Leicestershire County Council Response to the Best Value Duty Consultation (Questions 1–21)

Respondent: Leicestershire County Council
Contact: Head of Internal Audit & Assurance

Q1. Do you agree with the scope of this guidance?

Yes.

The Council supports the broad scope of the guidance and welcomes its focus on leadership, governance, culture, financial sustainability, service delivery and continuous improvement. These areas align with the Council's Local Code of Corporate Governance, Annual Governance Statement process and corporate assurance framework.

Q2. Do you agree with the six guiding principles?

Yes.

The principles provide an appropriate balance between local accountability and government oversight. We particularly support the emphasis on prevention, local ownership and openness to challenge, all of which are critical to sustainable improvement and early identification of risk.

Q3. Do you agree with the seven Best Value themes?

Yes.

The seven themes provide a comprehensive framework for assessing Best Value. They appropriately recognise the relationship between governance, leadership, culture, service performance and resource management and reflect the factors commonly seen in both successful authorities and those subject to intervention. However, it should recognise that there are multiple ways that an authority could seek external guidance and support which may depend on different local circumstances and the support needed

Q4. Are there any Best Value themes missing?

No.

The themes are comprehensive. However, greater emphasis could be placed within the existing framework on digital transformation and cyber resilience given their increasing importance to effective service delivery and long-term sustainability. Risk management should also be more clearly reflected across the themes. The same core standards should apply to all authorities, although the evidence used to assess compliance should reflect their statutory functions and local circumstances.

Q5. Continuous Improvement

Yes.

The proposed characteristics are appropriate. Authorities should demonstrate robust performance management, benchmarking, learning from audit and inspection activity, and a commitment to continuous improvement.

Q6. Effective Leadership

Yes.

Strong political and officer leadership is essential to delivering Best Value. The guidance should further emphasise the collective responsibility of elected members, Chief Executives and Statutory Officers in maintaining organisational resilience and effective governance. The guidance could place stronger emphasis on maintaining trust and respect between members and officers and having a robust member/officer protocol in place and ensuring that statutory officers are able to provide independent advice and escalate concerns where necessary.

Q7. Governance

Yes.

The governance characteristics are appropriate and align with recognised good practice. The guidance should ensure that evidence from Audit Committees, Internal Audit, risk management arrangements and Annual Governance Statements is appropriately considered and weighted when assessing the overall effectiveness of an authority’s governance.

Q8. Culture

Yes.

We strongly support the inclusion of culture as a standalone theme. A positive culture that promotes challenge, transparency, accountability and learning is often the strongest safeguard against organisational failure. The guidance should also reference staff engagement and speaking-up arrangements.

Q9. Use of Resources

Yes.

The proposed characteristics appropriately recognise financial stewardship and sustainability but should also recognise structural funding issues as a trigger for lack of financial resilience. Greater emphasis should be placed on medium-term financial resilience, demand forecasting, workforce planning and transformation capability.

Q10. Effective Service Delivery

Yes.

We support the proposed characteristics. Assessments should focus on outcomes for residents, service quality and value for money. The guidance should recognise that authorities operate within differing demographic and economic circumstances, and performance should therefore be assessed within local context.

Q11. Partnerships and Community Engagement

Yes.

Partnership working is increasingly critical to delivering outcomes for residents. We support the emphasis on collaboration with health partners, district councils, police, fire services and the voluntary sector, particularly in relation to prevention and integrated service delivery. The guidance should recognise that the strength of partnership working may not always be in the control of the local authority.

Q12. Is the support and intervention framework sufficiently clear?

Not entirely,

Although the framework describes a graduated approach to support and intervention, it is not sufficiently clear how the diagnostic process will operate in practice. Further clarity is needed on how the indicators will be gathered, weighted and assessed; the period over which concerns will be considered; and the thresholds for different levels of engagement or intervention. The assessment should not operate as a one-size-fits-all quantitative exercise. It should include engagement with the authority, proper consideration of local context and an opportunity for the authority to respond to concerns before escalation.

Q13. Are the non-statutory tools sufficiently clear?

Yes.

The focus on prevention and early support is welcome. Authorities should be able to select the form of sector-led or other support most appropriate to their circumstances. Options might include peer challenge, governance health checks and engagement with statutory officers, Audit Committee Chairs and Heads of Internal Audit, where appropriate.

Q14. Are there other ways government could engage earlier?

Yes.

Government should consider:

- Voluntary governance and financial resilience health checks.
- Earlier engagement with statutory officers and Audit Committee Chairs.
- Greater use of Annual Governance Statements and Internal Audit evidence.

These approaches would support prevention and reduce the need for formal intervention.

Q15. Are approaches to assessing compliance sufficiently clear?

Not entirely.

The use of multiple evidence sources is appropriate but at the moment it is not clear how the volume of indicators would be used together to arrive at a conclusion. Greater clarity is needed on how the indicators and different sources of evidence will be weighted and considered together. The guidance should explain how local context, qualitative evidence and representations from the authority will inform the assessment, to promote consistency, transparency and procedural fairness.

Q16. Are intervention models sufficiently clear?

Yes.

The intervention models are broadly clear and appropriately recognise the need for proportionality. Practical examples of when each intervention model may be applied would help improve consistency and understanding. Authorities should be given clear reasons for the intervention model selected, together with measurable requirements and arrangements for regular review.

Q17. Are intervention phases sufficiently clear?

Yes.

The progression from stabilisation to recovery and resilience is logical. The framework would benefit from clearer success measures and exit criteria attached to each phase, together with transparent criteria for escalating, varying or reducing an intervention.

Q18. What are the key indicators that intervention can end?

Key indicators should include:

- Stable political and officer leadership.
- Effective governance arrangements.

- Evidence of effective internal and external audit arrangements, with audit findings being addressed appropriately.
- Effective Audit Committee and scrutiny arrangements.
- Improving medium-term financial plans.
- Positive organisational culture.
- Improved service performance.
- Successful delivery of improvement plans.
- Reduced reliance on external support.

Further consideration would need to be given on how these would be measured. Intervention should only end where improvement is demonstrably sustainable.

Q19. Do you agree with post-intervention support and monitoring?

Yes.

We support a proportionate period of post-intervention support to ensure improvements are embedded and sustainable. The proposed approach appropriately balances assurance with local ownership.

Q20. Other post-intervention support mechanisms?

Government should consider:

- Follow-up peer reviews.
- Continued access to improvement advisers.
- Governance health checks.
- Leadership mentoring.
- Enhanced sector-led support and challenge.

Support should be reduced gradually as confidence and organisational capability increase.

Q21. Are there any areas missing from the guidance?

Yes.

We believe the guidance should include greater reference to:

- The role of Internal Audit.
- Audit Committee effectiveness.
- Annual Governance Statements.
- Organisational resilience and business continuity.
- Workforce planning and succession arrangements.
- Digital transformation and cyber resilience.

- A national Best Value self-assessment framework or maturity model for optional use as part of a Council's assurance framework.

A standard self-assessment framework would improve consistency, support benchmarking and provide authorities with a clearer means of demonstrating compliance with the Best Value Duty.

Overall Conclusion

Leicestershire County Council supports the revised guidance and its emphasis on prevention, self-assessment, governance, leadership, continuous improvement and proportional intervention. We believe the guidance would be strengthened through clearer recognition of internal assurance functions, enhanced support for self-assessment and greater transparency regarding intervention thresholds and evidence requirements.