

# GRAVESHAM BOROUGH COUNCIL

## Working in Partnership

---

### A Framework for Members and Officers

To aid effective partnership and shared working arrangements

June 2021

DRAFT

# Contents

	<b>Section</b>	<b>Page Number</b>
<b>1.0</b>	Introduction	3
<b>2.0</b>	Council Policy for Partnership Development	5
<b>3.0</b>	Council Policy for Shared Service Development	7
<b>4.0</b>	Procedures for Managing Partnerships and Shared Service Arrangements	9
<b>5.0</b>	Responsibilities for Partnerships and Shared Services	12
<b>6.0</b>	Partnership and Shared Service Monitoring and Review	14

<b>Appendices</b>	
<b>Appendix one</b>	The partnership evaluation self-assessment template
<b>Appendix two</b>	The shared services business case template
<b>Appendix three</b>	Drawing up a partnership or shared service agreement
<b>Appendix four</b>	a) Shared Service Review Template (initial)
	b) Shared Service Review Template (from year three onwards)

## Introduction

- 1.1 The council approved its first Partnership Framework in January 2006. The Partnership Framework forms part of the 'Policy Framework' under Article 4.01(1) of the Council's Constitution and was formally adopted by the Council in March 2006.
- 1.2 Since the Partnership Framework was first set-up, the landscape within which local government operates has changed significantly with councils moving even more to partnership working and developing shared service models across organisations. The need for partnership working was further highlighted in responding to the COVID-19 pandemic and the need to work together to support communities at one of the most challenging times for local authorities and communities alike.
- 1.3 This framework document is intended to assist both Members and officers engaged in contemplating, setting up, funding, managing, participating in, monitoring, scrutinising or ending both partnership arrangements and shared service arrangements between the council and other organisations. It should be considered at every stage of the process.
- 1.4 The Partnership Framework will be reviewed at least once every three years.

### Why Have a Partnership Framework?

- 1.5 Over recent years, the council has become involved in an increasing number of partnerships and shared working arrangements which contribute to the delivery of council objectives and services. In the years ahead, it is anticipated that even more activities will come within the scope of partnerships, both between the council and various other organisations including community groups, and shared working arrangements with other local authorities.
- 1.6 The council must ensure it is accountable for the public money it spends, that this money is used efficiently and that it achieves the intended results. It is equally important that the partnerships or shared working arrangements in which the council is involved do the same - especially where substantial funding is provided by the partners and/or external funding agencies.
- 1.7 The *Working in Partnership Framework* sets out the key principles by which all council officers and Members will operate when engaging in any form of partnership working.

### What is a Partnership?

- 1.8 Partnership or joint-working is a term that is used to cover a vast array of working arrangements between two or more organisations. These can range from informal networks to joint delivery on specific projects and service provision. The council differentiates between true partnership working and what is defined as a 'shared service' to deliver specific council services.
- 1.9 The council defines a partnership as "an agreement between the Council and one or more independent bodies to work together to achieve the council's Corporate objectives".

- 1.10 This can cover a wide range of partnership arrangements; from an agreement to work with an organisation to deliver a specific project or piece of work to a long-term formal arrangement delivering important services over a borough-wide area. It is therefore important that the council can distinguish between the different types of partnerships and the impact they have on the delivery of the council's corporate objectives for the borough and its residents.
- 1.11 Partnerships and/or joint-working arrangements that the council becomes involved in will be categorised in three ways:
- a. **Ad hoc arrangements** – those that are set up to meet a specific need and are established rapidly to address an immediate/urgent need for a defined period of time. These are arrangements that would need to be set up within one month to ensure continuity of service or specific community needs are met at a specific time as a result of a factors outside the direct control of the council.
  - b. **Significant arrangements** – those arrangements for which there is a council resource provision of £50,000 or greater or one that is fundamental to the delivery of a corporate objective as established within the council's Corporate Plan. Without this effective partnership therefore, the delivery of Gravesham Borough Council's key corporate goals would not occur. This will also include those partnerships that have been established to deliver legal or statutory requirements on behalf of the council.
  - c. **Other arrangements** – all other partnership and joint-working arrangements that are in place to ensure delivery of services to the borough of Gravesham, but do not have the significant level of financial resource or are not a fundamental delivery tool for GBC objectives. These arrangements contribute to overall achievement on the council's objectives.
- 1.12 Partnerships most commonly take the form of 'unincorporated associations'. This means that they do not have a separate legal existence and each of the partner organisations remains legally and financially responsible for the actions they take within, or on behalf of, the partnership.
- 1.13 Another, less common, form of partnership is where the partners create a separate company or a charitable trust to achieve particular purposes. This is a more complex matter involving detailed legal and financial arrangements and as such, these types of arrangements are not covered by this Framework.
- 1.14 It should be noted that the council also provides funding to a number of community organisations to enable them to provide specific services to the residents of Gravesham. These grants are reviewed every three-years. Consideration will be given to whether or not these arrangements meet the definition of a partnership, as per this Framework.
- 1.15 There is no 'one size fits all' set of arrangements for partnership working – they have to be tailored to the specific purposes involved. Regardless of the form, purpose, size, or importance of a partnership, however, there are several things that should be considered in creating, managing, monitoring and reviewing the partnership arrangements, and it is these that this Framework deals with.

## What is a Shared Service/Working Arrangement?

- 1.16 When exploring opportunities for joint-working between local authorities, there are a number of different types of initiatives:
- a. **A full shared service** – this type of arrangement involves teams from two or more authorities joining to form one team, hosted by one authority. For example, this could involve the internal audit team from two authorities joining to form one internal audit team, employed by one authority but serving the needs of both authorities.
  - b. **Joint-management** – this type of arrangement involves the manager from one authority taking on the management responsibility of a team of officers at one or more other authorities. For example, this could involve the IT Manager at one authority taking on the management of the IT team at another authority. The employee remains under the terms and conditions of the employing authority, but it is agreed that the officer will be seconded to another authority (or authorities) to provide management support with the other authority (or authorities) paying a fee for the services of the manager.
  - c. **Joint-officer** – this type of arrangement is very similar to the joint-management arrangement. This involves officers, who are not managers, providing resilience to another authority either on a long-term or permanent basis.
  - d. **Ad-hoc resilience** – as the name suggests, this type of arrangement involves an officer (or officers) from one authority providing additional capacity to another authority on a short term basis (this could be as maternity cover or on an 'as and when' basis). These types of arrangements tend to be agreed on quite short-notice as a short-term 'fix'.
- 1.17 The type of arrangement that is entered into will dictate the level of legal agreements and governance arrangements that are required.

## Other arrangements

- 1.18 The council is also involved in a number of commissioning arrangements, whereby the council is paid to deliver a service on behalf of another organisation. This is not a partnership arrangement although some of the principles within this framework may apply to this way of working and it will be important for these arrangements to have agreed terms of reference or service level agreements. **In addition, this Framework does not cover an arrangement that is in place and covered by a formal client-contractor contract.**

## 2. Council Policy for Partnership Development

- 2.1 The council recognises the importance of ensuring that its partnerships serve a useful public purpose, are effective in achieving their aims and provide good value for the time, effort and money put into them.
- 2.2 As such, the council will be willing, in principle, to enter into partnership arrangements with other organisations and bodies where the following one or more conditions are satisfied:
- a. there is a clear purpose for the partnership that will contribute to fulfilling the council's statutory duties and/or meeting its policy objectives (including the general well-being of Gravesham's communities);
  - b. this purpose cannot be achieved satisfactorily by the council or any of the partners acting alone or by some other method;
  - c. the partnership will benefit the council through providing resilience to its services, efficiency in the use of the council's resources, potential savings and /or income to the council in delivering service in a more efficient and joined-up way.
  - d. there is an urgent need for a partnership/joint-working arrangement to be in place to respond to an emergency situation.
- 2.3 Key factors for consideration in all partnership arrangements, will be if and how the establishment of the arrangement is likely to aid the council in fulfilling its statutory duty to safeguard and promote the welfare of children and vulnerable adults, as well as ensuring that all regulations under GDPR are fulfilled.
- 2.4 In addition, consideration will also need to be given to ensuring that the partnership is going to operate in line with the Equalities Act, , in order to ensure that partnership arrangements help support the council's duties and obligations to make a positive difference to its communities.
- 2.5 Finally, consideration will also be given to the council's Climate Change commitment, and identifying opportunities for the partnership to assist in delivering action to mitigate climate change in the borough.

### Opportunities for Partnership Working

- 2.6 For all potential partnership working opportunities, an evaluation of the partnership is required to be carried out by senior officers from the department(s) most concerned, in consultation with the Head of Legal (Shared Service) (Deputy Monitoring Officer) and the Director – Corporate Services (Section 151 Officer), whilst keeping the Corporate Change Manager informed of discussions.
- 2.7 In the case of a partnership with Member level involvement proposed i.e. when council Members will form part of the Partnership Board, the relevant Director will be required to be involved as well.
- 2.8 Other officers with specialist knowledge of the service area should be consulted if necessary, especially if there are few, if any, precedents for the proposed partnership elsewhere.

- 2.9 Appendix one provides a template for a Partnership Evaluation Form to assist in the assessment of a new partnership. Whilst it is not necessary for this **specific** form to be completed, it does cover all of the issues that need to be considered when contemplating entering into a new partnership and therefore its use is strongly recommended, in particular as it documents the consideration and comments from the council's Statutory officers.
- 2.10 The evaluation of a proposed partnership should attempt to draw up a list of the likely benefits, costs, risks and any potential equalities issues that the partnership may raise and, if possible, to quantify them, or at least describe them clearly.
- 2.11 A risk assessment of the proposed partnership **must** be undertaken to identify any barriers to the delivery of the partnership objectives along with clarifying any mitigation that has already been undertaken or is planned.
- 2.12 The evaluation form includes a section specifically to give consideration to an 'exit strategy' for the partnership. This is to ensure that, before the partnership is formally approved, it is clear how partners can either end the partnership or remove themselves from the partnership if required. This is a very important aspect of the partnership evaluation whether the template is used or not. The Monitoring Officer should be consulted on all potential partnership arrangements to ensure that legal consideration is given to the process of exiting a partnership. Members, Directors, the Monitoring Officer and the Section 151 Officer should only look to approve a partnership where proper consideration has been given to an 'exit strategy'. **An exit strategy must be explicit within the partnership agreement and be clear on who has responsibility for instigating the exit strategy at the council.**
- 2.13 **For those partnerships or joint-working arrangements that need to be established rapidly, it will not be necessary to complete a detailed evaluation form. Consideration **must** be given however, to any potential Safeguarding or GDPR/Data Protection regulations, particularly where customer data is being used, to ensure there are no potential data breaches.**
- 2.14 Before formally entering into the partnership the opinions of the Monitoring Officer (or Deputy Monitoring Officer) and Section 151 Officer must be sought and recorded accordingly (ideally on the evaluation form if it is being used). Approval must then be sought as follows:
- a. A proposed 'significant' partnership must be discussed at Management Team prior to being submitted to the relevant Cabinet Portfolio Holder for formal approval alongside the Leader of the Executive. It is the responsibility of the lead officer to present the item to Management Team.
  - b. A proposed 'other' partnership must be formally approved by the Director, Leader of the Executive and relevant Cabinet Portfolio Holder.
  - c. **A proposed 'ad hoc' partnership must be approved by the Director. Given that these types of arrangements are likely to be put in place at speed, Member approval is not required, although the Lead Member must be kept informed of the development of the arrangement as well as ongoing monitoring.**

### 3. Council Policy for Shared Services Development

- 3.1 The council appreciates that there may be alternative ways to delivering council services, and that working with other local authorities presents a number of benefits to the public.
- 3.2 As such, the council will explore opportunities for shared working and shared services development where one or more of the following conditions are satisfied:
- a. the shared service/shared working arrangement will provide a saving or income stream to the council whilst maintaining a good standard of service for the public;
  - b. the arrangement will benefit the council through providing resilience to its services, and efficiency in the use of the council's resources
- 3.3 Key factors for consideration in all shared working arrangements, will be:
- a. if and how the establishment of the arrangement is likely to aid the council in fulfilling its statutory duty to safeguard and promote the welfare of children and vulnerable adults.
  - b. how the arrangement will ensure that all requirements of the General Data Protection Regulations (GDPR) are to met in order to protect the personal data of GBC residents and service users.
- 3.4 In addition, a set of core principles for the development of shared services has been drawn up with colleagues from other authorities in Kent, which will be the guiding principles used moving forward in any shared working arrangements. These principles are set out across two key areas:

#### Central Principles

- **No detrimental impact to our community and residents:** services will only be shared where new arrangements offered do not result in the detriment of services received by our community and residents. Unless there are specific reasons not to, there will be a presence retained at each site, even if minimal.
- **Clarity of purpose, vision, objectives, values and intended outcomes:**
  - Shared service arrangements will be founded on clearly articulated, common aims and outcomes. This could include improved customers services, better resilience, reduced revenue costs, building a momentum towards a bigger, more formal partnership. In each case these will be clarified at the outset.
  - Business cases will include consideration of the extent of risk transference that is acceptable, the degree of formality/informality in any agreement, and the extent of prescription/variation.
- **Working in partnership:**
  - Openness and transparency will be displayed from the outset.
  - All decisions will be taken collectively, in the spirit of partnership working.
  - Regular Project Board meetings will be established to ensure the momentum of projects continues.
  - Opportunities generated as a result of the shared service will be considered benefits for each of the partners; e.g. if the shared service creates an opportunity to let out space in one organisation, the proceeds of this will be shared amongst the partners.



## Operational Principles

- **Engaged, flexible and resilient workforces:**
  - Staff will be communicated with about any proposed new arrangements at an early stage, with senior management representatives from the authorities involved to present a fully joined-up approach regardless of the host authority.
  - Staff will all be transferred to the same employing organisation (likely via TUPE transfer), supported by a formal delegation of responsibility for that service from one authority to another.
  - Staff within the shared service will be seen as employees of each respective authority regardless of the host authority, with messaging reinforcing this at every opportunity.
  - Staff will retain access to all resources necessary at each respective authority, regardless of the host authority in the same way as they would if they were directly employed by that authority.
  - Recruitment exercises will be undertaken involving all interested parties (unless agreement is reached to leave this to the host authority); e.g. when the head of the service leaves, the recruitment panel consists of officers from each of the respective partner organisations.
- **Funded fairly:**
  - Agreement to the split of costs will be made early in the development of shared services and the agreed split will be the basis for annual cost sharing and the sharing of set-up costs.
  - Budgets for shared services will be agreed as early as possible, with any review mechanisms and subsequent shared service payments also established at an early stage.
  - Budgets consist only of directly attributable costs relating to service; back-office overheads are not recharged into the arrangement.
  - Where possible, additional funding will be allocated at the outset of the shared service to cover costs arising from the set-up of arrangements e.g. IT costs, furniture, equipment etc.
- **Consistent, effective ICT support:**
  - Staff will be provided with the necessary equipment and IT hardware to carry out their roles efficiently across multiple sites, even if this means providing them with equipment beyond that provided to non-shared service officers.
  - ICT teams will work together to establish the necessary flexibilities in firewalls and network access, e.g. allowing another authority's network to operate within the buildings.

When considering any new shared working arrangement, these principles will be shared between all parties to clearly set out the principles by which all parties will operate.

## Opportunities for Shared Service Arrangements

- 3.5 The Director (Corporate Services), supported by the Corporate Change Manager, has responsibility for the exploration and progression of shared working arrangements across the council. They will work closely with the relevant service Director and Assistant Director/Service Manager in processing these arrangements as required.

- 3.6 Where opportunities for shared working are identified, an initial discussion should take place with the Director (Corporate Services) and further discussions can then take place with the authority/authorities that have been identified or are supportive of shared working arrangements.
- 3.7 It will be necessary for a business case to be prepared for all full shared service and joint management arrangements. Appendix two provides a template for a Shared Services business case to assist in the assessment of a new arrangement. Whilst it is not necessary for this form to be completed in this format, it does cover all of the issues that need to be considered when contemplating entering into a new shared service arrangement and therefore its use is recommended.
- 3.8 For joint officer and more ad-hoc arrangements, it is not necessary for a full business case to be drawn up. It is however, useful to consider the key points within the business case for such arrangements in order to ensure that they will provide the service that is required by the council as a whole.
- 3.9 Before formally entering into any shared service arrangement the opinions of the Monitoring Officer (or Deputy Monitoring Officer) and Section 151 Officer must be sought to ensure that there are no legal implications and a thorough financial analysis has been completed.
- 3.10 Approval must then be sought as follows:
- a. For all full shared service arrangements, the business case for the shared service should be presented to the Cabinet for approval, once it has been approved by the Director, Leader of the Executive and relevant Cabinet Portfolio holder.
  - b. For all joint management or joint officer arrangement, the Leader of the Executive, in conjunction with the relevant Cabinet Portfolio holder(s), has delegated responsibilities for all shared services/joint-working initiatives. In practice, a report on shared management arrangements is usually taken through the relevant Cabinet Committee to enable Member discussion, ahead of the Leader of the Executive and Lead Member making a final decision.
  - c. For ad-hoc arrangements, formal Member approval is not required, although it is important that the Leader of the Executive and the Cabinet Portfolio Holder are kept informed of current working arrangements. In addition, it may be prudent to keep the relevant Cabinet Committee updated with the progression of such an arrangement.

### **Key factors to be considered in setting-up shared working arrangements**

- 3.11 There are a number of factors that need to be taken into account when establishing shared services:
- a. **Delivering savings/income and/or Increased Resilience** – a key driver for shared working is the realisation of savings/income for all authorities involved. Secondary to this is the potential to increase resilience for services, which is particularly important where the individual teams are small.

- b. **Officer Consultation** - where significant changes to working arrangements are proposed, it will be necessary to undertake a consultation with the officers that are to be affected by the change. The Personnel/HR Teams should be kept informed of all proposals and will be able to advise if a consultation is necessary. Where a consultation process with officers is required, the consultation will take place in accordance with all relevant guidance and/or legislation.
  - c. **IT Requirements** – consideration needs to be given to the specific IT requirements of officers to ensure they are able to operate effectively. This may include the purchase of new hardware, additional software license and training, all of which should be factored into the business case for the shared service where appropriate.
  - d. **Facilities Management** – consideration needs to be given to the location of the shared service/joint working arrangement and the impact this may have on the employee and the employer. This may result in additional travel costs, hardware costs etc. and these need to be considered when establishing the arrangement.
- 3.12 With any shared service, it is imperative that all staff affected by any change are kept up-to-date with any potential changes. Communication is a key factor in the success of any type of shared or joint-working arrangement. As such, it will be important to liaise with the Communications Manager at each authority to ensure regular and consistent messages are communicated to all sites.

## 4. Procedure for Managing Partnerships and Shared Service Arrangements

- 4.1 It is important that there are suitable governance arrangements in place for both partnerships and shared working arrangements. The partnership or shared service agreement will be the key governance document, although what they should actually include will differ depending on the type of arrangement. Appendix three provides a summary of the key elements to consider in both types of arrangements.
- 4.2 Whatever type of arrangement is in place, the Monitoring Officer (or Deputy Monitoring Officer) must be involved in the development of any formal agreement that the council enters into. This is to ensure that it is fit for purpose and covers everything that is necessary for the type and level of arrangement in place.
- 4.3 Specifically in terms of governance arrangement for partnerships, there are a number of things that need to be considered:
- a. eligibility for membership and rules for the admission of new partners, for the exit of partner(s) and for termination;
  - b. representation of each of the partners in the direction of the partnership's activities, and their authority to act on behalf of their parent organisations;
  - c. rules for making decisions on behalf of the partnership;
  - d. rules governing meetings (frequency, notice, quorum, chairing, voting, etc.);
  - e. recording decisions and reporting them to the partners and to the public;
  - f. ensuring that decisions are properly carried out;
  - g. the responsibilities of the partners to each other;
  - h. reviewing of performance and financial information of the partnership;
  - i. ensuring there are arrangements for any individual or partner organisations to declare and record a personal, pecuniary or other interest in the activities of the partnership.
  - j. ensuring that where interests are declared there are procedures for managing and resolving potential conflicts of interest –
    - i) to adopt rules to distinguish different categories of decision according to their importance and whether or not to permit majority voting to decide issues; and
    - ii) between the interests of individual decision-making representatives and the interests of all or some of the partners (i.e. rules for declaring personal interests and taking/not taking part in decisions);
  - k. maintaining high ethical standards in the conduct of the partnership's business, including the promotion of equality and respect for all sections of the community
  - l. amending the Partnership Agreement;
  - m. dealing with breaches of the Agreement.
- 4.4 The proposed governance arrangements for any new partnership should be considered prior to entering into the partnership and should form part of the evaluation criteria for the partnership.

- 4.5 It is recognised that where a partnership arrangement is set up rapidly to meet an immediate need, it may not be possible to formalise an agreement of this type. However, it is important that the key areas of safeguarding and GDPR are considered prior to commencing the working arrangement and it may be useful to seek the advice and guidance from the council's Internal Audit Team at this time.
- 4.6 Specifically in terms of governance arrangement for shared services, the following elements need to be considered:
- a. Scope of the shared service arrangements - what activities are specifically included as part of the shared working arrangement and which are not included.
  - b. Where applicable, details of any transfer of staff, setting out specific requirements of both parties in relation to the TUPE regulations.
  - c. Details of how the shared service arrangement will be funded including details of pay increases and approval process for this.
  - d. Details of how future restructures and recruitment in the team will be undertaken.
  - e. Details of how the arrangement can be terminated and consequences of the termination.
  - f. Process for dispute resolution.
  - g. Consideration of Data Protection and GDPR regulations.
  - h. Formal monitoring arrangements are in place which includes key performance measures and establishment of regular client/contractor meetings to discuss performance and developments within the shared working arrangement.

## **Performance and Financial Management**

- 4.7 The partnership or shared working arrangement should have proper arrangements for:
- a. stating the specific expected outcomes to be achieved through partnership or shared working.
  - b. **setting key performance measures with associated targets** to demonstrate these expected outcomes, the actions to be taken to achieve them and the responsibilities for those actions;
  - c. reporting regularly on performance against targets and the progress made towards the partnership's aims generally;
  - d. reviewing and updating targets.
  - e. regular monitoring of finances through quarterly (as a minimum) budget monitoring reports.
- 4.8 It is important that the performance of all partnerships and shared working arrangements is monitored in order to ensure that the partnership/shared service **remains fit for purpose and** is achieving its stated objectives and is not having a detrimental impact on the overall performance of the service and/or council.
- 4.9 In addition, these arrangements will enable the council to assess whether it is achieving good value from the money it spends and the time put into it by the partners and officers.

## **Managing Risks**

- 4.10 Risk management is a key feature of good corporate governance and sound business practice. The risk management policy of Gravesham is to adopt best practices in the identification, evaluation and cost-effective control of risks. Specifically with regards to partnership working and shared services, risk management needs to be applied at the commencement of any arrangement but also during the setting of objectives at a strategic or operation level.
- 4.11 Risk assessments are intended to ensure that risks are eliminated or reduced to an acceptable level, thereby safeguarding the partnership's assets, employees and customers and also the delivery of services to the local community.
- 4.12 A risk assessment should be delivered in the form of a risk register (the format of which is not prescribed but should consider the likelihood of the risk occurring, the impact the risk will have and any mitigating factors). The register must be monitored and reviewed and this process will contribute significantly to the performance management of the partnership with regards to progress against objectives.

## **Public Information and Complaints**

- 4.13 If a partnership or shared service is providing services directly to the public, it is important that it gives clear information about those services, how to access them and what to do in the event of a problem or complaint. Such partnerships or shared service arrangements should have clear written Complaints Procedure (in respect of a shared service, this will normally form part of the Corporate Complaints procedure for the host authority).

## **Maintaining Ethical Standards**

- 4.14 Members and Officers are expected to maintain the highest standards of conduct when working in a partnership or in a shared service context. The relevant Codes of Conduct and Protocols set out in Annex 3 to the Council's Constitution should apply, including when working on a secondment or exchange basis. These include the "Seven Principles of Public Life":
- a. Selflessness: They should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.
  - b. Honesty and Integrity: They should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.
  - c. Objectivity: They should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.
  - d. Accountability: They should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.
  - e. Openness: They should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

- f. Respect for Others: They should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.
- g. Duty to Uphold the Law: They should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

## 5. Responsibilities for Partnerships and Shared Service Arrangements

- 5.1 The following provides guidance to Members and officers of the council participating in, managing or overseeing established partnership and/or shared working arrangements on behalf of the council;

### Cabinet Portfolio Holders

- 5.2 In relation to partnerships the Cabinet Portfolio Holders, in consultation with the Leader of the Executive, have overall responsibility for overseeing and reviewing the partnerships in which the council participates. In particular, the Cabinet Portfolio Holders will:
- a. review all new partnerships that fall within their portfolio areas and, ensure these are approved *in line with this Framework*.
  - b. receive updates, *as necessary*, of the partnerships in which the council is involved to ensure that they continue to be fit for purpose and are operating effectively and efficiently. *This will culminate in an annual review of the partnership published in the form of the Corporate Register of Partnerships.*
  - c. exercise a particular responsibility for those partnerships where the council is represented at Member level.
- 5.3 Specifically in relation to partnerships, the Lead Member must be involved in any decision to exit a partnership, with Cabinet being advised of this decision as appropriate.
- 5.4 In relation to shared service arrangements, the Cabinet Portfolio Holders in conjunction with the Leader of the Executive, have delegated responsibilities for all shared-services/joint-working initiatives. In particular the Cabinet Portfolio Holders will:
- a. review and, where appropriate, approve all new shared service arrangements that fall within their portfolio areas, *following discussion at the relevant Cabinet Committee*;
  - b. receive regular updates from officers on the shared service and in particular, how this is actually working for the council. *This will culminate in an annual review of the shared working arrangement (not including ad hoc arrangements) which will be reported to the relevant Cabinet Committee or Cabinet as required.*

### Chief Executive, Directors, Assistant Directors and Service Managers

- 5.5 The senior management of the council are responsible for ensuring that the requirements of the Partnership and Shared Working Framework are met for all partnerships and shared working arrangements in which their departments are involved.
- 5.6 Specifically in relation to ad hoc partnership arrangements, it is the responsibility of the Director/responsible Manager to ensure an audit trail is maintained of all decisions made in relation to this arrangements.
- 5.7 The Monitoring Officer (or Deputy Monitoring Officer) and the Section 151 Officer are responsible for ensuring sound advice is given in relation to legal and financial aspects of the partnerships and shared service arrangements either in place or being proposed.



- 5.8 The Corporate Change team are responsible for ensuring that:
- a. effective arrangements exist to make sure that partnerships and/or shared working arrangements are created, managed and reviewed in accordance with the requirements of this Partnership Framework;
  - b. support and guidance is provided to departments to assist them in the effective implementation of this Framework;
  - c. a formal register of the council's partnership and shared working arrangements is maintained and published, and reported to the Leader and through the Cabinet Committees at least once a year. The register will not include those ad hoc arrangements that are established.

### **Responsibilities in Individual Partnerships and Shared Service Arrangements**

- 5.9 Those involved in partnership and shared service work have a responsibility to the council and the wider public to help make it a success, and so should collaborate with their colleagues in the arrangement to achieve its aims, exploit opportunities and overcome problems.
- 5.10 At the same time, they also have a duty to the council and the wider public to ensure that the arrangement is effective, gives value for money and is conducted in a proper manner.
- 5.11 Therefore, any Member or officer of the council appointed to represent the council's interests in a partnership or working in a shared arrangement should be made aware of these responsibilities at the time of their appointment.
- 5.12 Although the Partnership Agreement or the Shared Service Agreement should provide a framework for fulfilling these responsibilities, in the event of concern or uncertainty about how the partnership is working, the relevant Director, Assistant Director or Service Manager should be consulted and, if the matter is of serious concern, the Head of Legal (Shared Service) (Deputy Monitoring Officer) and the Director (Corporate Services) should also be consulted.

## 6. Partnership monitoring and review

- 6.1 Those Members and officers appointed to represent the council on partnerships, or officers who work in a shared service arrangement, have the primary responsibility for day-to-day monitoring – through their involvement in meetings, reading of reports and discussions with officers, the public and others as required.
- 6.2 They are expected to consult with and keep the Chief Executive, the relevant Director, Assistant Director, Service Manager and Cabinet Portfolio Holders (as appropriate) informed of important issues, achievements and any problems that may arise.
- 6.3 The Chief Executive, Directors, Assistant Directors and Service Managers, in consultation with the Assistant Director (Governance and Law) and the Director (Corporate Services) have a responsibility to make enquiries and take appropriate action concerning any issues that may arise from the various sources of information available to them about the council's partnership work or shared service arrangement.
- 6.4 Sources of information for the successful monitoring of partnerships or shared working arrangements may include:
  - a. Minutes of partnership or shared service meetings;
  - b. Budget monitoring information;
  - c. Performance reports both annual and more frequent;
  - d. Enquiry and complaints monitoring;
  - e. Formal and informal feedback from the Council's representatives on partnerships or shared working arrangements;
  - f. Bi-lateral discussions with partners/shared working authorities.
- 6.5 Information obtained from the monitoring and review process may be confidential or subject to General Data Protection Regulations (GDPR). Members and officers have duties to ensure that relevant information is treated confidentially and complies with data protection legislation. The Partnership Agreement or Shared Service Agreement will contain obligations upon the council and its partners for handling of confidential information and compliance with GDPR.

### Annual Review Process

- 6.6 A full review of the council's Partnership and Shared Service Register will be undertaken on an annual basis with the revised Register reported to the Leader of the Executive and the Cabinet Committees, and published on the council's website. This review will be undertaken during the Spring of each year in order to reflect current budgetary provisions, but updates will be made to the register throughout the year should it be necessary, such as with the introduction of new partnerships/shared working arrangements.
- 6.7 All full Shared Service arrangements and Shared Management arrangements are subject to an annual review, which will be presented to the relevant Cabinet Committee or Cabinet as required. The annual review will take the following format:
  - a. For the first two years of operation, a comprehensive annual review will be undertaken which will require detailed analysis of all aspects of the shared service in terms of officer feedback, achievement of goals set out when establishing the shared service etc.

- b. From year three onwards, the reviews of the shared service or shared management arrangements will look to focus on progress against specific objectives, reporting against the identified key performance measures, updates against any recommendations identified in the previous review and recommendations for future years.

Appendix four (parts a and b) provides copies of the templates that will be used for these reviews.

- 6.8 Cabinet Portfolio Holders will keep the partnerships and shared working arrangements within their own specific remit under regular review. Should they feel it necessary, they may seek the advice of the Members within their Cabinet Committees if they have any concerns or wish to raise any matters for wider discussion.
- 6.9 In addition, as part of the annual work programme of the Overview Scrutiny Committee, the Committee undertake a number of specific Scrutiny reviews. Any partnerships that are related to the topic areas that are selected for review will form part of the overall review. The responsible officer for the partnership will be required to provide additional detailed information on the partnership or shared service to aid the review process.
- 6.10 A review of the governance arrangements of partnerships and shared service arrangements will be undertaken in February/March each year to feed into the council's Annual Governance Statement (AGS). The review will look at gaining assurance from the relevant Director, Assistant Director, Service Managers and other key managers, that each partnership/shared service has the appropriate governance arrangements in place and will ask responsible officers to provide assurance that the arrangement is still meeting the objectives set out in the register.
- 6.11 The Corporate Change Manager is responsible for co-ordinating the reviews detailed above.

### **Internal Audit Review of Partnerships**

- 6.12 The council's Internal Audit team may conduct audits of partnership and/or shared service arrangements where a need is identified either;
  - a. Through the annual audit needs assessment. This selects the audits for the coming year on a 'risk' basis following discussions with the relevant Director.
  - b. Where the organisation seeks assurance from internal audit on either the framework as a whole or over individual partnerships/shared service arrangements.