

<b>Report to :</b>	<b>OVERVIEW PANEL</b>
<b>Date :</b>	1 August 2023
<b>Report of:</b>	Cllr Gerald P. Cooney – Executive Leader Sandra Stewart – Chief Executive
<b>Subject :</b>	<b>CONSULTATION ON STATUTORY GUIDANCE FOR LOCAL AUTHORITIES ON BEST VALUE DUTY</b>
<b>Report Summary :</b>	<p>The Department for Levelling Up, Housing and Communities (DLUHC) has launched a consultation regarding new statutory guidance on the Best Value duty. The draft guidance and the consultation questions are attached at <b>Appendix 1</b> and <b>Appendix 2</b> respectively. The guidance outlines 7 key principles of Best Value and provides a set of characteristics of well-functioning authorities and indicators of failure (pages 15-21). Similar to the old Audit Commission approach, albeit less wide-ranging and not part of a formal process of regular assessment and rating. Rather the guidance will be used by the department to gain assurance, and to identify appropriate levels of engagement (pages 22-28) or intervention where necessary (pages 29-35, and Annex A).</p> <p>It is clear from the draft guidance and the establishment of the new Office for Local Government (Oflog) that DLUHC are taking a more proactive approach to oversight and assurance of local government – including a tighter role for the Local Government Association (LGA) and their peer challenge framework (which Tameside Council is due to have later this year). Similarly it provides a clear framework for local authorities to self-check and assure.</p> <p>The council will make a formal organisational response. The Overview Panel are asked to review the draft guidance and highlight any thoughts they want to be reflected in the council response to DLUHC.</p>
<b>Recommendations :</b>	That the Overview Panel note the report and provide feedback to be included in the Tameside Council response to the Department for Levelling Up, Housing and Communities (DLUHC).
<b>Links to Corporate Plan:</b>	The new guidance will inform the development and ongoing monitoring and delivery of the Corporate Plan.
<b>Policy Implications :</b>	The report has policy implications in a number of areas across the whole council as it outlines the key principles of good governance and Best Value that all services need to give due regard to.
<b>Financial Implications :</b> <b>(Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	There are no direct financial implications as a result of this report. Any changes to policy or service delivery arising from the new guidance will need to be accommodated within existing budgets and/or be subject to a separate report.
<b>Legal Implications :</b> <b>(Authorised by the Borough Solicitor)</b>	<p>Part 1 of the Local Government Act 1999 (“the 1999 Act”) defines the Best Value Duty as requiring councils to “make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness”</p> <p>The scope of this duty is wide including delivering a balanced budget, providing statutory services, including adult social care and children’s</p>

services, and securing value for money in all spending decisions.

**Risk Management :**

A codified, clearly understood and effectively implemented strategic delivery and performance framework contributes to good governance and the achievement of better outcomes. The absence of such a framework risks service failure for residents and reputational damage for the council. The council is development a new strategic delivery and performance framework which will sit alongside and pay due regard to this new guidance.

**Access to Information :**

The background papers relating to this report can be inspected by contacting Simon Brunet, Head of Policy.



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