



# Local Government (Wales) Measure 2009

2009 nawm 2

## PART 1

### LOCAL GOVERNMENT IMPROVEMENT

#### *Improvement planning and information*

#### **13 Collection of information related to performance**

- (1) A Welsh improvement authority must make arrangements for—
- (a) the collection of information which will allow it to assess whether it has met during a financial year those improvement objectives set under section 3(1) which are applicable to that year;
  - (b) the collection of information which will allow it to—
    - (i) measure its performance during a financial year by reference to those performance indicators specified under section 8(1)(a) which are applicable to the authority for that year;
    - (ii) assess whether it has met during a financial year those performance standards specified under section 8(1)(b) which are applicable to the authority for that year;
  - (c) the collection of information which will allow it to—
    - (i) measure its performance during a financial year by reference to those self-imposed performance indicators which are applicable to that year;
    - (ii) assess whether it has met during a financial year those self-imposed performance standards which are applicable to that year.
- (2) For the purposes of this section and sections 14 and 15—
- (a) a self-imposed performance indicator is a factor by reference to which a Welsh improvement authority has decided to measure its performance in exercising its functions; and

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- (b) a self-imposed performance standard is a standard which a Welsh improvement authority has decided to meet in relation to a self-imposed performance indicator.

#### **14 Use of performance information**

- (1) A Welsh improvement authority must use the information it collects under section 13 to compare its performance in exercising the functions to which the information relates with—
  - (a) its performance in exercising those or similar functions during previous financial years; and
  - (b) so far as is reasonably practicable, the performance of other Welsh improvement authorities and other public authorities in exercising those or similar functions during the financial year to which the information relates and during previous financial years.
- (2) A Welsh improvement authority must—
  - (a) use the information it collects under section 13 to assess whether it could improve its performance in exercising its functions; and
  - (b) in the light of that assessment, decide what steps it will take with a view to improving its performance in exercising its functions.
- (3) In discharging its duty under this section and section 13 a Welsh improvement authority must have regard to any guidance issued by the Welsh Ministers.

#### **15 Improvement planning and publication of improvement information**

- (1) A Welsh improvement authority must make arrangements in accordance with this section for the publication of the information described below.
- (2) The authority must make arrangements for the publication of—
  - (a) the authority's assessment of its performance during a financial year—
    - (i) in discharging its duty under section 2;
    - (ii) in meeting the improvement objectives it has set itself under section 3 which are applicable to that year;
    - (iii) by reference to performance indicators specified under section 8(1)(a) and self-imposed performance indicators which are applicable to that year;
    - (iv) in meeting performance standards specified under section 8(1)(b) and self-imposed performance standards which are applicable to that year;
  - (b) the authority's assessment of its performance in exercising its functions during a financial year as compared with—
    - (i) its performance in previous financial years; and
    - (ii) so far as is reasonably practicable, the performance during that and previous financial years of other Welsh improvement authorities and other public authorities (to the extent that those authorities exercise similar functions to those exercised by the authority);
  - (c) details of the ways in which the authority has during a financial year exercised its powers of collaboration for the purpose of discharging or facilitating the discharge of its duties under sections 2(1), 3(2) and 8(7) during that year;

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- (d) details of the information collected under section 13 in respect of a financial year and what the authority has done to discharge its duties under section 14 in relation to that year.
- (3) Those arrangements must be framed so that the information is published before—
    - (a) 31 October in the financial year following that to which the information relates; or
    - (b) such other date as the Welsh Ministers may specify by order.
  - (4) The authority must make arrangements for the publication of a summary of any report in respect of the authority issued under section 22.
  - (5) Those arrangements must be framed so that the summary is published before—
    - (a) 31 October in the financial year following that in which the report was issued; or
    - (b) such other date as the Welsh Ministers may specify by order.
  - (6) The authority must make arrangements for the publication of a description of the authority’s plans for discharging its duties under sections 2(1), 3(2) and 8(7) in a financial year together with, if the authority thinks fit, its plans for subsequent years (an “improvement plan”).
  - (7) Those arrangements must be framed so that the information is published—
    - (a) as soon as is reasonably practicable after the start of the financial year to which the plan must relate; or
    - (b) as soon as is reasonably practicable after such other date as the Welsh Ministers may specify by order.
  - (8) A Welsh improvement authority must have regard to any guidance issued by the Welsh Ministers about the discharge of its duties under this section.
  - (9) Without prejudice to the generality of subsection (8), guidance issued under that subsection may address—
    - (a) the manner in which assessments of performance are to be carried out;
    - (b) the making of an improvement plan including the procedure to be followed.