



BEST VALUE - PUBLIC PERFORMANCE REPORTING 2021/22

Report by Chief Executive

PURPOSE

- 1.1 To provide an overview of the Comhairle's Public Performance Reporting duty of Best Value for the 2021/22 period as per the Publication of Information (Standards of Performance) Direction 2018.

EXECUTIVE SUMMARY

- 2.1 The Accounts Commission (the Commission) holds councils and other local government bodies in Scotland to account and helps them improve by reporting to the public on their performance. The Local Government Act 1992 requires the Commission to issue a Direction to local authorities to publish performance information across a broad range of services and to include performance comparisons and benchmarking, and does so in its Statutory Performance Information Direction.
- 2.2 As per Direction 2018, the Comhairle have a statutory duty to report its 2021/22 performance information on or before 31 March 2023. As detailed in the main body of the Report, the Comhairle made their performance reports 2021/22 available to the public on its website by the statutory deadline.
- 2.3 Heads of Services / Units will present their 2021/22 service performance reports to the June 2023 Series of Meetings for effective scrutiny and challenge against the duty of Best Value, if they have not already done so.

RECOMMENDATIONS

- 3.1 **It is recommended that the Comhairle notes:**
 - (a) **the content of the report,**
 - (b) **that the Comhairle met its statutory duty to report its 2021/22 performance information to the public by 31 March 2023; and**
 - (c) **the requirement for Heads of Services / Units to present their 2021/22 service performance reports to the June 2023 Series of Meetings for effective scrutiny and challenge against its duty of Best Value, if they have not already done so.**

Contact Officer: Fiona Knape, Senior Organisational Development Officer

Appendix: None

Background Papers: Publication of Information (Standards of Performance) Direction 2018

IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

Resource Implications	Implications/None
Financial	There are no financial implications in this Report.
Legal	As per the Accounts Commission for Scotland's Publication of Information (Standards of Performance) Direction 2018 under section 1(1)(a) of the Local Government Act 1992, Councils have a statutory duty to report their performance to the public. In the Direction, the term 'Best Value' shall be interpreted in accordance with the definition and requirements of Part 1 of the Local Government in Scotland Act 2003. This includes reference to the <u>Best Value: revised statutory guidance 2020</u> and the Best Value themes.
Staffing	None
Assets and Property	There are no assets and property issues related to this Report.
Strategic Implications	Implications/None
Risk	There is a risk that if performance reporting is not carried out effectively that the Comhairle will not meet its Best Value duty.
Equalities	There are no equality issues associated with the Report.
Corporate Strategy	Heads of Services / Units have aligned their Service Business Plans to the Comhairle's Corporate Strategy and their Public Performance Reports focus on continuous improvement to measure their duty of Best Value.
Environmental Impact	None
Consultation	None

BACKGROUND

- 5.1 The **Local Government in Scotland Act 2003** introduced a statutory framework for Best Value for local authorities. The Best Value duties set out in the Act are:
- to make arrangements to secure continuous improvement in performance (while maintaining an appropriate balance between quality and cost); and, in making those arrangements and securing that balance, to have regard to economy, efficiency, effectiveness, the equal opportunities requirement and to contribute to the achievement of sustainable development;
 - to achieve break-even trading accounts, subject to mandatory disclosure;
 - to observe proper accounting practices; and
 - to make arrangements for the reporting to the public of the outcome of the performance of functions.
- 5.2 Best Value guidance has been in place since 2004, identifying the characteristics of Best Value to help local authorities develop arrangements to demonstrate continuous improvement in their performance. In recognition of the changes since 2004 to the environment in which local authorities deliver services, the guidance was refreshed in 2020 to reflect the current public service landscape in Scotland, with an increasing emphasis on citizens and personalised services, a focus on outcomes, and the need for innovation in designing public services for the future. The Best Value: revised statutory guidance 2020 was published on 4 March 2020 and is framed around seven Best Value themes.
- 5.3 A key objective of the approach to auditing Best Value is to allow the Commission to provide regular assurance to the public about how councils are performing in relation to their Best Value statutory duties. Historically, the Controller of Audit presented to the Commission a Best Value Assurance Report

(BVAR) on each council at least once during the five-year audit appointment for each council. From 2023, the audit of Best Value findings is reported through the Annual Audit Report. The Comhairle's [Annual Audit Report 2020/21](#) was published on 27 January 2022 and their [BVAR](#) was published on 29 September 2022.

- 5.4 The 2022 BVAR has noted concerns that there is now considered to be too much detail for the public and Elected Members and advised that this information needs to be less operational and more strategic. Therefore, the Public Performance Reports (PPRs) listed below that would normally be presented separately to the Audit and Scrutiny Committee have been made available to the public on the Comhairle's website and the links provided in this Report for reference.
- National Benchmarking Overview Report
 - Local Government Benchmarking Framework Results – Eilean Siar
 - Local Public Performance Reporting
 - Annual Employee Equality Monitoring Report
 - Equality Outcomes and Mainstreaming Report
- 5.5 Heads of Services / Units are required to present their service performance progress to their respective service committees at the June 2023 Series of Meetings for effective scrutiny and challenge against the duty of Best Value, if they have not already done so. Their reports include service performance from the annual PPRs published by the Organisational Development Service on the Comhairle's website, as detailed at 7.1 – 9.5 of the Report.

DIRECTION 2018

- 6.1 Direction 2018 is a three-year Direction. It relates to performance information to be collected from the financial year starting 1 April 2019 through to the financial year ending 31 March 2022. The Comhairle has a statutory duty to report its 2021/22 performance information to the public on or before 31 March 2023 as per the Publication of Information (Standards of Performance) Direction 2018.
- 6.2 Through the Direction, the Commission directs councils to publish such information relating to their activities in any financial year or other specified period as will, in the Commission's opinion:
- “facilitate the making of appropriate comparisons, by reference to the criteria of cost, economy, efficiency and effectiveness and of securing best value in accordance with section 1 of the Local Government in Scotland Act 2003, between –
- i. the standards of performance achieved by different relevant bodies in that financial year or other period; and
 - ii. the standards of performance achieved by such bodies in different financial years or, as the case may be, other periods.”

Such information should also allow conclusions to be drawn about the discharge of functions under the Community Empowerment (Scotland) Act 2015 (in essence, carrying out community planning for the “improvement in the achievement of outcomes”).

- 6.3 The Commission also underlines the importance of the role of Elected Members using performance information fully to help fulfil their leadership responsibilities in relation to Best Value. In line with Audit Scotland's recommendations, Elected Members have access to the Comhairle's online performance monitoring and reporting system, Interplan. Interplan contains the actions and KPIs from Service Business Plans (SBPs), the Continuous Improvement Action Plan, and specified performance indicators (SPIs) for benchmarking. The [Planning and Performance Management Framework 2022](#) induction booklet was circulated to Elected Members before the June 2022 series of meetings. Elected Members were also provided with an updated 'How to EIS' guide in June 2022 to help them navigate

Interplan's Executive Intelligence System (EIS) module, and training is provided by the Organisational Development Service on request.

- 6.4 The Comhairle have a strong culture of performance monitoring and evaluation and use benchmarking, action plans, and self-assessments to help drive continuous improvement. The Comhairle established a Best Value Action Planning (BVAP) Team in August 2019 to achieve greater accountability Comhairle-wide around continuous improvement and best value performance reporting. The BVAP Team are selected by Heads of Services / Units and comprises of officers who have an overall or part responsibility for service performance, business planning and continuous improvement. The BVAP Team meet after each committee series to ensure they are informed of what support they may need to provide to services to ensure continuous improvement.

BENCHMARKING PERFORMANCE

- 7.1 Direction 2018 requires councils to include benchmarking comparisons in their PPRs. The Commission advise that comparative performance information can help the public better gauge the performance of their council. It also forms the basis of a council being able to identify how it can shape and improve its services. Both aspects together encourage a richer relationship between a council and its citizens and communities. In expecting councils to make use of benchmarking information in reporting to the public, the Commission continue their interest in the further development of the Local Government Benchmarking Framework (LGBF) project.
- 7.2 The LGBF brings together a wide range of information about how all Scottish councils perform in delivering better services to local communities. The LGBF indicators used were selected to cover the major service areas of local authorities and provide information on cost, performance or achievement, and customer satisfaction. Councils and members of the public can explore the national benchmarking data by visiting mylocalcouncil or by accessing the external LGBF website. A National report is also produced each year and is published on the Comhairle's website as they become available. The National Benchmarking Overview Report 2021/22 was published on 17 March 2023 and made available to the public on the Comhairle's Benchmarking web page on 20 March 2023.
- 7.3 Of the 105 LGBF SPIs, the Comhairle have a duty to report on 93 measures. The Comhairle are not required to report on six Scottish Index of Multiple Deprivation (SIMD) SPIs as there are no recognised SIMD areas for quintiles 1 and 5 within the Outer Hebrides. The Comhairle are not required to report on the six SPIs relating to council dwellings as they have no council housing stock.
- 7.4 The LGBF 2010/11 to 2021/22 Results - Eilean Siar was made available to the public on the Comhairle's Annual Performance Information web page on 20 March 2023.

Notes on the LGBF Data 2021/22

- 7.5 The notes on the LGBF Data 2021/22 are provided by the Improvement Service.
- 7.6 This dataset covers the second year of the COVID-19 pandemic. The Impact of COVID-19 has altered the core operating and delivery landscapes for local authorities, and the performance and expenditure data within the LGBF will need to be interpreted against this context. This will be important to consider both for comparison with previous years, and also comparison across councils.
- 7.7 Satisfaction Measures - The 2020 Scottish Household Survey data, which was previously unavailable have been included in this year's publication (3-year rolled averages at a LA level). The results of the SHS 2020 telephone survey are not directly comparable to SHS results for previous years. This is due to a reduced sample size and a change in methodology due to the COVID-19 pandemic.

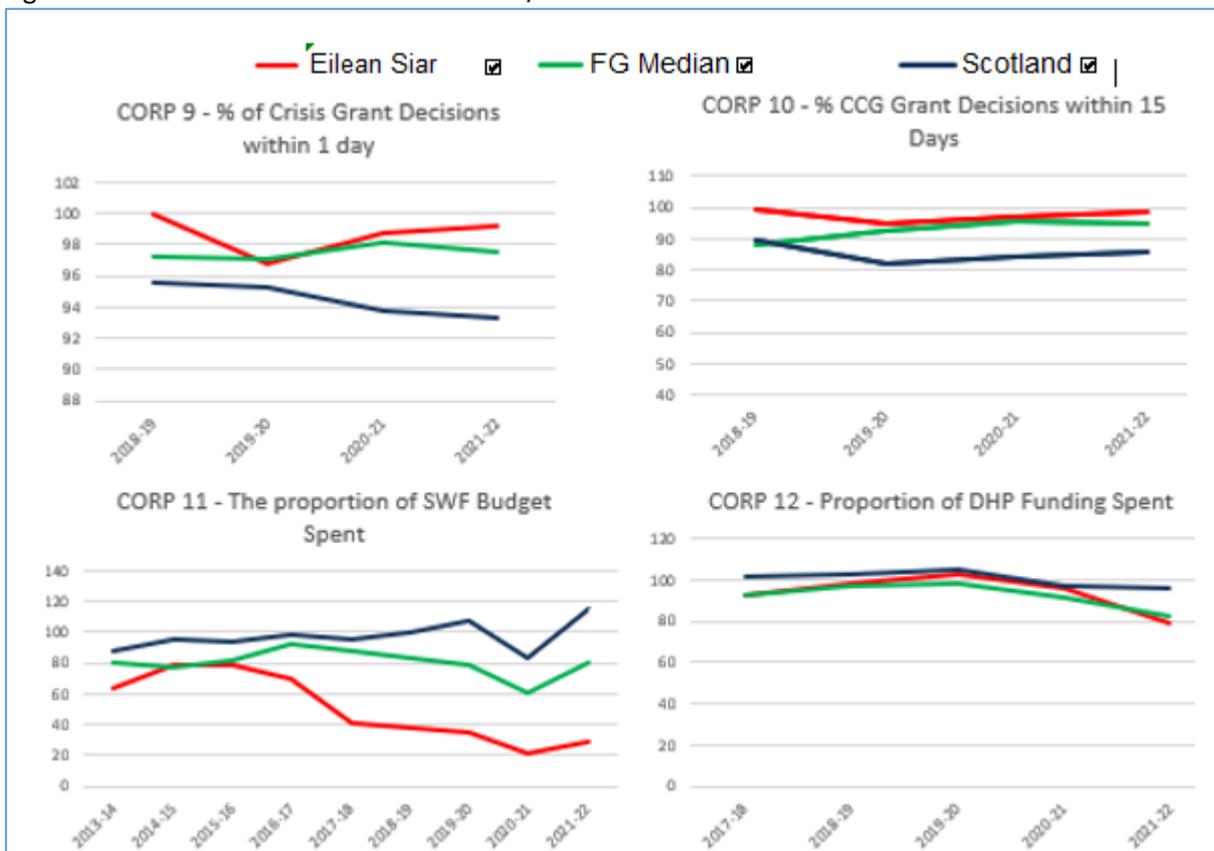
7.8 Care Homes Expenditure - Due to changes in the Scottish's Government LFR collection, the previous net figure used for this indicator is no longer available. This figure is not Gross expenditure minus client receipts. Historic data has been updated to reflect this.

7.9 Due to data completeness issues, some data has been modelled for the following indicators. Please refer to the LGBF [Metadata](#) for more information.

- SW3a - Number of clients receiving personal care at home (65+).
- ECON9 - Town Vacancy Rates.
- ECON10 - Immediately available employment land as a % of total land allocated for employment purposes in the local development plan.

7.10 As detailed in Figure 1, four new measures were introduced to the LGBF Dataset in 2021/22. The measures provide useful and timely insight on policy critical issues such as vulnerability, poverty and inequality, which will be increasingly important considering the cost-of-living crisis. They have been added to Interplan for Accountancy and Exchequer Services to monitor and report progress on performance.

Figure 1: New Measures Introduced in 2021/22



CCG: Community Care Grants; SWF: Scottish Welfare Fund; DHP: Discretionary Housing Payments.

7.11 Data not available – where the 2021/22 data is not yet available, this is indicated in PPRs with DNA and will be updated in the next refresh of data.

7.12 Real costs have been adjusted for inflation using the latest deflator figures from the Treasury - source: [GDP deflators at market prices, and money GDP September 2021 \(Quarterly National Accounts\) - GOV.UK \(www.gov.uk\)](#). Deflators for 2020/21 & 2021/22 have been modelled using advice from Audit Scotland to better reflect spending power. This means that "Real" figures have been adjusted for inflation and will not match cash values.

Service prioritisation SPIs

- 7.13 In 2021, the Comhairle approved a suite of national indicators for service improvement in areas where the Comhairle has low performance against its LGBF Family Groups and to support delivery of policies, strategies, and plans. As recommended by Audit Scotland in the Comhairle's 2020/21 Annual Audit Report, services set milestone targets to enable their respective committees to scrutinise progress towards meeting their 2030 targets. Progress is reported to service committees at each series of meetings. The LGBF 2010/11 to 2021/22 Service Prioritisation SPIs progress report was made available to the public on the Comhairle's Annual Performance Information web page on 27 March 2023.

LGBF PPRs 2021/22

- 7.14 Publication of LGBF PPRs supports the Comhairle's benchmarking requirements as per Direction 2018. The Improvement Service made the LGBF data 2021/22 available to councils through their SharePoint site on 30 November 2022, and updated the site with the Curriculum for Excellence data on 14 December 2022. Although the data was embargoed until publication of the national overview report in March 2023, it was shared with the Comhairle's BVAP Team on 14 December 2022 for them to disseminate within their respective departments to enable services to prepare their PPRs for publication on or before 31 March 2023.
- 7.15 The LGBF 2010/11 to 2021/22 Results – Eilean Siar Report was made available to the public on the Comhairle's Annual Performance Information web page on 20 March 2023 and the following thematic PPRs for Eilean Siar were published on the Comhairle's benchmarking web page on 27 March 2023.

- Adult Social Care
- Children's Services
- Corporate Services
- Culture and Leisure Services
- Economic Development and Planning
- Environmental Services
- Financial Sustainability
- Tackling Climate Change
- Cost of Delivering Local Services 2010-2022
- Residents' satisfaction with local services 2014-2021

LOCAL PERFORMANCE

- 8.1 Since August 2009, all services are encouraged to monitor their respective SBPs on Interplan. Services update accurately their progress on Interplan on an ongoing basis, thereby assisting the Comhairle to embed a performance management culture. The Comhairle provides quarterly progress reports against its SBPs and Operational Risk Registers to the public. These also provide the underpinning information of performance reporting by the Chief Executive and Directors to Service Committees and the Policy and Resources Committee at each series of meetings and can be viewed through the committees section of the Comhairle's website.
- 8.2 The Comhairle published a Notice of Accounts 2022 to inform members of the public that copies of the unaudited accounts of Comhairle nan Eilean Siar for the year ended 31 March 2022 will be available for public inspection on the Comhairle's website from Friday 1 July 2022 to Thursday 21 July 2022. The annual accounts are made available to the public on the Comhairle's website.

Self-assessments

- 8.3 The Public Services Improvement Framework (PSIF) provides a strategic approach to self-assessments and helps to drive improvements and was adopted by the Comhairle to identify areas for improvement. The Comhairle's self-assessment outcome reports are made available to the public within the Best Value Continuous Improvement web page.

Continuous Improvement Action Plan (CIAP)

- 8.4 Both internal and external audits can support continuous improvement, as they provide an independent and objective check on systems, processes, and performance. Since 2016, key improvement outcomes of internal and external audits and inspections are included in a CIAP. From September 2021, to ensure continuous improvement, the priority recommendations, and areas for future development from self-assessments have also been added to the CIAP. A CIAP progress report is presented to the Audit and Scrutiny Committee for challenge and scrutiny bi-annually. The half-year 2022/23 performance review of the CIAP was presented to the Audit and Scrutiny Committee on 1 December 2022. The end of year 2022/23 performance review will be presented in June 2022.

Annual Public Performance Report

- 8.5 The Corporate Strategy 2020-2022: Recovery and Renewal set out the Comhairle's programme of strategic-level ambition and action to the end of the electoral term 2017-2022. It is complementary to the Outer Hebrides Community Planning Partnership's (OHCPP) Local Outcomes Improvement Plan (LOIP) 2017-2027 in terms of priorities and aspiration and the Comhairle has a contribution to make to achieving some of the outcomes outlined in the LOIP, as appropriate, in partnership. The Comhairle's PPR 2021/22 is the last annual PPR to report on the Corporate Strategy 2020-2022 and includes the Community Planning Outcomes Profile (CPOP) trend data on outcomes on a core set of 18 outcome measures. The CPOP can be used to explore the strategic data and support decision making. The most recent year of CPOP data available is for 2020/21.

Community Empowerment

- 8.6 The Community Empowerment (Scotland) Act 2015 ("the Act") aims to enhance community involvement in community planning by a number of means including the creation of new opportunities for influencing public service provision and decision-making. Best Value requires authorities to consider how they can improve their services by taking on board the feedback they get from service users and communities. The Scottish Government's consultation approach of "We Asked, You Said, We Did" was adopted in 2016 as a manageable and understandable means of summarising available information to inform and support ongoing business planning processes. The outcomes of 58 consultations (2016-2022) are made available to the public on the Comhairle's website.
- 8.7 Part 3 of the Act enables communities to request to participate in decisions and processes which are aimed at improving outcomes. The Comhairle welcomes these requests and publishes the decision it has taken in respect of any such request. In the period from 1 April 2021 to 30 March 2022, the Comhairle received no participation requests. The community participation requests and annual reports are made available to the public on the Comhairle's website.
- 8.8 The Public Services Reform (Scotland) Act 2010 gave the Scottish Public Services Ombudsman (SPSO) the authority to lead the development of model complaint handling procedures across the public sector. The Comhairle adopted the SPSO's model for complaints handling procedures in 2012. The SPSO recently updated the procedure for complaint handling, which was then implemented by the Comhairle on 1 April 2021. The annual and quarterly monitoring complaint handling performance reports are made available to the public on the Comhairle's website. The Comhairle use the information received from complaints to help service improvement.

EQUALITY PERFORMANCE

- 9.1 Section 149 of the Equality Act 2010 (the '2010 Act') places a general duty (known as the Public Sector Equality Duty (PSED)) on public authorities to have due regard to: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations

between persons who share a protected characteristic and those who do not. Scottish Ministers have supplemented the general duty by placing detailed requirements on Scottish public authorities through the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (as amended).

- 9.2 As per the 2012 Regulations, the Comhairle has a statutory duty to publish a mainstreaming report and set of equality outcomes every four years, with reports on progress every two years. The Comhairle's Equality Outcomes and Mainstreaming Report 2021-2025 was published in March 2021. The Comhairle have a statutory duty to publish progress on equality outcomes by 30 April 2023.
- 9.3 The 2010 Act includes the duty to gather and use employee information. This duty entails listed authorities gathering and publishing information each year on the composition of its workforce and the recruitment, development, and retention of employees in relation to the relevant protected characteristics. Equality Monitoring information is required to be published annually by 30 April. The Comhairle's Employee Equality Monitoring Statistics 2022 was published on 22 March 2023.
- 9.4 Equality policies, plans and performance reports are made available to the public within the Equality and Diversity web pages.

NEXT STEPS - DIRECTION 2021

- 10.1 The Accounts Commission published a new Direction on 21 December 2021 and a Report was presented to the Audit and Scrutiny Committee on 8 February 2022 with an overview of the Comhairle's Public Performance Reporting obligations. Direction 2021 is a three-year Direction. It relates to performance information to be collected from the financial year starting on 1 April 2022 through to the financial year ending on 31 March 2025.
- 10.2 The Comhairle approved the SBPs 2022-2027 in February 2022. This will be reviewed and updated annually. The SBPs are aligned to the Corporate Strategy 2022-2027 and demonstrate how each of the Comhairle's services contribute to the achievement of the strategic outcomes. The 2022/23 business plans will be the first to report their performance as per the new Direction. During 2022, the BVAP Team discussed preparatory work that may need to be undertaken to ensure compliance with the revised Direction, and any changes to performance reporting from 1 April 2023.
- 10.3 The Comhairle's BVAR was published on 29 September 2022. It highlighted the need to refresh how the Comhairle reports its performance with a view to reducing duplication of reporting performance and improving strategic reporting. In October 2022, the Corporate Management Team (CMT) agreed a new business plan format to provide Elected Members with a more informed picture of each service. The new format was used for the first time in the Budget Papers (2023/24).
- 10.4 A Report was presented to the Audit and Scrutiny Committee on 9 February 2023 to seek approval for a refreshed approach to performance management reporting. Preparatory work will also include a refresh of the performance web pages and a review of the Policies and Strategies web page to ensure all published policies, strategies and plans are up to date and meet accessibility regulations.
- 10.5 Direction 2021 also states that *"while the Commission do not use the revised Direction to require reporting in specific areas, they expect that issues such as recovery from the Covid-19 pandemic and the climate emergency will feature in the local outcomes agreed between councils, their partners and their communities"*. The Comhairle's Climate Change Strategy was approved in September 2022 and periodic reporting of the Strategy progress will be published on a new Climate Change Strategy performance web page. As the Comhairle has influence and targets relating to both area-wide and corporate emissions, benchmarking of national data will include councils within our LGBF Family Group. Milestone targets will also be set.

CONCLUSION

- 11.1 As per the Publication of Information (Standards of Performance) Direction 2018, the Comhairle have a statutory duty to report its 2021/22 performance information to the public on or before 31 March 2023. The Comhairle made their performance reports for the period 1 April 2021 to 31 March 2022 available to the public on its [website](#) by the statutory deadline of 31 March 2023.
- 11.2 Heads of Services / Units are required to present their 2021/22 service performance reports to the June 2023 Series of Meetings for effective scrutiny and challenge against the duty of Best Value, if they have not already done so.
- 11.3 As per the Publication of Information (Standards of Performance) Direction 2021, the Comhairle has approved a refreshed approach to performance management reporting to ensure compliance with the revised Direction, and any changes to performance reporting from 1 April 2023.