



2014 CHAPTER 8

PART 12

PERFORMANCE IMPROVEMENT

*Improvement: supplementary*

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- 86.—**(1) A council improves the exercise of its functions in terms of—
- (a) strategic effectiveness, if it exercises its functions in a way which is reasonably likely to lead to the achievement of, or assist in achieving, any of its strategic objectives;
  - (b) service quality, if there is an improvement in the quality of services;
  - (c) service availability, if there is an improvement in the availability of services;
  - (d) fairness, if—
    - (i) disadvantages faced by particular groups in accessing, or taking full advantage of, services are reduced; or
    - (ii) social well-being is improved as a result of the provision of services or the way in which functions are otherwise exercised;
  - (e) sustainability, if services are provided or functions are otherwise exercised in a way which contributes to the achievement of sustainable development in Northern Ireland;
  - (f) efficiency, if there is an improvement in the efficiency with which resources are used in the provision of services or in the way in which functions are otherwise exercised; and

- (g) innovation, if the way in which services are provided or functions are otherwise exercised is altered in a manner which is reasonably likely to lead to any outcome described in paragraphs (a) to (f).
- (2) For the purposes of subsection (1)(a), a council's strategic objectives are the objectives contained in its current community plan.
- (3) For the purposes of this section references to services are to—
  - (a) services provided by the council in the exercise of its functions;
  - (b) services provided by any other person under arrangements made by the council in the exercise of its functions.
- (4) In subsection (2) “current community plan” has the meaning given by section 78(1).
- (5) The Department may by order—
  - (a) amend or omit any paragraph of subsection (1);
  - (b) add additional paragraphs to that subsection;
  - (c) amend or omit such additional paragraphs;
  - (d) make such other amendments of this Part as appear to the Department to be necessary or expedient in connection with provision made under this subsection.

### **Consultation on improvement duties**

- 87.** In deciding how to discharge its duty under sections 84 and 85, a council must consult persons appearing to the council to be representative of—
- (a) persons liable to pay rates in respect of hereditaments in the district;
  - (b) persons who use or are likely to use services provided by the council;
  - (c) persons appearing to the council to have an interest in the district.

### **Appropriate arrangements under sections 84(1) and 85(2)**

- 88.—**(1) In making arrangements under section 84(1) or section 85(2) a council must take into consideration what are regarded, whether by reference to any generally recognised published code or otherwise, as appropriate arrangements for the purposes of that section (or purposes which include those purposes).
- (2) But if there is any conflict in any respect between a council's duty under subsection (1) and its duty under section 111(3) to have regard to any guidance issued under that section, a council must have regard only to its duty under section 111(3).