

LBRO
Better Local Regulation

Local 
Government
Regulation

Local Authority Regulatory Services Excellence Framework





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Foreword



Council regulatory services like environmental health and trading standards must be designed and shaped around the needs and priorities of their citizens and local communities. These services provide essential protection for people, communities and the environment. They also provide important support to local businesses that are key to the local economy and this support includes dealing effectively with the criminals and the rogues who often prey on the most vulnerable in our communities.

The Excellence Framework can help councils review their delivery of the key local regulatory services, identifying strengths including areas of excellence and innovation that can be shared with other councils, often building on an already good base, as well as help in identifying areas where the service may need to improve.

This Excellence Framework has come from the hard work and efforts of many of our colleagues working in councils and LGR has, I hope been able to make an important and valued contribution as part of the leadership group that has overseen the work. Many councils have taken part piloting the Excellence Framework, using it to self-assess their services and developing challenging improvement plans. Peer challengers, both officers and councillors, have then worked with the pilot councils to validate their findings and encourage them along their improvement journey. So thanks go to everyone who has been involved in making and evidencing the success of this initiative.

Council regulatory services must be able to focus on what is important locally. It is essential that these services are not burdened by unnecessary controls and centrally driven performance frameworks which deflect councils from developing and delivering effective frontline services and responses to the key challenges that they and their communities face. The Excellence Framework does reflect and incorporate national expectations and priorities for local regulatory services. As more councils embrace and use the Framework, we look forward to the freeing up of those councils from many of the centrally imposed burdens, allowing them to use this precious local resource to deliver real positive outcomes for local people and their communities.

Councillor Paul Bettison
Chairman
Local Government Regulation



Foreword



This is the first nationally agreed Excellence Framework for the performance of local authority regulatory services in delivering outcomes that matter locally. It is rigorous – being based on research into a number of recognised standards – it is thorough – covering service delivery in its entirety – and it is practical – reflecting the views and experiences of practitioners. As such it will be the keystone for performance management of local regulatory services, at a time when the imperative to deliver high quality services that are value for money is higher than ever.

The Excellence Framework is the product of work between LBRO, local authorities and LGR, with contributions from national regulators, central government and the professional bodies, to bring together local and national views on excellence in local authority regulatory services. This is a framework for local services to use to assess service delivery. It will also give assurance to national bodies, business and consumers as to quality of service delivery.

The real value of this framework however, is that it is the product of a joint local and national agreement of what high quality services look like. This is hugely important given the array of different performance schemes currently in place for local authority regulatory services and the need to effect a change in regulatory culture, across the system, to deliver outcomes rather than simply outputs. As such the framework should immediately provide a focus for improvement activities, in particular the development of tools to drive sustainable change, as well as for the individual performance management systems of national bodies.

We recognise the importance of the framework to bring about sector-led improvement to enable local authority regulatory services to maximise their contribution to nationally and locally important outcomes articulated through the National Enforcement Priorities, Local Area Agreements and Local Delivery Agreements.

Clive Grace
Chair
Local Better Regulation Office



The Local Authority Regulatory Services Excellence Framework



Background

The Excellence Framework builds on work across the local government sector over recent years to develop self-assessment and peer review as a means to drive service improvement. Against this background LBRO, on behalf of the Coalition for better local regulation including the Welsh Assembly Government, set out to build a consensus amongst local and national regulators on the characteristics of good quality local authority regulatory services. It was recognised that this should be done through the existing partnership between LGR, LBRO, CIEH, TSI and the Beacon Authorities, Coventry City Council and Westminster City Council, in the Regulatory Services Peer Challenge project to develop and pilot the framework and assessment with local authorities across England and Wales.

Purpose

The Excellence Framework is principles-based, rather than prescriptive, and is intended to empower local authorities to take responsibility for their performance. It prompts a move away from a compliance-based approach towards a focus on outcomes. This is crucial to enable local authority regulatory services to maximise their contribution to nationally and locally important outcomes articulated through the National Enforcement Priorities, Local Area Agreements in England and Local Delivery Agreements in Wales.

The four themes of the Excellence Framework cover leadership and strategy, customer focus, resource management and achievement of sustainable outcomes. As the overarching statement of the characteristics of a high performing local authority regulatory service, the framework is intended to be used:

- ❖ as the guide to quality in service delivery by local authorities;
- ❖ as the reference point for national regulators and central government departments.

Whilst being based initially on the EFQM Excellence Model¹, the Excellence Framework relates to the following other recognised national standards: Investors in People, Customer Service Excellence (formerly the Chartermark) and ISO 9001, an international standard of quality management. The framework is intended to capture excellence comprehensively, in a way that is relevant and practical for the local authority context and embraces the better regulation principles.² It is also intended to enable regulatory services to demonstrate, by using one common framework, where their performance is consistent with other recognised standards that may be in use in their local authority.

¹ The European Foundation for Quality Management (EFQM) Excellence Model is a holistic, non-prescriptive framework that is designed to be used for self-assessment. It is widely used as an organisational framework across Europe. It should be noted that "EFQM" and the Model are registered trademarks and copyright of the EFQM.

² The better regulation principles are: transparent, accountable, proportionate, consistent and targeted – only at cases where action is needed.

The framework takes into account the wider literature on excellent organisations from across the public and private sectors including frameworks developed and used by the Audit Commission, Cabinet Office, the Improvement and Development Agency, LGR, Accenture and McKinsey and Company.

Relationship to local strategies and national performance frameworks

Local authority regulatory services exist to serve their local communities. At the same time they collectively have to respond to national threats and balance the expectations and various statutory duties set out by central government and national regulators. The definition of excellence needs to capture the local and national aspects of delivering regulation locally in order to reflect the complexity of doing so.

Figure 1 illustrates how the Excellence Framework relates to local strategies and priorities, and to national performance frameworks. The Excellence Framework encompasses all the relevant evidence sources for the other frameworks. It does not replace these existing frameworks, rather it provides a starting point for development of a common approach to performance management across the regulatory system.



Figure 1: Relationship of the Excellence Framework to local strategies and national performance frameworks

Key:

LAA:	Local Area Agreement, England
LDA:	Local Delivery Agreement, Wales
IPPC – Defra:	Local Authority Integrated Pollution Prevention and Control (Department for Environment, Food and Rural Affairs)
Section 18 – HSE:	Section 18 Standard for Enforcing Authorities ‘Making a Difference’ (Health and Safety Executive)
Framework Agreement – FSA:	Framework Agreement on Official Feed and Food Controls by Local Authorities (Food Standards Agency)
Animal Health Framework:	Animal Health and Welfare Framework (DEFRA, Animal Health Agency, Welsh Assembly Government, LGR)
Protocol for requests for case referral – OFT:	Protocol for requests for case referral, case support and training and investigation cooperation to the Office of Fair Trading (OFT, LGR)

Note: Alignment with the national performance frameworks for local authority regulatory services is an ongoing process.

Regulatory Services Peer Challenge

The Excellence Framework is the guide to quality in service delivery by local authorities; however how it is used to assess performance is crucial to its value in identifying good practice and driving improvement.

Regulatory Services Peer Challenge is a process of assessment against the Excellence Framework, comprised of self-assessment followed by challenge by peers. This process grew out of work begun by the local government sector in 2004 to design, pilot and roll out a peer review initiative for trading standards, using an earlier version of the Excellence Framework as the benchmark for assessment. In 2008, the Beacon authorities for environmental health services, Coventry and Westminster City councils worked with LGR to develop a similar process for environmental health services. This built upon the trading standards initiative, as well as other self-assessment/peer review tools administered by the IDeA and specific tools developed for local councils in England in preparation for the Comprehensive Area Assessment.

Following a series of successful pilots during 2008, it was decided to expand the concept into a single Regulatory Services Peer Challenge project, spanning trading standards and environmental health. LBRO supported the project to take forward its work with the national bodies on the Coalition to build a consensus on the characteristics of good quality local authority regulatory services.

Using the Excellence Framework

The Regulatory Services Peer Challenge project, which is piloting the Excellence Framework for self-assessment and peer challenge with 50 local authority regulatory services in England and Wales, will be completed in spring 2010. This assessment process puts the responsibility on the self-assessing service to identify strengths and examples of excellence or innovation to share, as well as identify areas for improvement and take action to address them.

The evaluation of this pilot will provide a basis for understanding whether these assessment methods support service improvement in a practical and cost effective way.

Following the evaluation report, our aims are to:

- ❖ Publish a revised Excellence Framework toolkit to enable local authorities to self-assess their service, highlighting the links to all the relevant evidence sources for the other frameworks;
- ❖ Explore options to embed the role of peer challenge in validating individual local councils' identified strengths and areas of excellence/innovation, alongside areas for improvement, with all local councils;
- ❖ Share good practice and drive improvement;
- ❖ Further develop a closer relationship between the Excellence Framework and other performance frameworks currently in use with Coalition partners, with a view to developing a common approach to performance management across the system.

Publication of the Excellence Framework is an important milestone reflecting a shared agreement amongst local and national regulators. It is the response of local authority regulatory service practitioners to the creation of the new local government performance framework. It can be the vehicle that supports the culture change required to deliver outcomes-focused services that deliver prosperity and protection.



High Level Summary of the Excellence Framework



Overview				
Themes	1. Leadership, strategies and collaboration	2. Focus on and engagement with customers	3. Resource, activity and people management	4. Achieving outcomes effectively and sustainably
Main Criteria	1.1 Service vision, direction and planning 1.2 Integration with local and national priorities and strategies 1.3 Collaboration with others	2.1 Engagement of customers and stakeholders 2.2 Understanding local needs and communities 2.3 Responsiveness to customers and stakeholders	3.1 Effective resource and partnership management 3.2 Activities are based on a sound understanding of risk and use of intelligence 3.3 Learning and supportive culture	4.1 Delivering sustainable outcomes 4.2 Performance management 4.3 Review and scrutiny for continuous improvement

1. Leadership, strategies and collaboration

1.1 Service vision, direction and planning	1.2 Integration with local and national priorities and strategies	1.3 Collaboration with others
1.1.1 There is a clear sense of mission, vision and values for the Service, and these are communicated to people	1.2.1 The Service is properly structured to meet objectives as effectively as possible within existing resources	1.3.1 Leaders champion and lead a collaborative approach and have an external focus
1.1.2 There are clear aims and objectives for the Service, and these are communicated to people and relevant external stakeholders	1.2.2 Policies and strategies reflect stakeholder and community needs, and are consistent with the Authority's aims and objectives, and the mission, vision and values for the Service	1.3.2 There is active Member involvement and engagement with the Service
1.1.3 There is effective short and long term planning, identifying and managing any necessary changes to service provision	1.2.3 The key processes that will ensure that policies and strategies are effectively implemented are identified and well-managed by the Service	1.3.3 The Service is integrated within the Authority
1.1.4 Leaders demonstrate through their actions that they are committed to continuous improvement	1.2.4 Service policies and strategies are reviewed at appropriate intervals with key stakeholders	1.3.4 The Service collaborates effectively with external bodies such as national regulators

2. Focus on and engagement with customers

2.1 Engagement of customers and stakeholders	2.2 Understanding local needs and communities	2.3 Responsiveness to customers and stakeholders
2.1.1 The Service identifies its key stakeholders and defines the services available to customers	2.2.1 The Service finds out and understands the needs of the local community and individual customers	2.3.1 The services provided are accessible to customers in ways and at times that respond to their needs
2.1.2 The Service provides information about the services available to all key stakeholders	2.2.2 The Service regularly uses customer feedback to ascertain and improve customer perceptions of, and rates of satisfaction with, the quality and effectiveness of services	2.3.2 Advice and guidance are tailored, appropriate and provided in a way that customers can rely on
2.1.3 The Service implements good customer care methods in dealing with day-to-day customer contacts	2.2.3 The Service takes steps to understand the needs of present non-users, ensures the Service is accessible and targets issues according to risk	2.3.3 The Service has plans for, and responds effectively to, specific situations that arise at short notice, such as food hazard notifications, disease outbreaks and sudden widespread consumer risk
2.1.4 Policy and practice in all elements of Regulatory Services are explicit and transparent to customers and the wider community, and are consistently applied	2.2.4 The Service informs the local community about its services, performance and decision-making	2.3.4 The Service is accountable, makes complaints procedures available to dissatisfied customers and is proactive in responding to complaints, comments or representations
2.1.5 Stakeholders are clear about their role in the decision-making process and are provided with the information to engage effectively	2.2.5 The Service takes a role in the Authority's approach to fostering economic prosperity	2.3.5 Users of services and anyone that has participated in any part of service provision or policy making are kept informed and up-to-date with progress

3. Resource, activity and people management		
3.1 Effective resource and partnership management	3.2 Activities are based on a sound understanding of risk and use of intelligence	3.3 Learning and supportive culture
3.1.1 The Service manages its finances effectively, has appropriate internal controls, and ensures that comprehensive financial information is available to assist in managing budgets	3.2.1 Risk-based regulation is embedded in every level of decision-making	3.3.1 The Service ensures it has a competent and qualified workforce
3.1.2 The Service identifies and uses suppliers of goods and services in a way that maximises quality, value for money and sustainability	3.2.2 The Service manages its processes in a systematic way, so that people understand what they need to do and how and when it should be done	3.3.2 There is a learning culture and people work well together
3.1.3 The Service uses information and ICT effectively in service preparation and delivery	3.2.3 The Service takes a proportionate approach to dealing with regulatory non-compliance and makes decisions about enforcement and sanctioning activity that are transparent and focused on delivering regulatory compliance	3.3.3 Human resources are planned, managed and improved
3.1.4 Resources are used effectively in service provision	3.2.4 The Service ensures that it is consistent and fair in its dealings with businesses	3.3.4 People are involved, empowered, recognised and cared for
3.1.5 The Service uses effective formal partnership working	3.2.5 The Service is effective in the use and sharing of intelligence	3.3.5 Internal communication is effective
3.1.6 Innovative ways of delivering the Service are considered and used appropriately		

4. Achieving outcomes effectively and sustainably

4.1 Delivering sustainable outcomes	4.2 Performance management	4.3 Review and scrutiny for continuous improvement
4.1.1 Desired outcomes for the Service are agreed, corporately owned, and reflect national, regional and local needs and priorities	4.2.1 The Service recognises the importance of performance management and gives it sufficient priority and resources	4.3.1 There are effective scrutiny arrangements in place
4.1.2 Performance against outcome targets/KPIs is routinely monitored, measured and reported on	4.2.2 The Service has a clear performance management framework that integrates objectives, finance, people and ICT	4.3.2 A variety of methods are used to identify how the service can improve
4.1.3 The Service anticipates and deals with changes in legislation and other circumstances that impact on service provision	4.2.3 There is a shared and accurate understanding of how the Service is performing and the critical success factors are known and understood	4.3.3 The Service is committed to, and achieves, performance improvement
4.1.4 The Service understands its environmental, economic and social impact and takes steps to improve it	4.2.4 The Service effectively appraises the performance of all people, and develops their performance with a system that links to local and corporate objectives	4.3.4 Change is managed effectively



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LGR
LBRO
Chartered Institute of Environmental Health
Trading Standards Institute
Quality GB Ltd

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Better Regulation Executive
Chartered Institute of Environmental Health
Department for Communities and Local Government
Department for Environment, Food and Rural Affairs
Environment Agency
Food Standards Agency
Gambling Commission
Health and Safety Executive
Institute of Licensing
Local Government Regulation
National Measurement Office
Office of Fair Trading
Trading Standards Institute
Welsh Assembly Government

