Question 1
Do you broadly agree with our proposals for the overall CAA framework?

1.1. We broadly agree with the underlying principles of CAA and support the overall framework, which has been developed in close co-operation with local government. We welcome the rationalisation of the framework into just two assessments and the removal of the word 'risk', which will help to avoid misunderstanding of the purpose of the assessment. We would hope to see the lessons learned from the ongoing trial sites fed into the final framework.

1.2. The objective of reducing the burden on local authorities must be retained and we do not believe that CAA in its current form represents this. Indeed it appears to be placing a greater burden on high-performing authorities and the lack of detail on some elements such as the area self assessment and the managing performance theme (see below) reinforce this view.

1.3. Whilst the removal of intensive corporate assessment inspection is welcome, it appears to have been replaced by an annual inspection which will be just as, if not more, rigorous. We support the County Councils' Performance Management Group and Lifting the Burden Taskforce views that CAA should be made more proportionate for authorities that are performing well, by either reducing the scope or frequency of inspection. Annual inspection for a high performing authority will be disproportionately burdensome.

1.4. The current CAA proposals lack any mention of rewards or dispensations for high performing authorities such as is found in the existing CPA framework. This is an important element that encourages local authorities to strive to achieve excellent performance and as noted above, without it CAA appears to be unfairly burdensome on top performing authorities. The CAA framework as it currently stands does not appear to offer any incentive to authorities or their partners to perform well.

1.5. Current proposals from Ofsted, although supposedly 'dovetailing' with CAA, propose continuing with a separate approach. This directly undermines the notion of the burden of assessment being reduced and simply reinforces the suspicion that CAA is being introduced in addition to existing regimes, not replacing any of them. For the burden on authorities to be kept to a manageable level, it is important that CAA Organisational Assessment is the single system of assessment for authorities and that independently-scored assessment systems for areas such as children's services or adult social care do not re-emerge.

1.6. We would also question the value and usefulness of the Place Survey and the NIS PIs which rely on it as a way of measuring outcomes. We do not believe that perception data on its own will be particularly representative or useful in judging the performance of local authorities. Satisfaction data from actual service users is likely to be more accurate and therefore of more value to assessment of actual outcomes. Surely the test of our effectiveness and that of our partners should be grounded in these improved outcomes and in the experience of users

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of our services and of local residents, not merely in broad public perceptions of services?

1.7. We welcome the references to two tier areas within the consultation document, as the inherent complexities in two tier areas need to be recognised in terms of different partnerships and numerous Sustainable Community Strategies (SCS). We also feel that the difference in scale between upper and other tier authorities is something that needs to be taken account of by CAA.

1.8 We also feel that given its focus on outcomes, CAA has the real ability to double count in two tier areas due to an overlap in assessment frameworks. Within Kent there are 13 SCSs and 8 LSPs so it is likely that the same outcomes will be assessed many times as part of the differing framework. Each of these assessments will come at a cost, and such an approach therefore does not represent value for money and places unnecessary costs on the community. Serious consideration needs to be given as to how to properly apply the COUNT (collect once use numerous times) principle to information in two tier areas.

1.9. The timing of CAA is also important bearing in mind the proposed annual review of the LAA as well. In the spirit of COUNT we ask that the timetables for the LAA annual review and the area assessment are aligned. This avoids the potentially ridiculous situation of the Area Assessment being published in the month before the most up to date LAA information is due to be published with the AA relying on LAA data that is 11 months out of date.

Question 2
Are the area assessment and the organisational assessment, as the two key elements of the framework, clearly explained?

2.1. We would agree that the two frameworks are clearly (if incompletely) explained although there are still question marks over how they will operate in practice, particularly how the different inspectorates will work together to form their judgements and how audited bodies will be consulted on this.

2.2. The area assessment is the more difficult of the new framework to absorb and the potentially most confusing for the general public in the future. This is particularly so in two tier areas and CAA must be very clear as to what is being assessed in the area assessment – all public services, not just the County Council. There is also the understandable concern that if 1 of the 12 District Councils is underperforming, the possible 'red flag' for affordable housing affects the reputation of all 12.

2.3. We also have serious concerns about the level of subjectivity that will potentially be required for the inspectors to make a judgement on an area's prospects for future improvement. We would therefore regard the Area Self Assessment as a critical means for Kent partners to ensure that inspectorates' room for subjectivity is restricted.

2.4. There is a particular lack of clarity as to how the 'managing performance' theme will be assessed. The scope of the theme seems very wide, with little guidance as to how judgements will be reached, particularly leadership and

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capacity. Whilst we are not keen to see another KLOE, more detail is required as to the proposed framework for the assessment of this theme. For instance, we would have concerns if this were to be based solely on the National Indicator Set PIs (see response to Q11 below).

Question 3
Is the link between the two assessments clear?

3.1. The different focus of the assessments is clear in principle. However, there is a need to ensure that the link between the two is practically and effectively developed, especially in two-tier, where much of the detail of the current proposals is still unsatisfactory or simply absent. Where accountability for an outcome judged by the Area Assessment sits clearly with a single partner (e.g. hospital waiting times) then that is, in reality an organisational judgement of the County Council, inappropriately located in the Area Assessment.

3.2. Effective use of the two assessments to correctly identify responsibility and promote better outcomes will depend on the capacity and expertise of the inspectors involved.

3.3. There is also a possible practical issue in that organisations will tend to focus more on the organisational assessment than the area assessment as the former is scored and will be attributed directly to them. This may hamper or limit their willingness to engage in the Area Assessment process.

Question 4
Do you agree that the three questions and supporting issues proposed for the area assessment are the right ones?

4.1. Yes, but more consideration needs to be given to the local priorities contained within the SCS and the LAA rather than an imposed national template. In addition, where an area of concern is identified consideration should be given to how important it actually is at the local level rather than second-guessing elected Member and partner priorities.

4.2. A fundamental aspect of the new assessment system is the ongoing relationship throughout the year between the local authority and their partner organisations and their inspectors. It will be this relationship rather than the formal question framework that determines the success or otherwise of the framework. This too raises concerns about the quality and experience of inspectorate staff on which too much of this process depends.

Question 5
Do you agree that we should use the green and red flag approach for reporting the area assessment? If not, please suggest alternative approach.

5.1. We support the principle of not scoring the area assessment and agree that some system of highlighting issues is needed, but are not sure if purely a flag-based system is the correct approach. There is a danger that in the absence of

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a formal scoring mechanism, the number of flags, particularly red flags, will be used by the public and local authorities alike as a form of scoring anyway.

5.2. Careful consideration therefore will need to be given to the issuing of a 'red' flag. Any such designation must be supported by strong and agreed evidence and there will need to be consistent application from area to area. A strong system of consistency checks, moderation and appeal process (see 5.5 below) will need to be in place to ensure CAA remains credible.

5.3. Consideration also needs to be given to the impact of a red flag and the possibility that it may dishearten those struggling to achieve a turnaround rather than stimulate improvement.

5.4. Equally, the application of green flags only to where there is 'exceptional' success or innovation is open to misinterpretation, particularly by the media and the general public. Areas that are performing well but without anything 'exceptional', could find themselves in the position of achieving no flags, which to those without a thorough understanding of the assessment process could be viewed as having performed poorly. Whilst we would not necessarily support the introduction of another layer such as 'amber' flags, if CAA is going to operate a flag-based system, consideration should be given to expanding the use of green flags to include a greater variety of achievements and successes than currently proposed.

5.5. As yet the appeal process against red flags has not yet been published. We would be keen for this to be made available for public comment as soon as possible. To maintain a fair balance, we do not agree that authorities should be unable to challenge the non-awarding of a green flag, as identifying 'innovation and exceptional success' can be highly subjective.

Question 6
Do you agree that we should have one overall organisational effectiveness judgement, drawn from integrating the managing performance theme and the use of resources themes?

6.1. Yes on the basis that one score is simpler and easier for the public to understand, but it will need to be based on a detailed logical scoring combination and not introduce any elements of subjectivity to the judgement.

Question 7
Do you agree with our proposals for the key questions and focus for the managing performance theme of the organisational assessment for councils?
If not, please suggest alternative questions and/or focuses.

7.1. We agree in principle to the idea of having a 'managing performance' element to the organisational assessment and to the four bullet points set out at para 80. However, as stated in response to Q2 above, it is difficult to fully make this judgement when so much of the detail remains unclear. Agreement to the headline principles should not be taken as agreement to the detailed framework on which we have no opportunity to comment.

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Question 8
Which of the three options for scoring organisational assessment should we adopt? If you disagree with all the options, please propose an alternative approach to scoring.

8.1. On balance our preference would be for Option 1, where the weighting given to each theme is fixed and clear. Option 2 would allow too much subjectivity and inspector discretion by allowing them to determine which theme should carry more weight.

8.2. However, we would have some concern at this stage that the 'managing performance' theme would carry the most weight, given how few details of the framework for assessing this are currently available (see response to Q7 above).

Question 9
Do the proposals provide for an appropriate focus to be given to people in vulnerable circumstances?

9.1. Yes, providing this is kept in proportion in relation to achievements and outcomes as whole. This does not feel like to balance of the current regime for assessment of Children and Young Peoples' outcomes where the focus on the vulnerable appears to have replaced a more rounded view of the totality of services.

Question 10
Do you agree that CAA should evolve over time?

10.1. We agree that CAA should evolve if this means improving and refining the assessment process, building on the original framework. We recognise that it is inevitable there will be lessons to be learned from the first year or two that will support improvements to assessment in future years.

10.2. However, there is a stark difference between 'evolve' and 'change'.   We would not welcome constant revisions to the framework that would mean either an increase in burden on local authorities or the 'goalposts' regularly moving.

10.3. One of the keys to ensuring that CAA does not need to change substantially in the future is to ensure that **all** the inspectorates are fully engaged in its development. We have concerns over the extent to which this is happening at the moment.

10.4. We think that there is a strong case for treating year 1 of CAA (2009/10) as an extended trial, not as the first year of full implementation. There are too many uncertainties of methodology, too many questions over the training and experience of 'peers' and inspectors, too much uncertainty about how this will work in two-tier areas for local government to have confidence in the process as it currently stands.

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Question 11
Do you broadly agree with the way we are proposing to use the National Indicator Set within the CAA framework?

11.1. It should also be noted that separate Inspectorates and Government Departments continue to seek to introduce additional PIs into the system – often by re-shaping them as merely data returns. We would welcome the Audit Commission's support in re-stating the primacy of the NIS (which itself needs to be reviewed) and to resist the use in CAA of 'data returns' and PIs outside the NIS, unless these are locally-developed PIs, meeting local service management or outcome priorities.

11.2. We generally agree that the NIS is one source of evidence to be used within the CAA framework and that it will provide a common profile for considering the 'well being' of the area. We are convinced that a number of the NIS PIs need to be replaced or redefined. However the NIS will provide a starting point for the information needed to understand an area. District and locality information will be needed to effective manage key priorities in the LAA and this will go beyond the information required to be reported for the NIS.

11.3. Within the organisational assessment, we do not consider the NIS PIs to be necessarily fit for purpose in determining organisational performance on some key services (such as Highways) or our own organisational and political priorities set out in our key priorities document *Towards 2010*. Many of the NIS PIs do not relate directly to service delivery priorities, nor do they measure actual outcomes.

Question 12
Do you support our proposals to report the assessments as set out in our prototype CAA reporting tool? If not, please suggest alternative proposals for reporting.

12.1. We support the idea of publishing assessments online but feel that this should not be the only method. The use of other media such as digital TV should be considered. It should state more explicitly that the report features only exceptions (good and bad) and that the 'norm' for public services in the area is that they are performing well.

12.2. The prototype as it stands is not very people-friendly, consisting of long narratives and chunks of text that are lengthy and dense and likely to be very off-putting to the casual reader. It is also quite complicated to use and understand and does not present information in a particularly easy-to-read manner. It would benefit from a Plain English assessment and a glossary of terms to enable the general public to fully understand the information being presented.

Question 13
Do you agree with our proposals for peer involvement? If you have other suggestions about this, please outline your ideas.

13.1. There is not enough detail in the current proposals as to how peer involvement would work to form a proper judgement, for example would the proposed panel be merely advisers to CAA Leads, or would they be asked to

offer judgements on issues presented to them? The role suggested in Organisational Assessment sounds similar to that of a 'consistency panel' and would therefore make no contribution to the initial assessment, which seems inappropriate.

1.3.2. However, we agree with the idea of peer involvement where it is used to bring current operational knowledge and insight to the assessment process. That insight has to be from current practitioners at a senior level from councils that are high-performing and which share the same operational context as the council or area under review. They need to be supported well by the inspectorates and their views given equal weight in any final judgements. They have a particularly critical role in ensuring that the assessment acknowledges local policy and priority choices as the basis on which the area and the organisations should be judged.

Question 14
Do you agree with our approach to self-evaluation?

14.1. Yes. We welcome the non-prescriptive approach to self assessment that will allow local authorities to determine this element of the framework and take local priorities as a starting point for review.

14.2. Such an approach will ensure that local authorities and their partners pull together relevant information and identify for themselves those areas that require action. It will also provide authorities with the information they need to engage in constructive dialogue with inspectorates.

Question 15
Do you agree with out approach to gather relevant information from sources such as Citizens Advice Bureaux and Regional Business Forums? Are there any other sources we should consider?

15.1. We agree that CAA should seek information from a range of sources not just those suggested. It would make most sense to approach those organisations that are aligned with local priorities not arbitrarily selected just because of their organisational type. It will need to be clear how such organisations are to be selected and how the information gathered would be used, especially if the organisation had been the unhappy recipient of a democratic decision around funding.

15.2. When seeking information from organisations, inspectorates would need to make it clear which area or organisation they are assessing as often the public and external organisations are less clear of boundaries of responsibility/delivery. It should also be clear that the view is that of the organisation and internally approved as such, not merely the views of the individual responding to the survey. Inspectorates should also bear in mind that views from individuals and organisations are by their very nature highly subjective and require robust consideration to separate out the genuine view from the deliberately disruptive.

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