

Best Value Review Support for the Democratic Process

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Best Value Review Support for the Democratic Process

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Best Value Review Support for the Democratic Process

1. Executive Summary

This Best Value Review is one of the few across the Country that has examined the activities that support the democratic process. The full range of activities which support the democratic processes in Rotherham have been reviewed in line with Best Value principles. The Review was carried out between April and December 2003 during a period of unprecedented change within the Council. For example, the establishment of a strategic partnering arrangement with a commercial organisation has resulted in changes for employees, changes in service delivery with a view to a more cost effective efficient way of working.

The review has provided an opportunity to consider current and future requirements of how best to provide support to Members, to enable them to carry out their differing and developing roles.

Elected Members have been actively involved in this review, exploring the provision of support currently available in Rotherham, and considering areas for improvement.

The introduction of new Constitutional arrangements, different decision making processes, and changing roles of Councillors has meant it is timely to review the activities that are in place to support the democratic process. The review is in part a response to the capacity issues and concerns raised in the 2002 Comprehensive Performance Assessment report. C.P.A. identified weaknesses relating to and including decision making, Area Assemblies, Member Development, planning and management of meetings.

Recent consultation documents published by The Audit Commission January, 2004, setting out key proposals including a 'Strategic Regulation' approach to C.P.A. from 2005, which provides an appropriate balance between the assessment of both the service delivery and community leadership roles of Councils. Therefore the review is also important in terms of addressing these changes before its next assessment.

In addition the review has been carried out with reference to the programme of work to deliver service improvements as laid out in the Corporate Plan and with reference to the Community Strategy, and the LPSA targets.

The report sets out the key issues that have been considered and describes the work undertaken, through

• Outlining the project Brief for the Review

- Examining the current provision of the services encompassed by the review
- Presenting the outcome of appraising options for service delivery
- Presenting the Improvement Plan for the review

The details, description and analysis of the overall research findings for the review are contained in the Best Value File.

There are a number of key recommendations for improvement arising out of the review; these have been grouped under the CPA action plan priorities. The objectives, outcomes and recommendations of the review are clearly linked to the priorities of the Council, specifically – A Place with Active, involved Communities and the priority for effective, efficient quality of services to be provided.

It is important to point out that many of the identified issues are already being addressed.

In light of the emerging issues identified throughout the life of the review, a number of discrete actions have been taken in parallel with the formal Best Value Review

- Review of the Councils constitution
- Review of the Area Assembly Structure
- A review of the work of Committee Services
- Members have agreed the separation of strategic functions from the operational function of Area Assemblies.
- Strategic Review of Human Resources
- Strategic Review of Legal Services
- Scrutiny Review of Community Leadership

Recommendation

The overall recommendation from the Best Value Review is to keep services supporting the Democratic Process in-house and to implement a whole series of improvements as detailed at point 8 of this report.

Summary

This review sets out to fully research and evaluate all current processes within the Council that support the democratic process. It has been undertaken in line with Best Value Principles and has identified a number of recommendations for improvement for consideration by Elected Members and management.

Members and officers who have been involved in this review are grateful to all those people who contributed and wish to take this opportunity to thank them for their input.

2. Introduction

Changes to legislation and policy, nationally, regionally and locally has led and is leading to changes in the role and method of working in Local Authorities. This inevitably has an impact on key roles of Councillors including their role in the improvement agenda. The Local Government Act 2000 introduced the distinction of roles between executive, scrutiny and area representation, and focused particularly on the community leadership role of the Local Authority and Elected Members.

Skills, experiences, knowledge and abilities of locally Elected Members have become both more important and more complex in terms of carrying out their differing roles. A well-developed democratic process rests on effective support services enabling Members to carry out their role/s, ensuring that the Council delivers high quality public services and gives strong community leadership.

The Best Value Review Officer Group were chosen for their particular involvement in activities supporting the Democratic Process. The group have been supported by a panel of Elected Members, whose role has been to constructively challenge the officer findings, act as consultees in terms of their experience of support to the democratic process. Importantly the Elected Member Working Group have also acted as facilitators to engage their Member colleagues in the review process.

There has also been significant contribution towards the review from both the Electoral Services team and from the Equality Unit within the Council.

The project plan was agreed by the Best Value Working Group and later considered by the Performance and Scrutiny Overview Committee as part of the review definition document on 15th August 2003.

2.1 Reasons for the Review

Following the Corporate Assessment of the Council during December, 2002 there were a number of outcomes from the report which highlighted areas of concern in relation to support to the democratic process;

Main Recommendations of Comprehensive Performance Assessment

In order to set out a clear vision for the people of Rotherham the council should

- Determine a role for area assemblies and ensure that they provide appropriate Community Leadership
- Improve the quality of decision making forums

In order to ensure it has the ability to deliver its priorities the council should

- Ensure that there is an effective system for providing support to the Leader in selection of members to key posts
- Ensure that leading members have the skills to deliver strategic guidance and constructive challenge needed in a modern local authority

2.2 Scope of the Review

The scope of the review was;

- To develop a common understanding of the skills and knowledge of both officers and members to support the democratic process
- Ensure we have clear plans and actions to develop and improve the support for the democratic process
- To measure report and communicate whether the agreed outcomes are being achieved and to challenge the effectiveness of current support.
- To identify the improvements needed for effective support services to address the weaknesses in the Corporate Performance Assessment

The review encompassed;

Area Assemblies

Scrutiny Support Services

Electoral Services

Committee Services

Member Development

Policy Advice

2.3 Objectives of the Review

- To ensure that the Council is taking decisions in accordance with statutory requirements and best practice in a timely manner with all the relevant information, advice and support available.
- To ensure that support and training for Members enables them to carry out their roles efficiently and effectively. It

acknowledges that the role of Members is evolving through the ever-increasing need to work closely with partners and other agencies, and that the support given to Members should be reviewed to enable them to respond to these new challenges.

• To improve the accessibility of the democratic process to the public as a whole and encourage them to become active participants whether through the electoral process or through direct involvement in community issues and with Area Assemblies.

2.4 Measurable Outcomes of the Review

- Ensure the Comprehensive Performance Assessment (CPA) concerns are addressed
- A clear definition of the role of Members and provision of the necessary support services framework to enable them to fulfil that role and to ensure that identified weaknesses are addressed
- Identifiable cost efficiencies that provide a better service to customers with reference to Local Public Service Agreement targets and the need for continuous improvement
- More efficient/transparent decision making process through sound advice and information giving
- Extend community involvement in decision making through better planning and guidance stemming from the consultation strategy
- A robust improvement plan to deliver the above

3. Methodology

The particular approach for this piece of work is essentially qualitative in nature. However, it has been necessary to gather quantitative data in order to establish the baseline position in relation to the cost, sustainability, equality and stakeholders associated with support for the democratic process.

The sustainability assessment considered whether activity associated with support for the democratic process will ensure sustainable community engagement.

The equality assessment examined how successful or otherwise the Council is in engaging the harder to reach members of our community in the democratic process.

We have worked within the framework of the Prince 2-project management method. This entails the setting up of a project board that receive exception reports and monitors progress. The Elected Member Best Value Group have carried out this role. The review has examined those authorities that are considered to provide 'best practice' in terms of support for the democratic process. In carrying out this best value review, all Councillors within RMBC have been invited to share their views/perceptions of the activities supporting the democratic process. Feedback has been sought from the general public on their views of involvement of the democratic process.

A number of published and unpublished papers have also informed the work of the Best Value Review Group.

The research phase included

- Survey of all 66 Councillors
- Reachout Survey
- Area Assembly Survey
- Focus Groups with Elected Members
- One to One/Two with Members
- Review of key strategic documents
- Accessed comparative data for 10 other Local Authorities and visited 3

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- Analysis of current activities
- Stakeholder analysis
- Sustainability analysis

Baseline Evidence

Equalities analysisCost analysis

4. Baseline Information

A baseline assessment was carried out as part of the review (evidence reference). The information was provided by the services identified within the scope of the review. We were also able to draw on information from the IDeA report 1999, Corporate Governance Inspection Report 2001, the District Audit review of Democratic Renewal (2000/01), Comprehensive Performance Assessment 2002 and local Performance Indicators specifically relating to the democratic process.

The baseline information also includes information on the cost of the identified services supporting the democratic process.

The formal review took place between April and December, 2003, with the baseline information being collated throughout the life of the review.

5. The Four C's

We addressed the Best Vale "4 C" Principles (Consult, Challenge, Compare and Compete through the following actions

	Activity	Description	4 Cs
1	Reachout Survey	This is the RMBC Citizens panel survey, invited to share their views on their involvement in the decision making of the Council and the democratic process	Consult Challenge
2	Member Survey	Questionnaire to all 66 elected members, seeking their views on the support to the democratic process	Consult Challenge
3	Member Focus Group One to One/Two	Opportunity for Members to discuss and debate their views on support to the democratic process	Consult
4	Visits to other Local Authorities (Wigan/Tameside/Darlington)	To compare with others, assess the cost effectiveness of support services and explore challenge in relation to service delivery	Compare Challenge Compete
5	Analysis of Support Services Area Assemblies/Scrutiny/Electoral Services/Member Development/Committee Services	Examination of the services supporting the democratic process	Challenge Compare Compete
6	Option Appraisal	Consider options for service delivery	Compete Challenge
7	Market Testing		Compete
8	Area Assembly Survey	Questionnaire through Area Assemblies seeking views on peoples views and involvement of the democratic process	Challenge Consult

6. Findings

What the Review Found

- The review was wide ranging, covered a number of services and considered the views of Elected Members and members of the public. Each service has been examined separately, however the underlying approach has been one of a 'One Council Approach' to support for the Democratic Process. It should be noted that the review found examples of good practice throughout the services. However, the focus here is on those areas identified for improvement and development. For example in the Area Assembly arena some effective community planning was taking place but this is not consistent across the borough. Members feel that there is a lack of understanding about the role and responsibilities of Area Assemblies and that much more needs to be done to focus priorities.
- Other Council services do not link as effectively as they could with Area Assemblies. The lack of clarity about their overall purpose creates barriers to cross working.
- The current arrangements for meetings across the Council do not lend themselves to community involvement in any meaningful way. The time, venues and management of meetings does little to encourage public participation at Councils meetings, be they at Area Assemblies or Scrutiny or other arenas.
- Of the members of the public surveyed through Area Assemblies the majority thinks that public sector organisations at least partially take notice of the views of local people. 63% of respondents felt that the Council listen to the views of the public at least partially. One third feel that the Council are at least good at involving people in making decisions about priorities and future actions.
- The Council spends in excess of £3 million in supporting the Democratic Process. This includes employee's costs, Members allowances and the member development budget. It has been difficult to compare this level of spend with other Authorities given the reluctance of the Council's contacted to share information of this nature. However where comparison has been possible in relation to some aspects of the review, Rotherham (population 249,500) appears to compare favourably, with Darlington (population 100,000) for example in terms of Committee Services support based on per head of population (Rotherham £1.48 per head, Darlington £2.72). It is acknowledged throughout the review that difficulties arise in attempting to compare like with like. Authorities have a range of different structures and arrangements in place to support the democratic process, making comparison problematic.
- In addressing the issues raised in the Comprehensive Performance Assessment (December, 2002) the review considered a number of papers focusing on Community Leadership and Capacity. For example;

• "Support for capacity building for Councils and training Members and officers is an important part of our proposals to see excellent Local Government services and leadership. The Government is determined to ensure that Councils, Members and officers all have the support they need to build their capacity to deliver strong and confident community leadership and high quality public services. In particular there is a need to build up capacity and skills in strategic leadership."

(Strong Local Leadership – Quality Public Services, White Paper December, 2001, paragraph 5.1)

- Members pointed out that given the potential for change in the way services are delivered (note Children Services) it would be timely to consider whether the focus of Cabinet Portfolios reflect Council priorities and to review Portfolios to consider whether there maybe a need to consider a more cross cutting approach. Members were also keen to acknowledge that the unique support and development needs of Cabinet members should be addressed to ensure that the Council continues to have the mix and skills and expertise required to take the Council forward.
- Though the Scrutiny function received positive comment in the C.P.A. Report (December, 2002) and many Members were very positive about their involvement with Scrutiny Reviews, they suggested that much more needs to be done to involve people other than Elected Members in scrutiny work. In addition Members felt that the outcomes from reviews could be improved, and that the work of scrutiny should be measurable in terms of improvement in service delivery.
- There is a distinct lack of performance monitoring and management across services. There is no robust performance management system in place and little reporting of the achievement or otherwise of measurable outcomes for services.
- The review found a significant number of examples where information/advice is not shared, is inaccurate, not presented helpfully often resulting in a lack of community involvement and for Elected Members the inability to make informed decisions and or recommendations. An example of this is when a decision was made relating to the disposal of land for development, Ward Members were not consulted or informed resulting in difficulties for the Ward Members at local level and the decision being called in. Members were anxious to point out that it is essential they are kept informed at ward level about activities taking place in their areas. The review recognises that attempts are being made to address this issue, not least through developing more effective information sharing systems across the Council.
- The work of the Member Development Panel was welcomed. Progress has been made in the implementation of the member development action plan, stemming from the Investors in People action plan. However, the review found that many Elected Members are unable to engage in their own development. Often Members are unable to attend development activities because times and venues are not compatible with work patterns. Furthermore there is little formal evaluation of development experiences, resulting in no basis for change and improvement of Member Development activities.

- The weakness impacting on any Member development is a lack of clarity of the roles and responsibilities for Members. If there is no common understanding about expectations in their differing roles, members are less likely to be able to identify development needs in those roles. The review found examples of good practice in other Authorities where this issue had been addressed, notably Tameside.
- Overall the review identified that there is a need for a more comprehensive member training and skill development strategy, based on a clear definition of role and identified development needs.

7. Option Appraisal

At the detailed options appraisal stage, the review has sought to ensure that all options for service delivery have been examined, and that services have been examined at a detailed level.

The options considered are those listed below.

- Cessation of service
- Creation of a public/private partnership
- Transfer to another provider or externalisation with no in house bid
- Market testing all or part of the service
- Joint commissioning or delivery
- Restructuring or repositioning in house delivery

Each of the options was assessed in relation to each of the services under consideration of the review. This assessment took into account:

- Whether the option was technically capable of being implemented
- The relative advantages and disadvantages of each option and
- The impact (whether negative or positive) which each option would have on the various elements services

Option 1 - Cessation of services

This is not a realistic option for any of the services. The Electoral Service for example is a statutory service, and the other services are integral to the Council fulfilling any number of its statutory obligation.

Option 2 - Creation of a Public/Private Partnership

The Council is able to demonstrate that where appropriate and mutually beneficial private/public partnerships have been established, witness RBT Strategic Partner. However, this does not appear to be a viable option for any of the services considered in the review. There is no requirement for external capital investment, it is unlikely that a viable service provider would be found and set up costs would be prohibitive. However, the techniques used by RBT to improve service delivery and to

streamline and reduce inefficiency could well be of use here. In addition, RBT will support the improvement plan through their involvement with 'Members On Line'.

Option 3 - Market testing all or part of the service

The only realistic possibility of sourcing an external provider would be in connection with administrative services and training/development support to Members. The IT Services supporting the democratic process are already managed and delivered through the Strategic Partnership.

Option 4 - Transfer to another provider or externalisation with no in-house bid

Considering the options for delivery of the services to support the democratic process, the review team concluded that externalisation is likely to be fairly limited because

- The services are of strategic importance to the Council in delivering its functions
- Advice and support is of a specialist nature pertinent to local Government
- There is a statutory obligation to provide Electoral Services
- The Scrutiny Function is a requirement of the Local Government Act 2000
- Another provider would need to have a strong public sector ethos

Overall external procurement of these services as a whole is an unrealistic option. None of the Authorities visited or examined have adopted such an approach. For example Darlington (who has achieved a favourable Best Value Inspection Report having explored and rejected such an approach), have retained in house provision of its Democratic Services. However, there are opportunities to develop different approaches in terms of supporting the democratic process. These include, buying specialist knowledge, strategic partnering arrangements (within both the public and private sector) and joint research/project working.

Whist externalisation may be an option for an internally provided service which, is demonstrated to be failing, this is not the case with any of these particular services (though the Review has demonstrated scope for some improvement in all services). There may however be some scope for seeking an external service provider for the delivery of Member Development activities with the strategic and commissioning role being carried out in-house. This model should also be considered in relation to the buying in of consultancy/expert support for example in relation to Scrutiny investigations or the need for a particular level of expert support in legal matters. The other main area for consideration of this option could be in the area of administrative support to the democratic process. Clearly there is a strong public sector ethos associated with these services which would need to be maintained.

This option could result in the potential risk of losing in-house expertise. Nonetheless this option is worth considering in relation to those services mentioned.

Option 5 – Joint Commissioning or Delivery

There may be some advantages here in terms of economies of scale and pooling of expertise. However, there would be initial set up costs, resources necessary for setting up of terms of reference, protocols and staff changes, which may prove to be prohibitive, compounded by the impact on the Council's ability to allocate resources to local priorities and the potential loss of local knowledge.

Option 6 – Restructuring or Re-Positioning in-house Provision

After careful consideration and examination of current service provision and exploration of a variety of options for alternative service delivery, there is a strong case for retaining and developing the core support services primarily on an in-house basis, but supplemented by the procurement of some aspects of the services examined.

However, there are some aspects of the service already under consideration in terms of restructuring/repositioning within the Council's overall provision, specifically, Democratic Services and the Area Assembly operational delivery.

8. Actions for Improvement

8.1 Performance Management

- **8.1.a** All services supporting the Democratic Process to ensure that expected actions and outcomes are clearly presented in their Service Business Plans.
- **8.1.b** Services to share and develop these actions with a view to ensuring effective outcomes for Members which, should be measurable and regularly reported to Members and monitored by them
- **8.1.c** A robust performance management system for services supporting the democratic process to be developed
- **8.1.d** Members to be kept informed of plans/activities affecting their wards through regular updates
- **8.1.e** Community Plans to link closely with corporate strategic priorities. The Plans need to fit into a cycle where they will be ready in time for service planning. Whilst ensuring that local needs are taken account of, there should be a consistent match of targets and priorities throughout
- **8.1.f** Measures to be developed to increase ease of access to services such as using council website to offer services, telephone registration, and online registration to improve performance of Electoral Services

- **8.1.g** A package of local performance measures to evaluate "outcomes" to be developed, such as:
 - Absence of any legal challenge to the election result
 - Number of changes to electoral register each month during "rolling registration"
 - Fewer registration problems at election time
 - Higher turnout
 - Quality of information given to candidates and agents
 - Quality of information given to public and to election staff
 - Number of electors choosing to vote by post

These measures should be routinely "benchmarked" with other local authorities in order to continuously compare performance and identify "best practice".

8.1.h A significant number of scrutiny recommendations are substantially or wholly accepted by Cabinet/Council, the implementation of which demonstrates improvements in services to the public.

Recent examples include the scrutiny review and recommendations on Domestic Violence. This resulted in the development and introduction of a Council Policy, increased resources to support victims of domestic violence, including the establishment of a Co-ordinator post. This in turn ensures a more effective multi-agency approach to addressing the issues associated with domestic violence. Scrutiny should continue to demonstrate its impact on improvements in service delivery in this way thus ensuring an improved experience for services used.

8.1.i Implement the Council's revised Constitution.

8.2 Capacity

- **8.2. a** A Member Development Plan to be produced to include a description of activities and resources to support Members in their various roles
- 8.2.b Personal development plans for Elected Members to be introduced
- **8.2.c** A range of approaches, methods and timing of development activities including E-learning for elected Members to be established.
- **8.2.d** "Members On Line" to be introduced in the new municipal year 2004. Whereby Members will be able to more easily and effectively access information and communicate across the Council.
- **8.2.e** Advice and guidance for people interested in becoming Councillors, selected candidates and elected Members to be improved.
- **8.2.f** The evaluation of Member Development experiences to be improved and incorporated into proposed annual Member survey

- **8.2.g** Establishment of the post of Member Development Support Officer to be considered
- **8.2.h** The role and responsibilities of Area Assemblies to be clearly defined and considered as part of the proposed Best Value Review of Neighbourhood Management
- **8.2.i** Officer and Member Development programmes to ensure specific training on Area Assemblies and Neighbourhood Management, focusing on the skills needed to carry out their roles effectively.
- **8.2.j** A compact between local community partners and Area Assemblies to be drawn up setting out the involvement and role that partners can play in improving services.
- **8.2.k** Develop local standards and protocols for the provision of sound information advice and guidance to Members and Officers
- **8.2.I** Identify an appropriate lead to Co-ordinate a more coherent approach to activities associated with Community involvement in the democratic process
- **8.2.m** Put in a bid to the O.D.P.M. to take full advantage of the support available following the recent C.P.A. outcome.

8.3 Cost Efficiency

- **8.3.a** Set up a pilot to establish the potential savings to be made in the production of papers and minute books and in the use of the courier service
- **8.3.b** Transfer work of Committee Services in relation to Area Assemblies and Local Strategic Partnership to their support staff resulting in better stream lining and more effective use of Committee Services activity. Committee Services Case Conference team to be considered as part of the review of Children Services.

9. Recommendations

To the Chair, Members of Performance and Scrutiny Overview Committee

- 1. That Performance and Scrutiny Overview Committee endorses the report and its findings.
- 2. Endorse the recommendations and actions for improvement contained within the review report.

3. Refer the review report to Cabinet/Corporate Management Team for consideration .

10. Improvement Plan

Action 1

Performance Management

Ref	Actions for Improvement	Target Date	Lead
8.1.a.	Services need to ensure actions and outcomes are presented in Service Business Plans	April, 2004	Heads of Service Team Leaders
8.1.b.	Service Busiless Flans Services to share and develop actions ensuring effective outcomes which should measurable and regularly reported to Members	September, 2004	Heads of Service Team Leaders
8.1.d.	Updates on activities/plans within Wards	To be confirmed	Discussions of proposals with CMT/Resources
8.1.e.	Community Plans to link closely with corporate strategic priorities	To be confirmed	Social Inclusion Manager
8.1.h.	Measurable outcomes from Scrutiny Reviews	June, 2004	Scrutiny Forward Plan
8.1.i	Implement the Council's revised Constitution	June, 2004	Head of Legal Services/Resources

Action 2	Capacity
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Ref	Action for Improvement	Target Date	Lead
8.2.a.	Member Development Plan	August, 2004	Member Development Plan/Resources
8.2.b.	Personal Development Plans	August, 2004	Member Development Plan/Resources
8.2.d.	Members On Line	June, 2004	RBT/Resources
8.2.e.	Advice and Guidance for people interested in becoming Councillors	Completed	Member Development Panel
8.2.f.	Evaluation of Member Development experiences into proposed Member survey	December, 2004	Resources – HR
8.2.g.	Establishment of Member Development Support Officer	To be confirmed	Resources - HR
8.2.h.	Role and responsibilities of Area Assemblies be clearly defined and considered as part of BVR – Neighbourhood Management	Throughout the life of the review	Members supported by Chief Executive and CMT
8.2.i.	Training on Area Assemblies and Neighbourhood Management	To be confirmed	To be confirmed
8.2.j.	Compact between local community partners and Area Assemblies to improve services	To be confirmed	Social Inclusion Manager
8.2.k.	Development of local standards and protocols for the provision of sound information advice and guidance to Members and Officers	To be developed within Municipal Year 2004/05	Policy and Partnerships
8.2.l.	Lead to co-ordinate a more coherent approach to activities associated with Community Involvement	To be developed within Municipal Year 2004/05	Policy and Partnerships
8.2.m.	Co-ordinate bid to O.D.P.M.	To be confirmed	Resources

Action 3 Cost Efficiency

Ref	Action for Improvement	Target Date	Lead
8.3.a.	Set up a pilot to establish the potential savings to be made in the production of papers and minute books and in the use of the courier service	Completed by December, 2004	Resources
8.3.b.	Transfer of Committee Services work to Area Assemblies and Strategic Partnership support staff	Completed	Resources

APPENDIX A

Best Value Review Support for the Democratic Process

References

Performance Breakthrough Audit Commission 2002 – ISBN 186 240 396

Revised Council Constitution Rotherham MBC

Rotherham Comprehensive Performance Assessment Report Audit Commission December 2002

Scrutiny Review – Community Leadership Rotherham MBC

Review Representation on Outside Bodies Rotherham MBC The Standards Board

Scrutiny Office of the Deputy Prime Minister

The Effective Executive

Best Value Reviews

- South Yorkshire Police
- South Yorkshire Pensions
- South Yorkshire Joint Secretariat
- Leeds City Council
- Southport Review of Democratic Services

Strong Local Leadership – Quality Public Services The Local Government White Paper December 2001 LGA Briefing 234

Reachout (7) Survey BMG Research 2003

Area Assembly Survey Rotherham MBC

Member Questionnaire Rotherham MBC

Focus Groups Rotherham MBC

One to One/Two Interviews with Elected Members