

## Cheshire West and Chester Local Strategic Partnership

### General meeting report.

#### AGENDA ITEM 4.

Report title	Cheshire West and Chester LSP Framework – Agreement and Protocols
Description	The second draft of the agreement and protocols for the Cheshire West and Chester partnership framework.
Document purpose	For agreement of the document following partner consultation and comments and to ensure the LSP Framework adopts and undertakes good practice throughout all of it's business
Circulation list	Cheshire West and Chester LSP
Decision/Action required	1. note the amendments made to the document following the LSP working group meeting 24.2.09 and subsequent partner consultation and comments.  2. agree the revised version of the agreement and protocols as a working partnership document to be reviewed in 18 months time.
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Report narrative	

# CHESHIRE WEST AND CHESTER PARTNERSHIPS FRAMEWORK

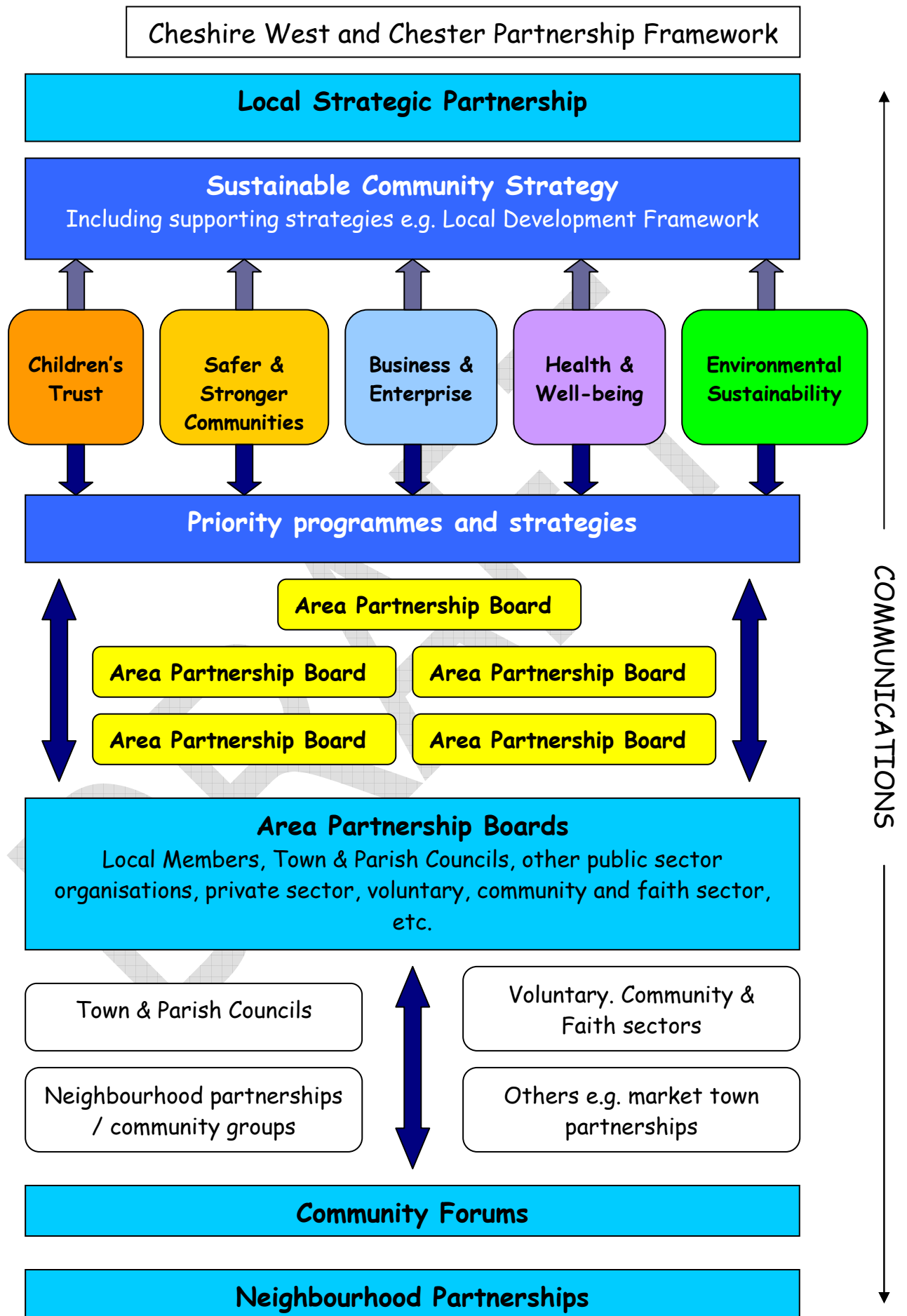
## AGREEMENT AND PROTOCOLS V5 2.4.09

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## 1. CURRENT AND FUTURE PARTNERSHIP CONTEXT

The wider context for partnership working has changed significantly over the last two years through legislation and subsequent statutory guidance. There is now an increased emphasis from Central Government to 'pass power into the hands of local communities.'

**New duties:** Local Government and Public Involvement in Health Act 2007

The starting point for delivering better outcomes is for local partners, in the **Local Strategic Partnership (LSP)**, to create a shared vision and shared sense of priorities for a place. The vision is set out in the **Sustainable Community Strategy (SCS)**, which describes how people who live and work in the area want it to change over time.

The **duty to involve** ensures that local people have greater opportunities to influence decision-making and get involved. **Local Charters** and **Participatory Budgeting** are seen as key tools to achieve this.

**The Local Area Agreement (LAA)** forms the heart of the new local performance framework. It helps deliver the ambitions for the place and its people, set out in the Sustainable Community Strategy; it set out the 'deal' between central government and the local authority and its partners to improve services and the quality of life in the place. The Act places a duty on the responsible local authority to publish a **memorandum relating to the LAA**.

The **duty to cooperate** to agree targets in the LAA provides a key lever to bring about a more robust approach to local partnership working.

Partners can work together to deliver positive outcomes, particularly through **commissioning**, to ensure best value is secured for citizens and communities.

Local Strategic Partnerships (LSPs) provide the forum for collectively reviewing and steering public resources, through identifying priorities in Sustainable Community Strategies and the LAA.

There is now a requirement for Primary Care Trusts (PCTs) and responsible local authorities to produce a **Joint Strategic Needs Assessment (JSNA)** of the health and social care needs of their local community. This assessment should set out the future health and social care needs of local populations.

It is the role of LSP and its thematic partnerships to collectively shape and

steer the strategic commissioning of local services across their locality, turning the long term vision set out in the Sustainable Community Strategy and Local Area Agreements (LAAs) into reality.

## **Scrutiny/challenge**

### **Scrutiny**

In addition, overview and scrutiny committees of councils have been given new powers. These new powers of scrutiny relate specifically to scrutiny of the list of partner authorities for LAA purposes.

### **Leadership and the 'power of wellbeing'**

Local Authorities have a discretionary power to do anything they consider likely to promote or improve the economic, social or environmental wellbeing of their area. The power is designed to encourage innovation and closer joint working between local authorities and their partners to improve communities' quality of life. It provides a key lever to deliver the shared priorities agreed through the Sustainable Community Strategy and LAA.

### **Responsibilities within Comprehensive Area Assessment (CAA)**

CAA is a new approach that will provide the first independent assessment of the prospects for local areas and the quality of life for people living there. It will assess and report how well public money is spent and will ensure that local public bodies are accountable for their quality and impact.

CAA will start with the Local Area Agreement and assess progress against priorities and ambitions set out in the Sustainable Community Strategy.

### **What next?**

**Multi Area Agreements (MAAs)** are being explored by a number of Local Authority areas and LSPs as a way of setting targets beyond one local authority area where it makes sense to do so. Areas such as transport and economic development etc are being examined.

The **Local Democracy, Economic Development and Construction Bill** is currently before Parliament (Feb 2009).

Key areas in the bill include:

- Provisions to secure greater involvement of people in the workings and decision-making processes of local public authorities

- provisions to ensure that councils respond to petitions and can consider other matters raised by citizens in their area
- a new duty for local authorities to assess economic conditions; a joint duty on regional development agencies and local authorities to produce a single regional strategy; and powers for councils to co-operate in promoting economic development.

## 2. INTRODUCTION

- (i) This Agreement sets out the agreed structure and principles within which all partners involved in the Cheshire West and Chester Partnerships Framework can demonstrate their commitment and work effectively and efficiently to support the delivery of the Sustainable Community Strategy and Local Area Agreement for the area.
- (ii) The Framework is intended to :
  - bring together the different parts of the public sector so that different initiatives and services support each other and work together to improve the quality of life of all who live and work in the area;
  - similarly engage and work with the private, community and voluntary sectors to improve benefits;
  - operate at different levels from strategic to operational so that decisions and actions can be taken at the most appropriate level to ensure the engagement of partners and neighbourhoods;
  - simplify and where possible reduce the number of separate partnerships in which partners are engaged, and ensure that where they do engage it is at the right level with the right level of decision makers involved;
  - improve the links between partnerships so that they know how they fit into the wide picture and enhance rather than cut across the achievement of one another's objectives;
  - ensure that robust communications mechanisms improve awareness of plans and actions within the partnership framework;
  - move to more straightforward structures and working arrangements where it makes sense to do so;
  - integrate new work which would benefit from a partnership approach; and

- ensure that people of Cheshire West and Chester are able to enjoy a continually improving quality of life by working together to promote and support issues and projects relating to:
  - safer and stronger communities;
  - children's trust;
  - health and well-being;
  - business and enterprise;
  - environmental sustainability

(iii) This document is not a binding contractual agreement but is intended to show commitment to the aims of the Cheshire West and Chester Partnership Framework and its constituent bodies by all partners.

(iv) Within the terms of this Agreement and Protocols, the constituent bodies are identified as the:

- Cheshire West and Chester LSP
- Thematic Leads;
- Area Partnership Boards;
- Community Area Forums;
- Local Councils (i.e. town and parish councils)
- Thematic Partnerships
- Cheshire West and Chester-wide Support Groups.
- LSP network
- Local and neighbourhood partnerships

### **3. AIMS OF THE CHESHIRE WEST AND CHESTER PARTNERSHIP FRAMEWORK**

- To agree a vision, key priorities and actions to tackle economic, social and environmental concerns for Cheshire West and Chester and so improve outcomes for local communities by;
- working together as equal partners and with the community to prepare a Sustainable Community Strategy and plans which will define where we are now, where we want to be in the future and how we will get there and to prepare it in accordance with the principles of sustainable development.

### **4. OBJECTIVES OF THE CHESHIRE WEST AND CHESTER PARTNERSHIP FRAMEWORK**

- To bring together local plans, partnerships and initiatives for service providers to work together with the community to meet local needs and priorities;

- To assess the area's position against the National Indicator Set and what matters locally and devise Local Area Agreements to improve performance;
- To work together to avoid duplication, additional costs, conflicting strategies and consultation fatigue;
- To jointly develop review mechanisms to challenge underperformance and;
- To liaise, where appropriate, with neighbouring Local Strategic Partnerships where there is a mutual benefit in Multi Area Agreements.
- To promote equality and diversity and improve the quality of life for everyone who lives in, works in or visits Cheshire;
- Ensure that new duties around empowerment, petitions, calls to action etc. are appropriately discharged by partners within the framework.
- To strengthen partnership working to ensure that everyone is working in the same strategic direction, sharing resources, information and expertise to address key issues and local problems;
- To capture service change suggested at the operational level and facilitate its mainstreaming as appropriate;
- To maximise the use of existing resources across all sectors and access additional funding and resources from local, national and European sources for the benefit of the people of Cheshire;
- To contribute to sustainable development – locally; nationally and, where appropriate, globally; and
- To improve consultation and
- Use partner data, research and information together resident intelligence and expertise across the area, to inform decision making.

## **5. PARTNERSHIP PRINCIPLES**

Partners agree to work together actively and as equals to achieve the aims of the Framework on the basis of:

- Listening to our community and responding to their needs
- Visible commitment and ownership at appropriate levels by the various member organisations and individual representatives
- Mutual trust and respect
- Openness and transparency
- Effective communication and accountability
- Shared ownership of resources, where appropriate
- Combined expertise
- Creative and innovative solutions to problems
- Identification and sharing of good practice
- Equality of access and opportunity
- Clear purposes and agreed targets for action
- Informed decision making

- Shared mechanisms for monitoring, evaluating, reviewing and reporting on performance, progress and success

## **6. MEMBERSHIP**

- 6.1 The partnership framework is inclusive, based on goodwill and a shared common purpose.
- 6.2 The Framework operates strategically, operationally and locally. Implementation will be through its constituent bodies including: the LSP, Public Service Board, the Area Partnership Boards, Community Forums, Parishes and Neighbourhood arrangements as well as Thematic and Task focussed groups and Partnerships at strategic and operational levels.
- 6.3 The Terms of Reference for the constituent bodies of the Framework are attached as Appendix 1. It is not intended for there to be a hierarchical relationship between the constituent bodies but rather a cohesive framework of strategic, thematic and local partnerships operating at the appropriate level to ensure delivery of improved outcomes for the area.
- 6.4 Organisations and partnerships have existing accountabilities and these remain the same. Individual partners will remain responsible and accountable for decisions about their own services and resources. The Partnership Framework seeks to bring partner and community aspirations and targets together to achieve outstanding value and delivery for the Cheshire West and Chester area.
- 6.5 Membership of the constituent bodies of the Cheshire West and Chester Partnership Framework will be regularly reviewed and includes the acceptance of the responsibility to work within the terms of this Agreement and Protocols.

## **7. SECTOR ROLES AND RESPONSIBILITIES**

### **7.1 Community Sector**

Community sector representatives will use their particular skills, network of contacts and knowledge of local conditions to assist with identified objectives, needs and priorities. Because of their knowledge of local need and the impact of service provision on local people, these representatives will predominantly link in with the framework at the local level through the Community Forums and Area Partnership

Boards. They will support local groups and communities to formulate and articulate their development needs, changes to service provision, aspirations and priorities and will assist them to contribute actively to decision makers on future well-being as well as to monitor and evaluate how well improvements are actually delivered on the ground. They will also communicate locally the decisions that have been taken at a strategic level particularly around any suggested local service change to better meet need.

## **7.2 Voluntary Sector**

In addition to fulfilling elements of the role of the community sector, the voluntary sector also has a role in providing services for their own members and for other local people. Much of this role will be discharged by the Voluntary Sector network although not exclusively. In addition those providing services across Cheshire will be identified and involved where appropriate throughout the Framework.

Over time the 3<sup>rd</sup> Sector Assembly will bring the Community and Voluntary sectors together.

## **7.3 Private Sector**

The private sector is important to the economic health of the area. Businesses are key consumers and contributors to local activities and services and they play a vital part in the health of local neighbourhoods. Business representatives from a variety of different sectors and sized enterprises will be engaged and contribute actively to meeting wider social and environmental improvement goals of the area. It is recognised that a sustainable economy is also in the interest of local firms and the wider economy in the long run.

## **7.4 Public Sector**

Public sector partners will recognise their particular responsibility for ensuring that their core resources and services are directed to support the needs, improvement goals, priorities and targets determined by the constituent bodies. All public sector partners will ensure that their respective plans are complementary and for those agencies with a statutory duty to help in the delivery of the Local Area Agreement (see Appendix 1), will ensure that appropriate LAA targets are captured in their organisational delivery plans.

The Principle Local Authority for Cheshire West and Chester has a unique community leadership role among public sector partners. As a democratically elected and accountable organisation it will actively fulfil its statutory roles and duties to improve 'well being' in the area. Elected members have a variety of roles – as members of the authority's executive, policy development or overview / scrutiny functions and as ward representatives providing a voice for their local

communities – and they need to be properly engaged with and committed to the process.

It is also important to engage Town and Parish Councils within the partnership framework as they are close to communities and neighbourhoods.

## **8 PRIMARY ROLES OF THE CONSTITUENT BODIES**

### **8.1 Cheshire West and Chester Local Strategic Partnership (LSP)**

The LSP will co-ordinate local and authority-wide action to build consensus on priorities, desired outcomes and key measures of success. It will improve service delivery and quality of life in communities, taking account of local, sub-regional, regional and national imperatives.

#### **8.2 Thematic Leads**

Formed by the Chair and Vice Chair of the 4 Thematic Groups this group will meet monthly to manage the work programme of the LSP and the LAA. The role for the key public sector organisations within this group (chief and senior officers within the Local Authority, Police, Fire and Rescue, NHS PCT, Probation Service etc.) will be to support the LSP, champion service change, and work through their publicly funded organisation to deliver the Sustainable Community Strategy.

#### **8.3 Area Partnership Boards (APB)**

Independently chaired, APBs will act as “mini-LSPs”. APBs will assess evidence of the needs and priorities from within each area to inform development of an Area Action Plan and this will help shape service delivery and, most importantly, will require close working with key partners. The Boards will be tasked with performance managing relevant Local Area Agreement and National Indicator Set targets for their area, to ensure service delivery meets the needs of residents.

#### **8.4 Community Forums**

These are designed to operate at the local level and will involve **all** Councillors from Cheshire West and Chester. Community Forums presents a vital opportunity for the Council to promote the role of Members in their locality and enhance local democracy generally. The chair of the Community Forum will sit on the Area Partnership Board.

#### **8.5 Local Councils (i.e. town and parish councils)**

Important partners at the neighbourhood level include Town and Parish Councils, tenants and residents groups and locally-based partnerships. These will remain at the heart of the proposed Partnership Framework for Cheshire West and Chester and feed resident’s needs and concerns at the very local level into the structure.

## **8.6 Thematic Partnerships**

Will develop and deliver appropriate strategies and actions for the achievement of objectives relevant to their particular theme and to commission research and services accordingly.

## **8.7 Support Groups**

A range of groups will be needed to provide advice, guidance and, where appropriate, direct support to the partnership framework to enable members and groups to fulfil their roles and responsibilities. This support may be more sustained for example around research and intelligence or on a task and finish basis for example to form a response to a government consultation.

## **8.8 LSP Network**

To support the work of the wider Cheshire West and Chester Partnership Framework an area wide network will support up to two network events per year. This will ensure that all individuals or groups wishing to contribute ideas and support to the development and delivery of the Sustainable Community Strategy have the opportunity to do so and have their voice heard.

## **8.9 Local and Neighbourhood Partnerships**

Local and Neighbourhood partnerships that exist at a very local level will inform the Community Forums so that the needs at individual, family and community level are fed into the wider partnership structure.

## **8.10 Regional and Sub-Regional links**

Regional and sub-regional organisations increasingly wish to work with regional and sub-regional groups. It is particularly important that the partnership framework develops mechanisms to engage at this level around for example the economy, transport and environment and that opportunities for Multi Area Agreements are maximised.

## **8.11 Public Sector organisation's Governance Structures**

A number of publicly funded organisations have governance boards (for example the Police Authority, Fire and Rescue and PCT Boards). As bodies with a statutory responsibility to assist in the delivery of the LAA, they will be invited to include representatives of their governing bodies at levels within the partnership framework that they deem appropriate.

It is recognised that for the framework to function effectively methods of communication between the various levels needs to be designed and implemented.

This will include:

- Briefing notes from the Area Partnership Boards to the LSP (including issues distilled from associated neighbourhoods, parishes and Community Forums)
- Briefing note from the LSP of the main items of discussion for circulation to constituent groups and partner organisations.
- Space on all agendas for sharing information under 'partner matters'.
- One A4 side cover sheets for reports containing the main issues, decisions required etc.
- Abridged versions of key documents for all to share
- An email data base for quick messages to all framework partners.
- Website containing business calendars, agendas, papers etc.

## **9 CONDUCT – GENERAL PRINCIPLES**

The following principles should apply to all members of the constituent bodies of the Cheshire West and Chester Partnership Framework, both individually and collectively:

- Selflessness – serving only the public interest
- Honesty and Integrity
- Objectivity – making informed decisions on merit
- Accountability – to the public for actions and the way responsibilities are carried out – co-operating fully with any scrutiny appropriate
- Openness
- Respect for others – including commitment to equality and diversity.
- Duty to uphold the Law
- Stewardship – ensuring that the organisations represented use resources prudently and in accordance with financial regulations
- Leadership – promoting and supporting the principles of the partnership(s) by leadership and by example, acting in such a way that secures and preserves public confidence
- Communications – taking responsibility to report from and to the part of the framework that is appropriate to them.
- Dealing with the media – ensuring that agreed messages from constituent bodies of the framework are supported.

## **10 BEHAVIOUR IN MEETINGS**

10.1 Much of the work undertaken by the constituent bodies will be undertaken at meetings and, therefore, effectiveness of these meetings is crucial because they will be:

- principal decision making tools of the Framework;
- part of wider community and partner involvement.

10.2 The behaviour of participants at a meeting is important to its success. Many people lack the confidence to express themselves fully in a meeting with other people, whereas others may dominate the discussion. Effective meetings can be achieved if all individuals are committed to some simple ground rules of behaviour before and during meetings:

- individuals have a responsibility to be properly prepared for meetings, by reading the paperwork beforehand and by committing themselves to attending and participating in meetings, briefings and development events, as required;
- individual and personal disputes should not be allowed to affect conduct within the meeting, but should be resolved elsewhere;
- all contributions should be addressed to the meeting through the Chair. Individuals wishing to speak should seek the attention of the Chair and wait their turn to speak only when directed by the Chair;
- individuals should not have “meetings within meetings” by discussing issues with other individuals or groups of individuals when another person has been directed by the Chair to speak. All comments and queries should be directed to the whole meeting through the Chair;
- individuals should respect the contributions of others by not interrupting when someone is speaking, even when they may not agree with what is being said;
- in contributing to the meeting, individuals will ensure that comments they make do not amount to a personal attack on or criticism of another individual and should avoid using heated, emotional and value loaded language and behaviour;
- individuals should be constantly aware of their remarks, to ensure equality of opportunity, and avoid the use of potentially offensive language and comments;
- individuals should, above all, remember that partnership work means not always getting the decision they want and accepting the need to abide by majority decisions.

10.3 It is very important that decisions taken in meetings are well informed by having appropriate, accurate information and constructive debate on the topics concerned. The wider local community must be able to feel that decisions, particularly those affecting the spending of public funds, are fair, transparent and have not been influenced by the vested interests of those making these decisions. For this reason, one of the most important areas of appropriate behaviour during meetings, in addition to the above, relates to declarations of interest.

- 10.4 Officers supporting the framework will ensure that meeting papers are circulated no later than one week beforehand so that members can discharge their responsibilities.

## **11 COMMON CONSTITUTIONAL ISSUES**

### **11.1 Declarations of Interest**

- 11.1.1 Members of the constituent bodies of the Cheshire West and Chester Partnership Framework shall declare any financial, personal, business or organisational interest in writing to their respective constituent body and to the appropriate Secretariat.
- 11.1.2 Where an interest occurs during a meeting or process this should be declared verbally and any such declarations shall be noted in the minutes of relevant meetings. The member with any such declared interest should then discount themselves from any decisions on the issue of interest.
- 11.1.3 The minutes and notes of meetings, including any such declarations, shall (subject to confidentiality rules as set down in the Constitution) be available for public scrutiny at all times. The original documentation shall be available on request and the information shall be published or distributed electronically or in paper form.
- 11.1.4 The relevant constituent body shall scrutinise and make rulings on all declarations of interest as they arise in accordance with the Constitution of the constituent body. A declaration of interest may disbar a member from participating in a project or the constituent body itself if it is judged that the interest declared is prejudicial to the aims, objectives and spirit of the constituent body or that such an interest can reasonably be judged to be mostly to the benefit of the individual or organisation making the declaration rather than mostly to the benefit of the constituent body.
- 11.1.5 Any disputes relating to the Declaration of Interests or decisions with regards to disbarment shall be resolved by the Chair of the LSP in consultation with the Head of Legal services from the Council.

### **11.2 Confidentiality**

Partnership meetings may occasionally receive information which is not in the public domain, often relating to individuals or commercially sensitive matters. It is the responsibility of each individual to ensure that this information remains confidential to the meeting, unless prior authorisation has been given by the Chair for this to be discussed

elsewhere. Individuals must never use confidential information for their personal advantage or the advantage or disadvantage of anyone known to them, or to disadvantage or discredit the constituent body. Members of the constituent bodies shall act in accordance with the Constitution of that constituent body with regards to Confidential Information.

### **11.3 Hospitality and Gifts**

Individuals must declare any gifts or hospitality they are offered in connection with their role in the context of the Cheshire West and Chester Partnerships Framework and its constituent bodies to the appropriate Chair, Deputy Chair and Secretariat. Anything which could be construed as a means of influencing the way in which decisions of the constituent body are made should be refused. Advice should be sought from the Chair, Deputy Chair and Secretariat if in doubt before accepting gifts or offers of hospitality. Elected Members and staff will also need to ensure that they comply with the requirements of their organisation's Codes of Conduct. A gifts and hospitality register will be kept centrally by the partnerships team of the Local Authority.

### **11.4 Conflict of Interest**

11.4.1 It is acknowledged that many of those involved in any partnership will, due to its nature, have an interest of some sort at some time. However, such interests must not be allowed to result in actual or perceived undue benefit and consequently to unsound decision making.

11.4.2 Where a conflict of interest exists, or potentially exists, a declaration of interest should be made to the Chair of the appropriate meeting, as outlined in 10.1. The Chair must ensure such declarations are recorded formally (in the notes/minutes of the meeting). The partner should then agree formally with the constituent body his/her involvement with matters associated with the declared interest or, if the interest will inhibit that person's reasonable contributions on a frequent basis, then he/she should not take part. In such cases it may be appropriate for another individual to be chosen to represent the partner organisation.

11.4.3 The potential types of conflict of interest include:

- Where an individual or a connected person stands to gain financially from a decision made by the constituent body, either directly or indirectly. For example, where a project approval or decision on the letting of a contract would benefit an individual directly or an organisation or company the individual was involved with. This would also apply if a member of the individual's household would benefit or if they

were simply involved with an organisation or company who would benefit.

- Where individuals have multiple roles. Many individuals “wear more than one hat”, i.e. some residents in decision making positions may also be employees of potential beneficiaries and some partner representatives may be employees of member organisations bidding for funds or contracts, etc.

11.4.4 This can be seen as a confusing area for those not used to operating within these types of guidelines and, if in doubt as to whether a potential conflict of interest exists, this should be clarified with the Chair and Secretary either before or during the relevant meeting.

11.4.5 Representatives must report any personal changes in circumstances which may create a new or perceived conflict of interest.

## **12 OPERATIONAL ISSUES**

12.1 Each of the constituent bodies of the Cheshire West and Chester Partnership Framework have agreed a clear statement of aims and objectives as set down in this Agreement and individual terms of reference as stated in Appendix 1.

12.2 It is intended that the aims and objectives should be achieved by establishing a commitment from all members of the constituent bodies to support the delivery of the Sustainable Community Strategy, Local Area Agreement and other strategies and plans produced.

12.3 Members of the constituent bodies are accountable to their respective constituent body and the wider Framework in terms of their responsibilities, as set out in the Sustainable Community Strategy and plans, and for agreements made by the constituent bodies of the Cheshire West and Chester Partnership Framework.

12.4 In addition, members of the constituent bodies are accountable to their respective constituent body and the wider Framework for the commitments they make with regard to the implementation within the organisation they represent of relevant aspects of the Sustainable Community Strategy and plans.

12.5 The Cheshire West and Chester Sustainable Community Strategy will be the key document for the Cheshire West and Chester Partnership Framework. Its broad principles and identified issues and actions will provide the basis for the

Thematic Partnerships to deliver policies, action and meet agreed targets.

- 12.6 As a statutory document to be produced by Cheshire West and Chester Unitary Council, the Sustainable Community Strategy will be approved by the Cheshire West and Chester LSP prior to formal agreement by the Local Authority. Once approved, it will be annexed to and form part of this Agreement together with the Local Area Agreement.
- 12.7 Communication mechanisms to raise public awareness and encourage community involvement will be developed. This will include the development and maintenance of a dedicated website covering all aspects of the Cheshire West and Chester Partnership Framework, public access to information in relation to decisions taken and promotional events, when appropriate.

### **13 FINANCIAL RESOURCES**

- 13.1 All of the members of the constituent bodies of the Cheshire West and Chester Partnership Framework will need to identify how they will support their respective constituent body both in general allocation of resources and in the specific allocation of resources designed to support the delivery of projects and activities.
- 13.2 It is envisaged this may be through:
- Members of the constituent bodies giving general support to their respective constituent body both through the commitment of staff time and, where appropriate, through the commitment of both revenue and capital resources. Where necessary, it is intended that whenever such resources are made available, they are committed to be spent within the remit established by the Sustainable Community Strategy or supporting plans or strategies.
  - Members of the constituent bodies committing resources that would normally be spent by them in their own right in support of individual partners' programmes through the Cheshire West and Chester Partnership Framework, where those programmes form part of the Sustainable Community Strategy or supporting plans or strategies.
- 13.3 At all times any funding resource will still be the responsibility of the relevant member. It is not envisaged at this time that the constituent bodies of the Cheshire West and Chester Partnership Framework will have a specific budget or funding solely for their use. Existing resources or grants through normal working practice of the partners will be the main source of

funding. This will be reviewed as appropriate to meet the aims of the Sustainable Community Strategy and as the LAA develops so that the LAA grant supports the area's priorities.

- 13.4 In the commitment of funds to the constituent bodies within the Cheshire West and Chester Partnership Framework, partners shall at all times act in compliance with their own organisations Financial Controls and Procedures unless they are content to demure to the Local Authority systems. In this case the decision must be recorded within the partners decision making process. In all cases involving the Local Area Agreement grant for which the Local Authority is the Accountable Body, Local Authority financial controls and procedures must be followed unless it is agreed that other processes can be followed.
- 13.5 Over time, partners will need to consider the best way to support the work of their respective constituent body and the wider Cheshire West and Chester Partnership Framework with dedicated staff and will help identify possible funding available to resource this.
- 13.6 This Agreement and Protocol records the need for flexibility, recognising that each member of a constituent body will have different audit and public probity demands to satisfy. However, within those constraints, all partners agree to commit themselves to operating through the Cheshire West and Chester Partnership Framework in accordance with the Sustainable Community Strategy and supporting plans and strategies.
- 13.7 Should it be necessary for any member organisation to act as accountable body for the purposes of accessing any particular funding stream, the details of the operations of that accountable body status shall be agreed by the relevant constituent body and shall be fully recorded and documented.

## **14 OPERATING AGREEMENT**

This Agreement and Protocol recognises the need to establish an Operating Agreement which will cover:

- risk management arrangements relevant to operational, legal, financial and reputational risks and the reporting of such risks;
- performance management arrangements, including the establishment of Performance Indicators and a robust Performance Management methodology;
- the badging and promotion of the Cheshire West and Chester Partnership Framework;

- the authorisation of individual partners to speak on behalf of the Cheshire West and Chester Partnership Framework;
- the issue of press statements and public relations material in relation to the activities of the Cheshire West and Chester Partnership Framework;
- procedures for resolving disputes within the Cheshire West and Chester Partnership Framework;
- procedures for resolving complaints and dealing with petitions to the Cheshire West and Chester Partnership Framework; and
- conventions on how members should distinguish between statements made by them acting in their own right or on behalf of their relevant organisation and those made in relation to their work through the Cheshire West and Chester Partnership Framework.

## **15 CONTRACTS**

- 14.1 In the interests of simplicity any contracts with third parties, whether for employment, supplies or services, will be entered into by one of the members of a constituent body, not the constituent body or the Cheshire West and Chester Partnership Framework as a whole.
- 14.2 If the member entering into the contract is only willing to do so on the basis of financial support from any or all of the other members, then no contract should be awarded until the financial support relied upon is agreed and set out in writing over an agreed period.
- 14.3 No member has the power to commit any other member to any expense unless expressly and specifically agreed in writing.
- 14.4 Any member holding funds provided by any other member will maintain accounts and provide such information at any time as may reasonably be requested. In particular they will make available to auditors any and all requested evidence of expenditure.

## **16 EQUALITY, DIVERSITY & SOCIAL INCLUSION**

- 16.1 The constituent bodies of the Cheshire West and Chester Partnership Framework will actively value diversity and fair treatment at all levels; strategic, development/design, operational, service change and evaluation. They will ensure equality of access to and equal outcomes from local service delivery, designed to meet identified local needs.

- 16.2 Each constituent body will seek, so far as is practicable, to ensure equality of representation and participation in the local democratic process of which it is a part.
- 16.3 To this end, each constituent body will seek to inform, support, involve and give a voice to all sections of the community, with particular emphasis on minority ethnic groups, faith communities, sexual orientation those with disabilities, women, older people and children and young people. They will also seek to ensure an appropriate gender balance in membership.
- 16.4 To ensure that equality, diversity and social inclusion are addressed at all levels within the partnership framework, each constituent body will adopt an equality statement and some form of equality impact assessment.

## **17 ACCOUNTABILITY**

- 17.1 In recognition that local authorities have the key responsibility to support the Local Strategic Partnerships, the constituent bodies of the Cheshire West and Chester Partnership Framework shall be accountable to Cheshire West and Chester Council for the responsibilities outlined within their respective core terms of reference as they relate to the Cheshire West and Chester Partnership Framework. Where appropriate, this accountability may include ensuring financial probity, equity of process and achievement of outcomes though this will be subject to separate agreement.
- 17.2 Delivery of the initiatives, projects and targets for improvement set out in the Sustainable Community Strategy and supporting plans and strategies, including Local Area Agreement targets, will be monitored and reported to each member organisation and Cheshire West and Chester residents on at least an annual basis.
- 17.3 Decisions made by the constituent bodies and progress against delivery of the Sustainable Community Strategy and supporting plans and strategies, outcomes and action plans may be the subject of more formal scrutiny as determined by the Council.
- 17.4 Each member organisation will be expected to have effective mechanisms in place to enable regular communication with the community they represent, in order to ascertain and report their views to the respective constituent body and to inform them in their work.
- 17.5 In accepting a place on any constituent body of the Cheshire West and Chester Partnership Framework, each member will be

expected to put the wider interests of the community before sectoral or other, narrower, interests.

- 17.6 Members will not engage in other activities or initiatives which would be detrimental to the agreed goals of the Sustainable Community Strategy and supporting plans and strategies.
- 17.7 Members will not compete with each other for resources in this context on an exclusive basis designed to benefit only one organisation or, knowingly, act in a way which is detrimental to the interest of other partners.

## **18 REVIEW & DISSOLUTION**

- 18.1 This Agreement and Protocol provides a mechanism for all members to oversee the development of the Cheshire West and Chester Partnership Framework, the production of the Sustainable Community Strategy and supporting plans and strategies and their subsequent implementation.
- 18.2 Changes in legislation may alter the way in which services are delivered in the future and constraints may also be imposed through audit and central government on the spending programmes of member organisations. Consequently, the composition and operation of the constituent bodies and the wider Cheshire West and Chester Partnership Framework will be kept under annual review to ensure that opportunities for partnership working and the effective use of resources, particularly public monies, are fully exploited.
- 18.3 If any individual member organisation wishes to withdraw from involvement in any part of the Cheshire West and Chester Partnership Framework, written and verbal notice must be given of how any funding committed by the member organisation to the respective constituent body of the Framework will be maintained.

## **19 SHARING INFORMATION**

- 19.1 Wherever possible, members will share information about their organisations, services and customers where that information is relevant to the aims and objectives of the wider Cheshire West and Chester Partnership Framework and the Sustainable Community Strategy and supporting plans and strategies.
- 19.2 Where such information is confidential (e.g. for reasons of commercial, customer or client confidentiality), members will seek to provide the information in such a form as to assist the work of the constituent body and the wider Framework without compromise.

19.3 Members shall at all times abide by the requirements of the Data Protection Act and the Freedom of Information Act but within that may develop data sharing protocols to aid planning and delivery.

## **20 CHANGES AND ADDITIONS TO THIS AGREEMENT AND PROTOCOL**

The LSP shall review this Agreement and Protocol annually and shall suggest any amendments for consideration and approval.

## **21 SECRETARIAT**

Secretariat arrangements for the constituent bodies of the Cheshire West and Chester Partnership Framework are detailed within the respective Constitutions and these officers, together with expert officers (Financial Adviser, Legal Adviser and others providing services by means of Service Level Agreements) will advise the constituent bodies on all aspects of their functions and procedures and support the constituent bodies as required.

## **22 EXPERT OFFICER SUPPORT**

### **Financial Matters**

- The financial resources made available to the constituent bodies of the Cheshire West and Chester Partnership Framework (including Government funding, contributions from member organisations and other sources of income) will be managed by a Financial Adviser from a member organisation in accordance with that organisation's Financial Regulations.
- The Financial Adviser will report regularly to the constituent body on the financial position and this information will be reported to the LSP as appropriate.

### **Legal Matters**

- Legal support and advice to the constituent bodies of the Cheshire West and Chester Partnership Framework will be determined and outlined within the Constitution of the respective constituent body.

### **Audit**

- The affairs of the constituent bodies of the Cheshire West and Chester Partnership Framework, as determined within their terms of reference, will be formally audited by a member organisation's Auditor (the organisation to be a different organisation from that providing the Financial Management).

**23 PARTNERSHIP AGREEMENTS AND CONSTITUTION FOR CONSTITUTIONAL BODIES OF THE CHESHIRE WEST AND CHESTER PARTNERSHIP FRAMEWORK**

Each constituent body of the Cheshire West and Chester Partnership Framework shall agree and adopt a Constitution and, if appropriate, a Partnership Agreement which shall set down how the respective constituent body shall operate with regard to achieving its own objectives, the objectives of the Cheshire West and Chester Partnership Framework and this agreement. In so doing, the constituent body may adopt elements of this document.

**24 SIGNATORIES TO THE AGREEMENT**

Signed: ..... Signed: .....  
Dated: ..... Dated: .....  
for Cheshire West and Chester Council for the Children and Young People’s Trust

Signed: ..... Signed: .....  
Dated: ..... Dated: .....  
for the Safer and Stronger Communities Partnership for the Health and Wellbeing Partnership

Signed: ..... Signed: .....  
Dated: ..... Dated: .....  
for the Business, Enterprise and Culture Partnership for the Environmental Sustainability Partnership

Signed: ..... Signed: .....  
Dated: ..... Dated: .....  
for Cheshire Police Authority for Cheshire Fire Authority

Signed: ..... Signed: .....  
Dated: ..... Dated: .....  
for Western Cheshire PCT for Cheshire Police Authority

Signed: .....

Dated: .....

for the Third Sector Assembly

Signed: .....

Dated: .....

for Cheshire Housing Alliance

Signed: .....

Dated: .....

for the Higher Education

Signed: .....

Dated: .....

for Further Education

Signed: .....

Dated: .....

for Connexions

Signed: .....

Dated: .....

for the LSC

Signed: .....

Dated: .....

for Cheshire Probation

Signed: .....

Dated: .....

for Jobcentre Plus

Signed: .....

Dated: .....

for CHaWREC

Signed: .....

Dated: .....

for ChALC

Signed: .....

Dated: .....

for Cheshire Community Action

Signed: .....

Dated: .....

for APB Chester

Signed: .....

Dated: .....

for APB Ellesmere Port

Signed: .....

Dated: .....

for APB Rural West

Signed: .....

Dated: .....

for APB Winsford and Rural East

Signed: .....

Dated: .....

For APB Northwich and Rural North

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<b>Local Strategic Partnership (LSP)</b>
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As a statutory requirement, an overarching LSP will be established for the area of Cheshire West and Chester. The shadow working group agreed the following proposed membership for the new partnership:-

- CW&C Leader or an Executive Member
- CW&C Chief Executive
- Area Commander of Police
- Representative from Cheshire Police Authority
- Area Commander of Fire & Rescue
- Representative from Cheshire Fire Authority
- Chief Executive of NHS West Cheshire
- Chair of Western Cheshire Primary Care Trust
- Nomination from the Third Sector Assembly
- Nomination from Private sector (Chamber of Commerce, SMEs and larger companies)
- Representative from the Cheshire Housing Alliance
- Representative from Further Education
- Representative from Higher Education
- Connexions
- Learning Skills Council
- Cheshire Probation Service
- Job Centre Plus
- Representative from Cheshire & Warrington Racial Equality Council
- Rural representation via ChALC
- Cheshire Community Action
- Government Office North West representative (co-opted)
- North West Development Agency representative (co-opted)
- Thematic Board Chairs – if not covered by the above
- Chairs of Area Partnership Boards - if not covered by the above.

There are currently a number of caretaker roles in the above membership list, to accommodate organisations that may wish to use a voting system to nominate members or build constituencies. It is anticipated that this is not an exhaustive list; membership of the partnership will be reviewed and changed as the partnership matures and members assess their own positions within the structure and where they can make the best contribution.

The LSP will meet at venues across the new Authority area on a quarterly basis, to oversee effective partnership working, key challenges for the area,

the Comprehensive Area Assessment (CAA) and the delivery of the Local Area Agreement outcomes. The LSP will be supported by regular meetings of the LSP Thematic Leads, who will manage the work programme of the LSP and the LAA and secure the key role for public sector organisations within this group. We would also seek to hold LSP network conferences to keep all partners fully engaged and for the sharing of information, promoting key issues and messages.

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## Thematic Leads

Formed by the Chair and Vice Chair of the 4 Thematic Groups this group will meet monthly to manage the public sector input to the work programme of the LSP and the LAA.

The role for the key public sector organisations within this group (chief and senior officers within the Local Authority, Police, Fire and Rescue, NHS PCT, Probation Service etc.) will be to:

- support the LSP,
- champion service change,
- ensure that their corporate and service plans align with the LAA and SCS
- work to make strategies and plans align with the SCS
- pool resources where appropriate so that outcomes are improved for communities.
- tackle inequality across Chester West and Chester
- and work through their publicly funded organisation to deliver the Sustainable Community Strategy.

### Terms of Reference:

1. To manage the work programme of the Cheshire West and Chester Local Strategic Partnership.
2. To oversee Sustainable Community Strategy (SCS) and Local Area Agreement (LAA) delivery.
3. To manage partnership performance and the use of resources to ensure the achievement of outcomes and delivery of improvement targets.
4. To champion service change according to local need.
5. To coordinate action to address cross-cutting issues.
6. To identify the barriers to effective and efficient service delivery and achievement of agreed community outcomes as stated in the Sustainable Community Strategy (SCS) and Local Area Agreement (LAA) and resolve issues where and when they arise.

## Thematic Partnerships

### **Principal Function: Commissioning and Delivery of services**

Separate “Thematic Partnerships” will be developed in relation to each of the following themes:

- **Stronger and Safer Communities**
- **Children and Young People**
- **Health and Well Being**
- **Business, Enterprise and Culture**
- **Environmental Sustainability**

Cheshire West and Chester Thematic Partnerships will have their own detailed terms of reference according to specific needs and wider circumstances (sub-regional, regional and national). However, it is suggested that each Partnership incorporate the following ‘core’ Terms of Reference to support their role within the broader Cheshire West and Chester Local Strategic Partnership (LSP). Any new terms of reference should not conflict with the core Terms of Reference. Where such conflict is considered to exist, the matter should be referred to the Cheshire West and Chester LSP for further consideration.

### **Core Terms of Reference**

- (1) Develop and deliver appropriate thematic action plans to support and contribute to the overall vision for local communities in Cheshire West and Cheshire, which reflects the diversity and local variations across the area.
- (2) Deliver the services to meet the priority outcomes of the Local Area Agreement and the Sustainable Community Strategy, as agreed by and in consultation with the Cheshire West and Chester LSP.

- (3) Monitor and manage and the overall performance of the Thematic Partnership and its associated projects.
- (4) Identify to the Cheshire West and Chester LSP, as necessary, cross-cutting issues in relation to their core theme for further consideration and co-ordination by the Cheshire West and Chester LSP.
- (5) Commission, as necessary, service delivery and actions from the Area Partnership Boards, Neighbourhood Management Areas and Community Forums to address local needs and priorities.
- (6) Provide annual progress reports and, when necessary, “exception reports” to the Cheshire West and Chester LSP.
- (7) Commission specific, themed research and consultation to seek community views on priorities, encourage community involvement in identifying solutions and the underpinning actions to deliver the thematic partnership work programmes.

## Area Partnership Boards (APBs)

The Five APBs have been identified and will cover the geographical areas of:-

- Chester;
- Ellesmere Port;
- Northwich & Rural North;
- Winsford & Rural East; and
- Rural West.

These APBs will be **independently chaired “mini-LSPs”** and as such it is envisaged that their membership will draw heavily from the current LSPs. Key members of the Boards will include our public sector partners, representatives from the private sector, the third sector and other key local stakeholders. Member involvement will be through the relevant Chair from each Local Area Forum.

In the first year, APBs will assess evidence of the needs and priorities from within each area to inform development of an **Area Action Plan** and this will help shape service delivery and, most importantly, will require close working with key partners. The Boards will be tasked with performance managing relevant Local Area Agreement and National Indicator Set targets for their area, to ensure service delivery meets the needs of residents.

Where possible, future service delivery will be aligned with the boundaries and priorities of the APBs. From their area perspective, they will also help shape the development of strategic policies and plans and scrutinise the implications for their local area. Clear linkages will be developed from the APBs into the LSP, the Sustainable Community Strategy, the Corporate Plan, Community Forums and any Neighbourhood arrangements.

## Community Forums

These are designed to operate at the local level and will involve **all** Councillors from Cheshire West and Chester. The boundaries for these are not yet established but shadow councillors are listening to local views and will meet early February to reach a collective view on the most appropriate boundary for these forums. The intention is that the Forums will operate within one of the new Area Partnership Boards as a forum for discussion and debate on local topics.

The LAF presents a vital opportunity for the new Council to promote the role of Members in their locality and enhance local democracy generally. Democratic and community engagement will also be enhanced through the delegation of a budget to allow local initiatives to be commissioned. Each LAF will also be seen as the place where local petitions may be responded to and under this arrangement, issues that require a more strategic or local consideration may be escalated to the Area Partnership Board or delegated to the Neighbourhood level.

Community Forums to meet at least four times a year, the Chair or Vice Chair will sit on the APB.

Each Local Council (Town & Parish) will be asked to nominate one rep to sit on the LAF.

## **Neighbourhood Partnerships**

Locally-based partnerships will remain at the heart of the proposed Partnership Framework for Cheshire West and Chester. We want to build upon the excellent existing neighbourhood management arrangements in areas such as Blacon, Rudheath, Greenfields (Winsford) as well as the nationally acclaimed Lache Neighbourhood Management.

We also want to continue developing the principles and models of good practice in relation to service delivery and citizen engagement and extending this where appropriate. Important partners at the neighbourhood level include Town and Parish Councils, tenants and residents groups. Some innovative and valued working has taken place with partners around Community Safety Problem Solving Groups, Project Rural Matters and Community Action Meetings, etc. – we will be keen to develop such areas of good practice.

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Statutory 'partner authorities' and the duty to cooperate to agree targets

This section relates to the following list of bodies and persons, which are defined in the Act as partner authorities:

Arts Council	Museums, Libraries and Archives Council
The Broads Authority	National Park Authorities
Chief Officer of Police	Natural England
District authorities	NHS Foundation Trusts
English Heritage	NHS Health Trusts
The Environment Agency	Police authorities
Fire and rescue authorities	Primary Care Trusts
Health and Safety Executive	Local Probation Boards; Probation Trusts and other providers of probation services
The Highways Agency	Regional Development Agencies
Jobcentre Plus	Sport England
Joint Waste Authorities	Transport for London
Joint Waste Disposal Authorities	Youth Offending Teams
The Learning and Skills Council in England	Any other organisations added by an order under section 104(7) of the Act or by primary legislation
Metropolitan Passenger Transport Authorities	

The Act is clear that these bodies and persons must be involved in helping to determine any target in the draft Local Area Agreement which will relate to it and in doing so must cooperate with the responsible local authority and have regard to this guidance.