	REPORT TO CABINET TO BE HELD ON 12 MARCH 2019	
	Key Decision	No
Corporate Priority All	Forward Plan Ref No Cabinet Portfolio Holder	Cllr J Nock – Portfolio Holder for Legal and Governance

REPORT OF THE DIRECTOR (LD) – 19/065

WARDS AFFECTED: ALL

**SUBJECT: PERFORMANCE MANAGEMENT FRAMEWORK -
QUARTER 3 REPORT 2018/19**

RECOMMENDATIONS:

Members are recommended to note the contents of this report and in particular the good/satisfactory levels of performance being achieved by services at the current time in particular:

1. The good progress being made against the delivery of the Council's Priority Projects Plan
2. The continuing improvement in response times to complaints and Freedom of Information requests; and
3. That over 93% of information requested under Freedom of Information legislation is disclosed in full, and that on average responses are issued in less than 8 working days

REASON FOR RECOMMENDATIONS:

To provide information relating to Council performance for a rolling 12 month period to the end of the third quarter of 2018/19, including monitoring of the Priority Performance Plan, Performance Indicators, Critical Success Factors, Complaints, RIPA authorisations, FOIs, etc.

To ensure that the Council's Corporate Service and Business planning processes are effective.

In accordance with Government guidelines, details on the performance of the Council and its services must be made available through as many mechanisms as possible.

HIGHLIGHTED RISKS:

There are risks in respect of performance matters, primarily in respect of poor performance. Through the monitoring procedures that are in place throughout the Council, these risks are mitigated. The publication of performance information meets with the Government's public data transparency agenda and non-publication could lead to an external challenge.

1. INTRODUCTION

- 1.1 The Council operates a Performance Management Framework (PMF) which is used to monitor the performance of its services. The Council is committed to a performance management culture that underpins our focus on continuous improvement. Regular monitoring of the Council's top level performance is a key component of the performance management framework (PMF) and the Corporate Planning Process overall.
- 1.2 As part of the on-going development and improvement of the Performance Management Framework, work has been undertaken to expand the Framework to include monitoring of more than just Performance Indicators. The Framework now incorporates monitoring of Priority Projects, Critical Success Factors, Significant Partnerships (on a six monthly basis), Freedom of Information requests, sickness and complaints.
- 1.3 In addition, in accordance with recommendations of the Investigatory Powers Commissioner's Office on provision of information to Members, this report has been further developed to include details in respect of any instances of directed surveillance, the use of covert human intelligence sources (CHIS), or the acquisition and disclosure of communications data authorised under the Regulation of Investigatory Powers Act 2000 (RIPA).
- 1.4 Quarterly reports on performance monitoring are presented to Cabinet to allow Members to examine any areas where performance is showing cause for concern and to challenge the Services concerned with a view to identifying where performance can be improved. The process is about more than the monitoring of performance, it ensures that Members are involved in the management of the Council's performance. Provision of information on a range of issues such as RIPA and Freedom of Information ensures that Members are kept informed and supports the Council's aims of transparency and openness.

2. CORPORATE AIMS/PRIORITIES

- 2.1 Performance Management is key in delivering and monitoring all the Council's aims and priorities.

3. BACKGROUND AND ISSUES

3.1 Attached at appendix 1 is the Performance Monitoring Report for the third quarter of 2018/19. Further information on each of the key areas monitored is set out below:

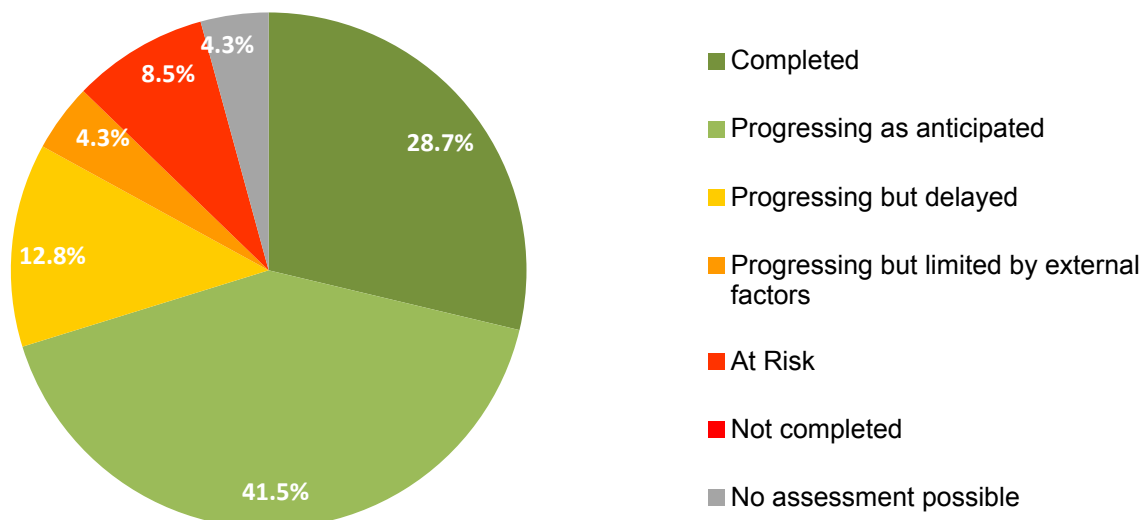
3.2 Priority Projects Plan

3.3 At its meeting of 13 February 2018, Cabinet noted the development of the Priority Projects Plan: a strategic framework document to provide a focus for the delivery of major projects and to assist with resource planning. The Priority Projects Plan sets out the list of on-going and future projects which have been identified as key priorities in delivering the Council's Corporate Plan. The Plan was developed to assist with the effective management of resources to ensure that the Council's priority projects can be delivered, on time and to budget. Performance against projects in the plan is monitored and results of the third quarter monitoring for 2018/19 shows that less than 3% of priority projects are classed as 'at risk' at quarter 3. 63.2% of projects are completed or progressing as anticipated at quarter 3 2018/19. Further information on the progress against each project is set out in appendix 1, pages 3 to 7.

3.4 Critical Success Factors

Performance is also monitored through 'Critical Success Factors' which are the projects and performance measures which each service will deliver in the year ahead, as their contribution to the Council's aims and priorities as set out in the Corporate Plan.

3.5 Monitoring of Critical Success Factors (CSFs) shows that at the current time 8.5% of CSFs are at risk.



3.6 Details of those CSFs designated as ‘at risk’ and ‘progressing but delayed/limited by external factors’ at the current time can be found in appendix 1.

3.7 Performance Indicators

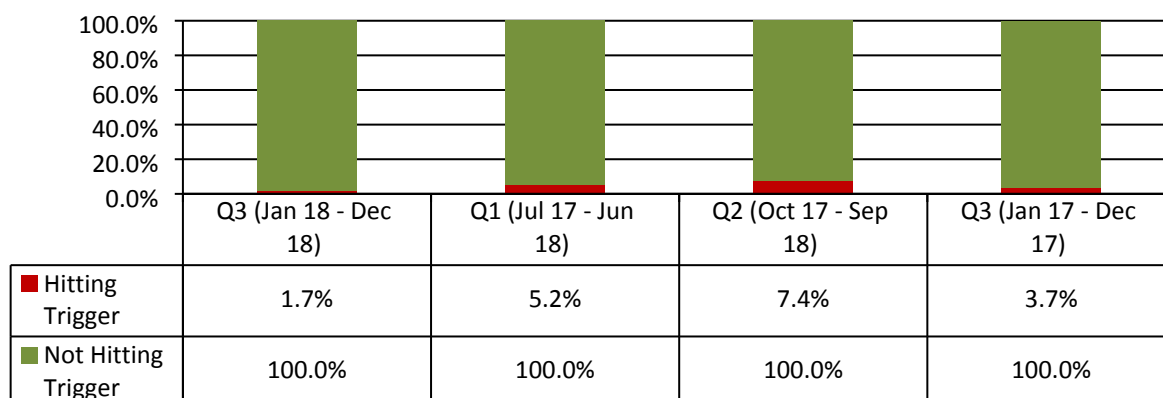
3.8 A wide range of Performance Indicators are currently monitored and reported on, to assist in managing the efficient and effective delivery of Council services and evidence how the Council is delivering against its priorities. This report sets out the results for the Performance Indicators for the period to the end of the first quarter for the 2018/19 financial year. With the exception of a small number of performance indicators, data is assessed over a rolling 12-month period. This is felt to be a more accurate means of assessing performance by removing elements of seasonality, smoothing out short-term fluctuations and highlighting longer-term trends or cycles. This means that data for the end of quarter 3 2018/19 covers the period from 1st January 2018 to 31 December 2018 inclusive.

3.9 The Council’s approach is based on exception reporting, and detailed information is only provided for those indicators which are deemed to be ‘at risk’, ie., where targets are not being achieved and performance is in a downward direction of travel. Tolerance limits have also been set for all indicators; these have been established so that minor fluctuations in performance and achievement of targets can be disregarded. This ensures that the focus is firmly on areas of concern.

3.10 It is pleasing to note that the results of the exception reporting for the first quarter of 2018/19 have identified only a small number of PIs that meet the criteria for ‘at risk’, with good or satisfactory performance being achieved in most areas.

3.11 Direction of Travel - % of Performance Indicators hitting exception reporting trigger point

3.12 The Chart below compares the position re number of indicators where performance is hitting the exception reporting trigger point. There has been a decrease in the number of indicators hitting the exception reporting trigger since the last quarter.



3.13 Further information on progress against PIs can be found in appendix 1.

3.14 A small number of Key performance indicators are highlighted as 'at risk' at quarter 3 of 2018/19 Financial Year. Less than 2% of indicators are outside tolerance and these are as follows:

- SIV7 Scarborough Spa and Whitby Pavilion - Net income from shows/concerts
- DM8 Planning Enforcement - Make a decision on whether to progress a case within a 20 day deadline

3.15 A proforma is completed for indicators which are identified as 'at risk', to provide further information concerned as to reasons for the current levels of performance. Comparisons to the previous year's data for the same period are shown where information is available. The proforma also includes a trend chart which shows details of performance for each indicator on a monthly or quarterly basis. A Proforma for each of the Performance Indicators listed above is included in the attached report, pages 18 to 19.

3.16 The number of performance indicators which are identified as 'at risk' is exceptionally low. It should be noted that there were in addition a small number of other Performance Indicators found to meet the criteria of 'at risk', however, these were found to be within acceptable tolerance levels.

3.17 Sickness Absence Monitoring

3.18 There has been an increase in the level of sickness absence for the same period last year (12 month rolling average), from 8.62 days per FTE to 9.51 days per FTE. Further details in relation to sickness absence are included in the attached report, pages 20 to 27. Benchmarking through the LGA shows that this is still around the average for English District Councils.

3.19 Complaints, Compliments and Satisfaction

3.20 The monitoring of response times for stage 1 complaints shows that 94% of responses are provided within 20 working days across the Council. This represents an improvement on 89.3% for the same period last year (12 month rolling average). The average time to respond to complaints across the Council over the last 12 month period was 7 working days, significantly less than the target response time of 20 working days. Further details in relation to response times to complaints is included in the attached report, page 28.

3.21 A total of 119 compliments were received which is equivalent to the same period last year (12 month rolling). Further details in relation to compliments and service satisfaction is included in the attached report, page 29.

3.22 Freedom of Information Requests

- 3.23 The Freedom of Information Act, Environmental Information Regulations and INSPIRE Regulations give the right to access official information. Compliance with the legislation is monitored by the Information Commissioner's Office, who have recently raised the threshold that triggers their monitoring of public authorities when responding to freedom of information (FOI) requests. Public authorities will now be considered for monitoring if fewer than 90% of their FOI responses fall within the statutory timescale.
- 3.24 Response times for Freedom of Information requests shows that 98.4% of responses are provided within 20 working days across the Council. This represents an improvement on the previous year of 98%. The average number of days to respond to a Freedom of Information request is 7.7 working days, which is significantly less than the target statutory response time of 20 working days. It should also be noted that over 95% of information requests are fulfilled in full or part, with information only being withheld for exceptional reasons, in line with the exemptions set out in the Freedom of Information Act. Further details in relation to response times, internal reviews, etc, is included in the attached report, page 30.
- 3.25 Regulation of Investigatory Powers Act 2000 (RIPA)**
- 3.26 In undertaking its functions the Council must comply with the Human Rights Act 1998 (HRA). Article 8 of the HRA sets out the right to respect for private and family life. This is a qualified right and in certain circumstances interference can be justified (as explained within Article 8 itself).
- 3.27 The Regulation of Investigatory Powers Act 2000 (RIPA) provides a statutory framework under which the Council may seek authorisation to lawfully interfere with this right. Under RIPA the Council may seek authorisation to permit directed surveillance, the use of covert human intelligence sources (CHIS), and the acquisition and disclosure of communications data.
- 3.28 The Council's use of RIPA is tightly controlled. All authorisations are subject to approval by the Magistrates' Court and the Council is inspected every 3 years by the Investigatory Powers Commissioner's Office (IPCO).
- 3.29 One of the requirements of the IPCO is that regular, formal reporting to Members of RIPA activity/inactivity takes place and this is currently fulfilled through an annual report to the Council's Standards Committee. In order to strengthen this reporting, details are also provided to Cabinet on a regular basis as part of this quarterly Performance Monitoring report.
- 3.30 Further information is attached at appendix 1, page 32, which shows that there have been no formal applications for RIPA authorisation during quarter 3.

4.0 RECOMMENDATIONS

- 4.1 As stated previously, results of the exception reporting analysis have identified only a small number of areas to be 'at risk'. Overall, the Council's services have been assessed to be performing well or satisfactorily.

5. IMPLICATIONS

Policy

- 5.1 No specific implications

Financial

- 5.2 There are no direct financial consequences

Legal

- 5.3 No direct legal implications identified.

Sustainability

- 5.4 There are no sustainability issues identified at this time

Equalities and Diversity

- 5.5 No specific implications

Others

- 5.6 I have considered whether there are any Staffing, Planning, Crime and Disorder, Health and Safety, and Environmental implications arising from this report and am satisfied that there is no identified implication that will arise from this decision.



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Director

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Background Papers:
None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT PETRA JACKSON 01723 383528, e-mail petra.jackson@scarborough.gov.uk

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	March 2019	Performance Management arrangements are not responsive and effective	Poor service performance External auditor criticism	Performance Management Framework	A3	A3	Performance and Admin Manager	None
2	March 2019	Performance information is not made available to the public	This is against the Government's guidelines and the Council could be challenged	Publication of information via the web site, Annual report and news articles	A3	A3	Performance and Admin Manager	None
3	March 2019	Responses to complaints are not timely	Poor service performance Poor customer care Low levels of customer satisfaction Criticism from LGSCO	Monitoring and reporting of response times by service – identification of problem areas and focus on improvements	B3	A3	Performance and Admin Manager	None
4	March 2019	Responses to FOI requests are not timely	Failure to meet statutory deadlines - poor service performance Poor customer care/perceptions of lack of openness and transparency Low levels of customer satisfaction Criticism/interventions/sanctions from ICO	Monitoring and reporting of response times by service – identification of problem areas and focus on improvements	B3	A3	Performance and Admin Manager	None
5	March 2019	Information on RIPA Activity Monitoring is not reported to Members	Criticism/interventions/sanctions from IPCO	Inclusion in Quarterly Performance Monitoring report	B3	A3	Performance and Admin Manager	None

Glossary of Terms

Risk

An event which may prevent the Council achieving its objectives

Consequences

The outcome if the risk materialised

Mitigation

The processes and procedures that are in place to reduce the risk

Current Risk Score

The likelihood and impact score with the current mitigation measures in place

Corporate Objectives

An assessment of the Corporate Objectives that are affected by the risk identified.

Target Risk Score

The likelihood and impact score that the Council is aiming to achieve

Service Unit Manager

The Service Unit or Officer responsible for managing the risk

Action Plan

The proposed actions to be implemented in order to reduce the risk to the target score

Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

Likelihood:

A = Very Low

B = Not Likely

C = Likely

D = Very Likely

E = Almost Certain

Impact

1 = Low

2 = Minor

3 = Medium

4 = Major

5 = Disaster