

## **ARTICLE 11 - JOINT ARRANGEMENTS**

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### **11.01 Arrangements to Promote Well Being**

The Council, in order to promote the economic, social or environmental well-being of its area, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

### **11.02 Joint Arrangements**

- (a) The Council may establish joint arrangements with one or more local authorities and/or their Executives to exercise functions in any of the participating authorities, or advise the Council on any matter. Such arrangements may involve the appointment of a joint committee with these other local authorities.
- (b) The Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.
- (c) The Cabinet may appoint Cabinet members to a joint Committee and those members need not reflect the political composition of the Council as a whole.
- (d) Details of any joint arrangements, including delegations to joint committees under S9EB to the Local Government Act, 2000, will be placed in the Council's scheme of delegations in Part 3 of the Constitution.

### **11.03 Access to Information**

- (a) Access to Information rules are contained in the Access to Information Procedure Rules in Part 4 of the Constitution.
- (b) If all the members of any joint committee are members of the Executive in each of the participating authorities then its access to information regime is the same as that applied to the Executive.
- (c) If the joint Committee contains members who are not on the Executive of any participating authority, the access to the information provisions in Part V of the Local Government Act 1972 will apply.

## **11.04 Delegation to and from Other Local Authorities**

- (a) The Council or the Cabinet may delegate their powers and functions to another local authority or the Executive of another local authority and may receive such delegations also.

## **11.05 Contracting Out**

The Cabinet may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under Section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, providing there is no delegation of the Council's discretionary decision making.

## **11.06 Partnerships**

### **(a) Background**

Partnership working is becoming ever more central to effective modern local government. A range of issues need to be addressed to ensure that the Council has a consistent and rigorous approach to partnership working. There need to be clear processes and procedures to respond to the complexity of partnerships and their increasing importance in enabling the Council to deliver services efficiently, effectively and with propriety, in addition to fulfilling the Council's leadership role. The Government's Comprehensive Area Assessment (CAA) arrangements for local authorities have identified the importance of partnership working, and place stronger emphasis on working with partners. CAA will focus on the effectiveness of the Council's approach to political, managerial and community leadership, user focus and diversity, achievement in shared priorities, and delivering outcomes through partnership working.

### **(b) Defining a Partnership**

The word "partnership" is used with increasing frequency in both the public and private sector and can mean many different things to different people. To make partnerships work effectively, they need to be differentiated from other joint arrangements such as funding regimes, contracts and informal relationships or networks.

A partnership has:

- an agreed framework for jointly delivering common goals
- shared risks and resources
- identified added value and measurable impact
- shared accountability for outcomes

## **(c) Creation of Partnership**

The creation of any new formal partnership must be approved by the Cabinet Executive (or, if constitutionally required, by the Council) or as delegated.

## **(d) Local Guidance**

Regard should be had, as appropriate, to local guidance set out in the Council's "Guidance Note" and Partnership Toolkit.

Particular regard should be given to

- probity and risk
- the status of the accountable body
- seeking timely legal advice, where necessary