



Internal Audit Report – Action Plan

Organisational learning – Libraries Project

Approved by the Corporate Management Board

Date: 19 March 2015



Suggested Areas for Improvement

Ref	Suggested Improvement	Management Response and Agreed Action	Person Responsible	Target Date
Option Appraisal				
5.1	<p>Decision makers should be presented with alternatives to any preferred model or intuitive solution and encourage options to be developed. All decision makers, particularly when considering significant and potentially contentious service restructure / redesign matters, should be satisfied that possible alternatives have been fully assessed. This would ensure that the Council:</p> <ul style="list-style-type: none"> ■ fulfils its due diligence responsibilities ■ has substantial evidence in support of its proposals ■ has a robust response to opposers and / or alternative suggestions ■ has increased confidence and informed decision making on key issues 	<p>The Corporate Management Board agrees and notes that options appraisals are already used in many cases.</p> <p>Options must not just be possible but realistic.</p> <p>With specific reference to the Libraries Service, officers will reflect on the new approach undertaken since the judicial review and assess the extent to which the improvements were implemented.</p>	Tony McGinty	March 2015
		To review the toolkits already available through commissioning and democratic processes in light of the learning.	Judith Hetherington-Smith Nigel West	July 2015
		Democratic Services and Legal Services Lincolnshire to challenge formal reports that do not have options. [<i>There may be valid reasons for not having options but these should be stated.</i>]	Nigel West David Coleman	

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5.2	The Council has invested significant resource into developing its commissioning capability. This includes commissioning toolkits which provides sound process and practice guidance for all stages of service redevelopment – the Management Board should ensure that these tools are used.	Agreed. CMB will ensure that these are used by commissioners.	CMB	
Project Resources				
5.3	The Authority should ensure that sufficient project resources are available for robust option appraisal on its corporate priority activities / key projects. Early assessments around project resourcing should ensure that the right people with the right skills, knowledge and experience are assigned to the project from the outset. Ideally, service areas should develop project management skills from amongst their subject specialists. However, if such people are not available, then project management specialists, who can support the service area, should be appointed. Other subject matter specialists such as lawyers may also be required in a project team from the outset.	<p>It will be necessary to deploy corporate resources in an effective and affordable way. Key projects will need to be assessed on the basis of known risk at project initiation stage, such risk assessments to be informed by specialist input such as law and governance.</p> <p>The CMB will enhance its regular monitoring process for key or high risk programmes and projects in order to ensure their effective planning, risk management and delivery. This will be supported by the Council's corporate commissioning and programmes team.</p>	<p>Relevant project directors, supported by CMB</p> <p>Judith Hetherington Smith</p>	

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Project Plans				
5.4	Project plans should allow sufficient time to introduce at least one additional pre-decision report into the Scrutiny process to enable earlier engagement and improved contribution to strategy, policy and decision making.	<p>The Corporate Management Board agrees that more opportunities should be made for scrutiny before decisions are made on major transformations. However, this should not be limited to pre-decision scrutiny related to Executive Meeting papers. The way in which this might be achieved could vary depending on the issue. This requires a change of attitude and culture towards scrutiny.</p>	All directors.	September 2015
		<p>The Corporate Management Board will contribute to the review of Scrutiny resulting from the Council Motion in February, and implement any outcomes.</p>		
		<p>In the short term, Democratic Services and Legal Services will advise, where aware, of ways to pursue effective scrutiny engagement.</p>	Nigel West David Coleman	From now
Consultation				
5.5	Any constraints on the timing of public consultations should trigger a risk assessment and appropriate actions to mitigate the potential impact on decision making.	<p>The Corporate Management Board agrees, but notes that public consultation is not required before most decisions.</p> <p>Where a public consultation is required by</p>		

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		law or is planned as good practice, then any changes to the plan should be subject to a risk assessment.		
5.6	Consideration should be given to the Council's in-house capacity to support public consultations and whether it is desirable or necessary for the Community Engagement Team to co-ordinate, analyse and report on consultation exercises in addition to delivering their advisory role.	CMB notes this recommendation. It is concerned that there may be insufficient capacity to undertake this role within the present budget. Resource availability and demand to be assessed in the light of experience.	Nicole Hilton	
5.7	All projects requiring public and/or staff consultations should communicate provisional dates to the Community Engagement Team at the earliest opportunity – this would allow for suitable planning and resourcing.	CMB agrees, subject to constraints referred to above.	All commissioning managers.	
5.8	At the start of any key project, officers should liaise with Legal Services to determine whether legal advice is required on proposed consultation documentation, in particular the consultation mandate – the extent and need for legal input may depend upon the nature and sensitivity of the consultation subject. The timing of the legal input should then form part of the project plan.	CMB accepts that some projects will require more legal input than others. However, risk must be balanced with affordability and project managers should not be encouraged to abrogate their responsibilities to lawyers by referring decisions that they should be competent to make. Guidelines to be drawn up for early engagement and assessment of the use of legal services throughout a project.	David Coleman	

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		Legal Services to arrange training on the legal parameters of consultation including recent cases	David Coleman	Before August 2015
5.9	The Council should specify a minimum standard or guidance for consultation evaluation and the process should allow for extensions in particularly complex and contentious matters. All project leads should ensure they specify the format of the consultation outcome report to ensure it meets the needs of officers and decision makers.	CMB notes this and is concerned that the council is not over-burdened. There are many degrees and types of consultation. Many consultations are statutory and some are prescriptive. Any guidance must be appropriate and proportionate . A Consultation Framework will be produced.	Tony Hill	
5.10	Legal advice should be sought on the implications of unexpected issues or events arising from consultation exercises.	The requirement for suitable advice to be included in the Consultation Framework.	David Coleman	
5.11	Where appropriate, consultations should provide the opportunity for consultees to suggest alternative proposals to the option(s) favoured by the Council. Project officers should devise a suitable process and evaluation criteria (prior to the consultation) upon which to assess any submissions – the criteria should, as a minimum, include: cost, quality, risk and strategic fit.	CMB endorses the proposal for appropriate consultations. However, it is for the Council to identify alternatives and in some circumstances identify them for people and say why they have been rejected. It is not appropriate to seek or accept alternatives for some types of consultation. It should be made clear to those being consulted when this is the case. Most consultations already have evaluation criteria in place before responses are received.	Tony Hill	

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5.12	Project officers, if required to evaluate alternative suggestions submitted during consultation exercises, should retain suitable evidence to demonstrate compliance with the pre-defined evaluation criteria.	Agreed when appropriate. However, it is for the Council to identify alternatives and in some circumstances identify them for people and say why they have been rejected.		
5.13	We advise a review of the Council's equality impact assessment forms to ensure it is fit for purpose and includes, for example, appropriate emphasis on people with protected characteristics.	Agreed. CMB approved new framework on 18 March 2015. Assessment to be undertaken.	Jasmine Sodhi	March 2015
Localism				
5.14	We advise that all proposals to reconfigure services are considered in the context of the Localism Act and Open Public Services. Legal Services should assist / review that assessment, seeking specialist advice where necessary.	Accepted. There are general issues of awareness of public law that need to be addressed also. Legal Services will give appropriate advice in each case.	David Coleman.	
Governance and Decision Making				
5.15	The Corporate Management Board should consider how they can effectively equip and support senior managers in understanding their responsibility and application of the Council's informal and formal decision making processes.	Accepted. Consideration will be given to issuing constitutional guidance and training.	Richard Wills	September 2015

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5.16	All complex projects should allow, as far as possible, a phased approach – focusing on consultation, strategy, option appraisal, scrutiny and decision (not necessarily in that order).	This requires further consideration before including in the Consultation Framework and constitutional guidance.	Tony Hill	
5.17	Where project timescales and key activities are affected by matters beyond the control of project teams, councillors and officers should jointly risk assess the impact and agree mitigating actions to avoid adverse effects on project activities and decision making. All project risk assessments should clearly think through the projected risks throughout the project lifecycle.	<p>Accepted in principle, but requires further consideration.</p> <p>Mechanisms need to be established to make members aware just what is a risk judgment and what is not. There may be a perception that things are black and white and amount to mistakes when they are not.</p> <p>The role of councillors in scrutiny committees as well as executive councillors needs to be considered. This may require development training for councillors to better understand the risks that are inherent in some decisions.</p>	Richard Wills	September 2015
		Appropriate recommendations will be included in the Consultation Framework and constitutional guidance.	Richard Wills	July 2015
		Risk is at the centre of most judgments. Generally LCC has been good at identifying the high risk decisions and putting in the resource that's necessary. The organisation cannot afford to be risk averse.		

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5.18	<p>We advise a review of committee reporting with a view to producing guidance or a Council standard on content, length and clarity of recommendations. To maintain a focus on key messages, committee reports and decision papers could be enhanced by managing the length – certain items such as needs assessment, equality impact assessments and detailed consultation analysis could feature as appendices (supporting material) with summaries in the main committee report. The review should also assess the quality of the policy impact assessments of these reports.</p>	<p>Accepted.</p> <p>Too many reports betray a lack of understanding of the intellectual rigour a court will expect if a JR challenge emerges.</p> <p>To be considered as part of the review of scrutiny arrangements with additional guidance for those preparing executive reports.</p>	<p>David Coleman</p> <p>Richard Wills</p>	<p>September 2015</p>
5.19	<p>Key briefings with members should be clear and concise – members should also be presented with the briefing papers to avoid potential misunderstandings.</p>	<p>Accepted. To be considered as part of the review of scrutiny arrangements with additional guidance for those preparing executive reports.</p>	<p>Richard Wills</p>	<p>September 2015</p>

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