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Llywodraeth Cymru  
Welsh Government

Welsh Government  
Consultation Document

## **Proposal to revoke the Local Government (Performance Indicators) (Wales) Order 2012**

Date of issue: 15 March 2016

Action required: Responses by 6 June 2016

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

## Overview

Welsh Ministers have the power to set statutory performance indicators for local authorities in Wales under section 8 of the Local Government (Wales) Measure 2009. The current set of statutory performance indicators were established by the Local Government (Performance Indicators) (Wales) Order 2012. The Welsh Government seeks your views on the proposal to revoke the Order.

## How to respond

The closing date for responses is 6 June 2016. You can respond to this consultation by completing the Consultation Response Form.

Your responses should be returned either electronically or by post to:

### Email:

[LGFPMail@wales.gsi.gov.uk](mailto:LGFPMail@wales.gsi.gov.uk)

### Post:

Local Government Finance Policy  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

## Further information and related documents

**Large print, Braille and alternative language versions of this document are available on request.**

A copy of the Local Government (Performance Indicators) (Wales) Order 2012 can be found at Annex A.

## Contact details

For further information:

Address: Local Government Finance Policy  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

email: [LGFPMail@wales.gsi.gov.uk](mailto:LGFPMail@wales.gsi.gov.uk)

## **Data protection**

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

## **Background**

The Local Government (Wales) Measure 2009 (“the Measure”) was passed by the National Assembly for Wales in Plenary on 28 April 2009 and received Royal Assent on the 10 June 2009. The overall intention of the Measure is to create a statutory regime which integrates long term community planning and shorter term local service improvement.

Under section 8 of the Measure, the Welsh Ministers may specify performance indicators and standards by which Welsh local authorities’ performance may be measured.

Decisions about which performance indicators should be prepared on a statutory basis were made with a view to the Welsh Government’s wider policy context as they have historically formed a significant part of a wider performance measurement framework for local authorities.

The original set of performance indicators and standards were established by the Local Government (Performance Indicators and Standards) (Wales) Order 2010 (“the 2010 Order”). These indicators and standards were chosen as they best tracked progress against delivery by local authorities in the areas identified as a priority in the then coalition government’s *One Wales* programme. As well as these statutory indicators the decision was made that non-statutory performance indicators would be set by local authorities themselves and coordinated by the Welsh Local Government Association.

The current set of statutory performance indicators are specified in the Local Government (Performance Indicators) (Wales) Order 2012 (“the Order”). The Order does not contain any performance standards. The majority of the indicators were drawn from those contained in the 2010 Order and supplemented by a small number of additional performance indicators taken from the Welsh Government’s *Programme for Government*.

These statutory indicators are known as the National Strategic Indicators (“NSIs”) and are published by StatsWales in a statistical release.

## **Purpose of the consultation**

This consultation is seeking views on the proposal to revoke the Order. A copy of the Order can be found at Annex A.

## **Current position**

The current set of statutory performance indicators for local authorities in Wales are specified in the Order. If the proposal to revoke the Order does not proceed then this Order will remain in force.

Revoking the Order does not prevent the Welsh Ministers from, at some point in the future (whilst the Measure remains in force) making a new Order specifying indicators and/or standards for the following data cycle.

## **Rationale for change**

The Minister for Public Services has made a commitment to review the way in which the Welsh Government monitors the performance of local government, to remove unnecessary bureaucracy, to create a simpler system of performance measurement and to ensure the focus is on driving improvement through the smarter use of evidence.

A review of the existing NSI requirements set out in the Order has concluded that the indicators are largely duplicated, overlap or have been superseded by performance data requirements set out in other legislation or performance frameworks. For example:

- a) the code of practice in relation to measuring social services performance has been issued under section 145 of the Social Services and Well-being (Wales) Act 2014 and comes into effect in April 2016. This code of practice duplicates some of the performance indicators contained in the Order. Other indicators specified in the code are now considered more relevant for measuring local authority performance than those set out in the Order.
- b) the School Performance and Absence Targets (Wales) Regulations 2011 contain performance indicators which are duplicated in the Order. Amendment Regulations with new performance indicators are expected to come into force this year, and as a result the majority of the education indicators set out in the Order will become out of date.
- c) the data collected as part of the non-statutory Welsh Public Libraries Standards includes an indicator for visits to public libraries which is duplicated in the Order.
- d) the data required for the waste management indicator in the Order is now captured via WasteDataFlow rather than via the NSI data collection.

Therefore the revocation of the Order is being proposed as the removal of the Order would be a step towards removing the existing burden of compliance when resources are more limited and need to be used more efficiently to deliver Local Government services.

In addition, the programme of Local Government Reform and the introduction of the Well Being of Future Generations (Wales) Act 2015, mean that local authority performance frameworks are changing to allow local authorities to focus on the job of working more effectively to deliver the well being goals.

## **Proposal under consideration**

This consultation is focused on gathering views on the proposal to revoke the Order.

The consultation will be for a 12 week period from 15 March until 6 June 2016.

Should the responses to this consultation indicate that stakeholders would welcome revocation of the Order:

- the Welsh Government aims to make the necessary legislation with a view to it coming into force as soon possible.

- the Welsh Government proposes to discontinue the NSI data collection and NSI stats release from 2016-17, making 2015-16 data the last year reported.
- the Local Authority Services Performance webpages on the Welsh Government's website will continue to be maintained and updated to provide a picture of local authority performance drawn from a range of existing data collections.

## **Consultation Questions**

**Question 1:** Do you agree the Local Government (Performance Indicators) (Wales) Order 2012 should be revoked?

**Question 2:** Do you think there will be any unintended consequences or implications of revoking the Local Government (Performance Indicators) (Wales) Order 2012?

The Consultation Response Form can be found at Annex B. The form also provides an opportunity to make additional comments when replying to these questions.