

Consultation questions – final

Introduction

Q1. What is your name?

Q2. What is your organisation?

Q3. Are you answering the consultation as?

- An individual with personal interest
- An individual as a member of an organisation
- An Upper Tier Local Authority
- A Lower Tier Local Authority
- Other – please specify
- Comments

Q4. From the list below, where are you or your organisation based?

- London
- South East
- North West
- East of England
- West Midlands
- South West
- Yorkshire and the Humber
- East Midlands
- North East
- National

Scope of the guidance

This statutory guidance has been developed for local authorities, including combined authorities and combined county authorities, in England. However, all best value authorities should bear its principles in mind.

Q5. Do you agree that the principles in section 4 should apply to all best value authorities?

- a. Yes
- b. No [Please provide reasoning or suggestions below]
- c. Comments

Q6. This statutory guidance has been developed principally for local councils, including combined authorities. However, all best value authorities should be mindful of the principles set out in this document. Would further published guidance be welcome for other best value authorities to set out the application of best value duty given their specific responsibilities, structures and context? These include national park, fire, rescue, waste disposal, integrated and sub-

national transport authorities, the London Fire Commissioner and Transport for London.

- a. Yes [Please specify which type of authority and why]
- b. No
- c. Comments

Principles

The government's approach to ensuring all authorities carry out their functions in compliance with the Best Value Duty is based on seven principles. These principles are local accountability, continuous improvement, openness to challenge and support, expectations, prevention, moral hazard and default commissioner powers and de-escalation.

Q7. Do you agree with the seven principles proposed in section 4?

- a. Yes
- b. No [Please provide reasoning or suggestions below]
- c. Comments

Defining best value

The statutory guidance sets out seven overlapping themes of good practice for running an authority that meets and delivers best value. These best value themes are continuous improvement, leadership, governance, culture, use of resources, service delivery, and partnerships and community engagement.

Q8. Do you agree with the seven best value themes? [Diagram 1, Section 5]?

- a. Yes
- b. No [Please provide reasoning or suggestions below]
- c. Comments

Q9. Do you agree with the suggested key characteristics of a well-run authority and key indicators of failure in relation to continuous improvement? [Table 1, Section 5]

- a. Yes
- b. No [Please provide reasoning or suggestions below]
- c. Comments

Q10. Do you agree with the suggested key characteristics of a well-run authority and potential indicators of failure in relation to leadership? [Table 2, Section 5]

- a. Yes
- b. No [Please provide reasoning or suggestions below]
- c. Comments

Q11. Do you agree with the proposed characteristics of a well-run authority and potential indicators of failure in relation to governance? [Table 3, Section 5]

- a. Yes
- b. No [Please provide reasoning or suggestions below]
- c. Comments

Q12. Do you agree with the proposed characteristics of a well-run authority and potential indicators of failure in relation to culture? [Table 4, Section 5]

- a. Yes
- b. No [Please provide reasoning or suggestions below]
- c. Comments

Q13. Do you agree with the proposed characteristics of a well-run authority and potential indicators of failure in relation to efficient use of resources? [Table 5, Section 5]

- a. Yes
- b. No [Please provide reasoning or suggestion below]
- c. Comments

Q14. Do you agree with the proposed characteristics of a well-run authority and potential indicators of failure in relation to service delivery? [Table 6, Section 5]

- a. Yes
- b. No [Please provide reasoning or suggestion below]
- c. Comments

Q15. Do you agree with the proposed characteristics of a well-run authority and potential indicators of failure in relation to partnerships and community engagement? [Table 7, Section 5]

- a. Yes
- b. No [Please provide reasoning or suggestion below]
- c. Comments

Q16. The seven themes have a description, characteristics of a well-run authority and indicators of potential failure [Tables 1-7, Section 5]. Which, if any, of the proposed characteristics and indicators of failure do you think are priorities and the strongest indicators of best value?

- a. Comments

Q17. Many of these indicators are measured by metric but there is scope to identify more to more accurately assess Best Value. What do you think are the top most appropriate quantitative metrics for monitoring Best Value, against the indicators in section 5?

- a. Comments

Q18. The guidance sets out a number of characteristics and indicators across the seven themes in section 5. If certain characteristics or indicators were to

be identified as key, and more important than others in achieving Best Value, what would the risks be to this approach? The department is mindful of proportionality and the need to ensure the full context and circumstances of each case is taken into account, and is clear that no single characteristic or indicator automatically results in actions relating to the use of Best Value powers. How could any risks be further mitigated?

a. Comments

Assurance and early engagement

Q19. Are you happy with the level of clarity and detail in the description of statutory and non-statutory Best Value Notices? [Section 6]

a. Yes

b. No [Please provide reasoning or suggestion below]

c. Comments

Q20. Besides those mentioned in section 5, are there other ways in which the government could engage earlier with individual local authorities to prevent any challenges experienced from escalating?

a. Yes [Please provide suggestions below]

b. No

c. Comments

Q21. Based on lessons learned from interventions to date, the guidance proposes that where authorities are unable to correct failure in specific services, such as social care or education, for two years, this is potentially symptomatic of wider governance and leadership failure and the department should consider the authority's compliance with the Best Value duty. Do you agree that two years is a reasonable timeframe to consider whether an authority's service performance may impact its ability to deliver Best Value? [Section 6, para 32]

a. Yes

b. No [Please provide reasoning or suggestion below]

c. Comments

Evidencing failure

Q22. Is the description of a Best Value Inspection sufficiently clear? [Section 7 and Annex A]

a. Yes

b. No [Please provide reasoning or suggestion below]

c. Comments

Q23. Is the description of independent reports sufficiently clear?

a. Yes

b. No [Please provide reasoning or suggestion below]

c. Comments

Models of intervention

Q24. Are the models of intervention described in this guidance clear in terms of description, purpose and scenario when they would be applied? [Section 8]

- a. Yes
- b. No [Please provide reasoning or suggestion below]
- c. Comments

Exiting intervention

Q25. Do you agree with the position that interventions should end as soon as an authority can demonstrate that it can independent sustain its journey of continuous improvement without support?' [Section 9, para 50]

- a. Comments

General

Q26. Are there any areas missing from the statutory guidance that you think would be helpful to include?

- a. Yes [Please provide rational and suggestions below]
- b. No
- c. Comments

Almost done...

You are about to submit your response. By clicking 'Submit Response' you give us permission to analyse and include your response in our results. After you click Submit, you will no longer be able to go back and change any of your answers.

If you provide an email address you will be sent a receipt and a link to a PDF copy of your response.