

CABINET

**Venue: Bailey Suite, Bailey
House, Rawmarsh Road,
Rotherham**

Date: Wednesday, 24 March 2010

Time: 10.30 a.m.

A G E N D A

1. To consider questions from Members of the Public.
2. To determine if the following matters are to be considered under the categories suggested in accordance with the Local Government Act 1972.
3. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
4. Minutes of the previous meeting held on 10th March, 2010 (copy supplied separately)
5. LAA Reward Grant (report herewith) (Pages 1 - 7)
 - Chief Executive to report.
6. Procurement Strategy Action Plan – Update on Progress (report herewith) (Pages 8 - 22)
 - Strategic Director of Finance to report.
7. Review of the Local Code of Corporate Governance (report herewith) (Pages 23 - 38)
 - Strategic Director of Finance to report.
8. Corporate Risk Register (report herewith) (Pages 39 - 65)
 - Strategic Director of Finance to report.
9. Crime and Disorder Reduction Partnership Scrutiny (report herewith) (Pages 66 - 73)
 - Chief Executive to report.
10. Exclusion of the Press and Public.
The following items are likely to be considered in the absence of the press and public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs of any particular individual (including the Council)):-

11. Proposal to Provide Internal Audit Management for Doncaster Council (report herewith) (Pages 74 - 76)
 - Strategic Director of Finance to report.

12. Rotherham News Phase Two Development Programme (report herewith) (Pages 77 - 82)
 - Chief Executive to report.

RMBC – REPORT TO MEMBERS

1.	Meeting:	Cabinet
2.	Date:	24th March, 2010
3.	Title:	Local Area Agreement (LAA) Reward Grant
4.	Directorate:	Chief Executive's Directorate

5. Summary

Rotherham Partnership Board agreed with the support of Cabinet that the current round of LAA Reward Grant would be placed in a joint improvement fund for the Rotherham Partnership to allocate to partners to address priorities.

Work was undertaken by the Rotherham Partnership's five Theme Boards to identify their top 'priority issues', which were then mapped alongside a comprehensive needs analysis produced by the LSP Team (which took into account the current performance of the LAA, the CAA, Place Survey and other local intelligence).

The Rotherham Partnership Board had also recently identified its top two priorities to concentrate on as a Board, these were 'Town Centre' and 'Jobs and the Economy'.

Over a period of four months, Theme Board Managers, Chairs and Board members have participated in this work and have managed to significantly scale down both the number of proposals originally submitted and the amount of funding requested. From a starting point of around fifty proposals, we are now recommending approval of just eight proposals aligned to strategic projects.

6. Recommendations

That Cabinet:-

- Note that £5.965m PRG is available for two years, with a 50/50 revenue/capital split, and only 50% of the total available in the first year
- Endorse recommendations of the independent appraisal panel as set out in the analysis section below
- Consider and approve the project allocations and potential spend recommended by the panel, as set out below
- All proposals should in the first instance look to maximise benefits for the local economy through working, and where appropriate, commissioning / contracting with the Voluntary and Community Sector and/or local businesses/providers, where they have the skills and capacity to deliver and can demonstrate value for money; and also by employing apprentices where this is possible.
- Agree that RMBC, as accountable body, carry out the programme management role at a cost of 1% of the revenue grant allocation per annum.

7. Proposals and Details

Prior to the appraisal meeting, Matt Gladstone (Assistant Chief Executive) and Carole Haywood (Rotherham Partnership Manager) undertook an initial assessment of proposals to highlight key issues for further exploration on the day. These initial assessments were provided to Theme Managers prior to the panel session to help prepare them for questions that might be raised on the day.

The panel considered the assessments and examined the proposals in more detail, ultimately making one of the following recommendations for each proposal:

1. Proposal **agreed**, though further detail needed (e.g. on costs/outputs)
2. Proposal **agreed subject to redesign** as per panel recommendations
3. Proposal is **rejected** as does not sufficiently meet the agreed criteria

The panel raised a number of specific issues relating to individual proposals. These are summarised in the project assessment documents (appended). A revised allocation was also recommended for each proposal in light of issues identified and funding available.

The panel commented that the proposals were well written and addressed key priorities in line with the needs assessment. However, it was felt that in general all proposals required more detail. Robust performance management is therefore needed to ensure delivery remains on track and action can be taken to address unsatisfactory performance.

Support will be given to Theme Managers and their colleagues by RMBC policy team and directorate funding teams to enable them to respond to recommendations and provide the required information as quickly as possible.

The Panel considered all proposals in depth and came up with a number of recommendations. These are summarised below, including the revised allocations.

Next steps

Following approval by the Rotherham Partnership Chief Executive Officers Group Cabinet are asked to consider the following proposals for agreement:

- Physical activity and well being - £80,000
- Carers' resource centre - £120,000
- Town centre project - £727,000
- Imagination Library - £250,000
- Safeguarding children and young people - £500,000

Following proposals to go forward based on them being redesigned in line with appraisal panel comments:

- Enforcement and preventative action

- Customer focus and interaction
- Community recognition and involvement

The panel recommended that the above proposals be reworked into a single, integrated package, **with an allocation of £530,000**. It was felt that this would be a more effective approach and could realise savings. The overall focus should be on tackling perceptions, which was highlighted as the top priority in each of the proposals: “The top priority...was to make a significant difference in changing the perceptions that local people have regarding crime and anti-social behaviour”.

- Enterprising neighbourhoods 2 (economy, jobs and skills theme) - £500,000

The panel recommended that this proposal be reworked into a more focused approach, particularly around increasing employment and skill levels.

- Volunteering, Community Engagement, Thriving 3rd Sector - £200,000

The panel felt that this proposal should concentrate resources on the volunteering aspect, as this was felt to have the biggest potential impact, particularly in terms of routes into employment. It was also recommended that the proposal involves the wider voluntary and community sector, particularly around supporting organisations who offer placements to volunteers.

Following proposal rejected as does not sufficiently meet the agreed criteria:

- Centre for independent living

Although the panel recognised that this was a well written bid, it was agreed by all that it did not sufficiently meet the needs assessment or deliver significant impact given the apparent lack of direct delivery.

Further details on the allocations for each project are appended.

8. Finance

It is recommended that that contracting and programme management is undertaken by RMBC directorate funding teams, supported by the Policy Team in Chief Executive’s Office and External Funding Team in Financial Services. The cost of this to be met from the PRG allocation (1% of allocation per year).

9. Risks and Uncertainties

The main risks are around being able to effectively complete the next stage of the process, subject to approval. Which involves refining proposals based on comments from the appraisal panel, Cabinet and the Rotherham Partnership Board and contracting with service delivers. This process will be managed by the Rotherham Partnership Team in conjunction with the Chief Executives Office.

10. Policy and Performance Agenda Implications

The Local Area agreement applies equally across the whole of the Rotherham Partnership and all Council Directorates and will support outcomes to be delivered by the Council across a wide range of policy areas. The funding is being targeted predominantly at areas that are currently underperforming and should contribute towards a driving up of performance. The allocation of funding is also likely to offer to widespread opportunities for cross-directorate working.

11. Background Papers and Consultation

Previous papers on LAA Reward Grant have been taken to Cabinet, the Rotherham Partnership Board and the Rotherham's Chief Executive Officers Group. Via the Partnership's Theme Boards the Council and a wide range of partners have been consulted and have been engaged in the process of agreeing priorities and considering and contributing to proposals.

Contact Name:

Matthew Gladstone (Assistant Chief Executive)

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Appendix 1 : Recap on process to date

At the Chief Executive Officers meeting on the 10th December an update report was taken on the position regarding the **submission of proposals** and outlining a **decision making framework** for the LAA reward grant.

Following consideration of a decision making framework for allocating the funding by the Rotherham Partnership's Chief Executive Officers Group on 10th December a meeting was held on 21st December 2009 with Theme Board Managers and Chairs to discuss in more detail the agree the next steps for the LAA '**revenue**' element of LAA Reward Grant (representing 50% of the total as outlined earlier).

At that time proposals had been agreed totalling approximately £15 million (split almost equally between capital and revenue), against a predicted grant income at that stage of £6.6 million (now £5.965m as above).

Feedback from Chief Executive Officer Group was that:

- The **capital element** of the bid would be parked for now whilst the revenue element was dealt with.
- A **meeting should be arranged** between Theme Managers/Chairs to explain the current position and way forward (21st Dec)
- It was reiterated that Theme Boards needed to focus down on no more than **3 priorities** that they consider to be of **most importance** (where this hasn't been done a list of no more than three proposals should be submitted to the LSP Team by 8th January).
- **No additional proposals should be submitted** - regardless of the gaps identified in relation to the needs analysis
- Within the decision, making framework an **independent appraisal panel** will be set up with representatives from independent members of the LSP Board.

Feedback from Theme Chairs and Managers (21st December)

- It was agreed that due to time pressures (for example securing of match funding) proposals for **capital funding** which require a decision by spring 2010 should be invited **from Theme Boards**.
- Theme Board Managers and Chairs would further screen their proposals against the needs assessment priorities and criteria and **re-submit their top 3 proposals** by the 8th January 2010
- Theme Board Managers and Chairs have the mandate, with support from their Theme Board, to conduct the screening of proposals. The **decision and rationale** for proposals going forward/or not will be **communicated** out to the Theme Board representatives by the Theme Manager and/or Chair
- **No proposals** to be submitted unless they have gone through a Theme Board
- A **meeting of Theme Chairs** to be held prior to the LSP Board meeting on 28th January 2010 to look at the final (maximum of three) submissions from Theme Boards.

Theme Chairs met on the 28th January to review the re-prioritisation of the proposals

All themes were represented at the meeting; the Achieving and Alive theme sent deputies. At that meeting it was agreed that:

- Capital Bids - if the proposals are dependant upon match funding then a request will be made to the Chief Executive Officers Group to reconsider the capital bids.
- The criteria to be circulated with greater emphasis on detail/outputs

Theme Boards to revisit proposals to

- Asses whether there is potential alternative funding pots available for the activity
- Asses the impact/risk of not delivering the activity
- Profile the spend into Year 1 and Year 2

The agreed aim was to further prioritise the proposals and shave off costs where applicable to reach a collective figure that was closer to the overall grant allocation.

Final proposals were received from Theme Boards by a deadline of 17th February and the independent appraisal panel was arranged for 3rd March with Theme Managers attending jointly for part of the meeting.

LAA Reward Grant - summary of proposals

Theme / proposal	Revenue cost (£)		
	Original proposal	Suggested revision	Reduction
Health and Inequalities			
Physical Activity & Well Being	120,000	80,000	40,000
Centre for Independent Living	240,000	-	240,000
Carers' Resource Centre	153,000	120,000	33,000
Citizen Engagement			-
Volunteering, Community Engagement and a Thriving 3rd Sector	375,000	200,000	175,000
Enforcement & Preventative Action	400,000	240,000	160,000
Customer Focus & Interaction	100,000	50,000	50,000
Community Recognition & Involvement	480,000	240,000	240,000
Economy, Jobs & Skills	-		-
Enterprising Neighbourhoods 2 (incorporating NEETs project)	675,000	500,000	175,000
Cross-cutting			-
Town Centre (revenue schemes only)	727,000	727,000	-
Safeguarding children & Young people	500,000	500,000	-
Children & Young People			-
Imagination Library	400,000	250,000	150,000
	4,170,000	2,907,000	1,263,000

Revenue reconciliation (£):	5,965,051	Total Performance Reward Grant Claim
	2,982,525	Available revenue grant @ 50%
	59,651	Programme management @ 2%
	2,922,875	Amount available for proposals
	2,907,000	Recommended value of proposals
	15,875	Balance remaining

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet
2.	Date:	24th March 2010
3.	Title:	Procurement Strategy Action Plan – Update on Progress
4.	Directorate:	Financial Services

5. Summary

The purpose of the Procurement Strategy is to set out how the Council intends to procure its goods, works and services in order to support the Authority's overall aims and objectives over the life span of the Strategy. It outlines the Council's current position and clearly points to areas where we need to improve with a supporting action plan to deliver those areas. The action will be managed by the Council's Procurement Panel.

The Strategy is aligned with the Council's Corporate Commissioning Framework which examines how the Council can strategically pull together all commissioning activity to ensure maximum gain from any efficiencies that may be generated.

6. Recommendations

That the current position in respect of the action plan is noted.

7. Proposals and Details

The Strategy Action Plan maps to the 9 themes in the Procurement Strategy:

- Supporting the Local Economy
- Engaging with the Voluntary and Community Sector
- Equality and Diversity
- Fairtrade and Trade Justice
- Environmentally Friendly Procurement
- Legal Procurement
- e-Procurement
- Achieving Value for Money
- Building Capacity

A number of actions within the plan cover the whole life of the Strategy and therefore may not yet have commenced.

Full details of all actions are attached at Appendix 1.

A RAG status is given for each action as:

- Red – action is at risk and timelines may not be met
- Amber – action is on track
- Green – action is complete

7.1 Supporting the Local Economy

Of the 3 actions within this theme, 2 are complete and 1 ongoing across the life of the strategy.

7.2 Engaging with the Voluntary and Community Sector

Of the 3 actions within this theme, 1 is complete and 2 are red with dates to be confirmed. These latter actions are currently rated red as work is ongoing to resolve resource issues within CEX department in order to allow the work to go ahead.

7.3 Equality and Diversity

Of the 7 actions within this theme, 2 are complete and 5 are amber with work either ongoing or due later in the life of the plan.

7.4 Fairtrade and Trade Justice

Of the 3 actions within this theme, 2 are complete and 1 is amber with work either ongoing or due later in the life of the plan.

7.5 Environmentally Friendly Procurement

Of the 11 actions within this theme, 6 are complete and 5 are amber with work either ongoing or due later in the life of the plan.

7.6 Legal Procurement

Of the 3 actions within this theme 2 are complete and 1 is amber with work ongoing.

7.7 e-Procurement

Of the 2 actions within this theme, 1 is complete and 1 is amber with actions to follow the first phase of the Corporate EDRMS Project.

7.8 Achieving Value for Money

Of the 6 actions within this theme, 4 are complete and 2 are amber with work either ongoing or due later in the life of the plan.

7.9 Building Capacity

The single action within this theme has a completion date for later in the life of the plan however it should be noted that this action is dependant on actions 2.02 and 2.03 which are currently rated red.

8. Finance

All costs for implementing the Corporate Procurement Strategy are currently being absorbed within existing budgets though if unbudgeted costs arise then funding sources may need to be identified.

9. Risks and Uncertainties

If the actions in the above plan are not met the refreshed Corporate Procurement Strategy may not be fully implemented and embedded across the Council which could impact on the Council's ability to evidence value for money and CAA scores.

10. Policy and Performance Agenda Implications

- Delivery of the Corporate Procurement Strategy
- SME Friendly Concordat
- LAA indicators around the Third Sector

11. Background Papers and Consultation

- Corporate Procurement Strategy
- National Procurement Strategy

12. Contact Name:

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Appendix 1

A RAG status is given for each action as:

- Red – action is at risk and timelines may not be met
- Amber – action is on track
- Green – action is complete

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
Theme 1 - Supporting the Local Economy						
1.01	To deliver an annual Meet the Buyer and Supplier Awards Event.	£6000 (x3)	Procurement Panel	Mar-10-11-12	Agreed. A second successful Meet the Buyer event was held on 26.01.10 at the Holiday Inn, Rotherham	Amber
1.02	To agree and publish a common set of basic standards so that potential suppliers can gear up to bidding for contracts.		Sarah McCall	Dec-09	Complete	Green
1.03	To roll out the use of the SCMS e-tendering system so that it is being used across the whole of the Council.		Simon Bradley / Tim Spensley	Jan-09	Complete - All staff identified for training have now been trained and roll out is ongoing within Directorates. Complete for the purposes of this plan. List of trained officers presented to Panel 12.10.09	Green

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
Theme 2 - Engaging with the Voluntary and Community Sector						
2.01	To agree across the Council on the best way to calculate the Council's spend with the Voluntary and Community Sector.		Helen Leadley & Zafar Saleem	Dec-09	Complete	Green
2.02	To write and publish a Rotherham centric "Procurer's guide to dealing with the Third Sector". This guide to be approved by the Procurement Panel and be adhered to in the tendering and management of future contracts.		Zafar Saleem. Awaiting VCS / Procurement Issues officer (to be employed in CX Dept when NRF funding received)	TBC	Agreed. ZS advised that this will not be a new post but match funding is to be provided for an existing officer to undertake the work; staff shortages in CEX's have made this difficult but SZ and Debbie Fellowes are looking at this.	Red
2.03	VCS Training to be provided for procurement officers.	NRF funding being sought by Zafar Saleem	Zafar Saleem. Awaiting VCS / Procurement Issues officer (to be employed in CX Dept when NRF funding received)	TBC	Agreed. ZS advised that this will not be a new post but match funding is to be provided for an existing officer to undertake the work; staff shortages in CEX's have made this difficult but SZ and Debbie Fellowes are looking at this.	Red

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
Theme 3 - Equality and Diversity						
3.01	To recheck our procurement processes to ensure that they are inclusive to BME, disabled and women owned organisations.		Carol Adamson	Deferred until April 10	Awaiting finalisation of public sector specific duties for the new Equality Act and associated codes of practice; awaiting guidance being issues so action deferred.	Amber
3.02	To consider the option of reserving a contract to be delivered by a disability owned organisation.		Procurement Panel	Dec-10	Agreed	Amber
3.03	To provide signposting information for suppliers who require help in improving their equality and diversity policies.		Carol Adamson	Aug-09	Complete - see http://www.rotherham.gov.uk/NR/ronlyres/4D56F72A-CCDC-4258-A8E1-86F0AD16B2A8/0/Helpandadvice.pdf	Green
3.04	To start to use the newly developed equality and diversity questionnaire to help monitor supplier's compliance to equality and diversity legislation.		Procurement Managers	Jan-09	Action complete; monitoring ongoing	Green
3.05	To conduct equality and diversity audits on 2 key suppliers per year.		Carol Adamson	First 2 audits to be completed by 01/03/2010	Advice on which suppliers to audit sought from Panel 09.11.09	Amber

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
3.06	To compile examples of good practice regarding equality and diversity in procurement and publish them on our website in order to promote and encourage supplier activity.		Sarah McCall	June 10	Agreed. Case studies requested from Panel members on 09.11.09	Amber
3.07	To investigate how we can compile Equality and Diversity information through the SCMS e-tendering system.		Simon Bradley	Apr-10	Agreed. Tim Spensley advised that E&D information recorded on SCMS & reports can be extracted. Further work required to implement monitoring of individual contract opportunities	Amber

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
Theme 4 - Fairtrade and Trade Justice						
4.01	To ensure the use by default of Fairtrade products in all Council owned cafes.		Helen Chambers & Rob Holsey	Dec-10	Agreed. Fairtrade Steering Group advice sought. Group approved policy; Kate Taylor to progress with Cllr Wyatt	Amber
4.02	To improve the competitiveness of Fairtrade products on our e-catalogue.		Simon Bradley	Sep-09	New contract in place with Peros to supply Fairtrade goods; action complete	Green
4.03	To provide Fairtrade refreshments at all Council hosted events held in Rotherham.		Simon Bradley	Dec-11	Complete. All venues have agreed. Expotel will now book Fairtrade for all RMBC conferences as default. Fairtrade goods are also available on the catalogue for internal meetings. Local venues are now extending Fairtrade goods to other organisations.	Green

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
Theme 5 - Environmentally Friendly Procurement						
5.01	To set clear guidelines on the procurement of environmentally friendly products eg - electrical goods.		David Rhodes	Dec 10	Agreed. Draft Sustainable Procurement Policy outline presented to Procurement Panel 12/10/09. Work commented to develop the policy and look at areas of high risk spend; officers undergoing sustainable procurement training to feed into policy. Date revised to allow for additional work	Amber
5.02	To investigate the ways in which we can better use budgeting processes to support sustainable development.		Procurement Panel	Jan-12	Agreed	Amber
5.03	To develop capacity within the Council through sustainability training and awareness raising.	Costed at £2500 for training for 20 people provided by Sustainable Procurement Taskforce members.	Procurement Panel	Dec-11	Agreed. Training made available by RIEP - initial training for 3 officers ongoing; 2 officers to attend train the trainer events; further training opportunities to be available later in the year	Amber
5.04	Identifying supplier incentives for environmentally friendly procurement.		Helen Leadley	Jul-09	Complete. Environmentally Friendly Supplier Award created and first awarded at 2009 Meet the Buyer Awards.	Green

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
5.05	Ensure that scrutiny of capital projects includes checks on sustainable proofing by gateway panels.		Brian Barrett	Oct-10	Complete. Refreshed Capital Projects Procedure incorporates Scrutiny which is able to scrutinise any capital project in progress.	Green
5.06	Investigate whether we should use the Carbon Disclosure project as a way to measure and manage carbon in our supply chain.		Helen Leadley	Jan-12	Agreed	Amber
5.07	Assess the Council's procurement processes against the Flexible Framework and develop an action plan to ensure compliance.		Helen Leadley	Nov-09	Complete. Actions required are around sustainability and will be picked up as part of training and the Sustainable Procurement Policy work	Green
5.08	Report on the exercise undertaken by RCP to assess the success of monitoring and setting targets for minimum recycled content.		Brian Barrett	Jun-09	Complete. Following this pilot RCP have reported to the procurement managers forum that the benefits of this do not warrant the efforts required to capture the information.	Green

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
5.09	Explore specifying sustainable construction standards in developments where the council sells land to developers and has an influence on what is built.		RIDO - John Smales / Paul Woodcock / Carole Smith	Jun-09	Complete. When we sell land we do not and cannot, sell it subject to the purchaser building a sustainable development. The only influence we may bring to bear would be through conditioning a subsequent planning permission	Green
5.10	Capture the successes of the RAY project undertaken last year in a case study that can be used as a "lead by example" story within the borough.		Sarah McCall	Jun-09	Complete	Green
5.11	Develop a sustainable procurement handbook to be endorsed by Panel, CMT and Cabinet and published on the procurement pages of the website.		David Rhodes	Dec-10	New action. Working party formed. Ties to action 5.01	Amber

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
Theme 6 - Legal Procurement						
6.1	Monitor and analyse procurement related Freedom of Information requests in order to see where we can improve transparency and / or learn from mistakes.		Procurement Panel	Jan-10	Complete. First report to be provided to December Panel; further reports will be presented to Panel on a 6 monthly basis.	Green
6.2	Produce an up to date Contracts Register and publish on procurement pages of the website.		Procurement Panel	Dec-10	Work has started to look at developing the register	Amber
6.3	Produce a high level procurement structure showing where procurement occurs and governance structures around procurement		Helen Leadley	Mar-10	Complete and information made available on the procurement web pages.	Green

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
Theme 7 - e-Procurement						
7.1	Agree an acceptable turn around for e-RFQ quotations		Helen Leadley & Simon Bradley	Sep-09	Complete. Turn around of 85% in 4 days agreed and implemented.	Green
7.2	To investigate the extent to which we can store all invoices electronically.		Steve Heron	Jun-10	Actions to be confirmed once the first phase of the Corporate EDRMS Project has been rolled out	Amber

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
Theme 8 - Achieving Value for Money VFM						
8.01	Investigate the DEFRA Shadow price of carbon where emissions are given a monetary value to aid cost benefit analysis.		David Rhodes	Feb-10	Complete for the purpose of this plan. Now replaced by the Carbon Reduction Commitment. DR presented to Panel 12.10.09; work ongoing to implement CRC under separate plans.	Green
8.02	Utilise the Council's Consultation and Community Involvement (CCI) Framework for large public facing procurement projects.		Procurement Panel	Feb-10	Complete for the purposes of this plan. Feedback sought from Panel members 09.11.09; CCI Framework to be used as appropriate.	Green
8.03	Introduce risk assessments for procurement impact on the local economy for bought in goods and services.		Simon Bradley	Sep-09	Complete. Implemented for RBT.	Green
8.04	Encourage and exploit opportunities for added value to contracts.		Procurement Managers	Ongoing	Agreed. Case studies requested from panel members on .9.11.09	Amber
8.05	Further encourage and support RBT in the expansion of shared services.		Helen Leadley	Ongoing	Agreed and ongoing	Amber
8.06	Complete the review of clauses in contracts covering risk management with partnerships.		Colin Earl & Steve Merriman	Mar-09	Complete.	Green

Ref	Description	Resource Required	Action Owner(s)	Target completion date	Comment	Status
Theme 9 - Building Capacity						
9.01	Provide sustainability and VCS training for key procurement officers.	Resources stated above	Procurement Panel	Dec-11	Agreed. Linked to actions 2.03 and 5.03	Red

ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET
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1.	Meeting:	Cabinet
2.	Date:	24th March, 2010
3.	Title:	Review of the Local Code of Corporate Governance
4.	Programme Area:	Financial Services

5. Summary

It is good practice to review the Local Code of Corporate Governance annually.

This report proposes changes to the Council's Local Code of Corporate Governance to bring it up to date with the Chartered Institute of Public Finance and Accountancy's "*Statement on the Role of the Chief Financial Officer in Public Service Organisations*", which was launched in June 2009.

6. Recommendations

The Cabinet is asked:-

- **To approve the updated Local Code of Corporate Governance**
- **To note that the Code will be used to help test the effectiveness of the Council's governance arrangements, in order to inform the production of the Annual Governance Statement**

7. Proposals and Details

7.1 Best Practice

It is recognised as good best practice to review the Local Code of Corporate Governance annually. Previous revisions of the Code were undertaken as follows:

- September 2003
 - *First Edition, based on the 2001 CIPFA / SOLACE ^{*1} Governance Framework*

- March 2005
 - *Major overhaul, taking account of the 2005 Langlands Report*
 - *Modified to reflect Use Of Resources Key Lines Of Enquiry.*

- February 2006
 - *Updated to take Audit Commission October 2005 guidance relating to partnerships into account and CIPFA / SOLACE preparatory work in revising its 2001 Governance Framework*

- March 2007
 - *Minor changes to the Code*
 - *Re-introduction of Cabinet Members' Statements of Assurance*

- March 2008
 - *Major Review informed by 2007 CIPFA / SOLACE revised Framework*
 - *Simplified presentation.*

- March 2009
 - *Changes to reflect the importance of good partnerships' governance and the impact of the economic downturn on local government, partners and communities.*
 - *Minor changes to some introductory items in the code.*

7.2 External Audit view on Rotherham's Governance Framework

The robustness of the Council's governance framework is audited annually by external audit. The audits have confirmed the Council has robust arrangements in place for producing its Annual Governance Statement and for reviewing its Local Code of Corporate Governance. Our arrangements include continually updating the local code to adopt any emerging best practice.

7.3 Proposal to revise the Local Code of Corporate Governance

In 2007 CIPFA / SOLACE issued the "*Delivering Good Governance in Local Government: Framework*". The principles and six standards set out in the framework helped local authorities develop and maintain their own codes of governance and discharge their accountability for the proper conduct of business, as well as helping improve their services and performance.

¹ CIPFA is the Chartered Institute of Public Finance and Accountancy. SOLACE is the Society of Local Authority Chief Executives

In June 2009, CIPFA launched its *Statement on the Role of the Chief Financial Officer in Public Service Organisations*. The Statement sets out the following five principles that define the core activities and behaviours that belong to the role of the Chief Financial Officer (CFO), as follows:

CIPFA Statement on the role of the Chief Financial Officer in public service organisations

The Chief Financial Officer in a public service organisation:

- 1** is a key member of the Leadership Team, helping it to develop and implement strategy and to resource and deliver the organisation's strategic objectives sustainably and in the public interest;
- 2** must be actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and alignment with the organisation's financial strategy; and
- 3** must lead the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.

To deliver these responsibilities the Chief Financial Officer:

- 4** must lead and direct a finance function that is resourced to be fit for purpose; and
- 5** must be professionally qualified and suitably experienced.

CIPFA is currently consulting on the statement and if, as expected, the statement is approved it will impact on councils' local codes of corporate governance. CIPFA has issued guidance on how local authorities should reflect the requirements of the *Statement on the Role of the Chief Financial Officer* within their local codes of corporate governance.

The proposed changes to the Local Code of Corporate Governance are summarised in Table 1 below and are shown in more detail (shaded blue) in the proposed amended Local Code attached at **Appendix A**. The Audit Committee confirmed in January 2010 that it was supportive of the proposed changes.

Table 1: Amendments to CIPFA / SOLACE guidance “*Delivering Good Governance in Local Government Framework*”, resulting from the Statement on the Role of the Chief Financial Officer in Public Service Organisations

NOTES:

Column A shows the principles that should be adopted to ensure local authorities can achieve the standards. These principles already form the basis of Rotherham MBC's Local Code of Corporate Governance

Column B shows the general arrangements expected to be in place to help meet the respective principles and overarching standards. The arrangements identified in Column B are already included in Rotherham MBC's Local Code of Corporate Governance

Column C shows the additions that would need to be made to local codes of corporate governance to enable authorities to explicitly adopt the requirements of the Statement on the Role of the Chief Financial Officer in Public Service Organisations.

Standard 1: Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area		
A Supporting principles	B The local code should reflect the requirement of local authorities to:	C Expanded / additional governance requirements from the CFO statement that should be reflected in the local code:
Ensuring that the authority makes best use of resources and that tax payers and service users receive excellent value for money	<ul style="list-style-type: none"> • decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively. 	<ul style="list-style-type: none"> • ensure that timely, accurate and impartial financial advice and information is provided to assist in decision making and to ensure that the authority meets its policy and service objectives and provides effective stewardship of public money and value for money in its use • ensure that the authority maintains a prudential financial framework; keeps its commitments in balance with available resources; monitors income and expenditure levels to ensure that this balance is maintained and takes corrective action when necessary • ensure compliance with CIPFA's Code on a Prudential Framework for Local Authority Capital Finance and CIPFA's Treasury Management Code
Standard 2: Members and officers working together to achieve a common purpose with clearly defined functions and roles		
A Supporting principles	B The local code should reflect the requirement of local authorities to:	C Expanded/additional governance requirements from the CFO statement that should be reflected in the local code:
Ensuring effective leadership throughout the authority and being clear about executive and non executive functions and of the roles and responsibilities of the scrutiny function	<ul style="list-style-type: none"> • set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the authority's approach towards putting this into practice • set out a clear statement of the respective roles and responsibilities of other authority members, members generally, senior officers and of the leadership team and its members individually 	<ul style="list-style-type: none"> • ensure that the CFO reports directly to the chief executive and is a member of the leadership team with a status at least equivalent to other members. If different organisational arrangements are adopted, explain the reasons publicly, together with how these deliver the same impact

<p>Ensuring that a constructive working relationship exists between elected members and officers and that responsibilities of authority members and officers are carried out to a high standard</p>	<ul style="list-style-type: none"> • make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management 	<ul style="list-style-type: none"> • ensure that the authority’s governance arrangements allow the CFO direct access to the CEO and to other leadership team members
	<ul style="list-style-type: none"> • make the CFO responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control 	<ul style="list-style-type: none"> • appoint a professionally qualified CFO whose core responsibilities include those set out in the Statement on the Role of the CFO in Local Government and ensure that they are properly understood throughout the authority • ensure that the CFO : <ul style="list-style-type: none"> • leads the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively • has a line of professional accountability for finance staff throughout the organisation • ensure that budget calculations are robust and reserves adequate, in line with CIPFA’s guidance • ensure that appropriate management accounting systems, functions and controls are in place so that finances are kept under review on a regular basis. These systems, functions and controls should apply consistently to all activities including partnership arrangements, outsourcing or where the authority acts in an enabling role
<p>Ensuring relationships between the authority, its partners and the public are clear so that each know that to expect of the other</p>	<ul style="list-style-type: none"> • ensure that the organisation’s vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated 	<ul style="list-style-type: none"> • establish a medium term business and financial planning process to deliver strategic objectives including: <ul style="list-style-type: none"> • a medium term financial strategy to ensure sustainable finances • a robust annual budget process that ensures financial balance • a monitoring process that enables this to be delivered • ensure that these are subject to regular review to confirm the continuing relevance of assumptions used

Standard 3: Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour		
A Supporting principles	B The local code should reflect the requirement of local authorities to:	C Expanded/additional governance requirements from the CFO statement that should be reflected in the local code:
Ensuring that organisational values are put into practice and are effective	<ul style="list-style-type: none"> • put in place arrangements to ensure that procedures and operations are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice 	<ul style="list-style-type: none"> • ensure that systems and processes for financial administration, financial control and protection of the authority's resources and assets are designed in conformity with appropriate ethical standards and monitor their continuing effectiveness in practice
Standard 4: Taking informed and transparent decisions which are subject to effective scrutiny and managing risk		
A Supporting principles	B The local code should reflect the requirement of local authorities to:	C Expanded/additional governance requirements from the CFO statement that should be reflected in the local code:
Being rigorous and transparent about how decisions are taken and listening and acting on the outcome of constructive scrutiny	<ul style="list-style-type: none"> • develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the authority's performance overall 	<ul style="list-style-type: none"> • maintain and resource an effective internal audit function
	<ul style="list-style-type: none"> • develop and maintain an effective audit committee or equivalent which is independent of the executive and scrutiny functions 	<ul style="list-style-type: none"> • ensure that the authority's governance arrangements allow the CFO direct access to the audit committee and external audit
Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs	<ul style="list-style-type: none"> • ensure that those making decisions whether for the authority or partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical and financial issues and their implications 	<ul style="list-style-type: none"> • ensure the provision of clear, well presented, timely, complete and accurate information and reports to budget managers and senior officers on the budgetary and financial performance of the authority
	<ul style="list-style-type: none"> • ensure that proper professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately 	<ul style="list-style-type: none"> • ensure the authority's governance arrangements allow the CFO to bring influence to bear on all material decisions • ensure that advice is provided on the levels of reserves and balances in line with good practice guidance²

Ensuring that an effective risk management system is in place	<ul style="list-style-type: none"> • ensure that risk management is embedded into the culture of the authority, with members and managers at all levels recognising that risk management is part of their job 	<ul style="list-style-type: none"> • ensure the authority's arrangements for financial and internal control and for managing risk are addressed in annual governance reports • ensure the authority puts in place effective internal financial controls covering codified guidance, budgetary systems, supervision, management review and monitoring, physical safeguards, segregation of duties, accounting procedures, information systems and authorization and approval processes
Standard 5: Developing the capacity and capability of members and officers to be effective		
A Supporting principles	B The local code should reflect the requirement of local authorities to:	C Expanded/additional governance requirements from the CFO statement that should be reflected in the local code:
Making sure that members and officers have the skills, knowledge, experience and resources they need to perform well in their roles	<ul style="list-style-type: none"> • ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the authority 	<ul style="list-style-type: none"> • ensure the CFO has the skills, knowledge, experience and resources to perform effectively in both the financial and non financial areas of their role • review the scope of the CFO's other management responsibilities to ensure financial matters are not compromised • provide the finance function with the resources, expertise and systems necessary to perform its role effectively
Developing the capability of people with governance responsibilities and evaluating their performance, as individuals and as a group	<ul style="list-style-type: none"> • assess the skills required by members, officers and managers and make a commitment to develop those skills to enable roles to be carried out effectively 	<ul style="list-style-type: none"> • embed financial competencies in person specifications and appraisals • ensure that councillors' roles and responsibilities for monitoring financial performance/budget management are clear, that they have adequate access to financial skills and are provided with appropriate financial training on an ongoing basis to help them discharge their responsibilities
Standard 6: Engaging with local people and other stakeholders to ensure robust public accountability		
There are no expanded or additional governance requirements arising from the CFO statement that should be reflected within the local code		

7.4 Testing the Code for Effectiveness

Rotherham's Local Code of Corporate Governance is a statement of how it will ensure that it is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

Rotherham tests the Council's actual governance arrangements against its Local Code of Corporate Governance on an annual basis and publicly reports its findings in the Annual Governance Statement.

8. Finance

There are no direct financial implications resulting from the proposed changes to the Local Code of Corporate Governance.

9. Risks and Uncertainties

It is important that the Council continues to update its governance arrangements to ensure it applies best practice and minimises any risks associated with out-of-date arrangements.

Keeping up to date with emerging best practice will also help the Council to preserve its current Use of Resources score.

10. Policy and Performance Agenda Implications

Good Governance is wholly related to the achievement of the objectives in the Council's Corporate Plan and the Local Area Agreement.

11. Background Papers and Consultation

CIPFA Statement on the Role of the Chief Financial Officer in Public Service Organisations, June 2009.

Report to the Audit Committee, 20 January 2010, Delivering Good Governance in Local Government – Proposed changes to the Framework

Contact Names:

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Rob Houghton, Governance and Risk Manager, x 54424

Appendices:

Appendix A: Local Code of Corporate Governance 2010

Rotherham Metropolitan Borough Council

Local Code of Corporate Governance 2010

previous revisions :

March 2009, March 2008, March 2007, February 2006, March 2005 and Sept 2003

Rotherham's Local Code of Corporate Governance

Definition of Governance

"Governance is the system by which an organisation directs and controls its functions and relates to its community"

Good governance is central to the Audit Commission's Comprehensive Area Assessment (CAA) of the quality of services we provide. Good governance is about :

- Leadership
- Innovation, Imagination and Creativity
- Management
- Performance
- Stewardship of Public Money
- Public Engagement
- Outcomes

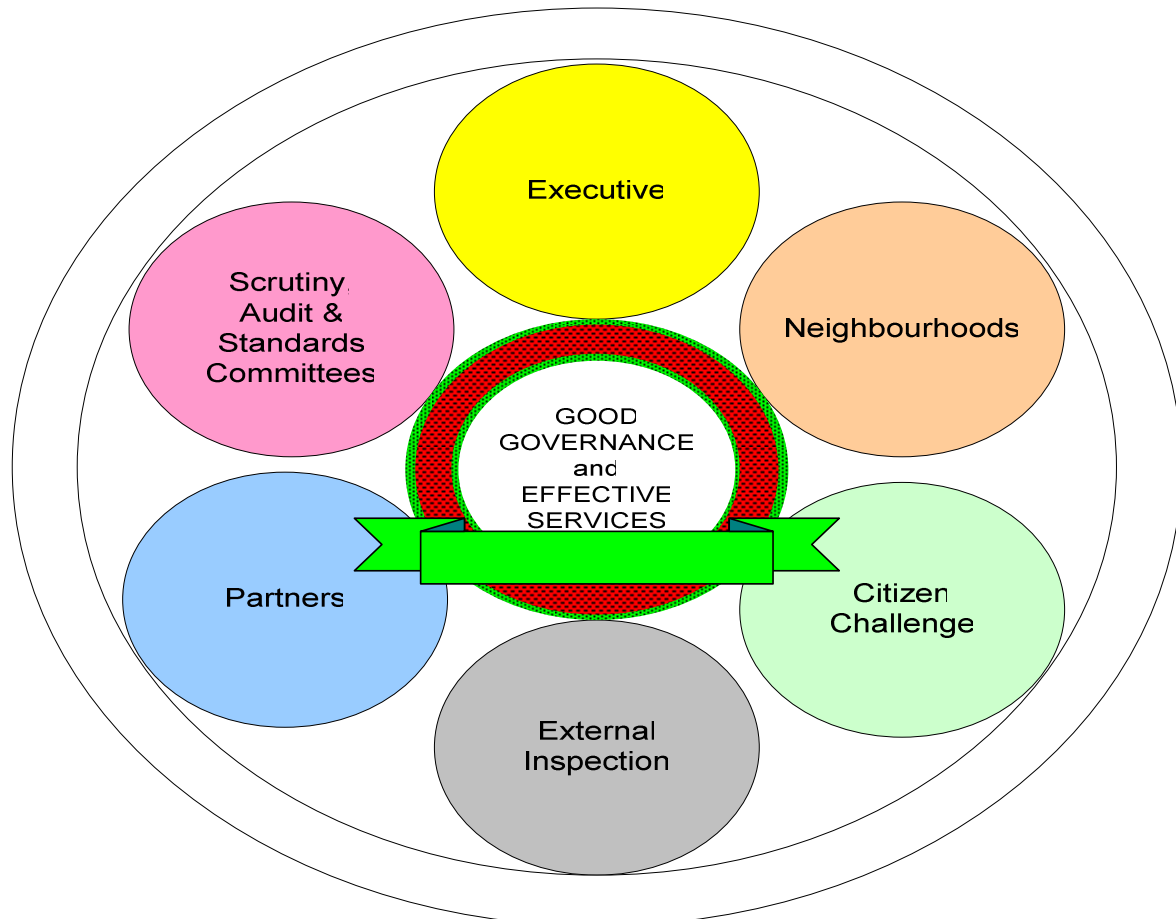
Rotherham's Governance Mission

"The involvement of all people in ownership and accountability for corporate aspirations and success."

Attitude

Attitude counts. Members and staff are expected to live the key principles of public life - Openness and Inclusivity, Integrity and Accountability.

The Key Instruments for delivering Good Governance and Effective Services



GOOD GOVERNANCE STANDARDS

Rotherham's good corporate governance standards are outlined below:

GOOD GOVERNANCE STANDARD 1

Rotherham will focus on the purpose of the authority and on outcomes for the community and create and implement a vision for the local area

We will:

- develop and promote the authority's purpose and vision
- review on a regular basis the authority's vision for the local area and its impact on the authority's governance arrangements
- ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties
- publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance
- decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available, including information about the impact of the Economic Downturn
- put in place effective arrangements to identify and deal with failure in service delivery
- decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively. Measure the environmental impact of policies, plans and decisions
- ensure that timely, accurate and impartial financial advice and information is provided to assist in decision making and to ensure that the authority meets its policy and service objectives and provides effective stewardship of public money and value for money in its use
- ensure that the authority maintains a prudential financial framework; keeps its commitments in balance with available resources; monitors income and expenditure levels to ensure that this balance is maintained and takes corrective action when necessary
- ensure compliance with CIPFA's Code on a Prudential Framework for Local Authority Capital Finance and CIPFA's Treasury Management Code:

GOOD GOVERNANCE STANDARD 2

Rotherham will, by Members and officers working together, achieve a common purpose with clearly defined functions and roles

We will:

- set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the authority's approach towards putting this into practice
- ensure that the CFO reports directly to the chief executive and is a member of the leadership team with a status at least equivalent to other members. If different organisational arrangements are adopted, explain the reasons publicly, together with how these deliver the same impact:
- set out a clear statement of the respective roles and responsibilities of other authority members, members generally and senior officers

- determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the authority, taking account of relevant legislation, and ensure that it is monitored and updated when required
- make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management
- ensure that the authority's governance arrangements allow the CFO direct access to the CEO and to other leadership team members
- develop protocols to ensure that the leader and chief executive negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained
- make a senior officer (CFO) responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control
- appoint a professionally qualified CFO whose core responsibilities include those set out in the Statement on the Role of the CFO in Local Government and ensure that they are properly understood throughout the authority
- ensure that the CFO :
 - leads the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively
 - has a line of professional accountability for finance staff throughout the organisation
- ensure that budget calculations are robust and reserves adequate, in line with CIPFA's guidance
- ensure that appropriate management accounting systems, functions and controls are in place so that finances are kept under review on a regular basis. These systems, functions and controls should apply consistently to all activities including partnership arrangements, outsourcing or where the authority is acting in an enabling role
- make a senior officer (the monitoring officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with
- develop protocols to ensure effective communication between members and officers in their respective roles
- set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process
- ensure that effective mechanisms exist to monitor service delivery
- ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated:
- establish a medium term business and financial planning process to deliver strategic objectives including:
 - a medium term financial strategy to ensure sustainable finances
 - a robust annual budget process that ensures financial balance
 - a monitoring process that enables this to be delivered
- ensure that these are subject to regular review to confirm the continuing relevance of assumptions used
- when working in partnership

- ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authority
- ensure that there is clarity about the legal status of the partnership
- ensure that representatives of organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions.
- ensure the completion of a governance self assessment with partners
- establish a joint risk register

GOOD GOVERNANCE STANDARD 3

Rotherham will promote values for the authority and demonstrate the values of good governance through upholding high standards of conduct and behaviour

We will:

- ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect
- ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the authority, its partners and the community are defined and communicated through codes of conduct and protocols
- put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice
- develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners
- put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice:
- ensure that systems and processes for financial administration, financial control and protection of the authority's resources and assets are designed in conformity with appropriate ethical standards and monitor their continuing effectiveness in practice
- develop and maintain an effective standards committee
- use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the authority
- in pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners' behaviour both individually and collectively.

GOOD GOVERNANCE STANDARD 4

Rotherham will take informed and transparent decisions which are subject to effective scrutiny and managed risk

We will:

- develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the authority's performance overall and that of any organisation for which it is responsible
- maintain and resource an effective internal audit function
- develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based
- put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice
- develop and maintain an effective audit committee which is independent of the executive and scrutiny functions
- ensure that the authority's governance arrangements allow the CFO direct access to the audit committee and external audit
- ensure that effective, transparent and accessible arrangements are in place for dealing with complaints
- ensure that those making decisions whether for the authority or the partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications, including information about the Economic Downturn:
- ensure the provision of clear, well presented, timely, complete and accurate information and reports to budget managers and senior officers on the budgetary and financial performance of the authority
- ensure that professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately:
- ensure the authority's governance arrangements allow the CFO to bring influence to bear on all material decisions
- ensure that advice is provided on the levels of reserves and balances in line with good practice guidance
- ensure that risk management is embedded into the culture of the authority, with members and managers at all levels recognising that risk management is part of their jobs:
- ensure the authority's arrangements for financial and internal control and for managing risk are addressed in annual governance reports
- ensure the authority puts in place effective internal financial controls covering codified guidance, budgetary systems, supervision, management review and monitoring, physical safeguards, segregation of duties, accounting procedures, information systems and authorization and approval processes
- ensure that arrangements are in place for whistle-blowing to which staff and all those contracting with the authority have access
- actively recognise the limits of lawful activity placed on us by, for example, the ultra vires doctrine but also strive to utilise powers to the full benefit of our communities
- recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law
- observe all specific legislative requirements placed upon us, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – rationality, legality and natural justice – into our procedures and decision-making processes.

GOOD GOVERNANCE STANDARD 5

Rotherham will develop the capacity and capability of members and officers to be effective

We will:

- provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis
- ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the authority
- ensure the CFO has the skills, knowledge, experience and resources to perform effectively in both the financial and non financial areas of their role
- review the scope of the CFO's other management responsibilities to ensure financial matters are not compromised
- provide the finance function with the resources, expertise and systems necessary to perform its role effectively
- assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively
- embed financial competencies in person specifications and appraisals
- ensure that councillors' roles and responsibilities for monitoring financial performance / budget management are clear, that they have adequate access to financial skills and are provided with appropriate financial training on an ongoing basis to help them discharge their responsibilities
- develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed
- ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan to address any training or development needs
- ensure that effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority
- ensure that career structures are in place for members and officers to encourage participation and development

GOOD GOVERNANCE STANDARD 6

Rotherham will engage with local people and other stakeholders to ensure robust public accountability

We will:

- make clear to ourselves, all staff and the community to whom we are accountable and for what
- consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required
- produce an annual report on the activity of the scrutiny function
- ensure that clear channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements to ensure that they operate effectively
- hold meetings in public unless there are good reasons for confidentiality
- ensure that arrangements are in place to enable the authority to engage with all

sections of the community effectively. These arrangements will recognise that different sections of the community have different priorities and we will establish explicit processes for dealing with these competing demands

- establish a clear policy on the types of issues we will meaningfully consult on or engage with the public and service users about, including a feedback mechanism for those consultees to demonstrate what has changed as a result
- on an annual basis, publish a performance plan giving information on the authority's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period
- ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so
- develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making

ROTHERHAM BOROUGH COUNCIL – REPORT TO CABINET

1.	Meeting:	Cabinet
2.	Date:	24th March, 2010
3.	Title:	Corporate Risk Register
4.	Directorate:	Financial Services

5. Summary

Attached to this report is the current corporate risk register summary. The register shows the risks associated with the Council's most significant priorities and projects, and a summary of the actions being taken to mitigate these risks.

Key risks relating to Children's Services' have been restated to refer specifically to the delivery of the Department for Children, Schools and Families improvement plan and to budget pressures relating to the service. Both risks are reduced to amber status following management actions. There are no red residual risks at this time.

6. Recommendations

The Cabinet is asked to:

- **note the updated corporate risk register summary attached at Appendix A**
- **consider whether there are any other emerging risks that should be added to the corporate risk register.**

7. Proposals and Details

7.1 Format

This report contains the latest position on the Corporate Risk Register. The report has two key parts:

- An '*at a glance*' picture showing the pattern of risk assessments for corporate priorities or projects both before and after risk management actions – see 7.3 below.
- A more detailed summary of the risk register that reflects the current risk assessments for each corporate priority or project. This is attached at **Appendix A**.

Appendix A has been enhanced to include details explaining the risk register entries. There are 3 overall categories of risk (RED, AMBER, GREEN), representing varying degrees of exposure. Each category contains a range of risk scores, so there are varying degrees of risk within each category. Appendix A also now shows specific current and target risk scores (i.e. before and after mitigating actions), as well as the general risk category for each priority or project included in the register.

Additionally, following a request by Members on the previous quarter's register, Appendix A now shows the risk categories for each priority for the previous 3 reports, which provides an indication of the degree of change in risk assessments over time.

7.2 Changes since previous report.

The main changes occurring since the previous report are as follows:

- The Leisure PFI project and the Community Safety and Equalities priorities have been removed from the corporate risk register because these have now been achieved or substantially completed.
- The 'current' risk rating (i.e. before mitigating actions) for the Single Status and Job Evaluation priority (reference 15) has been reduced from Red to Amber, as a result of the substantial completion of this programme.
- The 'current' risk rating associated with the re-tendering of the repairs and maintenance contract (reference 46), currently provided by the 2010 Rotherham Ltd In-House Service Provider, has been increased from Amber to Red in view of the critical stage this process has reached. The risk remains amber after mitigating actions.
- Various Children and Young People Services' (CYPS) risks (implementation of the Children's Act, school attainment, foster caring and safeguarding Children) have been replaced, where relevant, by two new entries relating to the Department for Children, Schools and Families (DCSF) improvement plan implementation and CYPS' budget and resourcing issues (references 58 and 59).

- As expected, implementation of the DCSF improvement plan (reference 58) is regarded as a 'red' current risk in view of the critical implications of any failure to deliver the plan. The post-management risk rating is regarded as amber, indicating that the risk is being effectively mitigated.
- The 'current' risk assessment relating to the CYPS' budget and resources pressures (reference 59) is also regarded as red. This risk is also reduced to amber by management actions including additional budget provision for 2010/11 and actions to improve the effective use of available resources.

7.3 Corporate Risks at a Glance

7.3.1 Risk assessments prior to mitigating actions.

The first diagram shows the pattern of risk assessments for corporate priorities or projects before risk management actions.

Probability: Will it Happen?	Very high				58 DCSF imp't plan (72)
	High		19 Public Image (48) 37 YES Project (48) 51 Carbon Red'n (48) 47 Narrowing gap (48) 36 Ec. Downturn (48) 14 CAA (44) 52 LAA (44)	43 LG Reform (60) 45 2010 Fin. Perf. (56) 11 Capital Program (52) 29 Adults Demand (52) 46 In House Prov. (52)	38 Safeguarding Adults & Physical Disabilities (64) 44 Commissioning (64) 59 CYPS Resources (64)
	Medium		10 BSF (36) 22 Children's Plan (36) 4 Workstyle (36) 55 RBT contract (36) 3 Civic Accom (33) 53 EDRMS (33) 15 Single Status (33)	6 Waste Management Strategy (48) 26 Decent Homes (42) 28 Priv Sector Hsg (42)	
	Low		7 Westgate Demo (28)	31 Reservoirs (36)	
	Very low				
		Minimal	Minor	Moderate	Serious

Impact: Will it Hurt?

Note on the diagram entries:
 EG “19 Public Image (48)”. The first number, in this case 19, is the reference number of the risk. Risks are listed in reference number order in the risk register summary at Appendix A. The second number in brackets, in this instance (48), shows the risk score. The higher the score, the greater the risk.

7.3.2 Risk Assessments after allowing for mitigating controls

The second diagram shows the pattern of risk assessments for corporate priorities or projects after risk management actions.

Probability: Will it Happen?	Verv High					
	High		46 In House Prov. (40) 52 LAA (40)			
	Medium	55 RBT contract (24) 28 Private Sector Hsg (30) 14 CAA (27)	19 Public Image (36) 22 Children’s Plan (36) 37 YES Project (36) 38 Safeguarding Adults & Physical Disabilities (36) 47 Narrowing gap (36) 29 Adults Demand (33) 26 Decent Homes (33) 36 Ec Downturn (30) 51 Carbon Red’n (30) 15 Single Status (27)	58 DCSF imp’t plan (45) 44 Commissioning (45) 45 2010 Fin. Perf. (42) 59 CYPS Resources (42) 11 Capital Prog (39)		
	Low	4 Workstyle (22) 10 BSF (18) 53 EDRMS (16)	7 Westgate Demo (24)	31 Reservoirs (28) 43 LG Reform (26) 3 Civic Accom (26)	6 Waste Man’t Strategy (30)	
	Verv low					
	Minimal	Minor	Moderate	Serious	Severe	
	Impact: Will it Hurt?					

It can be seen from the second chart, that risk is being reduced by management actions. The following tables provide a summary of the risk reduction achieved.

Table 1 shows the risk category that initial red and amber risks are converted to, following mitigating actions:

Risk category	Number of Projects / Priorities in the category BEFORE mitigating actions		Risk category	Number of Projects / Priorities in the category AFTER mitigating actions
Red	9		Red	0
Amber	19		Amber	9
			Green	NIL
			Amber	14
			Green	5

Table 2 shows the average risk score for priorities rated as red and amber prior to mitigating actions, and the average reduction in risk scores resulting from the mitigating actions:

Risk category	Average risk score BEFORE mitigating actions	Average risk score AFTER mitigating actions	Reduction in average risk score as a result of mitigating actions
Red	60	37	23
Amber	41	29	12

In the previous report the risk relating to safeguarding children carried a high (Red) status after management actions. This was to reflect that more work needed to be done on this within the Council. Key risks relating to Children’s Services’ have been restated to refer specifically to the delivery of the DCSF improvement plan and to budget pressures relating to the service. Both risks are now reduced to amber status following current management actions. There are no red residual risks at this time.

8. Finance

The risks contained in the register require ongoing management action. In some cases additional resources may be necessary to implement the relevant actions or mitigate risks. Any additional costs associated with the risks should be reported to the Strategic Leadership Team and Members for consideration on a case by case basis.

9. Risks and Uncertainties

It is important to review the effectiveness of our approach to capturing, managing and reporting corporate risks on an ongoing basis, to ensure risks relating to the Council's key projects and priorities are effectively monitored and managed by the Strategic Leadership Team and Members.

10. Policy and Performance Agenda Implications

Risk Management is part of good corporate governance and is wholly related to the achievement of the objectives in the Council's Corporate Plan.

11. Background Papers and Consultation

The content of this report has been informed by consultation with Directorates.

Contact Names:

Colin Earl, Director of Audit and Governance, x22033

Appendices

A Corporate Risk Register Summary

APPENDIX A: CORPORATE RISK REGISTER SUMMARY

Explanatory Note:

For the purposes of illustration, Risk Reference 37: 'YES Project' from the corporate risk register is extracted below:

Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control
Major Projects						
37	EDS – YES Project	Risk of project not being implemented in full by preferred developer due to lack of attractiveness of the scheme to investors, with consequential loss of income.	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">48</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>	Karl Battersby	Signed Development Agreement with Oak Holdings in November 08. Planning application for renewal of the permission submitted Jan 2010. The leisure complex outline from three years ago is about to expire, therefore a fresh outline planning permission application is to be made, with the decision expected in the Spring. Transfer of Rother Valley management to Oak Holdings for 7 years from May 2009 to improve chances of a positive outcome.	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">36</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>

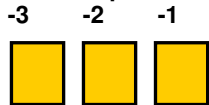
There are 3 overall categories of risk (RED, AMBER, GREEN), representing varying degrees of exposure. Each category contains a range of risk scores, so there are varying degrees of risk within each category. Scores have now been added to the register entries to show the specific risk assessments pre (48 in this example) and post (36) mitigating actions, in order to demonstrate the effectiveness of mitigating actions, particularly where the overall risk category for any priority or project has not changed, as is the case in the example above.

The following table gives more information:

Risk Category	Range of risk scores	Level of Risk
Red	More than 50	High level of risk, requiring close and regular review and further preventive or remedial action as necessary
Amber	26 to 50	Medium level of risk, requiring regular monitoring and, in the event of any identified increase in risk, escalation for consideration of further actions.
Green	Up to and including 25	Low level of risk, initially requiring regular monitoring and reporting.

The register shows the respective risk categories for the last 3 risk registers, as follows:

Previous periods:



In this case, the risk category has been amber both before and after mitigating actions in each of the last 3 periods. Where any period has no colour (i.e. is white), this indicates that the priority or project was not included in the risk register in that period.

The register also shows the corporate priorities that each project or priority included in register contributes to. This is indicated in the 'Risk Area' column for each priority / project included in the register.

The corporate plan priorities are as follows:

	=	Rotherham Learning		=	Rotherham Proud
	=	Rotherham Achieving		=	Sustainable Development
	=	Rotherham Alive		=	Fairness
	=	Rotherham Safe			

CORPORATE RISK REGISTER

Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control														
Major Projects																				
3	Civic Building accommodation	<p>New accommodation not fit for purpose</p> <p>Failure to maximise use of resources</p> <p>Failure to modernise services and respond to changing needs</p> <p>Failure to apply appropriate governance arrangements: procurement; risk transfer; affordability; deliverability; structures and controls.</p>	<p style="text-align: center;">A M B E R</p> <p style="text-align: center;">33</p> <p>Previous periods: -3 -2 -1</p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </p>	Karl Battersby	<p>The business case was agreed by Cabinet in September 2008.</p> <p>Planning permission granted in June 2009. Judicial Review ended 22 Dec 09. Land works commenced on site Jan 2010.</p> <p>The contract went unconditional in December. All pre-commencement conditions have been discharged.</p> <p>Expect to start to move into the new building in late 2011.</p>	<p style="text-align: center;">A M B E R</p> <p style="text-align: center;">26</p> <p>Previous periods: -3 -2 -1</p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </p>														
	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>L</td><td>Ac</td><td>AI</td><td>S</td><td>P</td><td>SD</td><td>F</td> </tr> <tr> <td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td> </tr> </table>	L	Ac	AI	S	P	SD	F	√	√	√	√	√	√	√					
L	Ac	AI	S	P	SD	F														
√	√	√	√	√	√	√														
4	Worksmart	<p>Failure to maximise use of resources</p> <p>Failure to modernise services and respond to changing needs</p> <p>Failure to take opportunities to improve public perception and satisfaction by more not adopting modern and more effective and efficient working practices.</p>	<p style="text-align: center;">A M B E R</p> <p style="text-align: center;">36</p> <p>Previous periods: -3 -2 -1</p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </p>	Karl Battersby	<p>Worksmart Team up and running under the leadership of the Director of Asset Management, including corporate and departmental project groups now established and reporting progress.</p> <p>Review of business case fit with the current organisation review is currently underway, under the direction of the Strategic Leadership Team.</p>	<p style="text-align: center;">G R E E N</p> <p style="text-align: center;">22</p> <p>Previous periods: -3 -2 -1</p> <p style="text-align: center;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> </p>														
	<table border="1" style="width: 100%; text-align: center;"> <tr> <td>L</td><td>Ac</td><td>AI</td><td>S</td><td>P</td><td>SD</td><td>F</td> </tr> <tr> <td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td> </tr> </table>	L	Ac	AI	S	P	SD	F	√	√	√	√	√	√	√					
L	Ac	AI	S	P	SD	F														
√	√	√	√	√	√	√														

Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control														
Major Projects																				
6	<p>Delivery of the Waste Management strategy. Failure could involve significant penalties.</p> <p>Needs: 1 Disposal facilities to be agreed with other authorities 2 Medium term contract 2008-2014 3 Long term contract 2014 onwards</p> <p>“energy from waste” is a possible favoured scheme, but consultees prefer a higher cost option.</p>	<p>Potential significant financial penalties</p> <p>Adverse inspection assessment</p> <p>Failure to apply appropriate governance arrangements: - procurement - risk transfer - affordability - deliverability - structures and controls</p>	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">48</div>	Karl Battersby	<p>BDR Waste Partnership has secured £74.4m in PFI credits.</p> <p>PFI 4 bids have been evaluated and a recommendation made to the Project Board to reduce to 2 final bids. An affordability report is being completed.</p> <p>DMBC had called a break point review to determine whether they should withdraw from the project, but have since decided to continue.</p> <p>The project plan is being revised to reflect slight delays in determining affordability options, but the overall project is on target for agreement by August 2010.</p> <p>Interim arrangements are in place and operating.</p>	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">30</div>														
			Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around;"><div style="border: 1px solid black; width: 20px; height: 20px;"></div><div style="border: 1px solid black; width: 20px; height: 20px;"></div><div style="border: 1px solid black; width: 20px; height: 20px;"></div></div>				Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around;"><div style="border: 1px solid black; width: 20px; height: 20px;"></div><div style="border: 1px solid black; width: 20px; height: 20px;"></div><div style="border: 1px solid black; width: 20px; height: 20px;"></div></div>													
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L	Ac	Al	S	P	SD	F														
			√	√	√															

Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control													
Major Projects																			
7	Westgate demonstrator project. Involves new construction, use of housing market renewal monies and possible acquisition of properties.	Risk transfer Financial costs Benefit realisation (deliverability) Governance arrangements	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">28</div> Previous periods: -3 -2 -1 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Karl Battersby	Imperial Bldgs works completed and fit out due for completion by Feb 2010. Old Market Street car park and Keppel Wharf complete. All Saints public realm proposal will require funding from Yorkshire Forward (YF) and the European Regional Development Fund. Possible risk due to YF budgets. Westgate Chambers acquired with mix of YF and Transform South Yorkshire monies. Unlikely to be developed until additional funds become available post 2010. Yorkshire Forward funding secured for Site 4 Weir side public realm (Deck of Cards) and work has commenced.	G R E E N <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">24</div> Previous periods: -3 -2 -1 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>													
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: yellow;">L</td> <td style="background-color: #ADD8E6;">Ac</td> <td style="background-color: #ADD8E6;">Al</td> <td style="background-color: #90EE90;">S</td> <td style="background-color: #FF6347;">P</td> <td style="background-color: #FFA07A;">SD</td> <td style="background-color: #D3D3D3;">F</td> </tr> <tr> <td></td> <td style="text-align: center;">√</td> <td style="text-align: center;">√</td> <td style="text-align: center;">√</td> <td style="text-align: center;">√</td> <td style="text-align: center;">√</td> <td></td> </tr> </table>	L	Ac	Al	S	P	SD	F		√	√	√	√	√					
L	Ac	Al	S	P	SD	F													
	√	√	√	√	√														
10	Building Schools for the Future (BSF) and 'Primary Capital Programme *1' projects	Failure to maximise investment to deliver infrastructure improvements Failure to improve attainment, attendance and other key PIs Failure to apply appropriate governance arrangements: procurement; risk transfer; affordability; deliverability; structures and controls.	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">36</div> Previous periods: -3 -2 -1 <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Joyce Thacker	Full programme agreed in March 09 with no modifications. Herringthorpe and Canklow Primary schools opened as new buildings. Design work was completed on Monkwood and Swinton Queen by December 2009. 'Strategy for change 2' rated as "good" in October 2009. Maltby Academy open from 1 st January 2010.	G R E E N <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">18</div> Previous periods: -3 -2 -1 <input style="background-color: yellow;" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>													
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L	Ac	Al	S	P	SD	F													
√	√	√	√	√	√														

¹ 5% new build, 45% refurbishment, 50% premium maintained

Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control																				
Major Projects																										
11	<p>Costs of the capital programme.</p> <p>Significant revenue consequences (£11m per year).</p> <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> </tr> </table>	L	Ac	AI	S	P	SD	F	√	√	√	√	√	√	√	<p>Significant financial impact and/or failure to deliver the capital programme.</p>	<p>R E D</p> <p>52</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td style="background-color: red;"></td> <td style="background-color: red;"></td> <td style="background-color: red;"></td> </tr> </table>				Andrew Bedford	<p>Detailed financial calculations are included in the MTFs. These are being reviewed as part of the Council's on-going budget monitoring and financial planning processes</p>	<p>A M B E R</p> <p>39</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td style="background-color: yellow;"></td> <td style="background-color: yellow;"></td> <td style="background-color: yellow;"></td> </tr> </table>			
L	Ac	AI	S	P	SD	F																				
√	√	√	√	√	√	√																				
Cross Cutting																										
14	<p>CAA</p> <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> </tr> </table>	L	Ac	AI	S	P	SD	F	√	√	√	√	√	√	√	<p>Risk of Rotherham Council failing to achieve a minimum organisation score of performing well.</p> <p>Failure to improve and develop services and improve customer satisfaction.</p> <p>Failure to achieve CAA recognition and improve reputation.</p>	<p>A M B E R</p> <p>44</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td style="background-color: yellow;"></td> <td style="background-color: yellow;"></td> <td style="background-color: yellow;"></td> </tr> </table>				Matt Gladstone	<p>Positive UOR assessment received.</p> <p>Feedback on CAA shows both positives and development areas.</p> <p>Proactive approach adopted to 2010's submission.</p> <p>Quarterly meetings with John Casey arranged to discuss emerging picture, actions to be agreed and outcomes to be reported back on a quarterly basis or as appropriate.</p> <p>Children's improvement panel in place to keep close attention on progress being made by Children Services</p>	<p>A M B E R</p> <p>27</p> <p>Previous periods: -3 -2 -1</p> <table border="1"> <tr> <td style="background-color: yellow;"></td> <td style="background-color: yellow;"></td> <td style="background-color: yellow;"></td> </tr> </table>			
L	Ac	AI	S	P	SD	F																				
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Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control														
Cross Cutting																				
19	Public satisfaction / Image. Press negative <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> </tr> </table>	L	Ac	AI	S	P	SD	F	√	√	√	√	√	√	√	Adverse impact on CPA rating Failure to improve public satisfaction and engagement	A M B E R <div style="border: 1px solid black; width: 40px; margin: 0 auto; padding: 5px;">48</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>	Matt Gladstone	<p>A postal questionnaire on public views has been completed with communities of interest and informal feedback is being collated.</p> <p>Dissemination of Place Survey results has taken place highlighting key issues for Rotherham to all key stakeholders and the 'Learning from Customers' action plan has been updated.</p> <p>The NI4 Target Support Funding will pay for Meaningful communications – community engagement bulletins that will be produced 'Rotherham News' involving a Voluntary and Community Sector editorial reference group and training and development for local people to be involved in the community engagement bulletins.</p>	A M B E R <div style="border: 1px solid black; width: 40px; margin: 0 auto; padding: 5px;">36</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <div style="border: 1px solid black; width: 20px; height: 20px; background-color: #90EE90;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; background-color: #90EE90;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; background-color: #90EE90;"></div> </div>
L	Ac	AI	S	P	SD	F														
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Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control														
CYPS																				
22	<p>Delivery of the Children's single plan priorities, such as:</p> <ul style="list-style-type: none"> - performance in schools (particularly Primary) - health inequalities - quality social care - post-16 education and employment 	<p>Failure to make a difference; to deliver community and corporate priorities relating to Rotherham Learning</p> <p>Adverse inspection comment / rating and impact on CPA assessment</p> <p>An unannounced Inspection of Contact, Assessment and Referral in August led to finding that social worker's caseloads were too heavy. Caseloads still not addressed due to the continuous high level of vacancies at both Social Worker and Team Manager levels.</p> <p>Pressures in relation to budget and service demands continue to increase the risk of failure to deliver services within budget allocation.</p>	<p style="text-align: center;">A M B E R</p> <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">36</div> <p style="text-align: center;">Previous periods: -3 -2 -1</p> <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 30px; height: 30px;"></div> <div style="border: 1px solid black; width: 30px; height: 30px;"></div> <div style="border: 1px solid black; width: 30px; height: 30px;"></div> </div>	Joyce Thacker	<p>Overall Annual Performance Assessment judgement is 2. CYPS CAA judgement is 1.</p> <p>Previous key areas for development (Improving attainment at KS1 and Increasing the proportion of 16-19 year olds who are in education, employment or training) are being addressed.</p> <p>Children First Review completed and an Action Plan produced. An Improvement Board has been formed from across the Council to oversee progress. DCSF issued notice to improve and the improvement plan is monitored fortnightly internally and monthly by DCSF.</p>	<p style="text-align: center;">A M B E R</p> <div style="border: 1px solid black; width: 40px; margin: 0 auto; text-align: center;">36</div> <p style="text-align: center;">Previous periods: -3 -2 -1</p> <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; width: 30px; height: 30px;"></div> <div style="border: 1px solid black; width: 30px; height: 30px;"></div> <div style="border: 1px solid black; width: 30px; height: 30px;"></div> </div>														
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Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control														
Neighbourhoods and Adult Services																				
26	ALMO delivery of decent homes programme. <table border="1"> <tr> <td>L</td><td>Ac</td><td>AI</td><td>S</td><td>P</td><td>SD</td><td>F</td> </tr> <tr> <td></td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td> </tr> </table>	L	Ac	AI	S	P	SD	F		√	√	√	√	√	√	Late or non achievement of targets Potential loss / re-profiling of funding Adverse public / tenants satisfaction Adverse inspection outcomes and impact on CPA / CAA	A M B E R 42 Previous periods: -3 -2 -1 	David Richmond	45% increase in the number of decent properties achieved in 2009/10. Just 2,026 homes (9.66% of the stock) remain to be brought to decency standards at the end of December 2009. Action needs to remain due to the implications of non delivery of Decent Homes.	A M B E R 33 Previous periods: -3 -2 -1
L	Ac	AI	S	P	SD	F														
	√	√	√	√	√	√														
28	Investment in private sector housing. New CPA key indicator which Rotherham's performance is likely to be below threshold. Lack of investment over years. <table border="1"> <tr> <td>L</td><td>Ac</td><td>AI</td><td>S</td><td>P</td><td>SD</td><td>F</td> </tr> <tr> <td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td> </tr> </table>	L	Ac	AI	S	P	SD	F	√	√	√	√	√	√	√	Adverse impact on CAA rating Failure to achieve community and corporate priorities. Potential adverse public satisfaction	A M B E R 42 Previous periods: -3 -2 -1 	David Richmond	Housing investment plans, progress and outcomes acknowledged by the Audit Commission in CAA area and organisation assessments. Good progress made on improving private sector accommodation standards and affordable housing LAA PI is on track. Housing strategy has been revised following a review of the service against the new Audit Commission housing KLoE and work has commenced on the Single Conversation with Homes and Communities Agency.	A M B E R 30 Previous periods: -3 -2 -1
L	Ac	AI	S	P	SD	F														
√	√	√	√	√	√	√														

Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control
Neighbourhoods and Adult Services						
29	<p>Adult Social Services:</p> <ul style="list-style-type: none"> - Demand continues to increase and only the most vulnerable are being helped - in-house costs are higher than independent sector costs - recruitment, retention, resources 	<p>Failure to achieve efficient 'use of resources'.</p> <p>Significant adverse impact on council financial position</p> <p>Adverse inspection outcomes and impact on CPA / CAA</p> <p>Adverse press reaction and user / public satisfaction</p>	R E D <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">52</div> <p style="font-size: small; margin-top: 5px;">Previous periods: -3 -2 -1</p> <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="width: 20px; height: 20px; background-color: red;"></div> <div style="width: 20px; height: 20px; background-color: red;"></div> <div style="width: 20px; height: 20px; background-color: red;"></div> </div>	Chrissy Wright	<p>The Care Quality Commission rated services in the Annual Performance Assessment as "highly cost effective".</p> <p>The 2010/11 budget setting process reflects further progress needed, including: (1) re negotiating contracts to achieve efficiency savings, (2) transforming traditional services to provide better outcomes and better use of resources, (3) reviewing high cost areas and (4) increasing income – bringing charges in line with other LA's.</p> <p>We are also undertaking a self assessment using information released by the Dep't of Health.</p>	A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">33</div> <p style="font-size: small; margin-top: 5px;">Previous periods: -3 -2 -1</p> <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="width: 20px; height: 20px; background-color: yellow;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> </div>
EDS						
31	<p>EDS - Reservoir Failure</p> <p>Risk of reservoir failure from catastrophic weather and / or inadequate maintenance, and breach of flood defences.</p>	<p>Loss of life. Damage to infrastructure and environment. Financial and reputational impact. Potential prosecution.</p>	A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">36</div> <p style="font-size: small; margin-top: 5px;">Previous periods: -3 -2 -1</p> <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="width: 20px; height: 20px; background-color: yellow;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> </div>	Karl Battersby	<p>Ongoing inspection and routine maintenance at Firsby, Thrybergh and Ulley. No funds identified for any additional maintenance. Risk would be any failure to carry out remedial works required by the Reservoirs Inspectorate</p> <p>£4.3m funding secured for the rehabilitation of Ulley dam and spillway. At December 2009 the project was on target for completion.</p>	A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">28</div> <p style="font-size: small; margin-top: 5px;">Previous periods: -3 -2 -1</p> <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="width: 20px; height: 20px; background-color: yellow;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> </div>

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Cross Cutting																			
36	Cross Cutting – Economic Downturn	<p>Major demand on services as a result of job losses etc.</p> <p>Council unable to maintain its budget and service levels and deliver its Corporate Objectives due to reduced income streams.</p> <p>Failure to achieve LAA agreement targets.</p>	<p style="text-align: center;">A M B E R</p> <p style="text-align: center;">48</p> <p>Previous periods: -3 -2 -1</p> <p style="text-align: center;"> ■ ■ ■ </p>	Colin Earl	<p>Working in partnership to alleviate the impact of the downturn on individuals and businesses. A range of positive outcomes have been achieved including:</p> <ul style="list-style-type: none"> - supporting Corus, Burberry and other redundant workers back into employment. - helping over 300 families into homes through the rent-in-advance' scheme. - providing support to an extra 5,000 residents through additional investment in advice services - securing Future Jobs Fund approval for up to 600 placements. <p>Trends in various key indicators over the last 3 months indicate the economy is stabilising.</p>	<p style="text-align: center;">A M B E R</p> <p style="text-align: center;">30</p> <p>Previous periods: -3 -2 -1</p> <p style="text-align: center;"> ■ ■ ■ </p>													
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37	EDS – YES Project	Risk of project not being implemented in full by preferred developer due to lack of attractiveness of the scheme to investors, with consequential loss of income.	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">48</div>	Karl Battersby	<p>Signed Development Agreement with Oak Holdings in November 08.</p> <p>Planning application for renewal of the permission submitted Jan 2010.</p> <p>The leisure complex outline from three years ago is about to expire, therefore a fresh outline planning permission application is to be made, with the decision expected in the Spring.</p> <p>Transfer of Rother Valley management to Oak Holdings for 7 years from May 2009 to improve chances of a positive outcome.</p>	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">36</div>													
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Neighbourhoods and Adult Services																			
38	Safeguarding Adults/Physical Disability	Adverse inspection outcomes and impact on APA / CAA	R E D <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">64</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px; background-color: white;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; background-color: red;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; background-color: red;"></div> </div>	Shona McFarlane	<p>The inspections have been completed and the reports published on the 23rd September 2009. The ratings were 'performing well' for safeguarding and choice and control and 'performing adequately' for quality of life. CQC have praised the Council's Sustaining Excellence Plan for improvement. CQC have reviewed progress in November 2009 and noted the progress made to date.</p> <p>The Sustaining Excellence Plan was reported to Audit Committee and Cabinet in December 2009 / January 2010 respectively. This plan contains improvement actions identified by the Council and CQC during the Annual Performance Assessment process. To date, 100% actions are on track with 15 (37%) fully completed.</p> <p>Following the inspection there were additional improvement actions that potentially raised the impact, therefore the risk is increased.</p>	A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">36</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px; background-color: white;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; background-color: yellow;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; background-color: green;"></div> </div>													
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43	Local Government Reform Implementation Plan	Failure to implement statutory reforms provided for in national policy and new legislation	R E D <div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">60</div>	Matt Gladstone	<p>The duty to involve is being implemented through the revision and implementation of Area Assembly plans, Neighbourhood Charters, Neighbourhood Management and the Consultation and Community Involvement (CCI) Strategy.</p> <p>The Leader of the Council is engaged in establishing new Regional Governance structures. The Council is fully engaged in developing the Sheffield City Region.</p> <p>The new power of well being for Parish Councils, Councillor Call for Action and new Scrutiny functions are being implemented.</p> <p>Actions underway are on track. New Council executive model has been resolved and will come into effect from May.</p>	A M B E R <div style="border: 1px solid black; padding: 5px; width: 30px; margin: 0 auto;">26</div>																							
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44	Commissioning	<p>We risk failing to ensure that Commissioning and procurement decisions are made on the basis of a clear understanding of need and support delivery of priority outcomes.</p> <p>Failure to meet expectations of external regulators resulting in a negative UoR judgement.</p>	R E D <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">64</div>	Joyce Thacker	<p>Commissioning Directors' Group in place. Arrangements currently under review.</p> <p>Directorates are looking at information already held on need, priorities and commissioning that has already taken place. Joint review (with NHS Rotherham) of activity has commenced. Position statement on commissioning for the use of resources assessment produced a 'score of 3'. Work will commence in January to update the position statement for the 09/10 assessment.</p> <p>Manager competencies have been reviewed to include commissioning and procurement. Completed.</p> <p>Further review being carried out with any new arrangements to be agreed and implemented by April 2010.</p>	A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">45</div>																							
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45	2010 Finance & Service Performance	Adverse impact on Housing Revenue Account balance sheet.	R E D <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">56</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="width: 20px; height: 20px; background-color: white;"></div> <div style="width: 20px; height: 20px; background-color: red;"></div> <div style="width: 20px; height: 20px; background-color: red;"></div> </div>	David Richmond	With Council support, 2010 developed a detailed plan to improve financial performance. The improvement plan was presented to the 2010 Board and Council on 19 October 2009 and was subsequently approved.	A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">42</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="width: 20px; height: 20px; background-color: white;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> </div>													
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46	In House Service Provider	Continual financial deficit and regulatory risks as it has been continually flagged up by the Audit Commission.	R E D <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">52</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="width: 20px; height: 20px; background-color: white;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> </div>	David Richmond	<p>2010 Rotherham Ltd is managing the project with the Council's Landlord Officer and reporting to Board and Cabinet Member.</p> <p>Repairs & Maintenance Procurement Process and Timescales in place with mobilisation expected by late 2010' 6 bidders interested for 2 contracts, including the In House Provider.</p> <p>In order to offset potential restructuring costs it has been indicated to bidders that there may be an opportunity to allocate some housing capital works to increase contract values.</p>	A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">40</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="width: 20px; height: 20px; background-color: white;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> <div style="width: 20px; height: 20px; background-color: yellow;"></div> </div>													
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52	Local Area Agreement 08-11	Risk that the Local Area Agreement targets are not met.	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">44</div>	Matt Gladstone	<p>Quarterly performance reporting to the Strategic Leadership Team (formerly CMT), Cabinet and PSOC. Improvement plans in place and managed by the Local Strategic Partnership Theme Boards with support from the LSP's Chief Executives' Group. Performance Clinics are available as and when required.</p> <p>Systems are in place to monitor and produce improvement plans. Officers are currently reviewing the LAA and refreshing some of the targets due to the recession.</p>	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">40</div>																								
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53	EDRMS - Failure to implement EDRMS effectively across the Council.	Risk to Accommodation Strategy and WorkSmart Programme and unable to realise savings.	A M B E R <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">33</div>	Andrew Bedford	<p>SLT commitment to project confirmed. Support to progress the project identified and arranged. Capital Funding for implementation identified.</p> <p>First phase of the project successfully completed. All Directorates engaged in the programme.</p>	G R E E N <div style="border: 1px solid black; width: 30px; margin: 0 auto; text-align: center;">16</div>																								
	<table border="1" style="width: 100%; text-align: center;"> <tr> <td style="background-color: yellow;">L</td> <td style="background-color: #cccccc;">Ac</td> <td style="background-color: #cccccc;">Al</td> <td style="background-color: #90ee90;">S</td> <td style="background-color: #ffcccc;">P</td> <td style="background-color: #ffcccc;">SD</td> <td style="background-color: #cccccc;">F</td> </tr> <tr> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> <td>√</td> </tr> </table>	L	Ac	Al	S	P	SD	F	√	√	√	√	√	√	√	<p>Previous periods:</p> <table style="width: 100%; text-align: center;"> <tr> <td>-3</td> <td>-2</td> <td>-1</td> </tr> <tr> <td><div style="border: 1px solid black; width: 20px; height: 20px;"></div></td> <td><div style="border: 1px solid black; width: 20px; height: 20px;"></div></td> <td><div style="border: 1px solid black; width: 20px; height: 20px;"></div></td> </tr> </table>	-3	-2	-1	<div style="border: 1px solid black; width: 20px; height: 20px;"></div>	<div style="border: 1px solid black; width: 20px; height: 20px;"></div>	<div style="border: 1px solid black; width: 20px; height: 20px;"></div>		<p>Previous periods:</p> <table style="width: 100%; text-align: center;"> <tr> <td>-3</td> <td>-2</td> <td>-1</td> </tr> <tr> <td><div style="border: 1px solid black; width: 20px; height: 20px;"></div></td> <td><div style="border: 1px solid black; width: 20px; height: 20px;"></div></td> <td><div style="border: 1px solid black; width: 20px; height: 20px;"></div></td> </tr> </table>	-3	-2	-1	<div style="border: 1px solid black; width: 20px; height: 20px;"></div>	<div style="border: 1px solid black; width: 20px; height: 20px;"></div>	<div style="border: 1px solid black; width: 20px; height: 20px;"></div>
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Ref	Risk Area	Current Risk	Current Risk Assessment	Lead Officer	Mitigating Controls & Current Position	After Man't Control
Cross Cutting						
55	Maximising the value from the renegotiated RBT contract	Failure to fully realise the benefits of the strategic partnership with BT.	A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">36</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>	Andrew Bedford	<p>Strong partnership governance arrangements and strengthened client arrangements in place.</p> <p>Further development of benchmarking to ensure value for money.</p> <p>Developing Joint Forward Plan.</p> <p>Exploring synergies with other BT sites.</p>	G R E E N <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">24</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>
CYPS						
58	Response to DCSF notice to improve	<p>Future intervention from OFSTED/DCSF.</p> <p>Children exposed to inadequately managed risk.</p> <p>Council exposed to financial and reputational risks.</p> <p>Impact on future inspection outcomes and CAA ratings.</p>	R E D <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">72</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>	Joyce Thacker	<p>Compliance with requirements of Children Act. Ensuring that targets for attainment are achieved.</p> <p>Fostering and carer payment requirements fully met. Projected increase of 15 carers by March 2010 as a result of investment in 2009/10. Raised as part of budget discussions for 2010/11. Analysis of need being undertaken to inform more targeted recruitment in new campaign 2010.</p> <p>Multi-agency child protection procedures are fully implemented and embedded.</p> <p>Continue service improvement and school attainment. Improvement plan is monitored fortnightly internally and monthly by Dep't for Children, Schools and Families.</p>	A M B E R <div style="border: 1px solid black; padding: 2px; width: 30px; margin: 0 auto;">45</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>

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CYPS																				
59	CYPS Resources <table border="1"> <tr> <td>L</td> <td>Ac</td> <td>AI</td> <td>S</td> <td>P</td> <td>SD</td> <td>F</td> </tr> <tr> <td>√</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	L	Ac	AI	S	P	SD	F	√							Insufficient budget and Ineffective use of resources to meet statutory and moral obligations due to focus on high priority services.	R E D <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">64</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>	Joyce Thacker	Budget investments being considered for 2010/11 to provide more funding into the service. Plans in place to improve the use of existing resources. Review of partnership arrangements and contributions being undertaken. Regular monitoring and reporting of risks and progress to cabinet, DLT and Scrutiny Panel.	A M B E R <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">42</div> Previous periods: -3 -2 -1 <div style="display: flex; justify-content: space-around; width: 100px;"> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px;"></div> </div>
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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	CABINET
2.	Date:	24th MARCH, 2010
3.	Title:	CRIME AND DISORDER REDUCTION PARTNERSHIP SCRUTINY
4.	Programme Area:	CHIEF EXECUTIVE'S

5. Summary

This report is to advise Cabinet of progress made to date by the working group of the Democratic Renewal Scrutiny Panel (designated the 'Crime and Disorder Committee') to develop and introduce a detailed Crime and Disorder Reduction Partnership Scrutiny protocol agreeing mutual roles, and practical arrangements for scrutiny.

The report asks that the protocol is noted by Cabinet before it is circulated to members of the Crime and Disorder Reduction Partnership for consideration and endorsement.

6. Recommendations

Cabinet is asked to consider the progress to date.

7. Proposals and Details

- 7.1 The provisions contained within section 19-21 of the Police and Justice Act 2006 extends the remit of local authorities to scrutinise the functioning of the local Crime and Disorder Reduction Partnerships (CDRP) in England. These provisions commenced on 30 April 2009 in England. At the same time the Councillor Call for Action (CCfA) on Crime and Disorder came into effect.
- 7.2 The members of CDRPs are required to take part in scrutiny locally. This includes the main partners ('responsible authorities'): local authorities, fire and rescue authorities, police authorities, the police, primary care trusts in England), plus the 'co-operating bodies': probation (soon to become a responsible authority), parish councils, NHS trusts, proprietors of independent schools, further education institutions.
- 7.3 A meeting was held on 29 September 2009 with colleagues from South Yorkshire Police Authority, Doncaster Council and Barnsley Council to discuss how the overview of crime and disorder matters would operate in South Yorkshire. Apologies were sent by Sheffield Council.
- 7.4 It was proposed that there would be an overarching protocol for South Yorkshire to be used for any joint scrutiny between the local authorities to share resources and ensure that responsible authorities and co-operating bodies are not required to answer to two or more separate crime and disorder committees. Rotherham Council is preparing a regional protocol, however, it was found necessary for co-operating authorities to agree local arrangements for the scrutiny of CDRPs first.
- 7.5 A Members Working Group was established to develop a protocol and met on 16th November 2009 to consider a draft protocol for the scrutiny of the Safer Rotherham Partnership. This group is chaired by Councillor Jane Austen. Membership also includes Councillors Littleboy and Currie.
- 7.6 The protocol has been reviewed by RMBC's legal section and has been circulated to partners on the CDRP to seek views on the proposals.
- 7.7 The Democratic Renewal Scrutiny Panel, on 28th January 2010, and Performance and Scrutiny Overview Committee, on 26th February 2010, agreed the Crime and Disorder Reduction Partnership Scrutiny protocol. It was also agreed that the protocol is to be submitted to the Safer Rotherham Partnership for approval, and a protocol for CDRPs in respect of South Yorkshire is to be further developed.

8. Finance

There are no financial implications directly arising from this report. Actions arising from Councillor Call for Action or from scrutiny recommendations in relation to scrutiny of Crime and Disorder Reduction Partnerships, however, may have financial implications should they be enacted.

9. Risks and Uncertainties

There are a number of risks and uncertainties which include:

- Failure to secure agreement on protocols from partner agencies;
- Possible impact of scrutiny on partnership arrangements;
- Whether current resources will be sufficient to resolve issues particularly if there is a demand for CCfA.

10. Policy and Performance Agenda Implications

Section 19-21 introduces a general duty to look at partnership activity and community safety issues in a local area. This role can involve contributions to strategy development, review of performance of the partnership in implementing the Crime and Disorder Reduction Reform programme, and in-depth reviews into particular issues of local concern which need partnership solutions. The 'Crime and Disorder Committee' has a key responsibility to monitor the impact and outcomes of the Local Area Agreement crime and disorder targets. The performance of the Crime and Disorder Partnership is included in the overall borough-wide Comprehensive Performance Assessment.

11. Background Papers and Consultation

- Local Government and Public Involvement in Health Act 2007
- CfPS – summary of Local Government Act Part 5, Section 119
- Draft Crime and Disorder (Overview and Scrutiny) Regulations 2009, Sections 19-21, Police and Justice Act, 2006
- Cabinet, February 27, 2009 Minute 163. Update on Progress on the Development and Implementation of Councillor Call for Action
- Democratic Renewal Scrutiny Panel, 17th September 2009 Minute 30. Advice on intention to commence Sections 19 - 21 of the Police and Justice Act 2006.

Contact: *Ben Knight, Scrutiny Officer, direct line: (01709) 254452*
e-mail: ben.knight@rotherham.gov.uk

SCRUTINY OF THE CRIME AND DISORDER REDUCTION PARTNERSHIP (SAFER ROTHERHAM PARTNERSHIP)

1. INTRODUCTION

- 1.1 The Police and Justice Act 2006 and associated regulations provide for an Overview and Scrutiny Crime and Disorder Committee to be established to review or scrutinise decisions or action taken by specific organisations whose activities relate to crime and disorder and the effectiveness of the Crime and Disorder Reduction Partnership (CRDP) in working jointly together and agreeing and delivering community safety priorities.
- 1.2 This role can involve contributions to strategy development, review of performance of the partnership, and in-depth reviews into particular issues of local concern which need partnership solutions. The 'Crime and Disorder Committee' also has a key responsibility to monitor the impact and outcomes of the Local Area Agreement crime and disorder targets.
- 1.3 In Rotherham this scrutiny is undertaken by the Democratic Renewal Scrutiny Panel, which has been designated the "Crime and Disorder Committee" under Paragraph 1, Section 19 of Part 3 of the Act. Hereafter within this protocol this will be referred to as "the Committee".
- 1.4 This Protocol has been produced between Rotherham Metropolitan Council, and all co-operating partners that form the Safer Rotherham Partnership (SRP), to provide a framework for scrutiny of the CDRP. The publication of regulations and good working practice has shaped this protocol which may be revised by agreement between all the interested parties in order to continually improve the scrutiny process.

2. PRINCIPLES OF SCRUTINY OPERATIONS

- 2.1 Scrutiny in Rotherham is positive, objective and constructive. It acknowledges good practice and recommends improvements where it feels that these would be of benefit. Scrutiny concentrates on service outcomes and seeks to add value to each service that it considers.
- 2.2 Community safety and freedom from crime and disorder for the people of Rotherham is dependant upon many factors including the services provided in partnership by partners in the CDRP. This shared responsibility will be acknowledged by scrutiny and will feature in scrutiny reviews.
- 2.3 Scrutiny of the reduction of crime and disorder will only be truly successful if key organisations work and co-operate together in an atmosphere of mutual respect and trust with an understanding and commitment to its aims.
- 2.4 The protocol applies to those partners who are represented on the Safer Rotherham Partnership, including the main partners ('responsible authorities') as detailed in the legislation:-
 - Rotherham MBC

- South Yorkshire Police
- South Yorkshire Police Authority
- South Yorkshire Fire & Rescue Service
- South Yorkshire Fire & Rescue Service Authority
- Rotherham NHS

As well as the 'co-operating bodies':-

- Parish councils
- NHS Trusts
- Proprietors of independent schools
- Further education institutions

- 2.5 It is likely that from April 2010, through legislative changes, probation authorities will become responsible authorities and the duties of CDRPs will be expanded to include reducing re-offending. Guidance is awaited on this issue.
- 2.6 The key organisations involved in scrutiny of crime and disorder are under a duty to share information, knowledge and reports which relate to the delivery and success of services in Rotherham, and must be willing to carry out duties that would be reasonably expected of them to enable crime and disorder scrutiny to be successfully undertaken.
- 2.7 At all times both officers and members of the organisations involved in crime and disorder scrutiny, representatives and members of the public will be treated with respect and courtesy. Matters of confidentiality will be treated with respect.
- 2.8 Wherever possible crime and disorder scrutiny will be open and transparent. Any person involved in crime and disorder scrutiny will always declare any personal or other pecuniary interest that they have either in a scrutiny exercise or during a meeting of the Committee in accordance with the Code of Conduct relating to standards of conduct and ethics.
- 2.9 The Committee, whilst working in partnership, is independent of the respective partners comprising the CDRP.
- 2.10 Scrutiny of crime and disorder will try to maximise the involvement of the community and will work with other agencies representing the public.
- 2.11 Scrutiny of crime and disorder will be focused on improving services and service provision for the people of Rotherham and will concentrate on outputs that are intended to help improve community safety and reduce the fear of crime in Rotherham.

3. THE ROTHERHAM DEMOCRATIC RENEWAL SCRUTINY PANEL

- 3.1 All dates and times of meetings of the Committee, agendas, minutes and reports will be circulated to members and the CDRP in accordance with the Local Government Act 2000 or subsequent legislation.

- 3.2 As a minimum requirement the Committee must meet once in every twelve month period and will receive an annual report from the CDRP. It may delegate further work to a sub-group or one of its standing panels to ensure such issues as performance are being considered on a more regular basis and partners may be invited to attend these meetings where appropriate.
- 3.3 The partners will be consulted via the CDRP on Annual Work Programmes and informed in advance of scrutiny exercises that the Committee is intending to undertake. They will also be informed of the scope of all scrutiny exercises and will be given reasonable notice of invitations to attend meetings of the Committee and any required information.
- 3.4 The CDRP will be consulted on any draft reports before they are published. Final reports will be presented to Rotherham Council, the CDRP, be published on the council's website and circulated in accordance with the regulations on scrutiny of crime and disorder.
- 3.5 The CDRP will be informed of any press releases relating to crime and disorder scrutiny although the Scrutiny Support Services may speak to the press in advance of meeting to brief them about forthcoming Scrutiny Panel meetings.
- 3.6 The Committee is required to consider and monitor any actions or recommendations resulting from its deliberations. The Committee will need to agree with the relevant partners how progress in implementing recommendations will be monitored, taking account of any relevant factors.
- 3.7 Scrutiny will be focused on the CDRP as a whole and if issues arise which relate specifically to a particular partner organisation it may be appropriate, in the first instance, to refer the issue to the governing body of that organisation. The Committee will at all times comply with the Constitution of Rotherham Metropolitan Borough Council.

4. ROTHERHAM CRIME AND DISORDER REDUCTION PARTNERSHIP

- 4.1 The CDRP and its individual members will work in partnership with the Committee to provide objective and effective scrutiny of crime and disorder in Rotherham.
- 4.2 The CDRP or its individual members will provide any relevant information requested by the Committee so that it can undertake any reviews.
- 4.3 All requested information should be depersonalised, unless the identification of an individual is necessary or appropriate in order to enable the Committee to properly exercise its powers; and shall not include information that would be reasonably likely to prejudice legal proceedings or current or future operations of the responsible authorities.
- 4.4 The Crime and Disorder Reduction Partners will provide the Committee with such information within 28 days of the receipt of the request.

- 4.5 Consideration of a Councillor Call for Action (CCfA) on a crime and disorder matter will be undertaken by the Committee at the most appropriate level.
- 4.6 The Crime and Disorder Reduction Partnership will respond to crime and disorder scrutiny reviews in writing within 28 days of receipt. A copy of such a response will be sent to Democratic Services, individuals who have contributed to reviews, local MPs, appropriate voluntary organisations, libraries and customer information centres.
- 4.7 The CDRP will be consulted by the Committee to compile annual work programmes for crime and disorder scrutiny. The Scrutiny Panel will welcome suggestions for scrutiny from the CDRP.
- 4.8 The CDRP will nominate a main contact person for each crime and disorder scrutiny exercise and maintain regular contact with the Committee, attending in person when invited.
- 4.9 The Committee may 'require the attendance' of an employee, officer or member of a responsible authority or of a co-operating person or body and will give reasonable notice to attend. Unless there is a compelling reason to do so, the committee will not require the attendance of specific officers (eg the Chief Constable). If a named individual is required to attend the committee will give the details of the reason for their attendance.
- 4.10 Except in cases where a member of the Committee is also a Police Authority member, the committee will issue a standing invitation to the Police Authority to send a representative (either member or officer) to attend as an expert adviser. Alternatively, in consultation with the Police Authority, or the Fire and Rescue Service Authority, the committee may co-opt a member of that Authority, who may be given voting rights. The number of co-optees on the Committee, however, should not be greater than the number of members.
- 4.11 The CDRP will ensure that officers attending meetings of the Committee are able to answer questions openly and are given appropriate support by their line managers.

5. CRIME & DISORDER SOUTH YORKSHIRE JOINT PROTOCOL

- 5.1 Where an issue affects more than one District / Borough and/or the County, two or more councils may agree to set up a joint committee (Joint Task Groups) where appropriate to scrutinise a particular issue.
- 5.2 The council Committee that establishes the Joint Task Group will retain 'ownership' of the scrutiny review, therefore, on completion of the review the Task Group will present a final report to the Committee.
- 5.3 The originating Committee will present the report and any recommendations to the responsible authorities, persons or bodies.
- 5.4 The chairmanship of the Task Group will be taken from the originating Committee.

- 5.5 The support and resources for the Task Group would ordinarily remain with the originating authority, but with the scope to share the workload between scrutiny officers where appropriate.
- 5.6 There will be a process of nomination for representation on the Task Group from other authorities. The nominees will claim any expenses they incur from their own authority.
- 5.7 The Task Group meetings are informal and any decisions will take account of the opinions of the membership.
- 5.8 Agreement by consensus will be encouraged rather than 'taking a vote', however, if no consensus can be reached a minority report will be prepared and also presented to the originating Committee.

6. RESOLVING DISPUTES ABOUT THE PROTOCOL

- 6.1 If there are any concerns raised that this protocol is not being adhered to, the issue should be referred to the Performance and Scrutiny Overview Committee for consideration and decision.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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