

NATIONAL ASSEMBLY FOR WALES

LEGISLATION COMMITTEE REPORT

The Local Government (Best Value Performance Indicators) (Wales) Order 2000

Background

The Local Government Act 1999 introduces provisions designed to ensure that the performance of functions by local authorities and related bodies fulfils certain standards of economy, efficiency and effectiveness. This is referred to as "best value".

Under section 4(1) of the Act the Assembly may specify, by order –

(a) Performance indicators by reference to which performance in exercising functions can be measured.

(b) Performance standards to be met in relation to the specified performance indicators.

The present Order specifies performance indicators for the "best value authorities" in Wales (with the exception of community councils) in respect of which the Assembly has responsibility. These are county and county borough councils (including such councils acting as waste disposal authorities), and National Park Authorities.

The Order does not specify performance standards under section 4(1)(b).

Standing Order 11.5

When the draft Order was initially submitted to the legal advisers to the Committee a considerable number of drafting points of varying degrees of significance were identified in the Schedules. The number and range of these points gave rise to the concern that the Schedules had not been prepared to the standard appropriate for a statutory instrument.

As these points have been substantively addressed in the present draft, however, it is now concluded that there are no matters in respect of which the Committee needs to invite the Assembly to pay special attention, under Standing Order 11.5.

There are, however, some general comments which it is considered should be drawn to the attention of the Assembly.

Comment on the Order

Explanatory Note – second paragraph

The reference to compliance with section 4(3) is not essential as this is covered in the preamble to the Order. It might have been helpful, however, if the explanatory note had referred to compliance with section 4(4).

Footnotes

These will need to be allocated to their relevant pages, and put in dual column form, in the printed Order.

Article 3 – Table

Since column 1 of each Schedule merely gives the number of the indicator, the wording "column 1 of" would have been better omitted from the Table in each place where it is used.

Schedules

In a number of instances abbreviations are used without explanation. It may be appropriate to consider whether local authorities will be familiar with these abbreviations in all cases. See, for example, AEF in BVPI 33.

BVPI 12

The second paragraph requires that for both the numerator and the denominator, FTE should be calculated on a consistent basis, but it is not immediately apparent how FTE comes into the numerator calculation.

BVPI 14

It is not immediately apparent how the reference to normal retirement age in the third column will assist authorities in determining what qualifies as early retirement. One would expect retirement to be determined by whatever the normal retirement age is for the particular category of employee in question.

BVPI 34 and 36

The sub lettering is not consistent in its use of upper and lower case.

BVPI 45 and 46

It is noted that the detail in column 3 confines these indicators just to the academic year 2000/2001.

BVPI 48

It is noted that whilst column 2 refers to an indicator which only operates for one year, column 3 refers, in square brackets to –

"[the reporting year]".

BVPI 58

Given that all other percentage requirements in the Schedules are assumed to require just one percentage figure it is not immediately apparent why in this case it is necessary to state that there should be only one percentage.

BVPI 60

Column 2 appears to require information from both users and carers. This does not seem to be reflected in column 3, however, which refers only to user satisfaction surveys.

BVPI 64

Column 2 is understood as meaning that this indicator only applies for the year beginning 1 April 2000.

BVPI 85, 86, 91 and 117

There are abbreviations (AEF, MRF, CIPFA) which are introduced but do not appear to have been used.

BVPI 115 and 117

115 appears to refer to actual visits whereas 117 suggests that the only information available will be for an estimated number of visits.

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