

Annual review of the Cambridgeshire County Council and Peterborough City Council Joint Working Agreement

To: Strategy and Resources Committee

Meeting Date: 16 December 2022

From: Service Director: Finance & Procurement

Electoral division(s): All

Key decision: Yes

Forward Plan ref: 2022/101

Outcome: The annual review of the Joint Working Agreement (JWA) between Cambridgeshire County Council (CCC) and Peterborough City Council (PCC) ensures that arrangements for sharing services between the two councils remains appropriate and lawful and that the separate identities of each Council are protected.

Recommendation: The committee is asked to agree that the revised Joint Working Agreement should be signed by the Chief Executive on behalf of Cambridgeshire County Council, delegating authority to the Chief Executive to agree final amendments.


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1. Background

- 1.1 The Joint Working Agreement (JWA) between Cambridgeshire County Council (CCC) and Peterborough City Council (PCC) sets out the principles and protocols which govern the way in which CCC and PCC share services to develop and enhance service delivery, build resilience and achieve future efficiencies.
- 1.2 The JWA includes a Sovereignty Guarantee designed to protect the separate legal and political identities of each Council.
- 1.3 The JWA, which was signed by Cambridgeshire County and Peterborough City Councils in October 2018, has a requirement for the Senior Responsible Officer (“SRO”) to carry out an annual review of the Arrangements. The 2022 review was carried out by Finance, Legal, HR, IT and Information Governance leads from both councils, and was led by the then SRO, the Director of Business Improvement and Development (shared services SRO for both councils at the time of the review).
- 1.4 In light of the changes in politics, priorities and leadership in both councils since the last review, several of the JWA protocols and governance have been updated to reflect the current context and two new protocols – one for Procurement and one for Exit Arrangements have been added at schedules 10 and 11 respectively.
- 1.5 The Shared Service Governance Group recommends that the revised JWA (available to the Committee through the intranet  [WAY Joint Working Agreement \(with Protocols\).docx](#)) is formally adopted by CCC and PCC.

2. Establishment and implementation of the JWA

- 2.1 In November 2017, CCC’s General Purposes Committee (GPC) noted Peterborough City Council’s (PCC) request to its Chief Executive – who was at the time shared with Cambridgeshire County Council (CCC) - to explore shared services as a model which would protect delivery of front-line services. GPC agreed that these opportunities should be developed jointly between CCC and PCC.
- 2.2 During December 2017, a piece of work was undertaken to identify areas of opportunity to be proposed for further exploration and analysis. This work was commissioned by the Shared and Integrated Services Programme Board (at the time comprising of members of the Strategic Management Team at CCC and the Corporate Management Team at PCC) and carried out by a working group comprising officers from both councils. The working group provided access to management information held by each of the councils and assisted in the compilation and analysis of the data.
- 2.3 In May 2019, a Programme Team were appointed to develop the governance and support the delivery of the programme, including:
 - A legal Joint Working Agreement and Protocols produced and formally adopted in both councils.
 - Internal governance arrangements developed and adopted, including the establishment of the Shared Services Governance Group.
 - A Shared Services Business Case process aligned to the parameters set out in the

JWA and Protocols developed and adopted.

- Definition of the different legal mechanisms that enable shared working across the two Councils and facilitating discussions to ensure the right arrangements are put in place (i.e. Section 113/delegation 101/ other).
- Establishment of a central record of all the shared roles to date including the financial agreements.
- A review of the historic shared posts (prior to the JWA) and business cases to ensure intended benefits were being realised.
- Reporting to Committee and Cabinet reports as per the Terms of Reference.

2.4 In November 2019, the Joint Management Team agreed that appropriate systems and governance were embedded in both councils and that the dedicated project team could move to other work. The JWA was updated to reflect these changes.

2.5 In 2020 the annual review of the JWA recommended minimal changes as shared service governance was working appropriately and business cases were delivering intended benefits.

2.6 In 2021, the new Joint Administration in CCC requested a review of shared services. This review was undertaken alongside the Local Government Association's Peer Challenge in both councils and its report can be read in full [at this link](#).

2.7 A workshop involving both council Leaders and the shared Chief Executive was facilitated by Local Partnerships in August 2021. An action plan was agreed and recruitment to two separate Chief Executives was started in September.

2.9 From January 2022 to April 2022, some changes in senior leadership were made to ensure capacity in both councils and across the public sector system could meet requirements and the following roles were taken out of shared service arrangements:

- Service Director: Communities (returned to 100% PCC)
- Director: Business Improvement and Development (returned to 100% CCC)
- Executive Director Place and Economy (moved to 50% CCC, 50% CPCA)

2.10 In June, both Chief Executives presented their councils with proposals for future Shared Service arrangements. The CCC paper can be read [at this link](#).

3. Changes to the Joint Working Agreement

3.1 There are minimal text changes throughout the document which reflect new terminology, job titles and responsibilities.

3.2 Each of the protocols has been reviewed and updated to ensure that they appropriately cover new scenarios and services.

3.3 Previous versions of the JWA referenced cross party workshops for Members to consider shared service opportunities and benefits. Given that the arrangements are not expanding in scope and that it is not currently the priority of either council to develop new opportunities, consideration has been given to appropriate member engagement. The Governance Group's recommendation, supported by the CCC Corporate Leadership Team

(CLT), is that twice yearly updates to this committee and equivalent at Peterborough would be more appropriate.

- 3.4 The Programme Board for Shared Service Governance - which formally reviews the progress and benefits of shared service arrangements twice a year through an update from the SRO - was the Joint Management Team (JMT). As the CLTs at CCC and PCC are now separate, the Governance Group's recommendation – which has been supported by CLT at both councils - is that a twice-yearly meeting between both Councils' CLTs to carry out these reviews would satisfy this part of the JWA governance.
- 3.5 The SRO and Chair of the Governance Group was the Director: Business Improvement since the establishment of the formal programme. It is currently necessary as part of the JWA to have an SRO (or joint SRO) who is responsible for keeping the JWA up to date and for reporting to the Programme Board. As the nature of the programme has shifted from a change and improvement initiative to an operational management process over time and it has been agreed by both CLTs that the Governance Group will be co-chaired by the Section 151 officer at Cambridgeshire County Council and the monitoring officer at Peterborough City Council. (There are also similar co-chairing governance arrangements for this Council's lead authority shared back-office services with Milton Keynes, North Northamptonshire and West Northamptonshire Councils.)
- 3.6 Clause 23.10 (termination) relates to the practical impact of any termination of the JWA. Over the last year, some arrangements - whether specific roles like the two Chief Executives or Directors listed in 2.9 or whole services – have come out of the shared service agreement. These changes have been managed individually and appropriately in line with clause 23.10 but as we move into the next phase of arrangements, more services will exit formal arrangements. The Governance Group recommended that an exit strategy protocol should be appended to the JWA setting out the process required where either the JWA terminates or a shared team or role ceases to operate. This is now included as schedule 11 and has already been considered and endorsed by the Staffing and Appeals Committee.
- 3.7 Previous versions of the JWA included a Sovereignty Guarantee which is designed to protect the separate legal and political identities of each Council. Therefore, neither Council can procure or commission services on behalf of the other, or contract for third party services on behalf of the other, without the relevant legal and political/governance authorisation in place. However, the JWA did not specifically identify the principles and protocols that govern these processes. The Governance Group recommended that procurement leads in each council work together to develop a procurement protocol which lays out the process and governance for joint procurements. This is now included as schedule 10.
- 3.8 With these changes and additions, the Shared Service Governance Group recommends that the updated JWA, available to Members at the link shown in the Source Documents, should be signed by both councils. There is the possibility of some remaining technical variations to be agreed by the two Councils and the recommendation to this Committee is to delegate agreement of any final amendments to the Chief Executive on behalf of Cambridgeshire County Council.

- 3.9 Clause 24 of the JWA outlines the process to follow when there are variations to the original agreement. Any variation of the agreement and/or the protocols must be in writing and signed by or on behalf of each of the Parties.

4. Alignment with corporate priorities

4.1 Environment and Sustainability

There are no significant implications for this priority.

4.2 Health and Care

There are no significant implications for this priority.

4.3 Places and Communities

There are no significant implications for this priority.

4.4 Children and Young People

There are no significant implications for this priority.

4.5 Transport

There are no significant implications for this priority.

5. Significant Implications

5.1 Resource Implications

There are no significant implications within this category.

The joint working agreement includes a financial protocol which sets out the approach to cost apportionment and sharing where activities or shared services are shared with Peterborough City Council.

5.2 Procurement/Contractual/Council Contract Procedure Rules Implications

It is proposed to add a procurement protocol to the joint working agreement which sets out the ways in which the PCC and CCC procurement teams will work together and the models for contractual collaboration where this is agreed by both partners.

5.3 Statutory, Legal and Risk Implications

The joint working agreement primarily relies on Section 113 of the Local Government Act 1972 which permits a local authority to enter into an agreement to place their staff at the disposal of another local authority, for the purposes of their functions.

5.4 Equality and Diversity Implications

There are no significant implications in this category.

5.5 Engagement and Communications Implications

There are no significant implications in this category.

- 5.6 Localism and Local Member Involvement
There are no significant implications in this category.
- 5.7 Public Health Implications
There are no significant implications in this category.
- 5.8 Environment and Climate Change Implications on Priority Areas
- 5.8.1 Implication 1: Energy efficient, low carbon buildings.
Neutral Status – no significant implications
- 5.8.2 Implication 2: Low carbon transport.
Neutral Status – no significant implications
- 5.8.3 Implication 3: Green spaces, peatland, afforestation, habitats and land management.
Neutral Status – no significant implications
- 5.8.4 Implication 4: Waste Management and Tackling Plastic Pollution.
Neutral Status – no significant implications
- 5.8.5 Implication 5: Water use, availability and management:
Neutral Status – no significant implications
- 5.8.6 Implication 6: Air Pollution.
Neutral Status – no significant implications
- 5.8.7 Implication 7: Resilience of our services and infrastructure and supporting vulnerable people to cope with climate change.
Neutral Status – no significant implications

Have the resource implications been cleared by Finance? Yes
Name of Financial Officer: Stephen Howarth

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the Head of Procurement? Yes
Name of Officer: Clare Ellis

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or Pathfinder Legal? Yes
Name of Legal Officer: Fiona McMillan

Have the equality and diversity implications been cleared by your EqIA Super User? Yes
Name of Officer: Faye McCarthy

Have any engagement and communication implications been cleared by Communications? Yes
Name of Officer: Christine Birchall

Have any localism and Local Member involvement issues been cleared by your Service Contact? Not applicable

Name of Officer: Tom Kelly

Have any Public Health implications been cleared by Public Health? Yes


Name of Officer: Jyoti Atri

If a Key decision, have any Environment and Climate Change implications been cleared by the Climate Change Officer? Yes

Name of Officer: Emily Bolton

6. Source documents

6.1 Source documents

The Cambridgeshire County Council and Peterborough City Council Joint working Agreement and Protocols –  [WAY Joint Working Agreement \(with Protocols\).docx](#)
[CCC Intranet / finance@cambridgeshire.gov.uk](#)

Contact for documents [finance@cambridgeshire.gov.uk](#)