08/02/12
16	External support commissioned to deliver member development programme	20 days	Thu 09/02/12	Wed 07/03/12
17	Brief CG Committee on outcome of external commission / member development programme	0 days	Wed 21/03/12	Wed 21/03/12
18				
19	<b>Stage 4 - Implementation plan</b>	0 days	Mon 02/04/12	Mon 02/04/12
20	Member development programme launched	0 days	Mon 02/04/12	Mon 02/04/12

Project: CGI outline plan  
Date: Fri 02/12/11

Task Split

Progress Milestone

Summary Project Summary

External Tasks External Milestone

Deadline

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## WIRRAL COUNCIL

### CORPORATE GOVERNANCE CABINET COMMITTEE

7<sup>TH</sup> DECEMBER 2011

<b>SUBJECT:</b>	<b>PERFORMANCE MANAGEMENT: DELIVERING THE COUNCIL'S VISION AND VALUES</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>CHIEF EXECUTIVE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER: RESPONSIBLE CORPORATE GOVERNANCE COMMITTEE MEMBER</b>	<b>CLLR ADRIAN JONES CLLR ANNE McARDLE</b>
<b>KEY DECISION:</b>	<b>No</b>

#### **1.0 EXECUTIVE SUMMARY**

1.1 This report sets out proposals to ensure that the Council's performance management processes will drive the delivery of the Council's vision and values and also enable corporate governance improvements to be reflected in all areas of performance. Key strands of this work include ensuring strong linkage of the Performance Management Framework with the Corporate Plan, the Strategic Change Programme and the work of the Corporate Governance Improvement Programme as a whole.

#### **2.0 RECOMMENDATIONS**

The Cabinet Committee agrees that:

- 2.1 The proposed Values and Behaviours, PERFORM, be reviewed in the context of the 2012/13 Corporate Plan and that the revised Vision and Values should clearly underpin the performance management framework.
- 2.2 The proposed performance improvement framework be reviewed to ensure that it fully reflects the revised values and behaviours and that Corporate Governance issues and improvements are embedded in the Corporate Planning process.
- 2.3 A programme of quarterly review and challenge of performance against Corporate and Departmental Plans is developed to ensure that progress in the achievement of outcomes is monitored and supported. An outline of key actions is detailed in appendix1.
- 2.4 The proposed organisational development process is reviewed to ensure that it supports the delivery of the outcomes reflected in the hierarchy of plans – Corporate, Departmental, Service and individual.

### **3.0 REASON FOR RECOMMENDATIONS**

- 3.1 To ensure that the proposed performance management framework for the Council fully reflects the Vision and Values as set out in the Corporate Plan for 2012/13 and that Corporate Governance issues are embedded in all aspects of the framework.

### **4.0 BACKGROUND AND KEY ISSUES**

#### **4.1 Background**

The last meeting of the Corporate Governance Committee on the 26<sup>th</sup> October considered a report on performance management. A number of proposed actions for progressing the proposed Performance Improvement Framework were noted and this included tools such as performance appraisal, a development process, and leadership and management expectations.

The Committee resolved that performance management should be considered holistically alongside the Council's wider performance issues and in the context of the Committee's work programme as a whole. As a result this report sets out proposals for ensuring that performance management is firmly located within the context of driving the delivery of the Council's ambitions, goals and outcomes as set out within its Corporate Plan and is reflected consistently in the supporting departmental plans and strategies. It also outlines proposals for ensuring that corporate governance improvements are embedded in the performance management framework.

### **5. Vision and Values**

The Corporate Plan for 2012/13 reflects a clear vision for the Council, setting out its ambitions and what it aims to deliver for the residents of Wirral. It also clearly reflects the values of the organisation. These values underpin the behaviours that are required in order to drive forward the ambitious improvement journey that will be necessary if the Council's vision and outcomes are to be achieved.

The vision and values are therefore the starting point for the development of a performance management framework that measures the progress of the various Plans (Corporate, Departmental, Service and individual) in delivering improvements in outcomes. It is therefore proposed that the document 'PERFORM for Wirral – Our Values' considered by the Committee at the last meeting, be reviewed in the context of the vision and values now set out in the 2012/13 Corporate Plan and a draft revised document be brought back to the Committee in January 2012.

### **6. Corporate Planning Process**

The Performance Improvement Framework currently sets out how the Council's vision and purpose as set out in the Corporate Plan are delivered through the corporate planning process and the Council's performance information management system (PIMS).

The Corporate Plan is part of a hierarchy of documents all of which will need not only to be ambitious, but also to clearly set out the required corporate governance improvements. This will reflect the need to embed corporate governance in the day to day work of all staff so that improvements and learning are reflected in the full range of plans. As a result it is proposed that the current Strategic Change Programme should be reviewed to consider its role within this improvement agenda.

It is also proposed that further work is required to inform the corporate planning process in respect of setting quantitative and qualitative objectives and targets, and this is derived from an evidence base which the Policy Unit will collate on behalf of the Council. These will measure the progress of the various plans in delivering improvements in outcomes, but will also have regard to management issues such as:

- People – appraisals, grievances, vacancies;
- Budgets – delivery of budget savings, proof of value for money;
- Property assets – plans and achievements for transformation of the Council's asset base;
- Governance processes – breaches of standing orders, HR protocols etc, delivery of reports as set out in the forward plan, number of reports rejected by Cabinet/Lead Member;
- Procurement – the number of contracts due for renewal, number of short notice contract renewals;
- Evidence – use of evidence to support policy change/development.

## **7. Review Process**

- 7.1 The Corporate Plan vision requires staff not just to manage performance but to positively change performance to ensure that where necessary lessons are learned and improvements are made. It is proposed that this level of accountability should be reflected in the performance management process and that Members adopt a quarterly review and robust discussion and challenge approach to the achievement of the delivery of plans.
- 7.2 This process could include a quarterly report to Cabinet as to the progress in the achievement of the Corporate Plan, supported by reviews of each Departmental Plan and Service Plan which would flow through to reviews of team plans and then to individual appraisals. It is proposed that these proposals are developed further with the proposed templates, detailed framework and timelines being brought back to committee in January 2012.

## **8. Organisational Development Process**

Work is underway to put in place a robust development process to improve the performance of the workforce. This includes clarifying expectations of employees, ensuring that they are able to improve performance through learning and feedback and supporting the delivery of the elements of the performance framework set out in the above sections.

It is proposed that this work is fully informed by the proposals being developed to address the cultural issues that have been raised through the Corporate Governance report, including the proposal to carry out work to assess the current 'culture' within

Wirral. It will also link closely with proposals resulting from the AKA report, which appears separately on this agenda, setting out additional actions to be included as part of the Council's improvement programme.

## **9.0 RELEVANT RISKS**

- 9.1 Failure to develop and implement and effective performance management processes may mean that weaknesses in corporate governance identified in the Corporate Governance report are not appropriately addressed. It may also mean that the vision and values outlined in the Council's Corporate Plan will not be delivered.

## **10.0 OTHER OPTIONS CONSIDERED**

- 10.1 Not applicable

## **11.0 CONSULTATION**

- 11.1 This is an overarching strategy for performance management and is an integral part of the Corporate Governance Improvement Plan and as such opportunities for members to review progress by engaging with officers and citizens is included in the detailed programme.
- 11.2 Where appropriate, external agencies, councillors and officers from other authorities will be consulted and asked to share knowledge.

## **12.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 12.1 There are no implications for voluntary, community and faith group arising directly from this report.

## **13.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 13.1 **FINANCIAL:** There will be a cost to the Council if external resources to implement the programme are required.
- 13.2 **IT:** None Identified.
- 13.3 **STAFFING:** Significant senior resources will be required to implement the programme.

## **14.0 LEGAL IMPLICATIONS**

- 14.1 There are no legal implications arising from this report.

## **15.0 EQUALITIES IMPLICATIONS**

- 15.1 There are no implications for equalities arising directly from this report.

## **16.0 CARBON REDUCTION IMPLICATIONS**

- 16.1 There are no carbon reduction implications arising directly from this report.



## 17.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

17.1 There are no carbon reduction implications arising directly from this report.

**REPORT AUTHOR:** Jim Wilkie  
Chief Executive  
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Email: jimwilkie@wirral.gov.uk

## APPENDIX 1

### Outline Action Plan

Action	Date
Agree membership & TOR for Review Group	Mid January 2012
Undertake Quarter 3 review	Mid January 2012
Undertake Quarter 4 / end of year review	Mid April 2012
Agree quarterly review dates for 2012/13 – in line with KLOE 1, 5 & 7	05 April 2012

## REFERENCE MATERIAL

Previous Council and Cabinet reports as detailed in the subject history below

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date
AKA Report , Cabinet	22 September 2011

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