

Max Soule
Deputy Director, Local Government Stewardship
Department of Levelling-up, Housing and Communities

By email: interventions@levellingup.gov.uk

Tuesday 7 February 2023

Dear Mr Soule,

RE: THURROCK COUNCIL – PROPOSED FURTHER DIRECTIONS

Thank you for your letter of 24 January 2023 and for providing an opportunity to make representations on the proposed changes to the Directions issued to Thurrock Council. I am writing on behalf of Thurrock Council in my role as Acting Chief Executive and Head of Paid Service and in formulating this response I have engaged with elected members including the Leader, Cabinet and the Leader of the Opposition; General Services Committee; senior and chief officers; and trade union representatives.

Thurrock fully accepts and supports the proposed Directions and Instructions as set out in your letter. Since the intervention and Best Value inspection were announced in September, Thurrock Council has welcomed the support provided by Essex County Council, working constructively and at pace to respond to the Directions and protect important services upon which residents rely.

The council has a committed workforce who have often gone above and beyond to provide services to our residents and businesses including jointly with key partners. Despite the issues which have led to intervention, Thurrock Council has many fantastic teams and several award-winning services. We should not forget this. Indeed, some examples of our proven, collaborative initiatives with improved outcomes for residents are a strong basis for recovery.

However, we recognise that the uncertainty of the current situation is having a huge impact on how our staff are feeling. The leadership of the council is committed to agreeing jointly and to adopting new values and behaviours to change the culture and practices of the organisation. This will support our workforce to continue to deliver for our residents, businesses and other stakeholders and allow us to maximise the huge opportunities the borough and council has within its grasp.

Draft Directions and Instructions

We look forward to seeing further details on operationalising the governance, scrutiny and transparency aspects within the Explanatory Memorandum. It would be helpful if the Department can be explicit and explain what that means in practice to ensure there is limited scope of subjective interpretation and, as Gavin Jones said during the latest staff engagement session, ensuring that sovereignty and decision making remains in Thurrock and rests with the Members of Thurrock Council.

On staffing structures and capacity, it is our hope and intention that we will continue to work in collaboration with Commissioners on these matters as we have done to date. As we develop our new operating model and transform our services, we look forward to working with Commissioners to deliver change at pace.

Since the intervention, Thurrock and Essex County Council have also been constructively engaging on Thames Freeport – building on the long-established links as befits the scale of the public policy and economic impact of the project. This will continue and be formalised through the Improvement and Recovery Plan, drawing on ECC's experience of providing similar Accountable Body roles such as South East LEP.

Other matters

Given the need for continued development and support for Members linked to the need for improved governance and scrutiny, we would ask that the Department considers Essex County Council role to include that of a 'convener' for various avenues of support such as the Local Government Association. This would allow for Thurrock to continue to benefit from ECC involvement within the Intervention, while recognising that wider support is required.

Regarding the role of Managing Director Commissioner, we look forward to working with the person appointed and the Department to understand how this role can add further capacity and experience to drive forward our Improvement and Recovery Plan. We are reassured by the discussions we have had to date with Commissioners on how this role will continue the collaborative approach that Essex County Council has adopted to date.

We welcome Commissioners' commitment to developing a Memorandum of Understanding (MoU) between Thurrock Council and Essex County Council, which we believe will provide clarity and transparency on how the Intervention will be managed and delivered successfully. We look forward to Thurrock's involvement in shaping the content of the MoU.

It is also worth reflecting on the fact that this is a 'novel' intervention, where Commissioners and Directions were announced in advance of a Best Value Inspection report outlining the failures and recommendations, coupled with the corporate body Essex County Council being appointed as the Commissioner, rather than named individuals. The rationale for acting at pace given the scale and risk to services is fully understood. However, it does pose some challenges that have not been experienced by authorities in intervention, and which require navigating whilst also responding to the significant improvements the Council needs to make. It would be beneficial if the Department could indicate whether it is minded to consider transitioning to a more conventional approach to intervention as is the case in other authorities. In particular, the council would welcome, directly announced by the Department, the identification of a named Lead Commissioner as has been put in place in other interventions.

Commissioners' first report

As you will appreciate, the first report represents a point in time from two months ago. As the organisation has done constantly since intervention was announced five months ago, feedback and requests from Commissioners have been responded to at pace since the report was submitted to make further improvements.

We recognise and accept that there remains a considerable journey ahead in order to improve key aspects of how the Council operates including, but not limited to, culture, capacity, capability, and compliance with our Best Value Duty. However, I feel considerable progress has been made over the past five months, particularly in terms of the financial diagnostic and first version of our Improvement and Recovery Plan. Moreover, whilst it will take time to rebuild fully, that which has been eroded historically, work towards improving Member and Officer relationships and a comprehensive programme of staff engagement has meant that we are now on an upward trajectory towards a more positive and collaborative culture. I would like to pay tribute to the exceptional hard work of both Officers and Members across the council who have contributed to these improvements.

Best Value Inspection update letter

The Best Value Inspection update letter describes an organisation in need of transformation and recovery. It is clear, and we fully accept, that the financial issues that the Council faces are as a consequence of historical corporate failure. This look-back exercise is critical to understanding how Thurrock got to this position.

As you will see from reading across from the update letter to Thurrock's Improvement and Recovery Plan, many of the areas highlighted as concerns by the Inspectors have been anticipated and form part of our recovery. The Improvement and Recovery Plan will require regular revisions in order to reflect these interim findings, as well as the full Best Value report once published. This work is already underway.

It is important that the organisation, residents and partners are able to see the full report as soon as practicable. While the need for an extension is understood, at present we are in a position where conclusions and recommendation have been presented to the Department and made public without the basis, evidence or context which underpins them. It is our belief that this may leave individuals or organisations to draw their own conclusions as to the reasoning behind these recommendations which will harden in absence of the findings from the Best Value Inspectors.

Conclusion

Finally, I would like to reflect on my time as Acting Chief Executive. Over the past five months since the start of the Intervention and Best Value Inspection, the organisation has achieved a huge amount of progress in a number of areas, including bringing in additional leadership capacity, producing a detailed Improvement and Recovery Plan responding to the Directions and external reviews, developing compliant financial strategies and assurance processes, refocussing our central Corporate Programme Team to support and assure delivery of the IRP and taking action to stabilise and mitigate issues relating to investments.

It has been an acutely challenging time for the organisation and there are some services in particular that have shown an enormous amount of resilience and professionalism to respond to the demands rightly put on the Council by the Secretary of State and the Commissioners. I would like to pay tribute to them and the work they do every day to provide excellent services to residents and reaffirm our commitment to improvement and future delivery for the communities we serve.

With best wishes,

Yours sincerely,



Ian Wake
Acting Chief Executive