

CABINET	AGENDA ITEM No. 8
24 SEPTEMBER 2018	PUBLIC REPORT

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Cabinet Member(s) responsible:	Cllr David Seaton – Cabinet Member for Resources	
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PETERBOROUGH CITY COUNCIL (PCC) AND CAMBRIDGESHIRE COUNTY COUNCIL (CCC) SHARED SERVICES JOINT WORKING AGREEMENT AND PROTOCOLS

R E C O M M E N D A T I O N S	
FROM: Director of Business Improvement and Development (CCC)	Deadline date: 24/09/2018
It is recommended that Cabinet approve the principles set out in the Joint Working Agreement and Protocols	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following a referral from CMT on 12 September 2018.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to:

- provide an overview of the Joint Working Agreement and Protocols
- seek approval for the Joint Working Agreement and Protocols.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1, 'To take collective responsibility for the delivery of all strategic Executive functions within the Council's Major Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services.'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 Peterborough City Council has been working on an ambitious programme of transformation for several years, with a determination to improve lives for local people despite an increasingly challenging financial context. Building a whole system approach which puts community

outcomes firmly at the centre of all that we do and which is built around shared priorities, outcomes and cost efficiencies is a crucial part of the programme. This work requires a greater degree of collaboration between local public services, their partners and providers and with the public than has been ever previously been experienced in Local Government.

- 4.2 As part of this new model of Local Government, Peterborough City Council (PCC) and Cambridgeshire County Council (CCC) have come together to explore the merits of shared and integrated services, looking at how we might further develop our close working relationship to reduce cost to serve, avoid duplication and ensure that we put outcomes for people at the heart of service delivery.
- 4.3 This approach is not new, over the last few years both Councils have taken advantage of opportunities for shared services as they arose. In 2015, Dr Liz Robin, was appointed as joint Director of Public Health in PCC and CCC under a shared services arrangement. In June 2016, Gillian Beasley was appointed as Chief Executive of both Councils after a trial period which demonstrated the benefits of the shared role. Later that year, following the resignation of the CCC Executive Director for Children, Families and Adults (now the People and Communities (P&C) Directorate), Members in both Councils agreed a programme of integration for senior roles and all Directors in P&C are now in shared roles.
- 4.4 Following the success of these opportunistic arrangements and the benefits they delivered to both Councils, in November 2017 Peterborough City Council asked the Chief Executive to explore delivery of further shared services and asked Members in CCC to support a joint programme of work. This was agreed and Members in both Councils acknowledged that opportunities could take a number of forms but principally the aim is to save money, make efficiencies and manage demand on Council services.
- 4.5 In January 2018, following a high level review of opportunity areas, members in PCC and CCC approved a programme of work to identify and maximise opportunities in the following areas:
- Sharing back office functions
 - Reducing leadership costs
 - Maximising purchasing power
 - Reducing duplication of systems and processes
 - Reducing estate costs
 - Building resilience through shared teams, shared systems and processes
- 4.6 As the programme has progressed, some clear areas of opportunity and significant benefits for both organisations have been identified. However, to develop robust business cases both for the overarching work and for individual pieces of integration within the programme, a Joint Working Agreement (JWA) must be established. The JWA will allow both Councils to share the information, expert knowledge and the resource that are needed to develop a strategic and evidence based approach to further shared or integrated services.
- 4.7 The JWA and Protocols that are appended for comment and endorsement, set out the principles which will govern the way in which PCC and CCC will identify and integrate their services. These documents will provide officers with the support and guidance they need to develop business cases and then to implement change.
- 4.8 It should be noted that the JWA is not a commitment to deliver future services in any particular way and that it includes a Sovereignty Guarantee designed to protect the separate legal and political identities of each Council. The method of service delivery will be outlined in individual project business cases and approved through the governance as outlined in schedule 8 of the JWA.

5. CONSULTATION

- 5.1 Section four of the report provides the background to the engagement and political decision making of members at PCC and CCC. Schedule 8 of the JWA sets out the political governance

arrangements spanning both PCC and CCC, covering both political decision making and engagement opportunities.

- 5.2 Consultation as a result of any proposed changes will be part of the business case development and planning stages. Members will be consulted with as part of this process or where a political key decision is required, through the relevant political decision making body in both Councils.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 The Joint Working Agreement (“JWA”) encapsulates the shared aims and intended outcomes of a collaborative approach to service delivery (see in particular Schedule 2) and sets out the core principles and requirements underpinning formal joint working arrangements between PCC and CCC.
- 6.2 Whilst the JWA does not in itself give rise to joint working arrangements in general or in relation to any particular service area it does provide a platform through which opportunities can be explored and approved on a case by case basis. This includes the requirement to produce a detailed business case assessing the overall viability of each proposal having regard in particular to the financial and human resource implications.
- 6.3 Where joint working arrangements are approved, they will be implemented and reviewed in accordance with the JWA. In particular, Schedules 4 to 7 of the Agreement contain the HR, Financial, Information and Technology Sharing Protocols which govern the way in which the services are delivered. These Protocols provide the foundations for compliant and efficient ways or working together ensuring the overall viability of the arrangements in terms of resource and information governance.
- 6.4 Where the joint working arrangements provide opportunities for staff from each organisation to work together, this will be formalised via a s.113 Agreement (see Schedule 3).
- 6.5 Schedule 8 of the JWA sets out the general governance arrangements spanning both PCC and CCC and Schedule 9 contains a Sovereignty Guarantee which sets out each organisation’s commitment to protecting and honouring the political independence of each organisation.
- 6.6 In terms of risk and liability, each organisation will retain overall responsibility for its staff and budgets and will continue to maintain appropriate levels of insurance in that respect. Where however the staff of one organisation are acting on behalf of the other, that other organisation will be liable for their acts and/or omissions. Equally each authority will bear the cost of any liability or obligations arising from the delivery of the service within that setting. Where there is a clear distinction, complaints and other proceedings will be managed by the organisation to which they relate however it is foreseen that there will be occasions when it is necessary to agree a joint process and that so far as is permissible there should be a collaborative response to any issues identified.
- 6.7 The JWA will continue in force until either Council gives notice after which there will be a period of 12 months for the arrangements to be brought to an end giving each organisation sufficient time to look at alternative models of delivery. However, there is in defined circumstances (see clause 23.5) the option for more expedient action to be taken in which case the agreement can be terminated on 3 months’ notice. Ultimately however it is intended that these arrangements will continue indefinitely having regard to the significant benefits it is envisaged will be achieved and there are standard dispute resolution provisions to assist in the resolution of any issues that may arise.
- 6.8 The overall success of the joint working arrangements will be continually kept under review by the service leads for the relevant service areas. A more formal review will also be completed annually by the Senior Responsible Officer for the purpose of formulating an annual strategic business case (see clause 4) and the arrangements will be subject to the usual audit requirements of each authority (see clause 20).

7. REASON FOR THE RECOMMENDATION

- 7.1 The JWA and Protocols set out the principles which will govern the way in which CCC and PCC will identify and integrate their services to include a Sovereignty Guarantee designed to protect the separate legal and political identities of each Council.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 As new opportunities are identified for possible joint working / sharing or integration across the two Councils, individual business cases will be developed to determine the viability and will explore alternative options as appropriate. Both councils are signed up to the Shared Services agenda. If shared options are not pursued then the status quo would be maintained by working together on a piecemeal basis, which does not provide the same level of opportunity for cohesion in service delivery and/or maximising the opportunities for building resilience and maximising resource potential. This JWA provides an opportunity to create a set of shared principles through which joint working arrangements can be explored and formalised in a systematic way also enabling effective management and oversight across representatives from both organisations.

9. IMPLICATIONS

Financial Implications

- 9.1 There are no significant implications directly involved with the approval of the JWA. The Human Resources and Financial protocols (schedules four and five) outline how the finances and impacts on the workforce will be managed. All proposals for change will be subject to individual project business cases.

Legal Implications

- 9.2 The JWA and the Section 113 set out the principles which will govern the way in which CCC and PCC will identify and integrate their services to include a Sovereignty Guarantee designed to protect the separate legal and political identities of each Council. Section 6.6 of this report provides additional information about risk and liability.

Equalities Implications

- 9.3 There are no significant implications directly involved with the approval of the JWA and appended schedules. Impact Assessments relevant to both parties will be undertaken when changes are being proposed to existing service, policy, strategy or function through the Shared and Integrated Services Programme.

10. BACKGROUND DOCUMENTS

- 10.1 Appointment to Shared Senior Management Posts across Children, Family, Adults and Education and determination of salary – PCC Employment Committee report – 23 June 2017 - <http://democracy.peterborough.gov.uk/ieListDocuments.aspx?CId=141&MId=4001&Ver=4>
- 10.2 Review of Senior Leadership Team – CCC Staffing and Appeals Committee report – 16 June 2017 - <https://tinyurl.com/y8s7t9qx>
- 10.3 Shared and Integrated Services Update for Communities and Partnerships Committee at Cambridgeshire County Council - May 2018: <https://tinyurl.com/y86ddnln>

11. APPENDICES

- 11.1 Appendix 1 - Joint Working Agreement and Protocols.