

Audit Committee

17 April 2019

A partnership working framework for Wiltshire Council

Purpose

1. To set out a partnership working framework for councillors and officers when considering Wiltshire Council's engagement in partnerships.

Proposals

2. That the Audit Committee:

Recommends to full council the removal of the Partnership Protocol in the Council's Constitution and adoption by Cabinet of a new partnership working framework as set out below.

Background

3. In May 2018 a change was made to the terms of reference for the Audit Committee in Part 3 of Wiltshire Council's Constitution clarifying that governance of partnership working is in the Audit Committee's remit as follows:

To oversee the process for production of the annual governance statement (AGS), to review the supporting evidence including the arrangements for governance of partnership working, and to approve the draft AGS;

4. At the time of the change to these terms of reference, it was not made clear what the partnership working arrangements would be reviewed against. The existing Partnership Protocol that is included in the Council's Constitution was written in December 2010. While the legal principles behind partnerships have not changed since then, the economic context within which the Council operates has changed significantly, as has the partnership landscape (given the demise of requirements for local area agreements, comprehensive area assessment and sustainable community strategies amongst other things).
5. In February 2018 Cabinet approved a new "Commercial Policy and Approach". This policy "sets out an approach, and a definition and vision for how we will continue to be more commercial but built from a base of strong financial and business planning". That commerciality, the policy urges, will be delivered through a range of effective and efficient models of delivery, and gives examples of innovative delivery models that are in use now by the Council. Partnerships are included in the range of delivery models but are only one element of the range available to the Council.

6. In 2010 the main mechanisms for delivery were contracts and partnerships and partnerships were an important and frequently used mechanism. The Constitution recognised that importance at the time by the inclusion of the Partnership Protocol; there was no equivalent protocol for other delivery mechanisms such as joint ventures, trusts, or other forms of traded services.
7. The disadvantage of the present Partnership Protocol is that it gives partnerships undue special, favoured, place above other delivery mechanisms and sits outside and at odds with the Commercial Policy and Approach. Whilst proper processes must be observed in the management of partnerships, this could be maintained through a partnership working framework without the need or emphasis of a constitutional protocol.
8. This paper sets out a proposed partnership working framework for the Audit Committee's consideration before recommending adoption by Cabinet.

Relevance to the Council's Business Plan

9. A key priority of the Business Plan is 'working with our partners as an innovative and effective council'. This commits the council to ensuring it operates as a 'healthy organisation' which has strong checks and balances in place and promotes a culture of innovation and critical analysis. This means working according to the principles set out in eight themes including one on 'delivering together' which states:

We work closely with our key public sector partners – including Wiltshire Police, the Police and Crime Commissioner, the NHS, Dorset and Wiltshire Fire and Rescue Service, the military, DWP and other government agencies, Wiltshire College, academies, training providers and all social housing providers, town and parish councils, the private sector and the voluntary and community sector - to achieve positive outcomes for Wiltshire's communities.

Main considerations

10. A draft partnership working framework is attached as Appendix 1 for initial consideration by the Audit Committee.
11. Subject to Audit Committee's consideration and adoption of the framework by Cabinet, it is proposed that a partnership audit and review is undertaken immediately using the template within its annex.
12. It is intended that the proposed framework would replace the existing Partnership Protocol which Council should be asked to remove from the Constitution.

Recommendation

13. To ask the Audit Committee to:
 - a. Consider the draft partnership working framework attached as Appendix 1 and, subject to any changes or comments the Committee wishes to make in the content,

to recommend its adoption by Cabinet.

b. To recommend Council to remove the Partnership Protocol [8] from the Council's Constitution for the reasons set out in paragraphs 3-7 above.

Reason for Proposal

14. To strengthen and improve the Council's arrangements for governing partnership working to enable the Council to deliver the priorities in its Business Plan, including in particular 'working with our partners as an innovative and effective council'

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Appendix 1 – Draft Partnership Working Framework