

WEST DEVON BOROUGH COUNCIL

NAME OF COMMITTEE	Resources Committee
DATE	10 December 2013
REPORT TITLE	Partnership Policy
Report of	Community Manager
WARDS AFFECTED	All

Summary of report:

Following a review the Partnership Policy has been updated and Members are asked to consider and approve the revised policy.

Financial implications:

There are no direct financial implications as a result of adopting the policy; however a consistent approach and process will deliver efficiencies, particularly in relation to officer time.

RECOMMENDATIONS:

That Members approve and adopt the updated Partnership Policy.

Officer contact:

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1. BACKGROUND

- 1.1 Partnership working plays an important role in helping the Council to deliver both its statutory obligations and meet identified local needs in a cost effective way. Partnerships often provide far better value for money and deliver greater improvements than organisations acting on their own. In 2005 the Audit Commission recognised their value and the opportunities this way of working brings but also highlighted issues around risk, governance and accountability. Adoption of a partnership framework helps to both maximise opportunities and mitigate risks.
- 1.2 West Devon Borough Council adopted a Partnership Policy in September 2006 setting out the Council's approach to partnership arrangements.

- 1.3 Following an Internal Audit carried out for South Hams in June 2013 it was recommended that the Community Manager be appointed as the officer responsible for overseeing the Council's partnership framework. It was further recommended that, once appointed, the officer should review and update the current policy and guidelines, compile an up to date partnership register, review and update the list of significant partnerships and put in place a process to monitor and evaluate partnerships and report to Members annually on those identified as significant. It was considered that this arrangement should also be replicated for West Devon.
- 1.4 The Community Manager has now reviewed and updated the policy for Member approval and is currently progressing the remaining recommendations which will all be implemented by the end of April 2014.

2 PARTNERSHIP POLICY

- 2.1 The proposed revised Partnership Policy is attached at Appendix 1.
- 2.2 The Policy is a joint policy with South Hams District Council and provides the framework for the Council's approach to the evaluation of and commitment to partnerships. It will be supported by detailed guidance and other relevant Council policy.
- 2.3 The types of partnerships covered by the policy are identified along with the considerations for entering into partnerships, the approval requirements and how partnerships will be evaluated, monitored and reviewed.
- 2.4 A register of all partnerships will be maintained and there will be additional requirements for entering into and reporting on significant partnerships.
- 2.5 The policy will be reviewed annually with minor amendments and updates delegated to the Corporate Director as allowed by the Council's Constitution. Changes that fundamentally affect the principles set out in the policy will be brought back to Committee for approval.

3. LEGAL IMPLICATIONS

- 3.1 Localism Act 2011 - General Powers of Competence giving a local authority power to do anything that individuals of full legal capacity may do, giving authorities the power to take reasonable action they need 'for the benefit of the authority, its area or persons resident or present in its area'.
- 3.2 Localism Act 2011 – the Duty to Co-operate places a legal duty on local planning authorities, county councils and other public bodies to engage constructively and on an on-going basis to maximise the effectiveness of local plans.

- 3.3 The Local Government Act 2000 gave the Council the power to work in partnership with others in the public, private and voluntary sectors to promote the economic, social and environmental wellbeing of the area.
- 3.4 Other Legislation encourages or requires the Council to work in partnership i.e. the Crime and Disorder Act 1998.
- 3.5 Under the Council's constitution the Partnership Policy and agreement to enter into significant partnerships fall within the remit of the Resources Committee. Overview and Scrutiny Committee is responsible for scrutinising the performance of the Council's significant partnerships and recommending changes to arrangements.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications as a result of adopting the policy, however it should be noted that a consistent approach and process across both authorities will deliver efficiencies, particularly in officer time.
- 4.2 The costs of current partnerships are included in existing budgets and any increase in costs will be the subject of either a report to Members or as part of the annual budget setting process.
- 4.3 Financial costs associated with new partnerships that are not included in existing budgets will form part of the formal approval process required under section 2.11 of the Partnership Policy.
- 4.4 Failure to adequately identify and manage risks within each partnership arrangement has the potential to incur financial loss to the Council.

5. RISK MANAGEMENT

- 5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

Corporate priorities engaged:	Community Life Economy Environment Homes
Statutory powers:	Localism Act 2011 – General Powers of Competence and Duty to Co-Operate Local Government Act 2000 – partnership working to promote social, economic and environmental wellbeing
Considerations of equality and human rights:	The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been considered when developing this policy. A 360 degree assessment is not required as the policy will not disproportionately affect any group covered by the Equalities Act.

Biodiversity considerations:	There are no biodiversity implications as a result of this report.
Sustainability considerations:	The long term sustainability of each partnership must be considered at the outset and during the annual review and evaluation.
Crime and disorder implications:	The Crime and Disorder Partnership, under the Crime and Disorder Act 1998, is a legal requirement and is covered by this policy.
Background papers:	South Hams Internal Audit Report on Partnership Management June 2013
Appendices attached:	Appendix 1 – Draft Partnership Policy

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership	
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Entering into Partnerships	<p>Risk – Council enters into partnerships that do not meet need or provide value for money</p> <p>Opportunity – new partnerships can help deliver better outcomes in a cost-effective way</p>	High -Damage to reputation, Failure to deliver outcomes, Financial cost	Low	8	↔	<p>Partnership Policy provides a framework for assessment and approval with additional requirements for those partnerships identified as significant.</p> <p>Detailed guidance being developed to support policy.</p> <p>All partnerships must have comprehensive agreements/terms of reference agreed at the outset.</p> <p>Community Manager and Internal Audit Manager provide additional support and guidance.</p> <p>New partnerships to be added to partnership register maintained by Community Manager.</p>	<p>Community Manager</p> <p>Lead Officer for the relevant partnership</p>
2	Accountability and governance	There are no proper arrangements in place as to the operation of the partnership and the responsibility of partners	High - Damage to reputation, Failure to deliver outcomes, Financial cost	Low	8	↔	<p>All partnerships must have comprehensive agreements/terms of reference agreed at the outset.</p> <p>Partnerships must comply with the Council's Code of Conduct and Constitution.</p>	Lead Officer for the relevant partnership
3	Monitoring and evaluation of partnerships	Delivery of outcomes and value for money	Moderate - Damage to reputation, Failure to deliver outcomes, Financial cost	Medium	9	↓	<p>Partnership register maintained and reviewed annually.</p> <p>All partnerships must be reviewed annually in accordance with the policy and significant partnerships reported to Scrutiny.</p>	<p>Community Manager</p> <p>Lead Officer for the relevant partnership</p>

Direction of travel symbols ↓ ↑ ↔