

# **Action Plan to implement KPMG and Review Working Group Recommendations**

**As agreed at  
Council 22 March 2010  
and  
Reviewed at Audit committee;**

<b>23<sup>rd</sup> June 2010</b>
<b>29<sup>th</sup> September 2010</b>
<b>12<sup>th</sup> January 2011</b>
<b>23<sup>rd</sup> March 2011</b>
<b>21<sup>st</sup> September 2011</b>
<b>24<sup>th</sup> September 2014</b>

## Part A - Action Plan in response to KPMG RECOMMENDATIONS

RECOMMENDATIONS		
The Role of the Borough Solicitor		
R1. Review the constitution to make clear what the Borough Solicitor can and cannot do regarding decisions to instigate and continue legal action, whether financial limits should apply to the Borough Solicitor's delegated authority, and when and from whom further sanction is required for financial expenditure above that limit.		
Recommended Action	Position as at 21 <sup>st</sup> September 2011	Lead Officer and Current Position
<p>1. That the powers delegated to the Borough Solicitor will be considered as part of the review of the Constitution (including the Employee Delegation Scheme). Specific consideration will be given to the scope of delegation of decisions to instigate and continue legal action and to any financial limits which should apply and, how and from whom authority to exceed that limit is obtained.</p> <p>2. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30<sup>th</sup> September 2010 for consideration by the Staff and Support Services Committee.</p>	<p>Completed.</p> <p>1. On the 13<sup>th</sup> December 2010, the Council approved revisions to the Council's Constitution which include amendments to the Employee delegation scheme and which address this recommendation.</p> <p>2. On the 11<sup>th</sup> October 2010, the Council approved a revised timetable for the comprehensive review of the Constitution and it is now intended that this be completed in time for the next municipal year in May 2011.</p>	<p>Borough Solicitor</p> <p>Implemented.</p> <p>The Constitution was reviewed as required and approved by the Council on the 13<sup>th</sup> December 2010.</p> <p>Further amendments to the Constitution, including a comprehensive-review of Part 3 of the Constitution-Responsibility for Functions (Scheme of Delegation), were approved by the Council in March 2012.</p>

R2. Review the constitution for other potential instances where authority is delegated to individuals without clarity over the extent of their financial authority.

Recommended Action	Position as at 21 <sup>st</sup> September 2011	Lead Officer and Current Position
<p>1. That the Employee Delegation Scheme to be reviewed by the Borough Solicitor as part of the review of the Constitution. The review will consider whether there is sufficient clarity as to the financial restrictions which should appropriately apply and how and from whom authority to exceed any limits is obtained.</p> <p>2. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30<sup>th</sup> September 2010 for consideration by the Staff and Support Services Committee.</p>	<p>1. Completed see R1 above.</p> <p>2. See R1 above.</p>	<p>Borough Solicitor</p> <p>Implemented</p> <p>The Constitution was reviewed as required and approved by the Council on the 13<sup>th</sup> December 2010.</p> <p>Further amendments to the Constitution, including a comprehensive review of Part 3 of the Constitution-Responsibility for Functions (Scheme of Delegation), were approved by the Council in March 2012.</p>

<b>RECOMMENDATIONS</b>		
<b>The Role of the Borough Solicitor</b>		
R3. Ensure that where there are alternative people or bodies who could take a lead decision making role, that all options are evaluated and the conclusion is documented clearly.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
That a process, to be implemented corporately, be devised whereby, in circumstances where there are alternative officers or committees who could make a particular decision, the options for the decision making are evaluated and the conclusion clearly documented. The process is to be explained within the guidance note being prepared by the Assistant Chief Executive for the Senior Leadership Team (SLT) and Service Managers.	Completed. A guidance note has been issued and training has been undertaken with report authors so that they are aware of the process for the evaluation of decision-making options.	Chief Executive  Implemented  The Guidance Note remains in place and relevant.  Training is currently being refreshed and further sessions for officers on processes and decision making are taking place on 23 <sup>rd</sup> and 30 <sup>th</sup> September 2014.

<b>The Role of Members</b>		
<p>R4. Review the need for, and remit of, the S&amp;SSC and other committees. In a Cabinet/Scrutiny model, a Council may only need regulatory committees (Licensing, Audit, Planning). Mixing decisions between Cabinet and S&amp;SSC can be confusing. It may be possible for many operational matters to be delegated to the officers and the Chief Executive as head of paid service, perhaps supported by ad hoc Member Panels or other for a for advisory purposes.</p>		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<p>1. That the need for and remit of the Staff and Support Services Committee and other Committees should be reviewed as recommended as part of the comprehensive review of the Constitution.</p> <p>2. That a Member Working Group be established to undertake the review of the remit of Committees and any other aspect of the Constitution as is deemed appropriate by the Staff and Support Services Committee.</p> <p>3. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30<sup>th</sup> September 2010 for consideration by the Staff and Support Services Committee.</p>	<p>1 &amp; 2 Completed. On 13<sup>th</sup> December 2010, the Council, having considered the Constitution Working Group's report reviewing the remit of the Staff &amp; Support Services Committee, resolved that the S&amp;SSC should be discontinued.</p> <p>3. On the 11<sup>th</sup> October 2010, the Council approved a revised timetable for the comprehensive review of the Constitution and it is now intended that this be completed in time for the next municipal year in May 2011.</p>	<p>Borough Solicitor and GOSS HR</p> <p>Implemented</p> <p>The Constitution was reviewed as required and approved by the Council on the 13<sup>th</sup> December 2010.</p> <p>Further amendments to the Constitution, including a comprehensive review of Part 3 of the Constitution-Responsibility for Functions (Scheme of Delegation), were approved by the Council in March 2012.</p>

R5. Review constitutionally whether 'key decisions' made by committees should be subject to similar procedural and notification requirements as those made by Cabinet.		
Recommended Action	Position as at 21 <sup>st</sup> September 2011	Lead Officer and Current Position
<p>1. That consideration as to whether there should be procedural and notification requirements for decisions made by Committees which are similar to the procedures for "key decisions" to be included as part of the comprehensive review of the Council's Constitution.</p> <p>2. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30<sup>th</sup> September 2010 for consideration by the Staff and Support Services Committee.</p>	<p>1. Completed. On 13<sup>th</sup> December 2010, the Council considered the report of the Constitution Working Group which included recommendation for changes to Article 13 (Decision Making) of the Council's Constitution. The Council approved the introduction of a definition of "Significant Decisions". In the light of the decision to discontinue the S&amp;SSC, it was not considered it to be necessary to introduce a procedure for notification of Significant Decisions.</p> <p>2. On the 11<sup>th</sup> October 2010, the Council approved a revised timetable for the comprehensive review of the Constitution and it is now intended that this be completed in time for the next municipal year in May 2011.</p>	<p>Borough Solicitor</p> <p>Implemented</p> <p>The position remains as set out in 2011.</p>

<b>RECOMMENDATIONS</b>		
<b>The Role of Members</b>		
R6. When important constitutional questions are raised, then the Council should take care to answer the precise question and also to look further at the underlying implications.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<p>1. That the requirement to identify, answer and consider underlying implications of important constitutional questions should be included within the guidance note being prepared by the Assistant Chief Executive for the Senior Leadership Team (SLT) and Service Managers.</p> <p>2. That the Corporate Governance Group recommends a process / procedure to ensure that constitutional questions are identified and dealt with.</p>	<p>1 &amp; 2 Completed. A guidance note has been issued and training has been undertaken with report authors so that they are aware of the process.</p>	<p>Chief Executive  Implemented.  The report writing process guide is in place to support report authors. The Borough Solicitor is a member of the Statutory Officers Group and the Corporate Governance group where legislative changes and / or constitutional issues are dealt with and then cascaded as required.</p>

R7. Where decisions are made by committees or officers, ensure there is sufficient briefing of, and involvement from, the relevant Cabinet leads at appropriate stages.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<p>1. This has been implemented.</p> <p>2. That the need for timely and sufficient briefing of Cabinet Leads (and Shadow Leads as appropriate), be included within the guidance note which is being prepared for the Senior Leadership Team and Service Managers.</p>	<p>1. Implemented</p> <p>2. Completed. A guidance note has been issued and training has been undertaken with report authors so that they are aware of the need for timely and sufficient briefing of Members as appropriate.</p>	<p>Chief Executive  Implemented.  The guidance note remains in place and relevant. Cabinet leads are briefed on officer decisions as well as on reports presented to committees.</p>

<b>RECOMMENDATIONS</b>		
<b>Objectives and Option Appraisal</b>		
R8. Review the process for taking forward, and reporting back on, decisions made by committees to ensure agreed actions are delivered (or explanations provided as to why they are not).		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<p>1. Implement a centralised log of decisions taken with mechanisms for recording and monitoring actions taken in accordance with those decisions.</p> <p>2. Devise a mechanism whereby Committees review progress of implementation of decisions which they have made.</p>	<p>1. Modern.Gov has now been implemented and within the system decisions can be reviewed by date, decision maker and decision status, and the system also enables the decision to be linked to issues so that anyone can see associated decisions. There is a facility to update a decision status of Modern.gov but this is not widely used by other councils and not cost-effective in terms of the Democratic Services resource that would be needed to monitor decisions. The 'decision' on the budget for example could contain as many as 20 separate recommendations. Instead implementation of decisions is the responsibility of Directors and these will be reviewed with members via 1-1s and where appropriate a review can be scheduled in a committee's work plan. Where the decisions support actions in the Corporate Strategy these will be monitored by the Performance Management system. As such this action is now complete.</p> <p>2. Completed.</p>	<p>Chief Executive</p> <p>A new report template has been devised which includes a section on how the recommendations will be monitored and reviewed. Training has been undertaken with report authors and the new template is to be used for the meetings in September onwards.</p>



<b>RECOMMENDATIONS</b>		
<b>Objectives and Option Appraisal</b>		
R9. Ensure that all relevant options are assessed when considering crucial decisions.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<p>1. The assessment of all relevant options should be included within the reports placed before Committees and the corporate Committee report template should be revised to incorporate options evaluation.</p> <p>2. A process whereby the evaluation of options in respect of decisions taken under delegated powers should be devised and implemented.</p> <p>3. The requirements in respect of the drafting of reports and decisions made within delegated authority should be included within the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers.</p>	<p>1. Completed. A new report template has been devised which includes a specific section on the evaluation of all relevant options. Training has been undertaken with report authors and the new template is to be used for the meetings in September onwards</p> <p>2 &amp; 3. Completed. A guidance note has been issued and training has been undertaken with report authors so that they are aware of the process for the evaluation of options, drafting of reports and decisions to be made in respect of decisions taken under delegated powers.</p>	<p>Chief Executive</p> <p>Implemented.</p> <p>The corporate report template currently in use includes reasons for recommendations and the alternative options which have been considered.</p> <p>Decisions made by officers under delegated authority follow the same report process and are published.</p>

<b>RECOMMENDATIONS</b>		
<b>Objectives and Option Appraisal</b>		
R10. Options should be reassessed throughout decision processes. This includes revisiting the overall objective and ensuring that the strategy being followed remains appropriate for delivering the objective. The council needs to remain flexible, and be prepared to change objectives, options and decisions on a timely basis if information changes.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
That the need to apply project management principles and to reassess risks during throughout a decision process should be included within the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers. The Project Management Principles should include defining at the outset, the period for reviewing the project, its purpose and objectives.	Completed. SLT has received a presentation on projects and risks and criteria for managing projects is being developed. The risk assessment template has been updated and identifies the need to consider risks which may impact on the delivery of the strategic outcomes. The revised report template also includes a section on how decisions will be monitored and reviewed.	Chief Executive  Implemented.  Criteria for managing programmes and projects are in place. Any significant risks which are identified at programme/project level are reported to SLT for inclusion on the corporate risk register. SLT monitor projects of corporate significance

<b>RECOMMENDATIONS</b>		
<b>Professional Advice</b>		
R11. The Council should, in all instances, take decisions based on a balanced range of success factors including service needs, legal issues, financial implications and risk. Decisions should be informed by appropriate risk scenarios or possible outcomes.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<p>1. Revise the Council's standard report template to ensure that a balanced range of success factors, legal and financial implications and risks are required to be fully considered within each report to the Council and its Committees.</p> <p>2. Devise a procedure to ensure that the same range of factors as set out above are demonstrably considered in respect of crucial decisions taken under authority delegated to officers and implement the procedure.</p>	<p>1. Completed. A new report template has been devised which requires report owners to ensure that a balanced range of success factors, legal and financial implications and risks are fully considered within each report. Training has been undertaken with report authors and the new template is to be used for the meetings in September onwards</p> <p>2. Completed. The guidance note includes reminders to involve the appropriate officers when drafting reports, and covers delegated decisions. Training has been undertaken with report authors.</p>	<p>Chief Executive</p> <p>Implemented.</p> <p>The corporate report template requires disclosure of the financial, HR, legal, property and environmental implications. There is a risk template attached to every report.</p>
R12. Before starting legal proceedings that are likely to incur significant costs, estimate the potential risks and costs and revisit this analysis throughout the process, and certainly whenever there is a sea change in the case.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
The action recommended is as set out above in R10 and R11.	Completed. See R10 and R11.	Chief Executive  Implemented.  See R10 and R11 above

<b>RECOMMENDATIONS</b>		
<b>Crucial Decision Points</b>		
R13. The Council should recognise that not taking an explicit decision (e.g. use of “The Committee notes”) can amount to a positive decision to continue with the existing course of action. In sensitive or important issues, officers should carefully draft recommendations so that it is clear what will happen as a result.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Include guidance to report authors to ensure careful drafting of recommendations to Committee and what Officers should seek from Members in considering those recommendations will be included in a guidance note to the Senior Leadership Team (SLT) and Service Managers.	Completed. The guidance note has been issued and includes the need for clarity as to the recommendations and decisions required. Training has been undertaken with report authors	Chief Executive  Implemented.  The guidance note remains in place and relevant and refresher training is being undertaken as referred to in R3 above.

<b>RECOMMENDATIONS</b>		
<b>Crucial Decision Points</b>		
R14. The Council should apply its usual governance processes to all decisions brought to Members, in whatever committee or forum, and explain the reason for any deviation from the processes.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<ol style="list-style-type: none"> <li>1. Devise a process to ensure, through the Democratic Services, that all matters brought to members for a decision follows the usual governance processes, and to include specific provisions for the recording of any deviations from the standard process.</li> <li>2. That the process be incorporated within the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers.</li> </ol>	<p>1 &amp; 2 Completed.</p> <p>The guidance note has been issued and makes it clear that the normal governance process must be followed when decisions are taken and any deviations documented. Training has been undertaken with report authors</p>	<p>Chief Executive</p> <p>Implemented.</p> <p>The guidance note remains in place and relevant and refresher training is being undertaken as referred to in R3 above.</p>

<b>Involvement of Officers Corporately</b>		
R15. The Strategic Directors, Assistant Directors and Service Managers should immediately review all major service and corporate issues that they are individually dealing with, and check whether they are being managed properly and reported through the appropriate channels . There should be an on-going process to ensure that significant issues are escalated to the right people. (See also risk management below).		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Action has already been instigated by the Chief Executive for an immediate review of all major services and corporate issues being dealt with by Strategic Directors, Assistant Directors and Service Managers to ensure the proper management and reporting. The ongoing process will be reviewed regularly through both the internal audit as part of its audit plan and the corporate governance group. The Chief Executive has issued an email to Strategic Directors, Assistant Directors and Service Managers asking them to undertake the review.	<p>Completed.</p> <p>This has been implemented. SLT have received a presentation on projects and risks and criteria for managing projects is being developed. All ADs are producing service plans for their areas and as part of this process are looking at the way in which projects and programmes are being managed.</p> <p>SLT discuss risks on a regular basis and now have a section on their agenda which enables concerns to be raised.</p> <p>The project and programme guidance has been updated to ensure that it is clear how project risks can be escalated to either programme or corporate level.</p>	<p>Chief Executive</p> <p>Implemented.</p> <p>Key projects forming the corporate strategy action plan are monitored through SLT acting as the operational programme board.</p> <p>The Corporate Governance Group, chaired by the CEO meets on a regular basis to consider the key internal controls in respect of risk and governance. The group also considers progress in respect of recommendations arising from internal and external Audit reports</p>

<b>RECOMMENDATIONS</b>		
<b>Risk Management</b>		
R16. Undertake mandatory risk management training to appropriate officers and Members. This should include Directors, Assistant Directors and Service Managers. The training should be specific to Cheltenham's own risk management process.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<ol style="list-style-type: none"> <li>1. Consider the needs of Members and Officers for risk management training.</li> <li>2. Develop a training programme for Members and Officers.</li> <li>3. Implement the training programme.</li> <li>4. That risk management training be a pre-requisite for Members who serve on the Audit Committee and the Treasury Management Panel.</li> </ol>	<p>1 and 2 are completed:            Induction for new members for 2010 has taken place, with the six new member's allocated specific senior manager "buddies" to work with them over the next 6 months regarding orientation into the council and development needs. Needs are to be recorded by individuals on the learning gateway. From this, a learning plan will be developed. Similarly, those members of specific committees will need to log their learning needs and achievements on the learning gateway. A list has been drawn up of the training each member of each committee will be expected to undertake, reminders will be issued, and information checked. Risk management training approach for relevant officers has not yet been finalised as appraisals are currently underway that will determine training needs. E-learning modules will be developed for roll-out. Recruitment is underway to help delivery capacity in the team.</p> <p>Analysis of risk training requirements from appraisals is taking place, and the support to create e-learning modules is now in place and training in the module creation process is underway.</p> <p>3. The risk management e-learning module has been completed and is loaded on the Learning Gateway. Directors and Services Managers have been notified and asked to refresh their own and employees knowledge via the suggested module.</p> <p>4. Completed.</p>	<p>GOSS HR</p> <p>Implemented.</p> <p>The Audit Committee owns and approves the Risk Management Policy on an annual basis (last revised March 2014). All Members were asked to consider the policy and to make suggestions as to any training needs.</p> <p>The learning gateway, used by all staff, has an on-line risk awareness training tool which was updated in April 2014. SSS Staff are aware of this training and of the availability of an officer who can provide additional advice and assistance. The facilities on Learning Gateway are also available to Members. Following the recent elections Audit Committee Members were provided with an overview of governance and risk management. A risk management seminar will be offered to all members shortly.</p>

	All members will be automatically added to risk training via the cbc learning gateway.	
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<b>RECOMMENDATIONS</b>		
<b>Risk Management</b>		
<p>R17. Immediately review all risks on the corporate and service risk registers to ensure that they are complete, appropriate and that the descriptions and risk assessments continue to reflect the current state. Any high scoring service risks should be transferred to the corporate risk register where appropriate. The updated corporate risk register should be presented to Members for consideration.</p>		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<p>1. The Corporate and Service Risk Registers have recently been reviewed by the Senior Leadership Team, Service Managers and the Corporate Governance Group.</p> <p>2. That the Corporate Risk Register is in future to be presented to the Audit Committee on a quarterly basis, commencing in June 2010.</p>	<p>Completed. SLT have reviewed the corporate risk register which was considered by Cabinet on 1 June. The Corporate Risk Register is now a standing item on the SLT agenda. The new service plan template includes a Divisional Risk Register and there is clarity that risks scoring more than 16 need to be brought to SLT for discussion and inclusion on the Corporate Risk Register. The register was considered by the Audit Committee on 23 June.</p>	<p>Chief Executive</p> <p>Implemented.</p> <p>SLT continue to monitor the Corporate Risk Register on a monthly basis and Cabinet Members are immediately briefed as necessary. The Corporate Governance Group also monitors risk and notifies SLT of any concerns.</p> <p>Service and Project team managers are responsible for identifying risks which are monitored by the relevant Director. Any project or service risk scoring 16 or more must be escalated for consideration by SLT</p> <p>As Cabinet members are kept up to date on a monthly basis the Corporate Risk Register is reported to Audit Committee on an annual basis together with a report of activity of risk in the previous year</p>

<b>RECOMMENDATIONS</b>		
<b>Project Management</b>		
R18. All legal case work should have a formally appointed Instructing Officer and a written scoping document. In practice, the Borough Solicitor or other members of the legal team should only be the Instructing Officer in rare circumstances. All legal actions and defences should continue to be channelled through the legal team.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
To be Included in revised case management procedures.	Implemented.	Borough Solicitor  The procedure remains in place as implemented.
R19. On any occasion where the Borough Solicitor is the Instructing Officer rather than acting on behalf of other service departments, the Council should consider the controls in place to ensure an appropriate corporate oversight is maintained.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
That the Chief Executive provide a corporate oversight should the circumstances arise in which the Borough Solicitor is the Instructing Officer.	Implemented.	Borough Solicitor  The procedure remains in place as implemented.

<b>RECOMMENDATIONS</b>		
R20. The Council should review its scheme of delegation to consider at what level formal project management techniques should be employed. This does not necessarily apply only to capital programmes, IT development or major change projects – but could apply (as in this legal case) to revenue activities.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<p>Directors and Assistant Directors to</p> <ol style="list-style-type: none"> <li>1. review which Officers within the organisation are responsible for implementation of projects requiring project management skills.</li> <li>2. identify whether those Officers require either project management training or dedicated project management support in order to effectively implement the project.</li> </ol>	<p>This is being achieved alongside the development of service plans for 2010-11, where specific “projects” are being identified, with the responsible senior officer for each project (or programme) clearly identified. Guidance as to what level of project needs what degree of formal project management input, based on an assessment of risk and opportunity, is being developed to better enable an informed match of project management skills to size of project. A survey of Officers with current project management training and qualifications is also underway.</p> <p>Analysis of existing training records has been completed, However, project management training is not corporately funded, so the work is underway to create a more comprehensive list from service specific training records. A proposal for addressing skills gaps is being drafted. This will take into consideration the lack of funding available for externally provided training.</p> <p>1&amp;2 A framework for categorisation of projects and the level of project management support has been agreed by SLT. In line with budget cuts, skills gaps for managers will be addressed by completion of the project management e-learning module and use of experienced project managers as coaches. The project management group will continue to assist all those involved in managing projects, ensuring that project management is pitched at the right level for the complexity of each project. A summary report has been prepared for Senior Leadership Team.</p>	<p>Deputy Chief Executive</p> <p>Implemented.</p> <p>The corporate plan and / or project initiation document identifies who has responsibility for all projects undertaken.</p> <p>The council’s project management guidelines set out the required expertise and qualification for project managers for all projects relative to their size and complexity. In July 2014, these guidelines were reinforced with all directors and service managers.</p> <p>The Learning Gateway exists as a repository for all project management training or development undertaken by staff members. GO Shared Services Learning and Development team provide guidance for all staff members seeking project management training or development. Alternatives to formal accreditation, e.g. e-learning modules and mentoring, are used depending on need and budget</p>

		<p>constraints.</p> <p>The council's corporate project and programme management team provides support for all project managers within the council and advice on procuring project managers from external sources for specific assignments</p>
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R21. The Council should review the project management skills base within its workforce, and seek to train more people if necessary, or to find ways of sharing the resource among different projects.

<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<ol style="list-style-type: none"> <li>1. Draw up a list of those officers with project management qualifications.</li> <li>2. Prepare a report on the project management resource available to specifically include details of external spend.</li> <li>3. Prepare a forward plan as to how the project management skills will be utilised.</li> <li>4. Identify whether there are any deficiencies in project management resource.</li> <li>5. Report on proposals as to how any deficiencies may be addressed.</li> </ol>	<p>1. Completed.</p> <p>2 &amp; 3 Completed – survey of project management resource has been completed including the external support. All future requests are to be considered in line with “nil recruitment” position and budget restraints on business case basis. Project management capacity is now being reviewed on a continuing basis as part of the “resource management” at Commissioning Programme Board.</p> <p>4 &amp; 5 completed. In line with budget cuts, skills gaps for managers will be addressed by completion of the project management e-learning module and use of experienced project managers as coaches, plus using project training (Prince) where needed and securing the high ££ investment in skills through requiring payback if the employee should leave the council.</p> <p>The project management group will continue to assist all those involved in managing projects, ensuring that project management is pitched at the right level for the complexity of each project. A summary report was prepared for the Senior Leadership Team in February 2011 recommending how project management skills will be developed and deployed.</p>	<p>Deputy Chief Executive</p> <p>Implemented.</p> <p>The Learning Gateway exists as a repository for all project management training or development undertaken by staff members.</p> <p>The council's quarterly resource management process identifies the demand for project managers over the next 12 months. Any deficiencies are then dealt with by the manager of the corporate project and programme management team working with project sponsors and / or the Senior Leadership Team. Options taken have included re-prioritisation and / or re-scheduling of projects; growth of the corporate team; and recruitment of temporary additional project managers.</p>

<b>RECOMMENDATIONS</b>		
R22. Significant legal casework should be supported by a budget and monitored accordingly. If further budget provision then becomes necessary, this should be considered through established virement processes.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
<p>1. Implementation of recommended actions specified in recommendations 10, 11 and 12 above.</p> <p>2. That a requirement that the financial implications of any significant legal casework which is proposed to be commenced should be fully assessed, that any financial restrictions on the exercise of authority complied with and that the necessary budget is available to be included in the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers.</p> <p>3. Implementation of recommendations 11 &amp; 12 will ensure that the financial implications are reviewed in accordance with sound project and risk management principles.</p>	<p>1, 2 and 3 Completed.</p> <p>Recommendations 10, 11 and 12 have been implemented and therefore have addressed the actions required. The guidance note has been issued and together with the revisions to the standard report template, ensures that the financial and budgetary implications are fully assessed when decisions are taken.</p>	<p>Deputy Chief Executive</p> <p>Implemented.</p> <p>Significant legal work is identified as “extraordinary work” and the budgetary requirements are specified.</p> <p>Reports include legal, financial and HR implications and identify any resources required.</p>

<b>RECOMMENDATIONS</b>		
<b>Pre-Meeting Briefings</b>		
R23. Ensure Chairs and Vice Chairs of committee meetings are always briefed sufficiently on crucial matters such as those concerning significant legal cases, to allow them to manage the debate at committee and facilitate appropriate challenge by Members.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
1. Already implemented.  2. Procedures for ensuring that Chairs and Vice-Chairs of Committee meetings are sufficiently briefed on crucial matters to be set out in the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers.	1. Implemented.  2. Completed - chair's briefings do take place and democratic services are present. The guidance note includes reference to the need to ensure that chairs are fully briefed and training has been undertaken with report authors	Chief Executive  Implemented.  The procedure implemented in 2010/11 is now embedded.

<b>Format of Member Reporting</b>		
R24. Ensure that written reports to committee meetings are clear on what decision is required of Members. Noting update briefings may often be appropriate but where decisions are required, or officers are seeking endorsement or support for decisions, specific recommendations should be made.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
That the requirement for clarity as to the decision being sought from a Committee or Council be included within the guidance note being prepared for the Senior Leadership Team (SLT) and Service Managers.	Completed. SLT is already ensuring that there is clarity on recommendations and the guidance note reinforces this requirement for clarity.	Chief Executive  Implemented.  The guidance note remains in place and relevant.

<b>RECOMMENDATIONS</b>		
R25. Exempt minutes must record the names of those attending the meeting and include sufficient detail to record discussions and decisions fully.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Ensure that all exempt minutes record the names of those attending the meeting and include sufficient discussion to enable full understanding of the decision and the reason for it.	Implemented.	Chief Executive  This practice has continued since implementation
R26. Develop guidance on the circumstances when it may be appropriate to record the number of people voting for, against and abstaining. This might apply in sensitive matters, and exempt proceedings might be expected to be sensitive.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
As part of the review of the Constitution, develop guidance on the circumstances in which it might be appropriate to record the names of those Members voting for, against or abstaining from the decision on any item of business.	Completed. On 13 <sup>th</sup> December 2010, the Council approved revisions to its Constitution which include amendments to the Rules of Procedure to require that, except where decisions are taken by affirmation, the numbers of votes for, against or abstaining, shall be recorded in the minutes of the meeting.	Chief Executive  Implemented.  The arrangements remain in place as implemented in 2011.

## Part B - ACTION PLAN - IMPLEMENTATION OF REVIEW WORKING GROUP RECOMMENDATIONS

RECOMMENDATIONS		
A. Recommended changes to Council's pre-appointment processes		
<p><u>Recommendation 1</u> That the Council adopts a Recruitment Protocol for Chief Officers to include the Council's intentions as to how it will:-</p> <ul style="list-style-type: none"> <li>• Manage the recruitment process for Chief Officer / Statutory Officers and in particular               <ul style="list-style-type: none"> <li>○ Whether external agencies will be engaged to manage the recruitment process</li> <li>○ How advertising for the vacancy will take place</li> <li>○ How the feedback to successful and unsuccessful candidates (both internal and external) will take place</li> <li>○ Guidelines for making conditional offers of employment</li> <li>○ Timescale for making written offer of employment</li> <li>○ Timescale for issue of contract of employment</li> </ul> </li> <li>• Include in the final selection process significant Councillor involvement as well as involvement from partners and employees</li> <li>• The process which will be undertaken to obtain medical clearance for the employment of the successful candidate</li> <li>• Induction processes as appropriate to a senior position</li> </ul>		
Recommended Action	Position as at 21 <sup>st</sup> September 2011	Lead Officer and Current Position
Introduce a Cheltenham Borough Council Recruitment Protocol.	Completed. Best practice in recruitment research has been introduced, including recommended process, stakeholder engagement, timing, competency basis. A report with the findings and recommendations was presented to and agreed by Staff and Support Services Committee on 29 <sup>th</sup> July 2010.	GOSS HR  Implemented.  The protocol is reviewed as necessary and remains fit for purpose.



<u>Recommendation 2</u> The Council includes, as part of the recruitment process for Chief Officers / Statutory Officers / Assistant Directors, a requirement for the candidates for the post to undertake relevant job related competency based person profiling (e.g. leadership / personality profiling)		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Devise a competency based recruitment process for the Council's senior appointments.	Completed. As 1 above.	GOSS HR  Implemented and embedded.
<u>Recommendation 3</u> When commencing a recruitment process for a Chief Officer / Statutory Officer, careful consideration should be given to the timing of the process and the date for the Council meeting to make the appointment to avoid dates where there are likely to be significant member absences due to holiday (e.g. avoid Christmas / New Year period).		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Ensure that the timing of any recruitment process for posts which require to be appointed by the Council take into account statutory holiday periods.	Completed.	GOSS HR  Implemented
<b>B. Recommended changes to Council's appointment processes</b>		
<u>Recommendation 4</u> That the Council sets up an Appointments Committee to make recommendations to the Council on appointments to posts which are required to be made by the Council with Terms of Reference which include recommending a preferred candidate to Council for approval following a full interview and assessment process being carried out by the Appointments Committee.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Report on this recommendation to be prepared for consideration by the Staff and Support Services Committee	Completed. On 13 <sup>th</sup> December 2010, the Council approved revisions to its Constitution which include the establishment of an Appointments Committee.	GOSS HR  Implemented.  The Council has established an Appointments and Remuneration Committee to discharge this function.

<p><u>Recommendation 5</u> That the Council amends the Council Rules of Procedure to require that the appointment of any Statutory Officer (Head of Paid Service, Section 151 Officer and Monitoring Officer) should be approved by 2/3rds of the Members who are present at the meeting and voting.</p>		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Report on this recommendation to be prepared for consideration by the Staff and Support Services Committee	Completed. On 13 <sup>th</sup> December 2010, the Council approved revisions to its Constitution which include amendments to the Rules of Procedure on voting to reflect this recommendation.	Borough Solicitor and GOSS HR  Implemented.
<p><u>Recommendation 6</u> That the Council sets a target of 28 days, from the date of the acceptance by the employee of the offer of employment, for the issue of an employee's Statement of Particulars of Employment.</p>		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Issue Statements of Particulars of Employment to new employees within a target of 28 days from acceptance by the employee of the Council's offer of employment.	Completed.	GOSS HR  Implemented
<p><u>Recommendation 7</u> That the Council's appointment / recruitment / absence management and dispute resolutions policies be reviewed regularly to ensure that they continue to be up to date, robust and fit for purpose.</p>		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Include within the Human Resources Policy Review Timetable the regular review of the Council's appointment, recruitment, absence management and dispute resolution policies to ensure that they continue to be up to date, robust and fit for purpose.	Completed. The timetable for review of key policies has been reviewed and key policies due for review included in Corporate Governance arrangements with timescale for review (e.g. Whistleblowing, Code of Conduct due for review 2010-11).	GOSS HR  Implemented.  The policies are regularly reviewed and refreshed. The absence management policy is currently being reviewed.

<b>C. Recommended changes to Council's procedures to ensure that disputes are resolved efficiently and effectively</b>		
<u>Recommendation 8</u> That the Council reviews the membership and functions of the JNC Disciplinary Committee to ensure that they are consistent with the guidance in the 2009 version of the JNC for Local Authority Chief Executives (National Salary Framework and Conditions of Service).		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Include, within the report of the review of the Council's Constitution, recommended revisions to the membership and functions of the JNC Disciplinary Committee to reflect the 2009 version of the JNC for Local Authority Chief Executives (National Salary Framework and Conditions of Service).	Completed. On 13 <sup>th</sup> December 2010, the Council approved revisions to its Constitution which include amendments to the JNC Disciplinary Committee and the introduction of a JNC Appeals Committee which address this recommendation.	Borough Solicitor  Implemented
<u>Recommendation 9</u> That the Council explores the possibility and appropriateness of incorporating within the conditions of contract of Officers, an ongoing requirement for the Council (by instructing an occupational health practitioner) to have access to medical records, subject to safeguards and clarity as to what event would trigger that consent being used and subject also to legislation relating to disclosure of medical records.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Consider whether the Council is permitted, within the relevant employment and access to medical records legislation, to seek ongoing access to medical records from employees and, if this is permissible, to implement the necessary changes.	Completed. Advice has been received from IMASS, the new Occupational Health provider, that such a requirement would be contrary to medical practitioner guidance and data protection legislation.	GOSS HR  The position has not changed from that reported in September 2011.

<b>Recommendation 10</b>		
That the Council introduces a procedure whereby nominated Officers deputise for Chief Officers / Statutory Officers during any extended absence e.g. sickness, and are given full authority to act in that capacity.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Introduce a formal procedure for the nomination of deputies to act for Chief and Statutory Officers during any extended absence and measures to ensure that the deputies are provided with the necessary authority to act in that capacity.	Nominated deputies are in place for the Chief Executive, s151 Officer and the Monitoring Officer. Regarding the necessary authority to act in the event of extended absence, this will be picked up as part of the comprehensive review of the Constitution (see R1 above).	Borough Solicitor and GOSS HR  Implemented
<b>Recommendation 11</b>		
That the Council amends its guidance on managing sickness absence, to ensure that:		
<ol style="list-style-type: none"> <li>1. employees who are certified as being unfit for work are clear about the circumstances and purposes for which they can attend the workplace</li> <li>2. guidance is in place to ensure that employees who are certified as being unfit for work do not issue inappropriate instructions or requests to other employees and the guidance should be such that employees who receive inappropriate instructions or requests are clear that they are able to refer these to their manager</li> <li>3. the Council include in its guidance on managing absence, nominated post(s) with responsibility for managing any absence of the Chief Executive/Head of paid Service.</li> </ol>		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Introduce amendments to the Council's guidance on managing sickness to satisfy items 1-3 of the recommendation.	Completed.	GOSS HR  Implemented

<u>Recommendation 12</u> That the Council makes an appropriate amendment to the Employees Code of Conduct to ensure that Officers who have an interest in any matter which would, in the case of any Member of the Council, amount to a “prejudicial interest”, should not participate in or seek to influence the outcome of that matter.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Prepare a report for the Standards Committee/Council to suggest revisions to the Employees Code of Conduct to clarify the requirements regarding personal interests, as identified in the recommendation.,	The Standards Committee has included the review of the Employees Code of Conduct within its current workplan. A revised draft of the Employee Code of Conduct has been drawn up and will now be the subject of consultation for approval by the Council in 2011.	Borough Solicitor and GOSS HR  Implemented
<u>Recommendation 13</u> That the Standards Committee be asked to undertake a review of the Protocol for Member / Officer Relations to ensure that it reflects best practice.		
<b>Recommended Action</b>	<b>Position as at 21<sup>st</sup> September 2011</b>	<b>Lead Officer and Current Position</b>
Request the Standards Committee to review the Protocol for Member / Officer relations as specified in the recommendation.	Completed. A revised protocol for Member/Officer Relations was approved by the Council on 13 <sup>th</sup> December 2010.	Borough Solicitor  Implemented.  The Protocol for Member Officer Relations approved in 2010 remains in place and is included within the Protocol review programme of the Standards Committee.