

## **To the Chair and Members of the COUNCIL**

### **GOVERNANCE ARRANGEMENTS: OVERSIGHT AND TRANSPARENCY OF THE WORK OF EXTERNAL PARTNERSHIPS AND COUNCIL COMMITTEES**

#### **EXECUTIVE SUMMARY**

1. This report follows an assessment of the Council's working in partnerships, conducted during 2016/17. It seeks to strengthen the accessibility and oversight of information relating to partnerships' activities in order to ensure, on an ongoing basis, partnerships are operating effectively, contributing to borough and corporate priorities and providing value for money. The assessment in 2016/17 has also led to a proposal to review the Council's participation in a number of partnerships during 2017/18.
2. This report also refers to arrangements in place to support Members involved in formal partnership working on behalf of the Council. These arrangements include the provision of training and support, and the provision of guidance and rules relating to the avoidance of conflicts of interest.
3. This report also seeks to address a current anomaly within the Council's constitution relating to Members' ability to pose questions without notice in Council meetings to Chairs of committees. Currently, some Chairs can be asked questions by Members without notice while others cannot.

#### **RECOMMENDATIONS**

4. **The Council is asked:**
  - **To agree the reporting and reviewing of partnerships' activity set out in paragraphs 14 to 16 and appendices 1 to 3 of this report**
  - **To note the proposal to review the Council's participation in a number of partnerships, and to present details of reviews and any proposals in due course to the relevant body responsible for overseeing each respective partnership, as shown in appendices 1 to 3**
  - **To agree to the refreshing and re-running of training events for appointed persons to ensure they are clear about their roles and responsibilities, and to make attendance at training mandatory for appointed persons**
  - **To note the importance of avoiding and managing any potential conflicts of interest relating to partnership workings**
  - **To approve proposals for allowing Members' questions without notice at Council meetings to the Chairs of the Audit and Elections & Democratic Structures Committees and the Health and Wellbeing Board and amend**

**the Council's Constitution (Council Procedure Rule 15.2.1) accordingly.**

## **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

5. A set of principles and practice for the reporting of partnerships' decisions and activities ensures the Council adopts a consistent and proportionate approach to managing partnerships' risks. This ensures there is adequate stewardship of public funds on behalf of citizens, and provides confidence to the Public that effective controls are in place to manage risks.
6. Effective governance also ensures partnerships' working contributes to the effective and efficient provision of services to the Public and the achievement of value for money.

## **BACKGROUND AND PROPOSALS**

### **Background**

7. Local Government and communities' objectives are increasingly met through partnership working. It is not possible for local authorities to deliver services on their own; they must work with others to ensure services meet the needs of those who use or need them, efficiently and effectively. This is not just at a statutory level, involving working with other public sector bodies; it is also at a very local level, with community based groups
8. Doncaster Council recognises this and puts partnership working at the heart of its approach. Leadership encourages and expects all Members and officers to look for opportunities to work with others both strategically and while carrying out their day-to-day activities. In leading the authority and in their representative roles, Members in particular will wish to see and shape the development of partnership working to achieve corporate and borough priorities.
9. Locally, the need for appropriate partnerships' governance has been highlighted through:
  - Historically, decisions being made by individuals without having the necessary delegated authority
  - Interventions being required to help address financial risks
  - Inconsistent and in some cases insufficient oversight of formal partnership activity
  - Uncertainty amongst some appointed persons about their roles and respective responsibilities to partnerships and the Council
  - Partly related to the above, some difficulties in relation to potential conflicts of interest relating to individuals' substantive and appointed roles.
10. The Council formally makes appointments to a wide range of partnerships including the Combined City Region Authority, various joint committees, various commercial arrangements and even a number of small, local, charities. There are a number of reasons why these appointments are made formally, ranging from legislation or regulations, long-standing agreements and trust/company constitutions. At the moment, however, there is not consistency in how the Council

receives information about its partnership activity.

11. This report seeks to implement effective and consistent arrangements for the oversight of the work of external partnerships, balancing the need to meet good governance requirements while not straightjacketing every partnership meeting and conversation with significant bureaucracy. To not put in place appropriate arrangements would leave the Council potentially exposed to the implications of any poor decisions or actions taken by any partnerships.

### **External Partnerships**

12. For the purposes of this report, a partnership has been defined as:

*An entity involving the Council and one or more other bodies working together to achieve an objective relevant to the Council's own priorities, objectives or responsibilities.*

13. Other criteria that would determine the formal status of any partnership are (1) that they require formal appointment by the Council or Mayor and/or (2) they are significant for other reasons, including they:

- Have a significant role in relation to the achievement of a Council objective or priority
- Involve a significant financial commitment by the Council or could have a significant financial impact
- Have or could have a very significant reputation impact.

14. The number of external partnerships identified based on this definition and criteria is 74. Currently, with a small number of exceptions (specifically, 9 partnerships), the activities and decisions of the partnerships are not reported into or overseen by any group within the Council's formal structure. This makes it difficult for the Council corporately to confirm and demonstrate best value is being achieved through these arrangements. It also leaves the Council potentially exposed to the implications of any poor decisions or actions taken by the partnerships.

15. **Appendices 2 and 3** in this report show the proposed reporting lines for all external partnerships identified through the 2016/17 exercise. These proposals are based on a logical relationship between the partnerships and the body proposed to receive information about the partnerships. So, for example, details relating to statutory joint authorities should be given to full Council, regional overview and scrutiny bodies' activities should be referred to scrutiny and any partnerships where executive powers have been delegated would report to Cabinet. It is proposed that overview of smaller partnerships, many of which are charitable in nature, should be delegated to relevant officer management teams; this would be proportionate to their level of significance and allow a fair allocation of the overall level of work involved.

16. In terms of the details to be reported, in most cases it is proposed minutes will be used. However, where formal minutes do not exist or are not useful in providing information, short reports will be produced summarising the partnerships' activities, including any forward plans where these are held. The frequency of reports (where these are used instead of minutes) will be either half-yearly or yearly, and will be determined for each partnership based upon its inherent significance, taking

account of:

- The potential impact on Council services or resources that could be made by decisions of the partnership
- The level of funding committed to the partnership
- Any specific reputation risks
- The infrastructure and governance arrangements applicable to the partnership
- Any previous weaknesses experienced.

### **Review of Partnerships**

17. The assessment conducted in 2016/17 has highlighted a number of partnerships where it is proposed to review the Council's involvement and, where appropriate, suggest the Council's withdrawal from the partnerships or the partnerships' cessation. In some cases the partnerships are, in practice, obsolete, having not met for several years. In other cases, the Council's participation is long-standing and historic, and may not now be desirable or sustainable. The partnerships where further consideration of the Council's participation will be given during 2017/18 are indicated in appendices 2 and 3. Any proposals for change will be presented on a case by case basis to the relevant body responsible for overseeing each respective partnership, as shown in appendices 2 and 3.

### **Support Arrangements and Conflicts of Interest**

18. Feedback from persons appointed to represent the Council on partnerships confirms a need to continue with and augment current training provision to help appointees to fulfil the roles expected of them. Training has been made available to appointed persons over the last two years, however, not all appointed persons were able to attend, and there have since been new appointments made.
19. Support is also available on an ongoing basis primarily from Legal and Democratic Services to any appointees who have any specific queries or concerns. There is an ongoing need to provide training and support to persons appointed to partnerships.
20. Training covers appointees' responsibilities to the partnership and Council, and also how to deal appropriately with any conflicts that might arise from time to time. Wherever possible, placing representatives in roles that would create a clear potential for conflict with their substantive positions should be avoided or, if it cannot be avoided, appropriately declared and managed.

### **Internal Management Boards and Steering Groups**

21. The Council currently has 10 internal management boards and steering groups covering key strategic activities, as follows:
- *Board to manage the 2017/2021 4 year plan (Title to be confirmed)*
  - DN17 Implementation Boards
  - Children's Trust Management Board
  - Adults Improvement Board
  - Corporate Governance Group

- Senior Information Risk Officer (SIRO) Group
- Corporate IT Governance Board
- Investment Modernisation Fund Board
- Property Investment Board
- Major Projects and Investment Board.

22. The Children’s Trust Board Management Group feeds directly through to quarterly reviews carried out by Scrutiny. Programmes relating to DN17 Implementation Boards and Adults Improvement Board are reported through the quarterly performance monitoring processes currently in place, and this is the intention for the new 2017/2021 4 year plan.

23. The other internal groups listed above do not currently report into the Directors’ Group on any routine or regular basis, which means the Directors’ Group may not be fully informed of key developments and/or decisions. Without this, the Directors’ Group is unable easily to consider and determine any specific issues arising from the activities of these groups that need referring through to Members. In the future, these groups will report activities and progress to the Directors’ Group.

### **Council Committees and Opportunities for Questions at Council Meetings**

24. The Council has the following 6 principal standing committees (excluding any committees meeting on an infrequent or ad-hoc basis to consider issues required at any point in time and any sub-committees):

- Audit Committee
- Elections and Democratic Structures Committee
- Health and Wellbeing Board
- Licensing Committee
- Overview and Scrutiny Management Committee
- Planning Committee.

25. The Committees perform specific functions on behalf of the Council. As part of the Council’s formal structure, the minutes of these committees are published on the Council’s website, which provides details of the issues considered and any decisions taken. This provides for transparency over the business of the committees.

26. The Council makes various provisions for questions to be asked at Council and Committee meetings. One provision, referred to as ‘Question Time’, provides for *“an opportunity for a Member of the Council to ask the Mayor, the relevant Cabinet Member or the Chair of Overview and Scrutiny any question without notice which is relevant to the discharge of their role and responsibilities”* (Procedure Rule 15.2.1).

27. It is suggested that the opportunity to ask questions of Chairs of committees be extended to include the Chairs of the Audit Committee, the Elections and Democratic Structures Committee, and the Health and Wellbeing Board. This would provide a consistency of approach and increase democratic accountability. It is not proposed to allow questions of the Chairs of either Planning or Licensing Committee given the quasi-judicial role which these Committees undertake. It is

essential that both Committees remain independent of Council.

## OPTIONS CONSIDERED

28. **Option 1:** To not develop existing arrangements means the Council continues to not formally receive information on key partnerships' activities, in an environment where partnership working is increasing and becoming more complex, and on internal steering groups' activities. Without consistent and effective information on their activities, it is more difficult for the Council to understand and register the effects of decisions made by partnerships and steering groups, and take action where appropriate on any decisions made / proposed. The option to do nothing, therefore, misses the opportunity / requirement to respond to the ever-growing incidence of partnerships working and strengthen the Council's control framework and its management of risks.
29. **Option 2:** Implementing arrangements to receive and record details of partnerships' and key internal steering groups' activities would enable the Council to more easily see and demonstrate the value of partnership working, and place the Council in a better position to respond to any issues arising.

## REASONS FOR RECOMMENDED OPTION

30. **Option 2** is the recommended option. It places the Council in a better position to assess any financial or services issues / risks being created that need a Council input. Option 2 will better protect the Council's interests.

## IMPACT ON THE COUNCIL'S KEY OUTCOMES

31. Good partnerships governance has the following impacts on Council priorities

| Outcomes                                                                                                                                                                                                                                                                                                                              | Implications |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Be a strong voice for our veterans</i></li> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul> |              |
| <p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>                                                                                        |              |
| <p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> </ul>                                                                         |              |

|                                                                                                                                                |                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>                                  |                                                                                                                                                                            |
| <p>All families thrive.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul> |                                                                                                                                                                            |
| <p>Council services are modern and value for money.</p>                                                                                        | <p>By providing robust partnership guidance ensures the stewardship of public funds.</p>                                                                                   |
| <p>Working with our partners we will provide strong leadership and governance.</p>                                                             | <p>Strengthening partnership working by identifying, managing and reducing risks in order to enable strategic and operational partnerships achieve all our objectives.</p> |

## RISKS AND ASSUMPTIONS

32. Failure to review partnerships' and key internal groups' activities exposes the Council to risks that can impact on a number of levels as follows:

- Failing to ensure an effective *Strategic Fit*
- Failing to identify and address the gaps and shortfalls in *Relationships*
- Failing to fully assess and plan for the *Organisational Impact* the changes will have; and
- Failing to robustly develop and test the *Economic Case* for partnership working
- Reputational damage to DMBC due to flawed partnerships
- Conflicts of interest not being managed
- Damaged relationships with partners.

## LEGAL IMPLICATIONS

33. Various legal arrangements apply to partnerships. Advice is provided as appropriate during the setting up of partnerships and on an ongoing basis.

## FINANCIAL IMPLICATIONS

34. There are no financial implications arising specifically from this report.

## HUMAN RESOURCES IMPLICATIONS

35. There are no specific human resources implications arising from this report.

## TECHNOLOGY IMPLICATIONS

36. There are no specific technology implications arising from this report.

## EQUALITY IMPLICATIONS

37. The adoption of this strategy ensures a consistent approach to partnerships.

## CONSULTATION

38. The production of this report has involved consultation with:

- The Director of Finance and Corporate Services
- The Assistant Director Legal and Democratic Services
- The Strategic Performance Unit
- The Head of Internal Audit
- Data collected from all services.

39. It has also involved data collected from and relating to partnerships.

### **BACKGROUND PAPERS**

40. CIPFA/SOLACE *Delivering Good Governance* Framework and Guidance.

### **REPORT AUTHOR & CONTRIBUTORS**

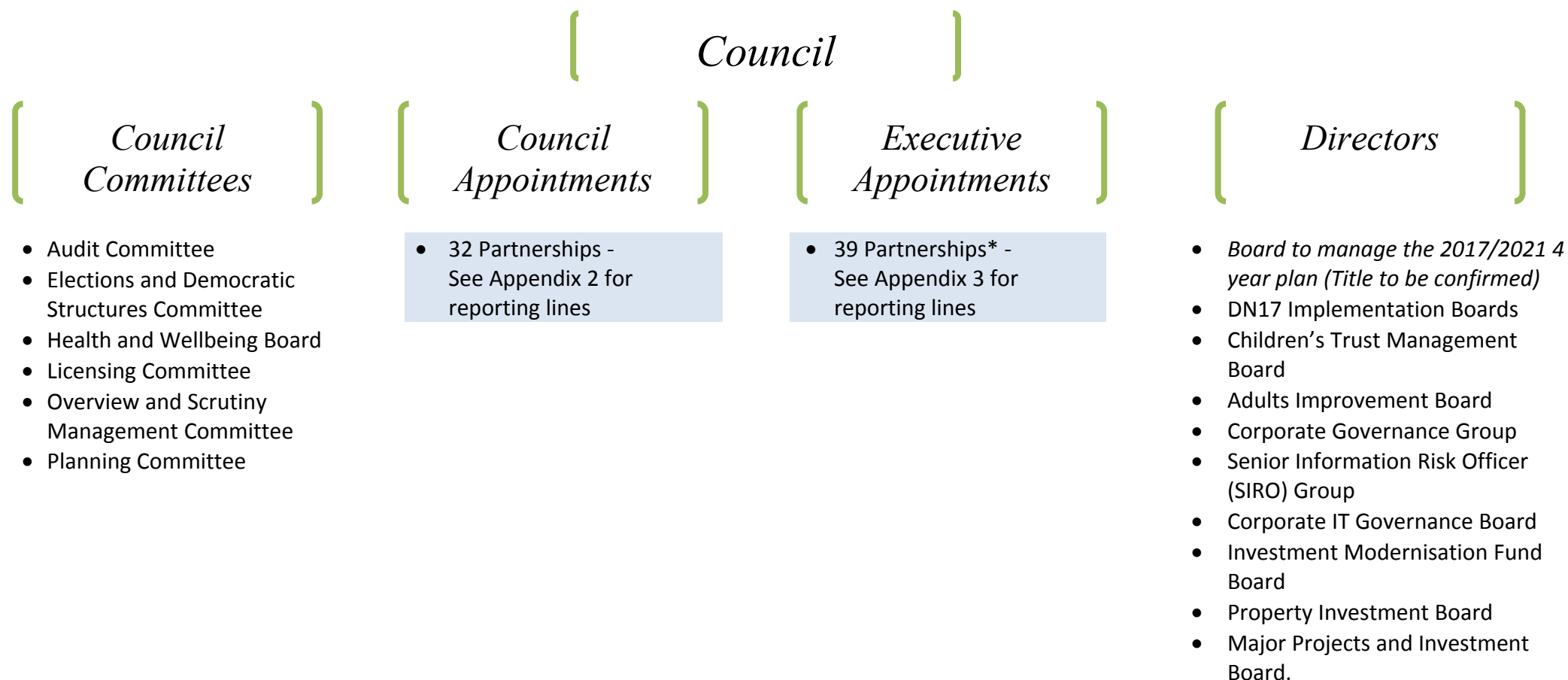
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**DONCASTER MBC – GOVERNANCE DELEGATIONS**



*\* Three ‘partnerships’ do not require official appointments (South Yorkshire Leaders’ Group, Sheffield City Region Chief Executives and Sheffield City Region Directors of Finance, which are attended by the respective post-holders)*

**DONCASTER MBC – GOVERNANCE DELEGATIONS REPORTING LINES**

*Council Appointments*

**Delegations and Reporting Lines:**

| <i>Full Council</i>                                                                                                                                                                                                                                                                                                                                                                                           | <i>Health &amp; Well-Being Board</i>                                                                                                                                                                                                                                                         | <i>Scrutiny</i>                                                                                                                                                                                                               | <i>Regen &amp; Env DMT</i>                                                                                                                                                                                                                                                                                                                                                                                                                      | <i>Learning &amp; Opps DMT</i>                                                                                                                                                               | <i>Adults, Health &amp; WB DMT</i>                                                                                                                                                                                                    | <i>Finance &amp; Corp Services DMT</i>                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Sheffield City Region Combined Authority</li> <li>• Sheffield City Region Combined Authority Transport Committee</li> <li>• Sheffield City Region Local Enterprise Partnership</li> <li>• South Yorkshire Fire and Rescue Authority</li> <li>• South Yorks Police and Crime Panel</li> <li>• South Yorkshire Pensions Authority</li> <li>• Team Doncaster</li> </ul> | <ul style="list-style-type: none"> <li>• Safeguarding Adults Partnership Board</li> <li>• Doncaster Safeguarding Children Board</li> <li>• Learning Disability Partnership Board</li> <li>• Dementia Strategic Partnership</li> <li>• Joint commissioning co-ordination committee</li> </ul> | <ul style="list-style-type: none"> <li>• Joint Health Overview &amp; Scrutiny Committee: Yorks &amp; Humber Councils *</li> <li>• Joint Health Overview &amp; Scrutiny Committee: Commissioners Working Together *</li> </ul> | <ul style="list-style-type: none"> <li>• Industrial Communities Alliance</li> <li>• Humberhead Levels Partnership</li> <li>• Robin Hood Airport Doncaster Sheffield Consultative C'ttee *</li> <li>• Robin Hood Airport Doncaster Sheffield – Noise Monitoring and Environmental Sub-Committee *</li> <li>• East Doncaster Development Trust *</li> <li>• Bentley with Arksey Doles Charity *</li> <li>• Cantley Poor's Land Trust *</li> </ul> | <ul style="list-style-type: none"> <li>• Standing Advisory Council for Religious Education (SACRE)</li> <li>• Doncaster Schools' Forum</li> <li>• Travis Educational Foundation *</li> </ul> | <ul style="list-style-type: none"> <li>• Mexborough Citizens Advice Bureau *</li> <li>• North East Doncaster Citizens Advice Bureau *</li> <li>• Cooke Almshouse Charity *</li> <li>• Doncaster and District Deaf Society*</li> </ul> | <ul style="list-style-type: none"> <li>• Sheffield City Region Combined Authority Overview and Scrutiny Committee</li> <li>• Sheffield City Region Combined Authority Audit Committee</li> <li>• Adwick Charities *</li> <li>• Mexborough Charity Trust *</li> </ul> |

*\*Partnerships identified with an asterisk will be subject to further consideration in 2017/18*

**DONCASTER MBC – GOVERNANCE DELEGATIONS REPORTING LINES**

*Executive Appointments I*

**Delegations and Reporting Lines:**

*Full Council*

- South Yorkshire Joint Local Pensions Board
- Corporate Parenting Board

*Cabinet*

- Barnsley, Doncaster and Rotherham Waste Partnership
- Yorkshire Purchasing Organisation
- St Leger Homes
- (Trent) Regional Flood & Coastal Committee
- Yorkshire Regional Flood and Coastal Committee
- Yorkshire & Humber (Local Authorities) Employers' Association
- South Yorkshire Trading Standards \*
- Joint Committee for South Yorkshire Archaeology \*
- South Yorkshire Joint Advisory Committee on Archives \*

*Executive Board*

- Doncaster Culture & Leisure Trust
- Doncaster Performance Venue Trust
- Doncaster Racecourse Management Company Ltd
- Local Government Association
- Special Interest Group of Municipal Authorities (SIGOMA)
- South Yorkshire Leaders' Group \*\*

*Scrutiny*

- Doncaster Children's Services Trust

\*Partnerships identified with an asterisk will be subject to further consideration in 2017/18

\*\* Attended by the Mayor as Leader – no official appointment required

**DONCASTER MBC – GOVERNANCE DELEGATIONS REPORTING LINES**

*Executive Appointments II*

**Delegations and Reporting Lines:**

*Directors' Meeting*

- Rotherham, Doncaster and South Humber NHS Foundation Trust (RDaSH)
- Doncaster & Bassetlaw Hospitals NHS Foundation Trust
- Sheffield City Region Chief Executives \*\*

*Regeneration & Environment DMT*

- South Yorkshire Safer Roads Partnership
- Doncaster Chamber of Commerce
- Danvm Drainage Commissioners Board
- Doncaster East Drainage Board
- Black Drain Internal Drainage Board
- Arpley Gas (BDR Property Ltd)
- Strategic Aviation Special Interest Group (SASIG) \*
- Air Transport Forum \*
- English Heritage \*
- PATROL (Parking and Traffic Regulation Outside of London) Adjudication Joint Committee \*
- Dearne Valley Landscape Partnership \*
- Groundwork South Yorkshire \*
- National Coal Mining Museum for England – Liaison Committee\*
- Rural Action Yorkshire \*
- Trans Pennine Trail Partnership\*
- Reserve Forces & Cadets Association for Yorkshire & Humber

*Adults, Health & Well-Being DMT*

- Migration Yorkshire Board
- Yorkshire & Humber Strategic Migration Group (to represent South Yorkshire on this Group)
- DARTS (Doncaster Community Arts) \*
- Doncaster Relief in Sickness Fund \*

*Finance & Corp Services DMT*

- Sheffield City Region Directors of Finance \*\*\*

\*Partnerships identified with an asterisk will be subject to further consideration in 2017/18

\*\* Attended by the Chief Executive – no official appointment required

\*\*\* Attended by the Assistant Director Finance and Chief Financial Officer – no official appointment required