

# LBRO

Local Better Regulation Office

## BOARD MEETING

Minutes of the 17<sup>th</sup> Meeting of the LBRO Board  
Held on 08 and 09 September 2009  
Birmingham Chamber of Commerce, 75 Harborne Road, Birmingham B15 3DH  
and  
The Axis, 10 Holliday Street, Birmingham B1 1TG

Present:	Clive Grace	Chair of LBRO Board
	Robin Dahlberg	Board Member
	Uday Dholakia	Board Member
	Michael Gibson	Board Member
	Ann Hemingway	Board Member
	Rob Leak.	Board Member
	Rebecca Marsh	Board Member
	David Thurston	Board Member
	Graham Russell	CEO and Board Member
In attendance:	Carol Brady	Project Director
	Jane Martin	Director of Policy & Engagement
	Sarah Smith	Director of Delivery & Performance
	Wendy Rimmer	Head of Board Support & Strategy
	Richard Wilson	Head of Resources and Corporate Services
	Lynne Howard	Chair & Board Support Officer
	Laura Robinson	Senior Policy Analyst – Board Support

**Person  
Responsible  
For Action**

### **Tuesday 08 September 2009: OPEN BOARD MEETING**

**Birmingham Chamber of Commerce, 75 Harborne Road,  
Birmingham B15 3DH**

#### **1. WELCOME**

The Chair, Clive Grace, welcomed guests from the Better Regulation Executive, Welsh Assembly Government and LACoRS to LBRO's first Open Board Meeting, and introduced the Board Members.

## **1.1 Declarations of Interest**

There were no new declarations of interest.

## **1.2 Apologies**

No apologies were received.

## **1.3 Summary of Outstanding Actions and Forward Agenda**

### **04 March 09:**

8.1: This action is not yet complete and will be brought back to the December Board Meeting.

6.2: Completed.

### **21 April 09:**

7.1: Completed.

### **02 June 09:**

4.4: Completed.

5.1: Uday Dholakia is meeting with the Portman Group next week.

### **15 July 09:**

3.1: Discussion paper is currently being drafted.

6.3: Completed

6.3: Due in October.

6.4 Completed.

8.1 PA update will be covered later in this meeting.

## **2. REPORT FROM CHAIR**

### **Welsh Assembly Government Funding**

The funding arrangements with the Welsh Assembly Government have moved to a very positive position and appreciation was given to Richard Shearer and his colleagues for this.

### **Business Engagement**

The positive outcomes resulting from the Board's recent engagement with business were acknowledged. A series of business seminars are due to be taken forward in the autumn.

## **3. ORGANISATION AND STAKEHOLDERS**

### **3.1 E-Coli; Lessons Learned**

The Chief Executive updated the Board on the actions taken in Wales to address the recommendations in the Pennington report. Since the e-coli outbreak in 2005 local authorities have done much to address the issues raised following the outbreak.

The report highlights the importance of better regulation in ensuring that interactions are intelligence-led and risk-based and that all resources are targeted in a way that effectively tackles rogue traders.

Links to LBRO's work on World Class in relation to competency were noted.

**The Board noted the progress to date of the engagement with local authorities and key partners, and agreed to the continued LBRO involvement with groups established to address the recommendations.**

### **3.2 Business Continuity**

Richard Wilson presented the Board with an early draft of the Business Continuity Policy and asked them to consider this with a view to providing direction for its further development.

The Board proposed that the level of detail included in the policy be considered and stated that the back up site must be secure.

The Board would like to see more than one HR point of contact and the Chair's role recognised in the policy.

Richard Wilson was also asked to look at the business continuity plans of our major outsourcing companies, i.e. payroll, IT system, and to consider the amendments proposed above.

**The Board discussed the Business Continuity Policy.**

#### **ACTIONS**

**Business Continuity plans for our major outsourcing companies to be obtained.**

**Richard Wilson**

**Revisions regarding the accountability and reporting channels of the Business Continuity Policy to be made.**

**Richard Wilson**

### **3.3 MOUs**

Jane Martin updated the Board on the progress made in finalising the Memoranda of Understanding with each of the five national regulators.

The Board were asked for approval for the Chair to sign the MOU once each of the five had been through the national regulators' own approval procedure. Final drafts of the MOU with the Health and Safety Executive and the Office of Fair Trading have been

agreed. Final drafts of the MOU with the Environment Agency, Gambling Commission and Foods Standards Agency are near completion. Clarification is being sought on the clause on Advice to Government.

The Chair will write to the national regulators in the next two weeks, and it is hoped to have all MOUs signed off by the end of September.

A final draft of each MOU will be circulated to Board Members.

**The Board noted the progress that had been made in finalising the MOUs with the five relevant national regulators.**

**The Board gave approval for the Chair to sign the MOUs as soon as they were finalised.**

#### **ACTIONS**

**The Chair will write to the national regulators during the next two weeks.** Jane Martin

**A final draft of each MOU to be circulated to Board Members.** Jane Martin

## **4. STRATEGY AND GOVERNANCE**

### **4.1 Six Month Performance Report**

Wendy Rimmer provided a brief summary of performance. This is a baseline year for a number of our three year indicators. Where there is no hard data available against which to measure progress, other indicators are used, together with feedback from stakeholders where available.

The full report to the mid year point will be sent to the Board shortly.

A question in relation to the number of local authorities engaged in Local Area Agreements was posed. It was agreed that this information would be collated and sent out to the Board alongside an example of a typical self assessment and improvement plan.

**The Board noted the progress as set out.**

#### **ACTIONS**

**The full performance report to the mid year point to be sent to the Board Members prior to the October Board Meeting.** Wendy Rimmer

**The proportion of local authorities engaged in Local Area Agreements to be co-ordinated and the information sent to the Board.**

**Wendy Rimmer**

**An example of a typical self assessment improvement plan to be sent to Board Members.**

**Wendy Rimmer**

## **4.2 Impacts and Outcomes**

Jane Martin presented the research report on the impact and outcomes of Local Authority Regulatory Services commissioned to RAND Europe, and suggested to the Board an outline plan of action for dissemination of the outcomes and impacts project.

The report set out a brief profile of LARS; conclusions from mapping the impacts and outcomes of LARS; development of pathways and a dashboard of indicators to assess impacts and outcomes. It also set out a toolkit developed for LARS, consisting of three tools:

1. Logic models to identify intervention logics;
2. Guidance on identifying and drafting indicators
3. Dashboard as a way of prioritising and displaying the findings.

Rebekah Eden, Project Manager, was acknowledged for her input on this piece of work.

The full report is now complete and the Board discussed the format in which the findings should be disseminated and which audiences might have an interest in this work.

**The Board noted the content of the report and agreed for its dissemination and toolkit.**

### **ACTION**

**The format of the Impact and Outcomes report is to be amended prior to dissemination.**

**Wendy Rimmer**

## **4.3 Freedom Of Information**

Richard Wilson presented the Board with an opportunity to review LBRO's current interim Freedom Of Information (FOI) Policy.

LBRO have currently received three FOI requests, two via BIS and one direct.

The Board stated that all FOI requests should be put onto our website, even if received via another route. Richard Wilson was asked to establish the format and timescale involved in publishing Board and Executive expenses on our website. A contents list for the publication scheme is to be sent to the Board before the next Board meeting.

**The Board considered the information provided and discussed the interim policy.**

## **ACTIONS**

<b>The three FOIs already received to be put onto our website.</b>	<b>Richard Wilson</b>
<b>The format and timing to be established for the Board and Executive expenses to be put onto our website.</b>	<b>Richard Wilson</b>
<b>A contents list for the publication scheme is to be sent to the Board before the next Board meeting.</b>	<b>Richard Wilson</b>

## **5. SUPPORT SERVICE IMPROVEMENT**

### **5.1 Trading Places**

Carol Brady updated the Board on the Trading Places project, especially the feedback on the number of placements which have taken place to date and the future engagement strategy with both business and local authority regulatory services.

The Trading Places concept is well received and was commended in the recent Regulatory Reform Committee report on Themes and Trends in Better Regulation, with feedback following placements being extremely positive.

The current economic climate and the resourcing/workload issues of both business and LARS have impacted on progress.

The momentum is now building on Trading Places, particularly in relation to the one-day placement format.

HSE is supporting Trading Places in the following ways:

- Signposting Environmental Health Officers and HSE Inspectors who identify development needs around business awareness within the competence framework to Trading Places.
- Considering building Trading Places into HSE's Business Awareness module for trainee inspectors.

- Seeking support from its network of businesses to offer Trading Places.

750 Trading Places can be supported within the current budget.

**The Board noted the progress to date, the engagement activity being undertaken and agreed to the next steps identified in the roll out plan.**

## **6. DIRECTLY DELIVERY CONSISTENCY**

### **6.1 PA Update**

Sarah Smith updated the Board on the progress of the Primary Authority project.

Significant progress continues to be made in terms of engagement with the key local authorities, regions, businesses and trade bodies. Additional initiatives have been identified to assist in the development of Primary Authority. An implementation plan has been developed and agreed with HSE, setting out LBRO's plans for the transition of lead authority partnerships to Primary Authority.

The development of the infrastructure necessary to support Primary Authority has continued with phase two of the IT system now undergoing final user acceptance testing in readiness for release on the 28<sup>th</sup> September 2009. The use of the Chief Executive's delegated powers from 6 July to 21 August 2009 were summarised.

LBRO is now engaged in discussions with 200 businesses.

The PA team has designed a standardised template to facilitate the process.

**The Board noted the progress of the Primary Authority project.**

#### **Q&A Session**

Question raised by Richard Shearer, WAG:

What are the implications of the Consumer White Paper going forward and how does Macrory sanctions fit into this picture?

The Chair responded that a CEO update was sent to the last Board meeting outlining LBRO's input into the Consumer White Paper. Restorative Justice pilots will seek to test the new civil sanctioning powers through a number of pilots focusing on

voluntary compensation offers by businesses where breaches of consumer law are discovered. EA and DEFRA are moving forward in relation to Macrory.

The meeting closed at 16:00 hrs.

### **Wednesday 09 September 2009: BOARD MEETING**

**The Axis, 10 Holliday Street, Birmingham B1 1TG**

#### **7. MINUTES FROM PREVIOUS MEETING**

Subject to one minor amendment, the previous minutes were approved as an accurate record.

#### **8. REPORT FROM THE CHAIR**

##### **8.1 Feedback from 08 September**

The Chair reported that he was pleased with the meeting with the Welsh Assembly Government the previous day and conveyed thanks to both Jane Martin and Pauline Roberts. Jane Martin had outlined the Welsh business plan, Richard Teeboth had given a presentation on the Welsh context and Pauline Roberts had provided an overview of LBRO's engagement in Wales to date.

Jane Martin will arrange for the Welsh Assembly Government to be invited to join the Board on an annual basis.

The Chair summarised the strategy supper seminar which had taken place the previous evening. Discussion had focussed on prioritisation and how to communicate key messages to our stakeholders.

The Chair proposed that LBRO examine the issue of regulation of the Internet, following on from the findings of the National Threats research.

#### **ACTIONS**

**Welsh Assembly Government to be invited to LBRO on an annual basis.**

**Jane Martin**

#### **9. REPORT FROM THE CHIEF EXECUTIVE**

The Chief Executive reported on staff changes: Laura Robinson has taken on the role as Senior Policy Analyst-Board Support; Gordon Maddan has been appointed into the position of Business Engagement Manager, and Roland Curtis has been appointed as

Media Office. Pauline Roberts has been recalled by the OFT and will be leaving LBRO in December.

Eight CEO update reports had previously been circulated:

1. **RRC Themes and Trends**  
It was suggested that RRC members may have an interest in participating in Trading Places. A letter is to be written to this effect.
2. **Business Link**  
The Board had requested an update on Business Link. Wendy Rimmer had met with Business Link representatives recently regarding their development for the future. The Board was advised to send any comments or queries to Carol Brady.
3. **Conservative White Paper: Plan for Sound Banking**
4. **Better Regulation Database**  
Any referrals to LBRO are recorded on this database. The Board asked for regular updates to be brought back to a Board meeting in future.
5. **Global Regulatory Reform**  
It was noted that LBRO was cited as an example of good practice.
6. **Consumer White Paper – Next Steps**
7. **Communities & Local Government Consultation – Strengthening Local Democracy**  
LBRO will respond to the consultation as outlined. The Board requested to have sight of the draft before it was sent.
8. **LBRO Strategy 2010-2013 Consultation**  
A draft for comment will be available by the end of September. The Board felt this was a good and effective update of our strategy.

## **ACTIONS**

**The Board requested to see regular updates of the Better Regulation Database.**

**Wendy Rimmer**

**The Board requested to have sight of the Communities & Local Government Consultation – Strengthening Local Democracy draft before it was sent.**

**Wendy Rimmer**

## **10. ORGANISATION AND STAKEHOLDERS**

### **10.1 Budget**

Richard Wilson presented the Board with the budget position statement to the end of July 2009.

The Grant in Aid for 2009/10 is expected to be fully spent. There is a risk of an overspend, which is being managed.

The spend profile is higher in the first six months of the year than in the second six months, where much of the budget has been committed.

The stakeholder engagement and communications budget will be significantly overspent.

The funding from the Welsh Assembly Government is now secured.

The expenditure on PA includes all the IT expenditure which was committed in the first six months of the year.

**The Board noted the Budget position.**

### **10.2 Risk**

Richard Wilson updated the Board on LBRO's risk management.

The Board endorsed the risk register presented in July, with a number of amendments, which are incorporated into the report. Risk scores have been assigned to the new risks and controls and mitigations have been reviewed.

Risk 102 is now replaced by Risk 123; however, this should read Risk 219.

**The Board considered and noted the risk management position.**

### **10.3 External Programme Overview Priorities**

As requested at the July Board Meeting, Wendy Rimmer presented a programme overview, which reviewed and set out proposed priorities and programmes for each project, to help the Board to make an informed decision about priorities, capacity, focus and impact.

The Board discussed the proposed priorities and requested that the document take internal programmes into account also.

The Chief Executive thanked the Board for their input and also thanked Wendy Rimmer and Lisa Peplow for their contribution to the report.

The Chief Executive explained that certain projects had been subsumed into different programme areas.

It was suggested that Primary Authority and World Class should be more closely aligned in size.

**The Board debated and considered the Programme Overview, and asked that this be brought back to the next Board Meeting, then again in another six months time.**

## **11. IMPROVE THE SYSTEM**

### **11.1 National Threats: Final Report and Summary**

Sarah Smith presented the draft of the National Threats research report.

This is a summary report, with the full report due in September. A discussion was held on how we could take the findings forward. The report will be LBRO branded with an acknowledgement to Matrix.

**The Board noted the summary research report.**

## **12. SUPPORT SERVICE IMPROVEMENT**

### **12.1 Stakeholder Engagement Strategy Progress Update**

Jane Martin updated the Board on engagement activity undertaken over the past six months and the activity planned for the next quarter, looking at priorities and focussing on stakeholder engagement.

A CRM system is now near completion and this will help co-ordinate our efforts.

The Board expressed a desire to ensure that its engagement activity are carefully targeted and becomes increasingly outcome and impact focussed.

The Board thanked the Executive for the quality of the briefings that they receive and stated that they would appreciate an even greater executive steer.

It was reported that Wendy Rimmer had recently given a presentation to BRE on the BRE/LBRO sponsor/relationship and how we could maximise opportunities with both BRE and across Government.

A workshop was then held with the Board and SMT. A summary of this will be brought back to the Board before the next Board Meeting.

**The Board noted the activity levels and arrangements now in place to prioritise stakeholder engagement in line with corporate performance indicators, key projects and priority audiences.**

**13. Any Other Business**

Two guests from the Treasury had visited LBRO to look at our governance arrangements. They fed back that this visit was very useful for them.

The Board requested an up dated LBRO contact list and structure chart.

**ACTIONS**

**A contact list and structure chart to be sent to Board Members.**

**Lynne Howard**

**14. Clearance of Papers**

Board Papers to be sent to BRE.

**Lynne Howard**

**15. Date of Next Meeting**

The date of the next meeting is 12, 13 and 14 October, and will be held in Birmingham.

Signed : \_\_\_\_\_  
Clive Grace, Chair

Dated: 14 October 2009