



Barnet UNISON Service Improvement Plan

5 January 2015.

“A best value authority must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency, and effectiveness.”

(s3(1) Local Government Act 1999)

The parts of the Duty can be summarised

as:

- i. Continuous improvement in functions
- ii. Having regard to a combination of:
 - a. Economic value
 - b. Efficiency
 - c. Effectiveness

The **Public Services (Social Value) Act 2012** also places obligations on local authorities in England and Wales to consider how to improve social, economic and environmental well-being.

However, it does not change the Duty, it simply adds to it.

The new statutory guidance for England talks about social value in terms of procuring or commissioning goods and services, perhaps deliberately overlooking in-house service provision.

“...authorities should consider overall value, including economic, environmental and social value, when reviewing service provision. As a concept, social value is about seeking to maximise the additional benefit that can be created by procuring or commissioning goods and services, above and beyond the benefit of merely the goods and services themselves.” (Best Value Statutory Guidance (Sept 2011) [I don't understand how this quote exemplifies the paragraph preceding it])

Barnet UNISON argues that **social value** should also be considered when looking at **in-house services**.

Local authorities are still bound by the Duty to Consult (s3 (2) Local Government Act 1999).

This duty requires the local authority to consult with representatives of local tax payers or rate payers, users of services, and people who have an interest in an area where the local authority carries out its functions ('representatives'). Local authorities must also consult local voluntary and community organisations and small businesses (Best Value Statutory Guidance (Sept 2011); s3(4) Local Government Act 1999)

The local authority must consult in deciding how to fulfil the Duty of Best Value.

The High Court dismissed a judicial review application from a Barnet resident seeking to challenge Barnet Council's large scale privatisation programme because it was out of time – but the judge did affirm that the Council was under an obligation to consult with **'representatives' "in respect of decisions taken in 2010/11 to outsource the performance of its functions and services"** (emphasis added). The council argued that it did not have to consult specifically on proposals to privatise services, but the judge found that the council should have done so and had therefore not complied with the requirements of the 1999 Act.

[http://www.barnetunison.me.uk/sites/default/files/20130429134655000%20\(1\).pdf](http://www.barnetunison.me.uk/sites/default/files/20130429134655000%20(1).pdf)

Barnet UNISON notes:

"Authorities should make provision for the organisation, service users, and wider community to put forward options on how to reshape the service or project. Local authorities should assist this by making available all appropriate information, in line with the government's transparency agenda." (Best Value Statutory Guidance (Sept 2011))

In line with the above guidance, Barnet UNISON attempted to secure a fully funded in house service improvement option to be developed **alongside** the other outsourcing options for Education & Skills and Catering Services.

It was clear in our meetings that senior officers appeared to have no knowledge or experience of what we were requesting which led to UNISON submitting the following template.

Developing the In-house Option

1. Assess future needs and demands for the service

Assess the extent to which the service meets existing needs and demands.

Assess the potential impact of demographic, technological and economic changes on the service.

Identify key developments and trends in the service sector, such as changes in the use of services and changing needs.

Identify and map existing inequalities in service delivery and workforce.

Service delivery and performance

Summarise current performance in meeting the quality of service standards.

Identify the cause and effect of problems and/or gaps in current provision.

Identify the extent to which good practice has been established.

Identify any shortcomings in the current method of service delivery.

Current costs

Establish an accurate analysis of current expenditure on service delivery with breakdown of costs for:

- staff
- support service costs
- corporate overhead costs
- current sources of revenue

Staffing

Determine the adequacy of current staffing levels, skills and experience to deliver the service:

- addressing vacancy levels and any recruitment problems
- reducing sickness absence
- implementation of workforce development policies

2. Service Improvement Plan

The Service Improvement Plan will cover a three-year period and be regularly monitored and reviewed. It should set priorities for improvement and development of the service.

The Service Improvement Plan must draw on **service user and staff experience**. A Protocol should be agreed between the Council, community organisations and trade unions on **continuous engagement** of service users and staff in the development of the Plan, its implementation and review.

Scope for improved services and cost effectiveness

Identify the scope for innovative change, how and when they can be implemented:

- adjust the delivery of current services
- introduce new services

Identify the need for improved or renewal of information and communications technology.

Increase the **coordination and integration** of the service with other public services in Barnet.

Identify changes needed in the procurement and supply of goods and services, including equipment, to improve the quality of service and reduce costs.

Organisation and management of the service

Develop proposals to increase the effectiveness and efficiency of service delivery by improving the way services are designed, organised and managed:

- changes to methods of service delivery and working practices
- scope for team working and flatter management structure

Scope to expand the service

Develop a strategy to increase use of the service:

- within the Council
- by other public bodies, organisations and businesses in Barnet
- by individual service users in Barnet
- by neighbouring boroughs

Understand the reasons why some organisations and/or individuals do not currently use the service. If they previously used the service identify why they move to another provider.

If they are contracted with other providers, identify how quickly can they change provider.

Fully cost the marketing and promotion of the service including staff time, legal advice, procurement and bid costs, together with realistic forecasts of revenue generation.

Draw up proposals to reduce access/quality of service and workplace inequalities.

Enhancing democratic accountability

Establish regular service user/community organisation and staff/trade union involvement in developing and implementing the Service Improvement Plan.

Agree regular reviews of the Plan by the relevant Council Committee with service users/community organisations and staff/trade unions submitting evidence.

Finance and resources

Identify resources needed to implement the 3-year Service Improvement Plan.

Identify the scope for pooled budgets and joint funding.

Agree policy on service user charges.

Itemise the cost of changes in use or replacement of equipment and buildings or investment in training and new equipment.

Set out the financial reasons for changes in the procurement and supply of goods and services, including equipment, required by the service.

Employment

Policy on maintaining public sector pay and conditions.

Identify human resources changes needed to support implementation of the Service Improvement Plan:

- reskilling and (re)training requirements
- re-deployment if necessary
- workforce development policies
- industrial relations
- trade union facility time
- health and safety

Strategy to minimise risks

Identify the key operational and financial risks and how they will be reduced or mitigated:

- failure to implement service improvements on time and within budget
- income generation targets are not met and/or incur unplanned promotion, procurement and other costs
- quality of service performance declines
- problems in recruiting and retaining skilled and experienced staff
- existing and/or new inequalities are not tackled

Barnet UNISON notes the following recommendation submitted in a report to the **Children, Education, Libraries and Safeguarding Committee** 12th January 2015 which states:

“That the Children, Education, Libraries and Safeguarding Committee agree the development of a full business case on the establishment of a joint venture company with a third party for the future delivery of the Education and Skills service.”

That the Children, Education, Libraries and Safeguarding Committee authorise the commencement of the procurement exercise to identify a third party partner to inform the development of the full business case.

(Source:<http://barnet.moderngov.co.uk/documents/s20181/Education%20and%20Skills%20Future%20Delivery%20of%20Services.pdf>)

It is clear from reading the reports that our Service Improvement Plan **was ignored**.

It is the view of Barnet UNISON that to comply with the Best Value Duty an in-house option with a service improvement plan should always be considered in any options appraisal. If it can meet the objectives for the service there should not be a procurement exercise.

It has always been clear that the Council was going to press ahead with more outsourcing. After all that is what a Commissioning Council is.

If the recommendation is approved to **authorise the commencement of the procurement exercise then**, the **in-house option** should be considered and evaluated alongside any external bids – to ensure that there is full consideration of value for money, social value and outcomes. External bidders should be told in the invitation to tender that there will be an in-house ‘bid’.

Key Links:

15 September 2014, 6.3 Children, Education, Libraries and Safeguarding Committee, 15th September 2014 – approved further consultation and engagement on four options for the future delivery of the Education and Skills service.

<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=697&MIId=7925&Ver=4>

15 September 2014 Barnet UNISON response to Education & Skills and Catering Services outsourcing project

<http://www.barnetunison.me.uk/sites/default/files/2014.09.12.%20Barnet%20unison%20Education%20&%20Skills%20report.pdf>

Council, 16th December 2014 – agreed that the Children, Education, Libraries and Safeguarding Committee should complete the detailed consideration of alternative delivery options, including agreeing to the commencement of procurement where relevant.

<http://barnet.moderngov.co.uk/documents/s19543/Business%20Planning%20201516-1920.pdf>

15 December 2014, Update Report for UNISON Members,

<http://www.barnetunison.me.uk/sites/default/files/Barnet%20Education%20Skills%20Update.pdf>

12 January 2015, Children, Education, Libraries and Safeguarding Committee

<http://barnet.moderngov.co.uk/documents/s20181/Education%20and%20Skills%20Future%20Delivery%20of%20Services.pdf>