

Wiltshire Council

Cabinet

11 June 2019

Subject: Partnership Working Framework

Cabinet Member: Cllr Richard Clewer – Cabinet Member for Housing, Corporate Services, Arts, Heritage and Tourism.

Key Decision: Non-Key

Executive Summary

A new partnership working framework is proposed for use by councillors and officers when considering Wiltshire Council's engagement in partnerships. This will replace current arrangements which are out of date and unclear.

Proposal(s)

That Cabinet:

- a) Recommends to full council the removal of the Partnership Protocol in the Council's Constitution
- b) Agrees, upon removal of the Partnership Protocol, the adoption of a new Partnership Working Framework as set out below.
- c) Agrees that any subsequent minor amendments to the Partnership Working Framework are delegated to the Monitoring Officer in consultation with the appropriate Cabinet Member.

Reason for Proposal(s)

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'

Alistair Cunningham, Carlton Brand, Terence Herbert
Executive Directors

Wiltshire Council

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Purpose of Report

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

Relevance to the Council's Business Plan

2. 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.

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.

Main Considerations for the Council

8. A draft partnership working framework is attached as **Appendix 1** for consideration.
9. The Audit Committee has already considered the framework and recommends its adoption by Cabinet. Following adoption, it is proposed that a partnership audit and review is undertaken immediately using the template within its annex.
10. It is intended that the proposed framework would replace the existing Partnership Protocol, which Council will be asked to remove from the Constitution at its meeting in July.
11. The Partnership Working Framework recognises the value of The Wiltshire Compact and is consistent with the fulfilment of its obligations – <http://wiltshirecompact.org.uk/wp-content/uploads/2015/09/The-Full-Wiltshire-Compact.pdf>. This is an agreement between local public sector bodies and organisations of the voluntary and community sector to support and improve partnership working between the sectors and sets out a framework within which positive, effective, working relationships can be developed by:
 - Recognising and building on those things we already do well together;
 - Setting standards and making clear commitments about the ways we will work with each other;
 - Creating an environment of mutual trust and respect which allows us to take full advantage of new opportunities for partnership working.

12. The Compact Promises are that:

- We will work together to make the most efficient and effective use of our available funding resources to deliver the best outcomes for the people of Wiltshire;
- We will work together as partners to build stronger and more resilient communities; We will work together for, and with, the people of Wiltshire, listening to, talking with and involving as many as practicable in shaping and reviewing outcomes for our communities and service users;
- We will promote, support and encourage the work of community groups and volunteering in Wiltshire;
- We will recognise and promote the importance of equality, diversity and human rights to ensure an inclusive approach in the creation of stronger, more resilient communities.

Overview and Scrutiny Engagement

No engagement with Overview and Scrutiny has taken place, however the framework has already been considered by the Audit Committee.

Safeguarding Implications

Much of safeguarding work is multi-agency and takes part in partnership with other organisations. The implications of the framework for these partnerships will be captured as part of the initial audit on current partnership working.

Public Health Implications

Much public health work is multi-agency and takes part in partnership with other organisations. The implications of the framework for these partnerships will be captured as part of the initial audit on current partnership working.

Procurement Implications

The framework makes clear a distinction between contractual relationships and other partnership arrangements; and when partnership working may involve executive decision making on procurement.

Equalities Impact of the Proposal

The framework makes clear the importance of understanding equality considerations when undertaking partnership working.

Environmental and Climate Change Considerations

Much work on mitigating and adapting to climate change is multi-agency and takes part in partnership with other organisations. The implications of the framework for these partnerships will be captured as part of the initial audit on current partnership working.

Risks that may arise if the proposed decision and related work is not taken

The current outdated and unsatisfactory arrangements will remain in place.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

Current partnerships may not be operating in line with the proposed framework. An audit of current partnerships will be undertaken to address this.

Financial Implications

The importance of understanding financial and resource implications when committing to a partnership is made clear in the framework.

Legal Implications

The framework outlines the legal implications of involvement in partnerships.

Workforce Implications

Appropriate awareness raising on the framework will take place with staff.

Conclusions

The Partnership Working Framework will clarify key definitions and the way in which Wiltshire Council engages in partnerships and provide valuable guidance for councillors and officers involved in partnerships.

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Appendices

Appendix 1: Draft Partnership Working Framework

Background Papers

Wiltshire COMPACT