

Harborough District Council

Report to Scrutiny Commission 21 November 2022



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| Title: | Strategic Partnership |
| Status: | Public |
| Key Decision: | No |
| Report Author: | Liz Elliott Interim Chief Executive |
| Portfolio Holder: | Cllr King - Strategy |
| Appendices: | Appendix 1 – Draft Business Case – TO FOLLOW on 18 th Nov 2022 |

Executive Summary

Collaboration is commonplace within Local Government and within Leicestershire there is a strong track record of joint working by District Councils and their partners.

On 10th October 2022, Cabinet confirmed their interest in exploring the establishment of a strategic partnership with Melton Borough Council (MBC) and provided authority to work with MBC to develop a full business case and set out an approach to operate such an arrangement.

The purpose of this report is to set out the framework for the business case for establishing a strategic partnership between Harborough District Council and Melton Borough Council. The full business case is being finalised and will be provided to the commission members on 18th November. The business case sets out the design principles for the partnership, the intended benefits, and the initial proposition to share a small number of senior roles. It also sets out service delivery opportunities that could be explored if the partnership is established.

The Council's Scrutiny Commission are asked to consider and provide feedback to Cabinet on the Business Case.

Alongside this a Memorandum of Agreement (MoA), has been developed which will be considered by the Council's Audit and Standards Committee, who will also provide feedback to Cabinet.

The relevant committees at Melton Borough Council will also consider and provide feedback to their Cabinet members on the draft Business Case and draft Memorandum of Agreement.

Recommendations

The Scrutiny Commission note the draft Business Case and provide comments to be considered by Cabinet before they make a recommendation to Council in December.

Reasons for Recommendations

To ensure that the draft business case and associated objectives and opportunities for a Strategic Partnership between Melton Borough Council and Harborough District Council can be reviewed and scrutinised.

Scrutiny Commission comments will be considered by Cabinet members and will help inform the final stages of development of the business case ahead of Cabinet consideration and recommendation to Council.

1. Purpose of Report

This report is needed to provide the Scrutiny Commission the opportunity to feed any comments into the Strategic Partnership business case prior to its consideration at Cabinet on 5th December 2022.

2. Background

Following the retirement of the Council's Chief Executive in February 2022, it was agreed at the June council meeting that a delegation for the Leader and interim Chief Executive to undertake a review, and utilising criteria set out in the report to identify a preferred strategic partner and to report back to Council on the suggested way forward at a later date.

The basis for identifying an appropriate strategic partner included three main considerations:

- Strategic Fit – including alignment of objectives, aspirations, areas of commonality
- Feasibility – into consider how such an arrangement could happen
- Viability – to consider whether a partnership could be financially viable

Following this analysis, Melton Borough Council were considered the best 'fit' and identified as the preferred partner.

In early September 2022, the Council Leader invited Melton Borough Council's Leader to explore the opportunity further. The main reasons for this included greater similarities in our respective places, broad alignment between our corporate strategies, strong positive relationships, a track record of collaborative arrangements and the initial assessment of opportunities that may exist by our organisations working more closely together.

At its meeting on 10th October 2022, Cabinet approved the following recommendations:

- Note the progress on the strategic partnership review which has identified Melton Borough Council as the preferred partner.
- Note the outcome of the review and authorise working with Melton Borough Council to develop a full business case, and the potential approach for operating such a partnership, which will be presented to Council at a later date.

At its meeting on the 12th October 2022, Melton Borough Council's Cabinet approved the following recommendations:

- Note that through a strategic partnership review, Harborough District Council has identified Melton Borough Council as a preferred strategic partner and has formally approached the Council to explore this further.
- Acknowledge the outcome of the review carried out by Harborough District Council, and authorise working with them to develop a full business case and

approach to operating such a partnership, to be considered by Council in December 2022.

Since then, to enable a comprehensive and robust assessment to be undertaken, within the required timescales, officers have worked alongside external independent experts to assist in developing the business case and legal frameworks.

The business case, which is due to be published on 18th November, will set out the design principles for the partnership, the intended benefits, and the initial proposition to share a small number of senior roles. It also provides an analysis of potential service opportunities which would then be subject to further review. It does not provide a detailed assessments of proposals for every service area but sets out the service delivery opportunities that could be explored if the partnership is established.

The report seeks comments from Scrutiny Commission members prior to consideration of the Business Case by Cabinet.

The final version of the business case will be presented to Council for consideration in December 2022.

3. Main Considerations

The Business Case forms Appendix A of this report. The business case document will be provided to Scrutiny Commission members on 18th November 2022. An overview of the Business Case framework is included in this report.

The Business Case is made up of the following chapters:

- Introduction and approach
- Executive Summary
- Learnings from elsewhere
- Analysis of Councils (demography, deprivation, local businesses and growth, corporate priorities, organisations values, current leadership structures)
- Mapping of services and collaboration
- Design principles and intended benefits
- Strategic Partnership – the proposition including collaborative governance arrangements and shared roles.
- Phase approach to investigation
- Strategic Case
- Economic Case
- Financial Case
- Commercial Case
- Management Case
- Summary of Findings
- Operational Implementation Plan



If the Strategic Partnership is formed, the participating Councils will continue to retain their own sovereignty and democratic accountability to their communities, as well as their own local decision making. This forms a key component of the business case.

The Business Case has been developed with the support of sector leading consultants and demonstrates the rationale and opportunities for forming the Strategic Partnership. In developing the business case detailed consideration and reference has been given to examples of successful partnerships across the local government sector. It also covers the desirability, viability and the feasibility of establishing a strategic partnership in terms of strategic, economic, financial and commercial management along with a proposed implementation plan.

Some of the key elements of the business case for members to consider are summarised below:

3.1. The Proposition

In developing a business case, it is necessary to have a proposition which can be considered and tested. The proposition for the establishment of a strategic partnership between the two councils would be designed to provide a platform that enables both councils to improve service quality, resilience and efficiency, while also increasing their collective influence and ability to improve outcomes for their communities and businesses.

To establish the required platform, the following changes have been built into the business case to facilitate a stable initial leadership platform for the new partnership. These changes will enable the exploration of further collaboration; however, these changes have no direct impact on the sovereignty, decision making and independence of either council. These changes have been designed to adhere to the required characteristics, qualities and safeguards identified within the design principles which are set out below:

- Shared Chief Executive (CEO) and Head of Paid Service
- Shared Deputy Chief Executives (x2) with thematic responsibilities
- Partnership governance arrangements

3.2 The Case for Change

The business case will set out the case for change. The following drivers apply to both councils:

- Limitations on strategic influence** Due to their scale, both councils experience challenges associated with their ability to influence decisions at a sub-regional, regional and national level. For example, HDC and MBC are two of seven second tier authorities 'trying to get a seat at the Integrated Care Board table'. Individually, HDC and MBC are ranked 259th and 311th respectively (out of 314 councils) in terms of population size. Combining populations would mean that the councils would speak on behalf of 146,000 residents, making it the 147th most populated area in the country and 92nd in terms of geographical area. By working together both councils could increase their impact, reach and influence, while still remaining connected locally.
- Limited 'place leadership' without a single voice** - Both councils are experiencing similar challenges (an ageing population, pockets of deprivation, inequality and isolation, lack of digital and transport connectivity etc.) but currently do not share strategies and approaches to address these challenges. The CEOs of both councils currently spend approximately 30% of their time managing external relations; they both attend many of the same meetings and engage with the same stakeholders

separately. The opportunity exists to address shared challenges together, doing things more effectively, once rather than twice.

- c) **Challenges to financial resilience and sustainability** - Both councils are currently experiencing financial challenges. There is uncertainty regarding future levels of government funding, while inflation is already having a significant impact on council finances. Both councils have limited further opportunities for achieving savings and efficiencies by themselves; sharing services, resources, expertise and approaches to common challenges represents a new route to realising new efficiencies and savings, while also representing a significant opportunity to improving the scope and quality of services delivered to communities and businesses. Additionally, HDC's base budget for 2022/23 and MTFs already include savings associated with the sharing of senior leadership team posts.
- d) **Improving organisational resilience** - Both councils have experienced challenges in terms of recruitment and retention, particularly amongst specialist teams and roles, including Monitoring Officers and director roles. While MBC currently has a stable leadership team, several key HDC roles are subject to interim appointments (Chief Executive, Deputy Chief Executive, Monitoring Officer). Additionally, single points of failure currently exist across both organisations, as single individuals assume responsibility for statutory roles (safeguarding, health and safety advice, Conservation Officer (planning), equalities and land charges etc.).
- e) **Improving service resilience** - Challenges relating to recruitment and retention extend to individual service areas, including planning and housing services. Recent experience demonstrates that these services are particularly susceptible to disruption given the small size of the respective teams (i.e. annual leave, sickness, resignations etc.). Should sharing and maximising the collective skills, expertise and systems across both councils result in improved service resilience, such steps would realise a highly desirable outcome from the perspective of both councils, their communities, businesses and partners.

3.3 The Draft Design Principles

It is important that the development and delivery of a strategic partnership is guided by a set of principles. Design principles should:

- Determine the characteristics and qualities that any proposed change is required to demonstrate
- Provide a blueprint that informs the proposition options to be appraised within the business case
- Be both desirable and realistic (viable and feasible)

A number of design principles have been developed for the proposed Strategic Partnership, which are supported by a range of further proposed commitments, shown in the table below:

Design Principle 1 (DP1):



To enhance each councils' ability to address common issues and challenges for the benefit of residents, communities, and business, through a common purpose, whilst maintaining democratic accountability

- Enable both councils to develop joint strategies/approaches on issues where an at scale or collaborative 'place leadership' response would add value (net zero, inclusive growth, health and wellbeing, prevention and early intervention, cost of living support etc.)
- Each council remains responsible for identifying and assessing the needs of their residents, communities and local businesses
- All proposals for change must demonstrate the positive impact the change will have on residents, communities and/or businesses
- Ensure each council retains the democratic accountability that exists between elected members and their communities
- Ensure that all stakeholders understand the partnership arrangements and relationships between partners

Design Principle 2 (DP2):

To enable both councils to maximise influence, reach and impact; locally, regionally and nationally, particularly on shared opportunities and challenges

- Enable both councils to operate with a stronger voice on local and regional issues as and when appropriate

Design Principle 3 (DP3):

To enable greater financial sustainability, deliver resilience and maximise opportunities to secure external funding

- A structure that enables shared learning and good practice, resulting in realisation of savings, efficiencies or increased value for money
- Exploration of approaches to joint mitigation of financial risks
- Ensure that external funding opportunities are maximised through wider geography and joint bidding

Design Principle 4 (DP4):

To attract and retain workforce talent through the opportunities for shared learning, job enrichment, new experiences and progression

- A structure and approach that identifies, respects and maximises the strengths and capabilities of each council's workforce, partnerships and relationships with their communities
- Building on existing examples of collaboration across services, to provide opportunities for job enrichment and progression, thus supporting recruitment, retention and development of current staff ('employer(s) of choice')
- Create a joint approach to workforce strategy and vacancy management

Design Principle 5 (DP5):

To create a mechanism that allows the effective and equitable deployment of resources

- The appointment of a senior officer (Shared Chief Executive Officer & Head of Paid Services - 'Shared Chief Executive') who is ultimately accountable to the elected members of each council
- A fair and proportionate structure that enables both councils to explore opportunities for service improvement, reduced duplication and increasing capacity, all of which could realise savings or increased value for money
- Exploration of opportunities to jointly commission, procure or deliver common services.

Design Principle 6 (DP6): To consider and embrace future collaboration options and to review and evaluate existing arrangements

- Co-designed and agreed arrangements in place that enable the ongoing review and evaluation of partnership performance and collaboration activity involving both councils (and external partners, if appropriate)
- Ongoing review and evaluation of partnership benefits and collaborative activity to be informed by a robust review process
- Proposals to changes a council's services will be informed by an evidence-based review undertaken by the council(s)
- Each organisation is required to agree to any recommended/proposed change to services prior to implementation in line with agreed delegations

Design Principle 7 (DP7): To ensure that council sovereignty and clear lines of accountability are maintained

- Retain the councils' responsibility for identifying, agreeing and implementing corporate strategies, policies and priorities



- Each council will remain accountable for the decisions taken in line with their own constitution and governance arrangements
- Elected members retain oversight and scrutiny over council policy and key decisions in line with delegations and governance arrangements
- Elected members retain all current decision-making powers in relation to council budgets and investments

Design Principle 8 (DP8): To create a mechanism that ensures a fair, equitable and proportionate allocation of costs

- Elected members have open, fair and proportionate access in line with their roles to Shared officers
- A clear, transparent and agreed mechanism is in place exists to ensure that the time of Shared officers are fairly allocated to each council.
- A clear, transparent and agreed mechanism exists to ensure that the costs associated with the role of the Shared officers are fairly allocated to each council.
- Where financial arrangements are shared (i.e joint budgets or shared services), a clear process is agreed for managing local variance (need and demography, demand for services etc.).

3.4 The Intended Benefits

The business case sets out a number of intended benefits. These include:

- Strategic Place Leadership
 - a) Collective strength; working together to respond to and address shared and common challenges and opportunities at a local, corporate and sub-regional level.
 - b) Maximising our influence; speaking on behalf of East Leicestershire, increasing our collective influence regionally and nationally through a stronger, more united voice
 - c) Futureproofing both councils; cementing a solid and flexible foundation for partnership working ahead of the potential for devolution and local reform.
- Communities and Businesses
 - a) Increased levels of inclusive growth, reduced deprivation and improved outcomes; doing more for our local communities and businesses
 - b) Maximising external investment; enabling the future prosperity for our communities and businesses
 - c) Maximising impact by jointly addressing shared challenges, including net zero, cost of living, health and wellbeing, digital connectivity, housing affordability etc.
 - d) Increased impact realised through collective campaigns and public awareness initiatives.
- Organisational effectiveness
 - a) Increased service resilience, sharing resources, learning and good practice.
 - b) Improving organisational effectiveness – a joint approach that reduces duplication, increases service quality and improves outcomes

- c) Accelerating the pace of progress/improvement and increasing the impact realised by both councils – a joint approach that reflects the best of both councils.
- Workforce
 - a) Increased opportunity for job enrichment, development and progression
 - b) Improved recruitment and retention rates
 - c) Both councils being views as ‘employers of choice’
- Financial resilience
 - a) Improved financial sustainability – through growth, efficiency/removal of duplication and the realisation of savings
 - b) Improved value for money through sharing capabilities, resources and working practices
 - c) Increased purchasing power – improved value for money and the ability to shape, influence and support local/regional markets
 - d) A new financial benefit to the councils – ongoing savings, efficiencies and added value outweigh the costs of change.

A key benefit of working together is in relation to our workforce. A partnership could better support the development of its officers, provide them with greater opportunities to broaden their skills and develop their knowledge and progress in their careers. Working as a Strategic Partnership has the potential to make the Councils’ more attractive employers due to the scale of opportunity that can be provided for career development.

The detailed analysis of the opportunities, risks and potential benefits will be set out in detail within the business case published on 18th November 2022.

4. Next Steps – Implementation and Communication

- Frequently Asked Questions (FAQ’s) developed and circulated to staff and elected members
- Opportunity for members to hear from another strategic partnership
- Further briefings to staff and elected members to be arranged as appropriate
- Draft final Business Case and MoA for consideration and comment for Cabinet Meeting 6th December 2022
- Present final Business Case and MoA to Council on 20th December 2022
- Communication and engagement plan to support implementation will be developed should a decision to proceed be taken.

5. Implications of Decisions

5.1 Corporate Priorities

The councils corporate plan states “The journey ahead; The corporate plan sets out our ambitions for the future of the district. To turn this ambition into reality we need to work together with all our communities and partners in an integrated approach to place shaping.” This partnership will progress this ambition and will help to deliver all the councils corporate priorities as outlined in the corporate plan.

5.2 Financial

In exploring a strategic partnership there was a clear ambition for both Councils to become more financially efficient and resilient in the way they operate through greater collaboration.



If the new partnership were adopted exploring wider service integration where it makes sense to do so will reduce pressure on the Councils' budgets in the years ahead whilst also creating capacity to invest in local priorities to achieve better outcomes for communities whilst retaining local sovereignty.

In addition, the successes in each Council provide opportunities for further joint exploration and development looking forward.

Significantly, the Councils as a partnership would collectively have a stronger voice locally, regionally and nationally, when seeking resources to further their priorities.

The Business Case includes a focus on finance, commercial and economic opportunities. The Business Case sets out a proposal for changes to a small number of senior roles as an initial step whilst looking forward to the indicative savings that could be made from further sharing opportunities over the next five years. Any service delivery changes will be subject to a full business case before any financial implications and opportunities can be confirmed.

The Memorandum of Agreement includes a number of financial principles relating to the strategic partnership and its operation. This includes the equal sharing of costs relating to shared senior leadership officers unless otherwise agreed, as well as including further rationale for how costs could be shared should other services be considered for sharing in the future. Also included is provision for the accounting, reporting and review of the finances relating to the partnership. Provision is also made relating to the liability and apportionment of costs in the event of termination or the withdrawal of a partner from the partnership.

5.3 Legal

The Business Case for the strategic partnership between Harborough District Council and Melton Borough Council sets out the design principles for the partnership, the intended benefits, and the initial proposition which is to share a small number of senior roles.

The Council is under a duty pursuant to s.3(1) of the Local Government Act 1999, to: "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness".

Section 113 of the Local Government Act 1972 enables a local authority to enter into an agreement with another local authority to place an officer of one at the disposal of the other for the purposes of discharging the latter's functions. Any officer placed at the disposal of a Council other than his/her employer must first be consulted on the proposal. Once placed at the disposal of the non-employing authority, the officer is classed in law as an officer of that authority and is able to exercise powers delegated to them.

The Business Case also sets out service delivery opportunities that could be explored if the partnership is established. These legal implications will be considered on a case-by-case basis as individual business cases are developed.

5.4 Policy

There are no policy implications for this report. Any policy implications will be outlined in the reports presented to cabinet and council.

5.5 Environmental Implications including contributions to achieving a net zero carbon Council by 2030

New technologies and ways of working provide the opportunity to reduce travel-based carbon emissions across the proposed Partnership.

The proposed partnership also has the potential to deliver greater climate change and environmental outcomes for the Councils and the communities they serve. This would be an opportunity which could be explored further if the partnership is approved.

5.6 Risk Management

Key strategic risks are included within the business case document. Additionally, a risk register is in place and will continue to be updated and maintained. There are a number of categories within which risks have been considered to date. These include:

- Leadership and Governance
- Capacity, Resource and Resilience
- Financial
- Workforce, culture and communication
- External factors

5.7 Equalities Impact

None arising directly from this report. However, a screening process will be carried out to determine whether a full Equalities Impact Assessment is required prior to Cabinet and Full Council consideration.

5.8 HR Implications

It will be critically important to ensure we continue to support our officers and ensure they are kept well informed, engaged and consulted of developments.

Our staff are our greatest asset and we need to ensure we take good care of them and their health & wellbeing at this critical time.

Where there is a potential for impact on or changes to any roles, normal HR processes must be followed.

5.9 Data Protection

None arising directly from this report.

6. Summary of Consultation and Outcome

Communication, consultation and engagement has been wide ranging and has been carried out on an ongoing basis. Some key examples relevant to Harborough District Council are included below:

- Chief Executive and Leader emails to all members and staff on 21st September 2022
- All staff briefing on 26th September 2022
- Emails to the Chair of Audit and Standards and Scrutiny on 14th October 2022
- Report to Cabinet 10th October 2022
- All staff emails on 7th and 14th October 2022
- All member briefing 31st October 2022 and 15th November 2022
- All staff briefing 11th November 2022



- Scrutiny Commission to consider and provide feedback on the business case on 21st November 2022
- Audit and Standards Committee to consider and provide feedback on the Memorandum of Agreement on 23rd November 2022
- Ongoing opportunity for members to provide comments prior to Council agenda release on 9th December 2022
- Cabinet to consider business case and MoA on 5th December 2022
- Council to consider recommendations from Cabinet on 19th December 2022

Communication with stakeholders has also been carried out. This includes:

- Letters to key stakeholders on 6th October 2022, with a further letter to stakeholders on 9th November 2022.
- Parish Council liaison session to be held on 24th November 2022.
- Updates to the MP and Police and Crime Commissioner.

7. Alternative Options Considered

The Council could choose not to consult with the Scrutiny Commission. This is not recommended. Scrutiny Commission comments and feedback form a key part of the business case development process. All comments will be presented to Cabinet for consideration.

It would not be appropriate to enter into a strategic partnership without a business case in place. Scrutiny Commission comments form a vital part of this process.

8. Background papers

- [Harborough District Council Cabinet Report 10th October 2022](#) – Opportunity to explore establishment of a strategic partnership with Harborough District Council
- [Melton Borough Council Cabinet Report 12th October 2022](#) – Opportunity to explore establishment of a strategic partnership with Harborough District Council