

# Report to Audit and Risk Assurance Committee

16 March 2023

<b>Subject:</b>	Improvement Plan Progress and Phase 2 Refresh
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## 1. Recommendations

- 1.1. That Audit and Risk Assurance Committee considers and comments upon the progress of the Improvement Plan and the Risk Register up to 2 February 2023.
- 1.2. That any recommendations or comments in relation to 1.1 above are reported to Cabinet
- 1.3. That the Committee considers any additional areas of focus for its work plan.

## 2. Reasons for Recommendations

- 2.1 This report provides a quarterly update on progress against the Improvement Plan agreed by Council on 7 June 2022. The Improvement









Plan incorporates all recommendations from the Grant Thornton Governance Review, the LGA Corporate Peer Challenge and the CIPFA Financial Management Review, as well as the Statutory Directions from the Secretary of State for Levelling Up, Housing and Communities.

- 2.2 On 28 June 2022, Audit and Risk Assurance Committee received the Improvement Plan and accompanying risk register and requested regular updates on progress. This report is the third quarterly progress report to Audit and Risk Assurance Committee.
- 2.3 As part of the governance and assurance arrangements for the Improvement Plan, Audit and Risk Assurance Committee and Budget and Corporate Scrutiny Management Board review progress of the Improvement Plan and utilise the plan for work programming purposes. Both Committees are due to consider progress at their meetings in March and any recommendations or comments will be presented for Cabinet's consideration.
- 2.4 As part of the council's assurance framework for the Improvement Plan, the LGA, Grant Thornton and CIPFA conducted follow-up reviews in Autumn 2022 to evaluate the council's progress on implementing the specific recommendations from those individual reviews. These were reported to the Audit and Risk Assurance Committee in January 2023.
- 2.5 The findings from the follow-up visits from Grant Thornton and LGA are incorporated into a refresh of the Improvement Plan which has been managed through the established change control process. The actions to respond to the CIPFA FM Model Re-assessment Report will be incorporated in the next update to the Improvement Plan.

### **3. How does this deliver objectives of the Corporate Plan?**

- 3.1 Sandwell Council's Improvement Plan focuses on the governance arrangements of the council and areas of improvement across the organisation. The underpinning objective of the Improvement Plan is to ensure that the council is able to deliver on the aims and priorities as set out in the Corporate Plan. The deliverables set out in this Improvement Plan will achieve long-term sustainable improvements in how the council operates and is able to make effective decisions focused on improving outcomes for residents and experiences of service users. Therefore, this impacts on the council's ability to deliver all the objectives in the Corporate Plan.



	Best start in life for children and young people
	People live well and age well
	Strong resilient communities
	Quality homes in thriving neighbourhoods
	A strong and inclusive economy
	A connected and accessible Sandwell

## 4 Context and Key Issues

### 4.1 Background

4.1.1 A single Improvement Plan was agreed by Council on 7 June 2022 to address recommendations from a Value for Money Review into the council's governance arrangements, a CIPFA financial management review, an LGA Corporate Peer Challenge, and Statutory Directions from the Secretary of State for Levelling Up, Housing and Communities. The single Improvement Plan replaced the Governance Review Improvement Plan which was approved in January 2022.

4.1.2 To ensure that senior officers and members have oversight of delivery against the Improvement Plan, Council approved that progress will be monitored by Leadership Team monthly and reported to Cabinet quarterly. This will continue until all actions have been completed, or changes have been embedded into business as usual.

4.1.3 This report is the third quarterly update to Audit and Risk Assurance Committee on progress of the Improvement Plan.

### 4.2 Improvement Plan Progress



4.2.1 Over this quarter, significant progress has continued to be made to deliver the actions within the Improvement Plan. This includes the completion of the Phase 1 Governance Review with changes to the Constitution agreed, preparations for the new Chief Executive taking up post on 6 February, approval of the Medium Term Financial Strategy and the completion of the reviews of the Serco and Sandwell Children's Trust (SCT) contracts.

4.2.2 A comprehensive monitoring tool has been developed to include both a risk rating for each main action within the Improvement Plan and a progress status rating for all actions. The monitoring tool provides quick reference around which actions are on track for delivery, as well as highlighting areas that may require remedial action or additional levels of assurance. The Improvement Plan Monitoring Tool is included at Appendix 1.

4.2.3 Progress against each theme of Improvement Plan is contained within Appendix 2. This includes a description of workstream progress including progress against milestones and achievements, and any progress issues. A summary by theme is provided below.

#### 4.2.4 Organisational Culture Theme

4.2.4.1 Achievements this quarter:

- Regular meetings of Commissioners, Monitoring Officer, Section 151 Officer, and Chief Whips has commenced
- Mentoring Programme with LGA in place and ongoing
- Initial data gathering has taken place to identify the options for an employee recognition scheme.
- Preparations for the new Chief Executive taking up post on 6 February

4.2.4.2 Organisational Culture Progress Issues:

- **Workforce Strategy**
  - Slippage from original delivery date of March 2023 to May 2023 due to slippage in the One Team Framework. The One Team Framework will be approved in March.



- Scope and drafting have commenced. Many priority workstreams are already in progress. Working towards Cabinet sign off in May
- **Effective Decision-Making Training** (also reported in the Decision Making theme)
  - Slippage from original date due to a revised approach to training delivery.
  - The revised programme will involve roll out through to the end of this Municipal Year.
  - The impact of the training delivered to date is evidenced by feedback on how Council meetings and Committee meetings are running.

#### 4.2.5 Corporate Oversight Theme

##### 4.2.5.1 Achievements this quarter

- Q2 Performance Management report considered by Cabinet and Scrutiny. Preparations underway for Q3 Performance Management Report to Cabinet
- External training provided to corporate finance staff Realignment to create Corporate Transformation PMO has commenced

##### 4.2.5.2 Corporate Oversight Progress Issues:

- **Customer Journey Programme Board in place and regular meetings scheduled**
  - Slippage against original timescales due to resources.
  - Board members are being confirmed, and future board dates will be scheduled commencing in Feb 2023. Project Manager will be confirmed prior to February board.
- **Performance Management Framework (PMF) - Review of KPIs**
  - Slippage against original timescales due to need for alignment with workforce strategy approval, alignment with customer journey programme and resources.
  - KPIs for organisational health need to be updated to reflect workforce strategy. The Workforce Strategy is in development and is due for approval in May.
  - KPIs for customer experience need to be updated to reflect the customer journey programme.



- Review of the KPIs will commence from March 2023
- **Programme and Project Management System Implementation**
  - Slippage occurred due to resources
  - Implementation is now underway supported by Corporate Transformation Team. Implementation end date to be confirmed.

## 4.2.6 Strategic Direction Theme

### 4.2.6.1 Achievements this quarter

- Approval of the Corporate Asset Management Strategy, Equality Policy, Medium Term Financial Strategy and Capital Strategy
- Progress of the Regeneration Strategy and Pipeline reported
- Phase 1 of the new Asset Database implemented
- EDI Workforce action plan review complete
- Review of Council EDI decision making process complete
- Proposal approved for the next phase of resident consultation and engagement and budget consultation.

### 4.2.6.2 Strategic Direction Progress Issues

- **Commercial Strategy: Business Cases**
  - Slippage against original timescale of January 2023 due to work taking longer than expected
  - Strategic Business Cases have been prepared and are being reviewed by Leadership Team
- **Equality, Diversity, and Inclusion**
  - Issues being encountered due to resources focusing on responding to reporting of historic EDI issues, and these issues having an impact of the effectiveness of staff networks.
  - Revised plan for EDI strand is in place with re-profiled timescales, and a proposal around staff networks is being prepared
- **Customer Journey Strategy**
  - Slippage against original timescale of August 2023 due to resources





- Work is underway to develop the strategy with Cabinet holding priority focus sessions in December 2022 and February 2023.
- Next steps are for engagement sessions to be held to capture Customer/Resident feedback to shape the strategy.

#### 4.2.7 Decision Making Theme

##### 4.2.7.1 Achievements this quarter

- All major milestones in this theme have been achieved
- Phase 1 of the Governance Review complete with agreement this quarter to the revised Council Procedure rules and revised Scheme of Delegations agreed

##### 4.2.7.2 Decision Making Progress Issues

- **Effective Decision-Making Training** (as reported in the Organisational Culture Theme)
  - Slippage from original date due to a revised approach to training delivery.
  - The revised programme will involve training being delivered over a longer period and through to the end of this Municipal Year.
  - The impact of the training delivered to date is evidenced by feedback on how Council meetings and Committee meetings are running.

#### 4.2.8 Procurement and Commercial Theme

##### 4.2.8.1 Achievements this quarter

- Implementation of Phase 1 of Asset Management System
- Review of Serco Contract Complete
- Street Cleansing revised plan approved at Waste Board.
- Lion Farm statement of facts agreed
- Chief Officer for Local Authority Trading Company (LATC) has started, and a clear project plan is in place.
- SEND lessons learnt capture reported to Leadership Team

##### 4.2.8.2 Procurement and Commercial Progress Issues:



- **Lion Farm Options Agreement**
  - Issues encountered. Delivery timescales for the Expert Determination process are being decided by a third party.
  - The anticipated date for resolution is 24 March 2023

#### 4.2.9 Partnerships and Relationships Theme

##### 4.2.9.1 Achievements this quarter

- Delivery of the Early Help and Corporate Parenting Strategies has continued across partners.
- KPI suite for Sandwell Children's Trust reviewed.
- SCT Review of contract has concluded.
- Attendance and participation with key regional and sub-regional groups (including WMCA, ABCA, and BCLEP) has continued
- VCS Strategy Development has commenced, and engagement sessions have been held. This work builds on positive relationships fostered between the council and VCS around the Warm Spaces programme.

##### 4.2.9.2 Partnerships and Relationships Progress Issues

- **Partnership structures in relation to transition from children's to adults' services**
  - Slippage in timescales due to recruitment difficulties for this project
  - Two unsuccessful attempts at recruitment for a project manager. The approach will be reviewed.
  - Work is progressing without this capacity being in place. Draft PID is in place, agreement has been reached to engage with key external stakeholders and the Trust's sign-off process has been incorporated into the project governance structure.
  - Next steps are for PID to be completed and approved and monthly project meetings established.

#### 4.3 Statutory Recommendations

- 4.3.1 The Grant Thornton Value for Money Governance Review, 2021 included three statutory recommendations that the council has a legal obligation to respond to. In their follow-up review 2022, Grant Thornton recognised progress against all three statutory recommendations.





4.3.2 These recommendations are incorporated into the single Improvement Plan and are embedded across each of the six themes. To provide an overview of progress against these three specific recommendations, Appendix 3 extracts the key actions that respond to each of the recommendations and they are summarised below.

4.3.3 **Statutory Recommendation 1** - It is imperative that senior officers and senior members take effective corporate grip of long-standing service issues highlighted by the findings in this report (including SLT, SCT, the waste service, the ERP system, and Lion Farm) and prioritise corporate effort in managing the issues identified and embed the solutions into the Council.

*Progress update:*

- Continuing to implement strategies to address the service issues highlighted in the Grant Thornton report.
- SLT – progressing the approach agreed by Cabinet in June 2022 to transfer services to a Local Authority Trading Company.
- SCT – Governance arrangements remain in place. Joint work in place with SCT in relation to corporate parenting and early help. Revised contract will commence in April 2023
- Waste Contract – Contract Monitoring framework progressing well and embedded in PMF reporting. Review of the Contract is complete.
- ERP (Oracle Fusion) – support provider in place and implementation commenced. Project Management and Governance arrangements are in place.
- Lion Farm – expert determination process has commenced, anticipated date for resolution of 24 March 2023. Formal document detailing the respective roles and responsibilities of Council and the developer complete.
- Regeneration Strategy and Pipeline to underpin significant regeneration in Sandwell approved by Cabinet 23 March 2022. First monitoring provided to Cabinet in November.

4.3.4 **Statutory Recommendation 2** - The Council must ensure that the learning in relation to commercial decisions, procurement and contract management highlighted in this report are understood through the organisation.



### *Progress Update*

- The first phase of the Governance Review has completed with approval granted to the revised Procurement and Contract Procedure Rules, thresholds for decisions, Sale of Land and Buildings Protocol, Scheme of delegations and refresh
- Corporate Governance Training - Programme of training and development commenced in September 2022 on effective decision-making, good governance, and revised contract procedure rules. Next phase of Corporate Governance Development is being planned for roll out during 2023-2024.
- Commercial Strategy in draft and due to be considered by Cabinet in March 2023.
- Corporate Asset Management Strategy approved by Cabinet in November 2023.

**4.3.5 Statutory Recommendation 3** - Senior leadership, both officers and members, must demonstrate that they can continue to work together effectively, that they operate in line with the Council's values, codes, policies and procedures, and that there is zero tolerance to inappropriate behaviours. This includes changing the organisational culture in relation to complaints so that they restore balance and proportionality.

### *Progress Update*

- Member Development – New Member induction complete and Member Development Programme is being delivered and regularly reviewed by Ethical Standards and Member Development Committee. Next update to the Member Development Programme is due to be agreed in March which will incorporate analysis of Members' Personal Development Plans.
- Officer Development – A consolidated programme of fundamental training for managers on Corporate Governance matters has commenced. A broader Management Development Programme will be rolled out in 2023 following the approval of the Workforce Strategy.
- Organisational Culture – Extensive engagement held and in final stages of developing the One Team Framework (Values and Behaviours). Due for approval in March 2023.



- Meeting structures to facilitate Cabinet Member and Leadership Team cross-working in place and meeting needs.

#### 4.4 **Specific Recommendations from External Reviews relating to Audit**

4.4.1 The Statutory Directions set out that the Council must secure improvement in relation to the proper functioning of the scrutiny and associated audit functions.

4.4.2 In their follow-up review in Autumn 2022, Grant Thornton commented on the positive progress to improve the culture and professionalism of key Council committees and commenting that the Audit Committee has continued to operate throughout the year in a manner focussing on significant governance matters.

4.4.3 In the original Value for Money Governance Review (2021) Grant Thornton set out four recommendations that relate to scrutiny and audit. Grant Thornton made an additional recommendation relating to audit in their 2022 follow-up review relating to the Executive confirming their position on historic matter. Appendix 4 sets out an overview of progress against the recommendations made by Grant Thornton in relation to scrutiny and audit.

#### 4.5 **External Reviews**

4.5.1 External assurance continues to play a part in our improvement journey to monitor our progress in addressing the recommendations made through external reviews. Grant Thornton, LGA and CIPFA conducted follow-up reviews in late 2022. These review reports were received by Audit and Risk Assurance Committee in January 2023.

4.5.2 Grant Thornton and the LGA raised a series of additional recommendations and improvement points in their follow-up reviews which have been considered. Responses to the recommendations are set out in Appendix 5 and these have been incorporated into a refresh of the Improvement Plan which has been managed through the established change control process and summarised in section 4.7 of this report. The actions to respond to the CIPFA FM Model Re-assessment Report will be incorporated in the next update to the Improvement Plan.



## 4.6 Changes to the Improvement Plan and Monitoring Method – Phase 2 Refresh

4.6.1 The Improvement Plan is intended to be a live document updated to take account of progress and relevant changes.

4.6.2 The Improvement Plan report to Council in June 2022 set out that changes (which may include the addition of new workstreams or objectives, or the amendment of timescales for delivery of actions) will be tracked through programme management mechanisms and that Cabinet will retain oversight of changes through regular formal reporting.

4.6.3 This refresh to the Improvement Plan includes the responses to the Grant Thornton and LGA follow-up reviews as set out in section 4.5. The refresh reflects that the majority of key milestones outlined in June 2022 have been delivered and an increasing focus is being taken on embedding and sustaining changes. As such, the refresh is referred to as the Phase 2 Improvement Plan.

4.6.4 The list of all changes is provided in Appendix 6. Where new actions have been added to the Improvement Plan, these are displayed within the monitoring tool with red font colour. Changes as a result of the Grant Thornton and LGA follow-up reviews are also referenced within Appendix 5.

4.6.5 The changes made are summarised below.

- 4 new workstreams have been added/amended
- 5 main actions, 26 sub-actions, and 1 assurance action have been added
- 32 changes made to action delivery timescales, and milestones (4 of which are of more than 3 months)
- 16 changes to replace/move actions/milestones
- 6 changes made to descriptions of actions
- 1 change to delivery lead throughout the plan (from Director – Business Strategy and Change to relevant Director/lead)
- 11 actions have been closed as the activity is complete

4.6.6 The monitoring method that provides an overview of the progress of the Improvement Plan has been in place since June 2022. It has involved actions being attributed with a risk rating and a 'progress against plan' status rating. These ratings have been combined to form an overall



theme status rating to provide Leadership Team with oversight of progress and delivery issues.

4.6.7 As part of this Phase 2 refresh to the Improvement Plan, the monitoring method has been reviewed to ensure it remains fit for purpose. The review included consideration of some queries raised around the theme status ratings and the approach to attribute all actions a risk rating due to duplication with Directorate Risk Registers, Strategic Risk Register, and project risk registers

4.6.8 Following the review, the changes made to the monitoring method are for action risk ratings to be replaced by a focus rating (to express areas of the plan that are a current delivery focus for leadership team), and for theme status ratings to no longer be used within the monitoring method.

## 4.7 Risk Management

4.7.1 The Improvement Plan Risk Register underpins the council's strategic risk relating to the council's Improvement Plan (59a 02/22) and is currently rated as an overall Amber risk. The risk register is reported monthly to Leadership Team and quarterly to Cabinet and Audit & Risk Assurance Committee.

4.7.2 The current risk register is attached as Appendix 7. The main risks are associated with:

- **Resources** – for delivery of key components of the plan including the performance management framework, asset management system implementation and culture change programme. The financial resources required have been identified and were approved by Council in June.
- **Organisational Culture** – If the organisational culture doesn't change, this will limit the improvements that can be made. A theme within the Improvement Plan focuses on organisational culture. A comprehensive engagement programme with staff has taken place and the resulting One Team Framework is due for approval in March. External reviews have provided assurance around the positive changes to the Member and Officer relationship.
- **Communication** – to ensure everyone is aware of their respective roles and responsibilities. Communication is taking place through a range of methods including briefings, live events, and regular messages.





- **Performance Management Framework** – to ensure that we can effectively monitor progress and evidence improvement. Each theme includes an outline of how success will be evidenced. Processes for monitoring progress are in place
- **Investment and Financial Resources** – to ensure financial resources are made available resource gaps/ pressures associated with the Improvement Plan have been identified
- **Programme Management Arrangements**- to ensure appropriate programme management arrangements are in place existing experienced resource is being used. Governance arrangements in place for the Improvement Plan
- **Constitutional Changes (new risk)**- If key governance changes (agreed during 2022) are not embedded throughout the organisation then opportunities will be missed. First round of training has been delivered along with revised templates and guidance. Phase 2 of the Corporate Governance Review is underway and this will focus on embedding the constitutional changes

4.7.3 Since the last report to Audit and Risk Assurance Committee, the following risks have reduced:

- IP9 – Agreeing Constitutional Changes (Amber to Green and now closed).
- IP10 - Performance Management Framework (PMF) and Data Quality (Red to Amber).
- IP11 - Continued focus and resources allocated to historic issues (Amber to Green).
- IP 12 - Risk approach and progress monitoring (optimism bias) – (Amber to Green)

## 4.8 Reporting Framework and Governance

4.8.1 To ensure that senior officers and members have oversight of delivery, Council approved the reporting mechanism for the Improvement Plan in June 2022. This set out that progress will be monitored by Leadership Team monthly and reported to Cabinet quarterly until all actions have been completed, or changes have been embedded into business as usual. The diagram included at Appendix 9 sets out the governance framework.

4.8.2 The Government Directions require reporting on the delivery of the Improvement Plan at six monthly intervals to the Secretary of State from





the council and the Commissioners. The last report was made in December 2022. The next report is due June 2023

4.8.3 Member-led committees, such as the Governance & Constitution Review Committee, Audit & Risk Assurance Committee and Scrutiny Committees, are used for providing a steer and maintaining oversight of the actions and implementation of the Improvement Plan.

4.8.4 The Governance & Constitution Review Committee and cross-party Working Group have been integral to the development and review of the governance documents, ahead of decisions taken by Council last year.

4.8.5 Audit & Risk Assurance Committee receive quarterly updates on the Improvement Plan and the Improvement Plan Risk Register.

4.8.6 Budget & Corporate Scrutiny Management Board has included several elements of the Improvement Plan on their work programme as well as regular reports on overall progress. This has included a 'deep dive' focus on the work under the Organisational Culture theme and engagement with the workforce.

4.8.7 Any recommendations or comments from Audit & Risk Assurance Committee and Budget & Corporate Scrutiny Management Board will be reported to Cabinet.

## 5 Implications

<b>Resources:</b>	The monitoring of the Improvement Plan is being carried out within existing resources. Council's approval of the single Improvement Plan included allocation of resources to ensure delivery of the Improvement Plan. These resources are monitored regularly by the Programme Management Office and Leadership Team.
<b>Legal and Governance:</b>	On 22 March 2022, The Secretary of State for Levelling Up, Housing and Communities issued Directions under Section 15(5) and (6) of the Local Government Act 1999 (the 1999 Act) in order to



	<p>ensure that the council can comply with the requirements of Part 1 of the 1999 Act. Failure to comply with these Directions may lead to further intervention measures for the council.</p> <p>The delivery of actions within the Plan agreed by Council in June 2022, as well as any subsequently identified actions, will support the council to achieve sustainable improvement. This will support the end of government intervention.</p> <p>Ultimately, the changes made through the Improvement Plan will enable the council to effectively deliver its strategic priorities and ensure it is delivering value for money for Sandwell.</p>
<p><b>Risk:</b></p>	<p>If the Council fails to take appropriate action to meet the requirements set out in the government Direction, or the Commissioners appointed by the Secretary of State do not have sufficient confidence that appropriate actions are being taken to implement and sustain the required improvements, then the council risks not having appropriate arrangements in place to comply with its best value duty under Part 1 of the 1999 Act. This could lead to further government intervention, increased costs and damage to reputation.</p> <p>A risk register is in place and will be maintained for the duration of the Improvement Plan which will underpin the council's strategic risk relating to the council's Improvement Plan (59a 02/22). This will be reported monthly to Leadership Team, quarterly to Cabinet and will be regularly reported to Audit and Risk Assurance Committee.</p>



<b>Equality:</b>	<p>The successful delivery of this Improvement Plan will require the development and review of many of the council’s policies and procedures. These changes will build in consideration of the impact on equalities throughout the development and will include an Equality Impact Assessment where appropriate.</p>
<b>Health and Wellbeing:</b>	<p>The underpinning objective of the Improvement Plan is to ensure the council is able to achieve the strategic priorities as set out in the Corporate Plan. These priorities focus on improving the health and wellbeing of our residents and tackling health inequalities in a multi-faceted way. Therefore, any improvements to the council’s governance structures will strengthen the council’s ability to deliver services that will improve the health and wellbeing of Sandwell.</p>
<b>Social Value</b>	<p>Within the Improvement Plan, the council is committed to developing the Social Value Policy in conjunction with the refresh of the Procurement &amp; Contract Procedure Rules. Through strengthening our asks of contractors through this Social Value Policy and linking them to the Corporate Plan objectives, the council will be able to maximise its social value return.</p>
<b>Climate Change</b>	<p>The underpinning objective of the Improvement Plan is to ensure the council is able to achieve the strategic priorities as set out in the Corporate Plan. Green in everything we do is one of the Fairer Sandwell principles running throughout the Corporate Plan. Any improvements to the council’s governance structures will strengthen the council’s ability to embed this principle and further the climate change agenda.</p>

## 6 Appendices

1. Improvement Plan Monitoring Tool January 2023
2. Improvement Plan Theme Progress Summary January 2023



3. Statutory Recommendations Reporting January 2023
4. Scrutiny and Audit Recommendations Reporting January 2023
5. Responses to External Review Reports
6. Changes to the Improvement Plan January 2023
7. Improvement Plan Risk Register January 2023
8. Improvement Plan Governance Diagram

## 7 Background Papers

- [Sandwell Council Improvement Plan](#)
- Approval of Sandwell Council Improvement Plan [Report to Council 7 June 2022](#)
- Improvement Plan Progress Reports:
  - To Council: [13 December 2022](#)
  - To Cabinet:
    - 7 [December 2022](#) including LGA Corporate Peer Challenge Progress Review Report Nov 2022
    - [September 2022](#)
  - To Audit and Risk Assurance Committee
    - [January 2023 \(External Review Reports\)](#)
    - [November 2022](#)
    - [September 2022](#)
    - [June 2022](#)
  - To Budget and Corporate Scrutiny Management Board
    - [November 2022](#)
    - [September 2022](#)

