



04/10/18 – 3
Board Effectiveness Review

Board paper title		Paper 04/10/18-3
Board Effectiveness Review		
Report by	Liz Goodwin	
Job Title	Chair	
Date of decision	Board Meeting 4 October 2018	

Summary
This paper presents the results of a review into the effectiveness of the Board.

Recommendations
The Board is recommended to note the findings presented.

Part A: Non Confidential Information

Risk Management	
Risk	Action to mitigate risk
N/A – no decisions being taken.	

Implications
Legal N/A – no decisions being made.
Financial N/A – no decisions being made.
Equalities N/A – no decisions being made.

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Board Effectiveness Review

Why the paper is being presented

The paper is presented to provide an update to the Board on the effectiveness review carried out earlier in the year and the actions arising.

Report

Background

It is widely considered to be best practice for Boards to carry out regular reviews of their effectiveness and specifically one of the recommendations arising from LWARB's programme of internal audits is that the Board should carry out periodic reviews of the effectiveness of its operation, as a Board (rather than the effectiveness of the organisation's activities). The first of these reviews was initially intended to take place in the 2015/16 financial year but was subsequently postponed until 2016/17. However, given that a new Chair was not appointed until January 2017, it was thought best to delay the review until the Chair and new Board members had been in place for at least a year. The review was therefore conducted in Spring 2018.

The review consisted of a questionnaire to all Board members followed by a one-to-one discussion between the Chair and each Board member. The questionnaire used (attached at Appendix 1) was one developed by the National Audit Office, the Institute of Chartered Accountants in England and Wales and Mazars (LWARB's internal auditors). The questionnaire is primarily intended for Central Government Boards but was considered to be generally appropriate to Boards such as LWARB.

In total there were 47 questions grouped into the following categories:

- Objectives, Strategy and Remit
- Performance Management
- Relationship with key stakeholders
- Propriety, fraud and other leakage
- Delivery chain and project management
- Risk management
- The audit committee, internal audit and corporate reporting
- The boardroom
- Reflections

Board members were asked whether they agreed with a series of positive statements under each heading. They were asked to score between 1 and 4 with 1 representing "strongly disagree" and 4 "strongly agree".

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Results

A summary table of responses is included at Appendix 2.

The average for all headings was usually high, with most Board members agreeing with most statements. There were however outlier comments in most sections.

A summary of results is described below, with proposed actions to address any shortcomings.

Objectives, strategy and remit

This area received the lowest score with the statement “the Board has a clear set of objectives that are independent of those for the organisation” given the lowest overall average score of 2.7. Board members noted that they had “not had a discussion” on this. In addition, Board members noted that “there was too long a hiatus between the change of Mayor in 2016 and the new Board becoming fully operational...” and that “more time could be spent on [objectives, strategy and remit] between the four (sic) formal Board meetings per year.”

Performance Management

The scores were mostly high with a range 2-4. Average scores for all statements range from 3 - 3.4. Issues of concern were the lack of “true start-up and CEO experience within the team”, “little evidence of collective responsibility by the Board, Investment Committee or Management for previous investment decisions...”

Relationship with key stakeholders

The scores were mostly high with the range of scores given from 2-4. Averages for each statement range from 3 - 3.5. There was one clear outlier commenting, “I hear little about communications between LWARB and GLA and even less about communications between LWARB and London Councils.”

Propriety, fraud and other leakage

This section scored highly with most Board members scoring between 3 and 4. Three of the 4 statements scored an average of 3.9 with the other statement scoring 3.4. One Board member commented, “I have not seen any reports on fraud so not able to comment.”

Delivery chain and project management

The average scores ranged from 2.9 – 3.3, a wide variety of views were expressed from, “Project reporting is very thorough and more of a key strength than investment reporting”, “Management's draft analysis [of the post-evaluation review for LWARB's investment programme] lacked objectivity and was incomplete”, to “Not seen any post evaluation reviews especially where there have been issues e.g. investment failures”.

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Risk management

The average scores ranged from 3 – 3.7, but Board members commented that, “Risk appetite could be more clearly and formally defined”, “Risk management is taken seriously and properly processed”, but also “Have had discussions on risk appetite but don't recall a regular risk register review.”

The audit committee, internal audit and corporate reporting

Average scores were high ranging from 3.4 – 4 indicating a high level of satisfaction with no outliers.

The boardroom

A varied score on average between 2.8 – 3.9. The lowest score relating to comparing performance against reviews, and given this is the first review, no such comparison can yet be made. Hence the comment, “I've scored us a bit low on some of the appraisal stuff as I know this review is overdue. We will develop an action plan as a result and we will review it - so I've marked current rather than our intention.”

Actions

1. Being clear about the difference in responsibilities of the Board and the organisation

Proposed action: We will clearly articulate the roles and responsibilities of the Board and of the organisation. In addition, we will consider re-branding the organisation so it does not have the same name as the Board.

2. Spending more time on strategy and strategic direction within the Board

Proposed action: Strategy and the overall strategic direction will be the main focus of the annual away day and also at least two other informal sessions. We will review in a year's time to assess whether Board members feel we have improved in getting the balance right.

3. Making better use of relevant skills of Board members

Proposed action: Identify one or two specific actions involving Board members where they can help drive the work forward. The first of these is an initiative with Boroughs where the Board members who are from Borough will meet with the relevant leads in a prioritized list of London Boroughs to influence them and seek to promote greater consistency in collection approaches and adoption of best practice.



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4. Reviewing reports sent to the Board

Proposed action: The CEO and Chair will review the overall structure and content of routine reports to ensure they are strategic and that there is greater focus on outcomes not just activities.

5. Having regular, honest reviews of progress against outcome milestones in the business plan

Proposed action: A section on progress against business plan milestones will be included in the CEOs report for discussion at Board meetings.

6. Making time for discussions involving just the Board (and CEO)

Proposed action: The Chair will ensure there are appropriate opportunities for the Board to discuss matters informally both with and, if appropriate, without the CEO.

Supporting papers/appendices

- Appendix 1: Questionnaire
- Appendix 2: Summary of responses



LWARB
London Waste and Recycling Board

Unlocking your board's full potential

Board Evaluation Questionnaire



An effective evaluation can help even highly successful boards to enhance their performance and improve their organisation.

Unlocking your board's full potential

Board members in central government may find it helpful to complete this questionnaire annually as part of their board evaluation process.

As a qualitative element is important in any assessment of performance, the questionnaire includes space for appraisers to add comments as well as a set of reflective questions at the end.

The assessment adds most value as a facilitated exercise that explores the reasons underlying board members' scores and comments. Facilitation is more effective if someone independent of the board and senior management, but who understands the organisation, performs this role.

Our tip for analysing the results is for boards to focus on areas where there is a broad agreement that improvement would be beneficial and where there are a range of views in the boardroom on performance.

The questionnaire sets out some searching questions that should be relevant to most boards. Statutory boards should benefit most as it builds on the foundations of a clearly defined role and the ability to set the direction of the organisation. But non-statutory boards may also find some of the sections useful in their performance evaluations as they identify current best practice.

We produced this questionnaire with HM Treasury's *Corporate governance in central government departments: code of good practice* in mind. In some places the questions go further than this and draw on private sector best practice, for example with regard to independent directors. The questions also sometimes suggest items of business that central government boards could regularly consider, such as novel and contentious expenditure.

Boards may find it useful to take this opportunity to test their performance against others. Information on Mazars' benchmarking service can be obtained from craig.scarr@mazars.co.uk. Further information on this questionnaire is also available at this email address or from z5-fmgp@nao.gsi.gov.uk.

We welcome your feedback on this questionnaire. Please send any comments to the email addresses above.

Board Evaluation Questionnaire

1 = Strongly Disagree

2 = Partly Disagree

3 = Partly Agree

4 = Strongly Agree

Objectives, strategy and remit

1 2 3 4

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| 1. The board has a clear set of objectives that are independent of those for the organisation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The board realistically assesses its performance against its objectives at regular intervals and at year-end. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The board has developed a strategy for the organisation that is central to the way it is directed. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. The strategy is well aligned to the organisation's remit and its capabilities, i.e. its people, assets, intellectual property, and financial and other resources. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. The board devotes quality time to reviewing the implementation of the strategy. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. The strategy is updated for any changes to the organisation's remit or the external environment. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Significant programmes and projects are clearly aligned to the strategy and fall within the organisation's remit. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Further comments on objectives, strategy and remit:

Performance measurement

1 2 3 4

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| 8. Management regularly reports to the board on key outcomes and targets that flow directly from the strategy. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Performance information is integrated with financial reporting. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. The board gets early-warning signals of problems ahead that will adversely affect key outcomes, targets or financial performance. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Management provides a thorough analysis of performance against budget, targets and key outcomes, and discusses any necessary remedial action. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12. The board has a good understanding of the performance of the organisation relative to other bodies, where appropriate. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. The board takes collective responsibility for the performance of the organisation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Further comments on performance measurement:

1 = Strongly Disagree

2 = Partly Disagree

3 = Partly Agree

4 = Strongly Agree

Relationships with key stakeholders

1 2 3 4

14. Relations with the sponsor department are productive and supported by regular and open communication.

15. The sponsor department and Parliament consider the organisation is performing well, has a strong board and a good reputation.

16. The board receives full reports whenever the chair or Accounting Officer/Chief Executive meets with Ministers, other key stakeholders and major funders. The reports include stakeholder perspectives on the organisation's performance, strengths and areas for development, where appropriate.

Further comments on relationships with key stakeholders:

Propriety, fraud and other leakage

1 2 3 4

17. The board is aware of, and annually approves, the scheme of delegation.

18. The board receives regular reports on fraud and takes steps to address any failures or perceived weaknesses.

19. The board is satisfied that it receives full and timely notification of all significant losses, special payments or other leakage. The board takes appropriate action to address any weaknesses or failures.

20. The board is always provided with advance notification of all proposed novel or contentious expenditure.

Further comments on propriety, fraud and other leakage:

1 = Strongly Disagree

2 = Partly Disagree

3 = Partly Agree

4 = Strongly Agree

Delivery chain and project management

1 2 3 4

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| 21. The board receives regular updates on progress for all programmes and projects subject to the Gateway review process, and any others judged high risk by the organisation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. The board is provided with timely and robust post-evaluation reviews for all major projects and programmes, including an examination of whether all intended benefits were realised. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 23. Where delivery is devolved to partner organisations, the board receives regular assurances over delivery, the operational effectiveness of partners' governance arrangements and the regularity of expenditure made on its behalf. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Further comments on delivery chain and project management:

Risk management

1 2 3 4

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| 24. The board is clear on its risk appetite. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 25. The board has a sound process for identifying and regularly reviewing its principal risks, and makes the necessary amendments in the light of changes in the internal and external environment. This process involves all parts of the business. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 26. The board receives regular, insightful reports on the organisation's risk management and internal control systems that provide assurance over their operational effectiveness. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 27. The board takes full account of risk in its decisions, for example, in relation to proposed major projects and programmes. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 28. The board receives reliable projections of future cash flows for the medium as well as the short term, and is confident that the available funding will enable the organisation to develop and operate as planned. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 29. The board is satisfied there have been no problems with regulatory and similar requirements, and that sound health and safety, employment and other practices are implemented to protect the organisation against unnecessary litigation and reputation risk. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 30. The board is aware of changing demand patterns and is confident that these can be met from the resources available and within the organisation's statutory remit. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 31. The board monitors the political environment for potential changes to its remit and assesses the impact these will have on the strategy. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 32. The board is aware of the organisation's information needs. Any exceptions to best practice over data acquisition, usage, storage and destruction are reported. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 33. No substantial, unexpected problems have emerged which the board should have been aware of earlier. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Further comments on risk management:

1 = Strongly Disagree

2 = Partly Disagree

3 = Partly Agree

4 = Strongly Agree

The audit committee, internal audit and corporate reporting

1	2	3	4
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34. The audit committee has sufficient expertise, support, time, and access to key staff and information to enable it to discharge its monitoring and oversight role effectively.

35. There is a proper discussion (not just nodding through) by the board of reports from the audit committee, ensuring all members are aware of the issues discussed and their resolution.

36. The internal audit function is independent of management, appropriately skilled, competent and complies with Government Internal Audit Standards.

37. The board is satisfied that there is no evidence of aggressive or less than fully transparent accounting in the financial statements.

Further comments on the audit committee, internal audit and corporate reporting:

The boardroom

1	2	3	4
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38. The board is cohesive and combines being supportive of management with providing appropriate challenge.

39. A senior independent director role exists to strengthen the position of the non-executives.

40. The Chair leads meetings well with a clear focus on the big issues facing the organisation and allows full and open discussion before major decisions are taken.

41. Induction and development programmes ensure board members remain up-to-date throughout their time on the board.

42. Working as a team, the board has the right blend of skills, expertise and personalities, and the appropriate degree of diversity, to enable it to face today's and tomorrow's challenges successfully. Appointments place significant emphasis on succession planning both with regard to independent and non-executive directors' positions.

43. The board constantly strives to improve its effectiveness by ensuring its own performance appraisal replicates good practice elsewhere.

44. The board draws up action plans following its performance evaluations. The actions include behavioural and qualitative aspects, where appropriate.

45. The board regularly reviews progress against its performance appraisal action plan.

Further comments on the boardroom:

1 = Strongly Disagree

2 = Partly Disagree

3 = Partly Agree

4 = Strongly Agree

Reflections

1 2 3 4

46. Has the questionnaire addressed all issues in respect of the board's performance?

47. Overall, do the questionnaire responses accurately portray the board's performance?

Further comments on the reflections:

Please get in touch...

For more support on evaluating and developing your board's effectiveness, please contact:

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Glossary

Independent director: This is a concept set out within the Combined Code, following the recommendation made in the Higgs Report. Provision A.3.1 defines independence as follows:

The board should identify in the annual report each non-executive director it considers to be independent. The board should determine whether the director is independent in character and judgement and whether there are relationships or circumstances which are likely to affect, or could appear to affect, the director's judgement. The board should state its reasons if it determines that a director is independent notwithstanding the existence of relationships or circumstances which may appear relevant to its determination, including if the director:

- has been an employee of the company or group within the last five years;
- has, or has had within the last three years, a material business relationship with the company either directly, or as a partner, shareholder, director or senior employee of a body that has such a relationship with the company;
- has received or receives additional remuneration from the company apart from a director's fee, participates in the company's share option or a performance-related pay scheme, or is a member of the company's pension scheme;
- has close family ties with any of the company's advisers, directors or senior employees;
- holds cross-directorships or has significant links with other directors through involvement in other companies or bodies;
- represents a significant shareholder; or
- has served on the board for more than nine years from the date of their first election.

All of the above criteria, barring that related to representing significant shareholdings, are relevant in the public sector context (with some adaptation).

Accounting Officer: The senior official in the organisation and he or she may be called to account in Parliament for the stewardship of the resources within the organisation's control. Acting within the authority of the Minister(s) to whom he or she is responsible, the Accounting Officer should ensure that the organisation, and any subsidiary to it or organisation sponsored by it, operates effectively and to a high standard of probity.

Government Internal Audit Standards: The set of internal auditing standards for central government, based on the *International Standards for the Professional Practice of Internal Auditing* issued by the Internal Audit Standards Board of the Institute of Internal Auditors, the global professional body. Where necessary, specific requirements or interpretations for central government are made.

LWARB Board Effectiveness Survey 2018

Key

- 1 Strongly disagree
- 2 Partly disagree
- 3 Partly agree
- 4 Strongly agree

Average Score Range

Objectives, strategy and remit

1	The board has a clear set of objectives that are independent of those for the organisation.	2.7	1-4
2	The board realistically assesses its performance against its objectives at regular intervals and at year-end.	2.9	2-4
3	The board has developed a strategy for the organisation that is central to the way it is directed.	3.6	3-4
4	The strategy is well aligned to the organisation's remit and its capabilities, i.e. its people, assets, intellectual property, and financial and other resources.	3.3	3-4
5	The board devotes quality time to reviewing the implementation of the strategy.	3.4	3-4
6	The strategy is updated for any changes to the organisation's remit or the external environment.	3.7	3-4
7	Significant programmes and projects are clearly aligned to the strategy and fall within the organisation's remit.	3.7	3-4

Performance Management

8	Management regularly reports to the board on key outcomes and targets that flow directly from the strategy.	3.4	2-4
9	Performance information is integrated with financial reporting.	3.1	2-4
10	The board gets early-warning signals of problems ahead that will adversely affect key outcomes, targets or financial performance.	3.0	2-4
11	Management provides a thorough analysis of performance against budget, targets and key outcomes, and discusses any necessary remedial action.	3.3	2-4
12	The board has a good understanding of the performance of the organisation relative to other bodies, where appropriate.	3.0	2-4
13	The board takes collective responsibility for the performance of the organisation.	3.1	1-4

Relationship with key stakeholders

14	Relations with Mayor and London Councils are productive and supported by regular and open communication;	3.5	2-4
15	The Mayor and London Councils consider the organisation is performing well, has a strong board and a good reputation;	3.0	2-4
16	The board receives full reports whenever the chair or Chief Executive meets with the Mayor, London Councils, Ministers, other key stakeholders and major funders. The reports include stakeholder perspectives on the	3.2	2-4

Propriety, fraud and other leakage

17	The board is aware of, and annually approves, the scheme of delegation.	3.9	3-4
18	The board receives regular reports on fraud and takes steps to address any failures or perceived weaknesses.	3.4	2-4
19	The board is satisfied that it receives full and timely notification of all significant losses, special payments or other leakage. The board takes appropriate action to address any weaknesses or failures.	3.9	3-4
20	The board is always provided with advance notification of all proposed novel or contentious expenditure.	3.9	3-4

Delivery Chain and project management

21	The board receives regular updates on progress for all programmes and projects subject to the Gateway review process, and any others judged high risk by the organisation.	3.3	2-4
22	The board is provided with timely and robust post-evaluation reviews for all major projects and programmes, including an examination of whether all intended benefits were realised.	2.9	1-4
23	Where delivery is devolved to partner organisations, the board receives regular assurances over delivery, the operational effectiveness of partners' governance arrangements and the regularity of expenditure made on its behalf.	3.0	2-4

Risk Management

24	The board is clear on its risk appetite.	3.4	2-4
25	The board has a sound process for identifying and regularly reviewing its principal risks, and makes the necessary amendments in the light of changes in the internal and external environment. This process involves all parts of the	3.4	2-4
26	The board receives regular, insightful reports on the organisation's risk management and internal control systems that provide assurance over their operational effectiveness.	3.3	2-4
27	The board takes full account of risk in its decisions, for example, in relation to proposed major projects and programmes.	3.7	3-4
28	The board receives reliable projections of future cash flows for the medium as well as the short term, and is confident that the available funding will enable the organisation to develop and operate as planned.	3.3	2-4
29	The board is satisfied there have been no problems with regulatory and similar requirements, and that sound health and safety, employment and other practices are implemented to protect the organisation against unnecessary	3.6	3-4
30	The board is aware of changing demand patterns and is confident that these can be met from the resources available and within the organisation's statutory remit.	3.0	2-4
31	The board monitors the political environment for potential changes to its remit and assesses the impact these will have on the strategy.	3.6	2-4
32	The board is aware of the organisation's information needs. Any exceptions to best practice over data acquisition, usage, storage and destruction are reported.	3.0	1-4
33	No substantial, unexpected problems have emerged which the board should have been aware of earlier.	3.4	2-4

The audit committee, internal audit and corporate reporting

34	The audit committee has sufficient expertise, support, time, and access to key staff and information to enable it to discharge its monitoring and oversight role effectively.	3.6	3-4
35	There is a proper discussion (not just nodding through) by the board of reports from the audit committee, ensuring all members are aware of the issues discussed and their resolution.	3.4	3-4
36	The internal audit function is independent of management, appropriately skilled, competent and complies with Government Internal Audit Standards.	3.5	2-4
37	The board is satisfied that there is no evidence of aggressive or less than fully transparent accounting in the financial statements	4.0	4-4

The boardroom

38	The board is cohesive and combines being supportive of management with providing appropriate challenge.	3.7	3-4
39	A senior independent director role exists to strengthen the position of the non-executives.	3.7	3-4
40	The Chair leads meetings well with a clear focus on the big issues facing the organisation and allows full and open discussion before major decisions are taken.	3.9	3-4
41	Induction and development programmes ensure board members remain up-to-date throughout their time on the board.	3.0	2-4
42	Working as a team, the board has the right blend of skills, expertise and personalities, and the appropriate degree of diversity, to enable it to face today's and tomorrow's challenges successfully. Appointments place significant	3.4	3-4
43	The board constantly strives to improve its effectiveness by ensuring its own performance appraisal replicates good practice elsewhere.	3.5	3-4
44	The board draws up action plans following its performance evaluations. The actions include behavioural and qualitative aspects, where appropriate.	3.0	2-4
45	The board regularly reviews progress against its performance appraisal action plan.	2.8	2-4

Reflections

46	Has the questionnaire addressed all issues in respect of the board's performance?	3.1	2-4
47	Overall, do the questionnaire responses accurately portray the board's performance?	3.4	2-4