

REPORT TO: East Lothian Council
MEETING DATE: 22 October 2013
BY: Chief Executive
SUBJECT: Partnership Working Update

1 PURPOSE

- 1.1 The purpose of this report is to update Council on the progress of the joint partnership working activities/initiatives undertaken as part of the partnership working agenda across East Lothian and Midlothian Council and to present the revised Memorandum of Understanding which has been amended following discussions to properly reflect the aspirations of the new Administrations (See Appendix 1).

2 RECOMMENDATIONS

- 2.1 Council is asked to:
- i. Note the current position regarding Partnership Working activities
 - ii. Note the revised Memorandum of Understanding
 - iii. Approve the partnership arrangements for environmental health and trading standards

3 BACKGROUND

- 3.1 The exploration of Partnership Working (previously referred to as Shared Services) was seen as an appropriate response to the challenges facing both Councils. At a time of constrained budgets both authorities recognised the need to consider new and alternative ways to provide high-quality services and other provisions to their respective communities and agreed to work together to identify opportunities which could lead to increased effectiveness and efficiencies in terms of both practice and capacity and which could potentially safeguard services.
- 3.2 Previous reports on partnership working to both Councils focussed on Education and Children's Services. As a result of the experience from this

area agreement was reached that future partnership working developments should focus on opportunities which do not require commitment to individual council policy or budget changes which may be required for formal shared services arrangements. Ongoing development of a partnership framework of staff across both authorities has laid the foundations for a number of joint initiatives and it is this approach which has been identified as the way forward for Partnership Working across East and Midlothian Councils.

- 3.3 The Education and Children's Services activities previously carried out has resulted in significant sharing of best practice and strong working relationships, including a joint approach to the national Early Years activity. Joint discussion and development continues primarily for Severe and Complex Needs with future opportunities expected in joint commissioning and potentially residential care.
- 3.4 Whilst the existing governance framework for partnership working remains i.e. Partnership Working Board reporting to the Joint Liaison Group, 2012 has seen the scheduling of joint monthly Directors meetings which ensures that partnership working opportunities are a regular feature of discussions between the Chief Executives and their senior teams.
- 3.5 Recent reports to both Councils presented the opportunity of partnership working in the area of Health and Safety and, following a pilot period, agreement was reached that this should be delivered via a joint manager operating across both authorities and funded by both Councils.

3.6 Current Position

- 3.6.1 The current joint partnership working activity is as follows:
 - i. **Contact Centre** – East Lothian continues to host Midlothian's Out of Hours service following an arrangement with its Contact Centre in 2010.
 - ii. **Archaeology Service** – an existing Service Level Agreement in place between East Lothian and Midlothian for archaeology services support is currently being reviewed.
 - iii. **Health & Safety** – a joint managerial arrangement is currently in place for the Health and Safety function which continues to progress well and has resulted in benefitting from joint training and systems training. Further examination regarding enhancing the existing arrangement to include Emergency Planning and Risk is also being considered with the focus on resilience for both Councils.
 - iv. **Additional Support Needs** – a review of ASN Severe and Complex provision across both authorities is currently underway which incorporates projecting the needs for places over the next 10 years with a view to informing how these might be addressed. This activity will also better inform East Lothian's current plans for secondary communication provision.

- v. **Self Improving Schools** – following agreement of the concept of Self Improving Schools across the 12 secondary schools and both Heads of Education a programme is underway for the current academic year which will be reviewed in September 2014. This approach has created a learning trio (learning set) consisting of three secondary schools, supported by a set adviser. The Head Teachers will create learning contracts and progress and share learning across the sets.
- vi. **Public Protection Unit** – The Critical Services Oversight Group (CSOG) has approved a joint approach to public protection across East Lothian and Midlothian. This will build on the success of the Joint Children and Adult Protection Committees and will seek to co-locate the Public Protection Office in order to enhance the opportunities for partnership working across all agencies. East and Mid Lothian have a Joint Lead Officer for Adult Protection and have recently appointed a Joint Lead Officer for Child Protection. It is intended to have this partnership approach in place for April 2014.
- vii. **Travelling Persons Site** – A joint arrangement exists for the management of the Travelling Persons Site which is located on the joint boundary of both Councils.

Early discussions have also been initiated between the respective Directors and their teams for Internal Audit opportunities.

3.6.2 Discussions between the Chief Executives and appropriate Directors and Heads of Service from both Councils in July 2013 agreed to the development of a partnering approach to delivering Environmental Health and Trading Standards Services. This will entail Midlothian leading on Environmental Health and East Lothian on Trading Standards, initially on a 12 month pilot with an interim review after 6 months.

Midlothian will therefore provide overall Environmental Health management through their existing Environmental Health management team for both Food and Safety and Public Health and will provide experience and expertise to strategically lead staff teams across both Councils.

East Lothian will provide overall Trading Standards (TS) management led by a Trading Standards Partnership Manager. The TS Partnership Manager will lead both the East Lothian and Midlothian teams on a strategic level and will provide a platform for continuous improvement, leadership and direction to both teams.

The potential benefits for developing a partnership approach include:

- i. Continuity of service delivery
- ii. Long term / future service resilience
- iii. Service efficiencies

- iv. Improved service flexibility and quality through sharing specialist expertise

Following approval at the Joint Liaison Group on 9 September 2013 to proceed, good progress has been made in preparation for implementing the new management arrangements across both Councils from 1 November 2013. This includes sharing the report from the Joint Liaison Group with staff and holding a joint meeting with staff at the Brunton Hall on 18 September 2013, which provided a good opportunity for staff questions and for staff from both authorities to meet each other. The partnership managers for both Environmental Health and Trading Standards are also having individual meetings with staff in both Councils.

- 3.6.3 It is clear from the ongoing discussions that there is a desire and enthusiasm across both Councils to work together to identify opportunities for further development which offer beneficial outcomes for communities across both authorities. Continuing to work and focus on specific short and long term outcomes will further enhance the partnership model across the authorities but also enable the inclusion of additional partners as appropriate.

3.7 Next Steps

- 3.7.1 Whilst continuing to build people's capacity to work together via an organic process for a number of the partnership working initiatives, the identified partnership groups, with agreement from elected members, will be tasked with working jointly in a planned and timely manner to support the current budget challenges and to make savings/efficiencies in a way which supports sustainable provision of services going forward.

3.8 Summary

- 3.8.1 This report identifies the range of partnership working activities which have been initiated across council services in East Lothian and Midlothian. A principle which has been followed in all of these deliberations has been to seek opportunities which will enhance the quality of service delivery and/or allow service delivery levels to be sustained in the light of current and future budget reductions. Key to this organic process is the alignment of practice and policy thereby enabling continued development of more substantial partnership activities in the future.
- 3.8.2 A significant feature of all of the partnership activity has been the willingness of staff to engage in the process and the level of enthusiasm for working together to jointly address the challenges presented by increasing demand and falling budgets.

4 POLICY IMPLICATIONS

- 4.1 Continuing to explore partnership working arrangements with Midlothian Council will aim to ensure that services are provided in accordance with best value principles as effectively and efficiently as possible. A pre-requisite of

any partnering arrangement is that the Council's resilience in these areas at least should be maintained and, if possible, should be improved.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report has no direct impact on equalities. However, activities resulting may affect people and these will be individually Equality Impact Assessed.

6 RESOURCE IMPLICATIONS

- 6.1 The organic 'Partnership Working' arrangement approach will draw on staff time but will focus on delivering benefits for an agenda which is largely common across both authorities, with the expectation of freeing up capacity and reducing duplication as a result of more effective and efficient practices.

7 BACKGROUND PAPERS

- 7.1 None

AUTHOR'S NAME	Myra Forsyth
DESIGNATION	Joint Partnership Manager
CONTACT INFO	mforsyth@eastlothian.gov.uk 01620 827136
DATE	10 October 2013



East Lothian and Midlothian
Memorandum of Understanding
Partnership Working

Memorandum of Understanding – Mid and East Lothian Councils

Contents:

- 1. Memorandum of Understanding 3
- 2. Definitions and interpretations..... 3
- 3. Background..... 3
- 4. Objectives of Memorandum of Understanding 3
- 5. Partnership Working Board and Elected Members Joint Liaison Group..... 4
 - 5.1. Management, accountability and governance 4
 - 5.2. Purpose and principles 4
 - 5.3. Overall vision 5
 - 5.4. Core values 5
 - 5.5. Objectives..... 5
 - 5.6. General Responsibilities 6
 - 5.7. Project manager responsibilities..... 6
 - 5.8. Council responsibilities: [6](#)
 - 5.9. Performance management, monitoring and evaluation 7
 - 5.10. Working with employees and trade unions 7
 - 5.11. Public Relations and Media 7
- 6. Meetings, Business Cycle and Representation 7
 - 6.1. Elected Members Joint Liaison Group..... 7
 - 6.2. Partnership Working Board: 8
- 7. Timescale of agreement..... 8
- 8. Terms of agreement and termination 8
- 9. Agreement 9

1. Memorandum of Understanding

This revised Memorandum of Understanding is entered into by and between:

East Lothian Council whose offices are located at John Muir House, Haddington, East Lothian, EH41 3HA

Midlothian Council whose offices are located at Midlothian House, Buccleuch Street, Dalkeith, Midlothian, EH22 1DN

having the effective date of the 3 June 2013

2. Definitions and interpretations

"the memorandum of understanding" means *"the partnership agreement to be entered into by the Authorities"*

3. Background

The Partnership Working Board (previously known as the Shared Services Board) is tasked with leading the development of the joint shared services/partnership working strategy and overseeing the implementation of agreed initiatives..

The Councils will work together to introduce, develop and deliver joint partnership working opportunities (previously referred to as shared services). This includes the development of:

- Customer-focused services for citizens and businesses provided through modern coordinated delivery channels, based on improved models of service and design.
- A joint partnership working basis for delivery – in services, in information and in infrastructure – and releasing efficiencies by standardisation, simplification and sharing.

4. Objectives of Memorandum of Understanding

The purpose of this memorandum of understanding is to set out the arrangements for the Councils to work together to develop and establish joint partnership working arrangements.

This memorandum of understanding and each of the agreements contained in it will continue until it is changed with the agreement of the Partnership Working Board, replaced by a new Memorandum of Understanding or terminated.

The Councils acknowledge that it is not their intention for this memorandum of understanding to have a binding legal effect. It is a statement of their shared intention to work together in a spirit of co-operation which reflects their shared vision and values of mutual trust, respect and equal partnership.

Until Commencement this memorandum of understanding will be revised and updated as required. Such changes will be managed and maintained by the Joint Partnership Manager and Board.

5. Partnership Working Board and Elected Members Joint Liaison Group

An Elected Members Joint Liaison Group (JLG) is in place comprising up to two Cabinet Members from each Council, the Chief Executive's and the Joint Partnership Manager. The purpose of the JLG is to review, challenge and approve the activities/decisions of the Partnership Working Board and to oversee the implementation of the agreed initiatives.

Whilst the above states the core membership of the JLG, it will at times be deemed appropriate to extend the membership to include:

- relevant portfolio holders
- opposition members
- relevant council officers
- health representatives

The requirement to include wider representation will be informed by the agenda items to be discussed and following instruction from the Chief Executives.

A Partnership Working Board is in place comprising the two Chief Executives, Executive Directors/Directors from the two Councils and the Joint Partnership Manager. The membership of the Board may be extended to include relevant officer and/ or health representation at the request of the Chief Executives. The purpose of the Board is to oversee, monitor, manage and develop the joint arrangement to ensure successful establishment of partnership working across both councils.

5.1. Management, accountability and governance

The Board reports to and is accountable to the Elected Members Joint Liaison Group (JLG).

The JLG reports to and is jointly accountable to Midlothian and East Lothian Councils.

In progressing the 'purpose and principles' below the Partnership Working Board and Joint Partnership Manager will maintain appropriate and demonstrable systems of governance, risk management and internal control and assurance.

5.2. Purpose and principles

The purpose of the Partnership Working Board is to develop, oversee, monitor, manage and implement the joint arrangement to ensure the successful establishment of joint partnership working across both councils and in a way which reflects the shared vision and values of mutual trust, respect and equal partnership. As part of this the Board will:

- Identify and drive forward joint areas of work that will deliver improved value for money services, improved outcomes or better support the long term quality of service delivery.
- Take collective responsibility for driving forward the joint partnership working agenda, seeking out opportunities for both service improvement and cash savings.
- Ensure its aims and activities are consistent with, and complement those of East and Midlothian Councils and partner agencies.
- Ensure the enhancement and improvement of existing joint partnership working/partnership arrangements.
- Improve and sustain performance standards and competitiveness
- Ensure appropriate and robust governance arrangements are in place
- Agree, monitor and implement the overall work programme and outcomes. This will include the allocation of any available funds and any applications for funding.

The Chief Executives and the Executive Directors/Directors of each council will facilitate partnership working and manage day to day affairs within each Council.

The Joint Partnership Manager will have responsibility to manage the work programme, recruit/procure additional support as required and manage any shared budgets as directed by the Partnership Working Board.

The Partnership Working Board will report to the JLG on a quarterly basis

The purpose of the JLG is to review, challenge, approve the activities/decisions and oversee the implementation plans of the Partnership Working Board to ensure the successful establishment of joint partnership working.

5.3. Overall vision

Deliver and commission shared and collaborative services and products to facilitate cash savings, improvement, efficiency and innovation.

Delivery of the vision across both Councils will be in a way which demonstrates and reflects the shared vision and values of mutual trust, respect and equal partnership.

5.4. Core values

- Delivering improved outcomes and value for money services
- Seeking innovative solutions to improve service delivery
- Adopting a 'best fit' approach to seeking solutions
- Developing positive and effective partnership working across partner bodies
- Accountability – delivering agreed outcomes within a sound governance framework

- Sharing information to keep each other informed

5.5. Objectives

The Partnership Working Board will:-

- Work towards delivery of a joint partnership working strategy
- Identify opportunities for the delivery of joint partnership working
- Facilitate joint working activity and partnership working across Mid and East Lothian
- Create capacity for new initiatives through the commissioning process
- Achieve continuous improvement and real value – as savings or efficiencies – via monitoring and review
- Promote and develop the use of common infrastructures across Mid and East Lothian
- Create opportunities for sustainability and the delivery of wider social objectives through innovative approaches to procurement/ commissioning

5.6. General Responsibilities

- The Partnership Working Board will abide by the aforementioned values
- Members of the Board will keep each other up to date on all activities which impact on the delivery of the board work plan and operate in a way which demonstrates mutual trust, respect and equal partnership.
- Develop and maintain a work plan the delivers the vision and objectives of the board

5.7. Joint Partnership Manager responsibilities

- Co-ordinate or deliver activities as agreed in the work plan. This may be achieved by individuals working collectively or by brokering services from other public or private sector providers.
- Maintain effective financial management of any funding delegated to the Board.
- Ensure compliance with all applicable legislation, statutory duties of local authorities, formal guidance, codes of practice and national policies.
- Ensure effective communication and promotion of work
- Ensure work is properly co-ordinated and integrated with other activities
- Ensure partner organisations are kept informed of specific matters relating to their organisation.
- Actively seek pragmatic solutions to issues that arise in delivery of the work plan

5.8. Council responsibilities:

- Support the Board by promoting activities and participation where opportunities are identified

- Encourage the co-operation of any partner organisations and address any issues within the Council where these are creating problems.
- Provide any data the Board reasonably requires to monitor performance. Each Council remains the data controller of and legally responsible for any personal data it holds.
- Inform the Board about any forthcoming procurement activity and undertake this in a way which will enable the other Council to join.
- Where one Council leads on a particular joint partnership working project, the other Council will be fully committed to delivery
- Council's will retain responsibility for their statutory duties

5.9. Performance management, monitoring and evaluation

- The success of the Partnership Working Board will be based on achievement of the agreed work programme, aims and objectives
- Each member of the Partnership Working Board accepts that achievement of the work plan is dependent on the collective work of members of the Board. Each Board member agrees to make every reasonable effort towards achievement of work plan targets.

5.10. Working with employees and trade unions

As the joint partnership working strategy is developed and implemented the respective Councils will engage with and consult employees and the trade unions. Where possible the Partnership Working Board and the JLG will seek to issue joint statements to employees and the trade unions.

5.11. Public Relations and Media

A document titled 'Internal and External Protocols for Communications and Engagement on Joint Partnership Working has been agreed by both Councils and details the approach to be taken for public relations and media releases of joint partnership working information.

6. Meetings, Business Cycle and Representation

6.1 Elected Members Joint Liaison Group

- Meets quarterly (or when business need arises)
- Meeting venue alternates between Midlothian and East Lothian Council on an annual basis
- Administered by members services/secretariat of the host Council
- Chaired by Chief Executive from the host Council
- Comprises of up to two Elected Members from each of the Council's cabinet, each Council's Chief Executive and the Joint Partnership Manager (additional representation from elected members, officers and health permissible subject to appropriate agenda items and agreement of Chief Executives)

- Quorum is one Elected member from each Council.
- Decisions made on a consensus basis.

6.2 Partnership Working Board

- Meets quarterly (or when business need arises)
- Meeting venue alternates between Midlothian and East Lothian Council
- Administered by members services/secretariat of the host Council for JLG
- Chaired by the Chief Executive from the host council
- Comprises two Chief Executives and Executive Directors/Directors from the two Councils and Joint Partnership Manager.
- Quorum is two Corporate Management Team/Board of Director members from each Council
- Decisions made on a consensus basis.

7. Timescale of agreement

This agreement shall remain in place as long as it is found to be productive and a programme of work to progress joint partnership working is required.

8. Terms of agreement and termination

This Memorandum of Understanding may be terminated by agreement of the parties or by one party on provision of reasonable notice (two months) to the other. Where the parties agree to continue with a joint partnership working strategy, they shall work efficiently towards the development, agreement and the signing of a replacement Memorandum. In such circumstances, the Memorandum shall continue in effect until superseded by the replacement Memorandum.

Termination of the Memorandum of Understanding shall only take place after appropriate consultation with participating Councils.

Agreement

We, the undersigned hereby agree to this memorandum of understanding

Signature

Signature

Print Name

Print Name

Position

Position

Date

Date

Signature

Signature

Print Name

Print Name

Position

Position

Date

Date