

# Project Plan

## Standards for England and the Centre for Public Scrutiny

### Ensuring high standards in partnerships

December 2009

## Background

Previous Standards for England research<sup>1</sup> shows that a range of governance issues are present in partnership working, ranging from concerns about accountability and democratic deficits to conflicting priorities and power relationships. There was, however, less evidence that ethical problems arise in partnerships. That said the research found strong views that it is important to ensure standards in partnership working and that the potential for such issues did exist. Moreover, there was the view that where partnerships involved the allocation of tax payers' money and decisions were taken that impacted upon local communities, then it was only right that these partnerships should adhere to the seven principles of public life. A key finding was a belief that local government, generally, did not have sufficient checks in place to determine whether potential partners were compatible with local government in terms of culture and values. In addition, there was concern that, once in a partnership arrangement, local authorities did not have effective oversight of the ethical governance arrangements.

The growing use of shared services as a method of service provision raises similar local governance issues and thus exacerbates the need to strengthen standards and accountability in such working arrangements.

## Project purpose

Standards for England (SfE) and the Centre for Public Scrutiny (CfPS) will undertake a joint project which will help ensure the effective ethical scrutiny of local partnership arrangements.

### Outputs

This research project will produce jointly badged guidance on the following:

- **Part 1: a checklist** which standards committees can use to encourage their authority to ensure that resources are marshalled into testing whether partners are 'ethically appropriate' to work with<sup>2</sup>; and once engaged in a partnership:
- **Part 2: a checklist** to support standards committees in encouraging the scrutiny of partnership arrangements and partners adherence to the Seven Principles of Public Life.

## Scope

---

<sup>1</sup> 13 face to face interviews were undertaken with representatives from: NLGN, Department of Children, Schools and Families, SERCO, IBM, CIPFA, SOLACE, NAO, Manchester City Council, ACCA, Kirklees Council, MTM Associates and the Institute of Business Ethics between May and July 2009.

<sup>2</sup> It is acknowledged that some partners and partnerships arrangements are indeed mandatory.

## Part 1

This part of the project will involve the development of a checklist of questions and pointers that standards committees can use to encourage their authorities to ethically assess those with whom they are considering working in partnership.

Local authorities cannot conduct altruism tests on partners. However, they must consider themselves accountable for who they work with and we think standards committees should have a role in challenging their authorities to ask themselves, “Are we working with the right people? Are their values compatible with ours?”

Some partnership arrangements that local authorities enter into are mandatory, while others are not. For example, overview and scrutiny committees have powers to scrutinise health bodies and partners in relation to their work on Crime Reduction Disorder Partnerships (CDRPs). In some instances local authorities do have a choice in who they partner with. Whether the local authority is obliged to work with a specific partner or not – they can still ask questions about their arrangements for supporting ethical behaviour.

The Institute of Business Ethics asserts that there is a lack of generally accepted criteria to assess ethical performance (Dando and Raven, 2008). It is not advocated here that a definitive guide is produced, rather a series of questions that may prompt consideration about whether the culture and values of an organisation are compatible with those of local authorities.

Of course this would have to be marketed as a voluntary process as most partners<sup>3</sup> are under no obligation to comply in terms of providing evidence on any of the factors we might outline. That said, an organisation’s willingness to participate may reflect their commitment to the seven principles and therefore be a useful indicator in itself.

## Part 2

Currently, local government scrutiny committees have powers to request information from the council (including members and officers), local NHS bodies and their relevant council, police forces, police authorities, fire and rescue authorities, probation authorities. Scrutiny committees can also request these organisations’ attendance before a committee and make reports and recommendations to them. Such reports and recommendations can be copied to LAA partners and while LAA partners must ‘have regard’ to the recommendations and also provide information about related targets, they do not have to attend meetings.

This project will explore how the checklist can be used by standards committees and scrutiny committees. Scrutiny committees are able to challenge the council leadership on the issues for which they are responsible. There are no formal limits on what local government scrutiny can look at – committees can examine any issue of importance to the community. Many committees look at the work of a range of public and private service providers and they can request information from these bodies (Department for

---

<sup>3</sup> Overview and scrutiny committees also have powers relating to named partners in the Local Government and Public Involvement in Health Act 2007 so far as related to Local Area Agreement targets are concerned.

Communities and Local Government, 2009). The Department for Communities and Local Government are currently consulting on their plans to extend scrutiny powers further giving them the power to require attendance from partner bodies to give evidence before them.

We intend to develop scrutiny questions aimed at assessing whether arrangements within partnerships support high standards and whether partners are adhering to the seven principles in public life and also look into how standards committees can support scrutiny committees in this process.

## **Methodology**

### **Desk research**

It is likely that that some local authorities already undertake some kind of ethical screening or assemble evidence to check their compatibility with partners. Therefore, the first stage in the development of this framework will be a desk research exercise where we will review the information received in SfE's annual returns which asked for information on what authorities were doing to ensure standards in partnerships.

In addition the Institute of Business Ethics have compiled a list of indicators and possible sources of evidence for ethical screening for use in the private sector.

Last of all, in developing some scrutiny questions which are aimed at challenging the ethical behaviour of the council's partners, it is proposed here that we draw on existing expertise and build on CfPS's existing work around scrutiny of partnerships such as How to Win Friends and Influence Partners and Small Print Big Picture.

### **Roundtable**

As well as testing the final checklist with volunteer organisations (see below for more detail on proposed pilot organisations), it is suggested that an initial stage of the project should be to invite them to a roundtable style discussion, facilitated by SfE and CfPS. This would provide them with a timely opportunity to shape the project and the development of the questions by sharing relevant existing experience in this area.

## **Testing and refining**

Having developed:

- a) a checklist to encourage the local authority to assess the ethical eligibility of its partners; and
- b) checklist which will encourage the ethical scrutiny of partners;

the application and usefulness of these tools should be tested and, where necessary, refined. It is proposed that the following organisations are invited to participate in the testing:

- GLA
- Kirklees
- Manchester
- Newham
- Adur District Council
- Worthing Borough Council

The testing will involve authorities being asked comment on the questions themselves and then to put the questions into action and provide us with feedback as to how effective and useful they were.

## **Project Oversight**

This project will be over seen by an external steering group. Steering group members will be invited on the basis of their experience and expertise in the field of scrutiny, standards and governance. The role of steering committee members will be to act as a sounding board, providing constructive challenge and direction based on their own experience. More specifically steering committee members will be expected to:

- contribute towards the quality control of reports and other outputs from the project
- contribute ideas towards how the research could be best used and disseminated
- review and comment on preliminary findings and recommendations
- advise on any corrective action required to rectify problems with the project

Invitations to be on the steering group have not yet been made. It is suggested that the following organisations are invited:

- Audit Commission
- Centre for Public Scrutiny
- Local Government Association
- Standards for England

It is proposed that an initial steering group meeting is held once the scope and responsibilities of this project have been agreed by Standards for England and the Centre for Public Scrutiny. A second and final meeting should be held toward the end of the project when the steering group review and provide comment on the drafted guidance.

In between these meetings steering committee members can liaise electronically..

## **Roles and responsibilities**

CfPS will:

- provide advice and oversight of the development of the tools and documents produced
- attend project meetings where possible
- jointly badge the final guidance with SfE

SfE will:

- administer and undertake the necessary research
- invite and coordinate the project steering group
- invite and coordinate participant authorities
- draft the final report/document/product

## Project Schedule

Below is a proposed project schedule. The schedule is based on the following assumptions:

**Estimated project start date:** 4 January 2010

**Estimated finish date:** 31 May 2010

TASK	START	FINISH	OWNER	PROGRESS
<b>Project start up</b>				
Project Scope agreed by SfE Knowledge Building Manager	Oct 09	Nov 09	HP	complete
Invite CfPS to work with SfE	Nov 09	Nov 09	HP	complete
Meet with CfPS	4 Dec	4 Dec	HP / TG	complete
CfPS to agree a project plan SfE	w/c 14 Dec	4 Jan	HP /TG	
<b>Participant authorities</b>				
Agree list of participant authorities to invite	Listed in project plan w/c 14 Dec	4 Jan	HP / TG	
Draft invite and contact authorities	5 Jan	12 Jan	HP	
Organise roundtable discussion	13 Jan	19 Jan	HP	
Hold roundtable	Feb	Feb	HP / TG	
<b>Set up Steering Group</b>				
Agree steering group members with CfPS	Listed in project plan w/c 14 Dec	4 Jan	HP / TG	
Draft invite and contact agreed individuals	5 Jan	12 Jan	HP	
Set up first steering group meeting - to be held around beginning of Feb	13 Jan	19 Jan	HP	
Set up second (and final steering group meeting) – to be held around mid May	13 Jan	19 Jan	HP	
<b>Desk research</b>				

## Paper 10/23: Appendix B

Check whether partnerships is an area of concern with regulators following CAA results	4 Jan	29 Jan	HP	
Contact Jo Dungey at LGA for the association's view of partnerships	4 Jan	29 Jan	HP	
Additional reading <sup>4</sup>	4 Jan	29 Jan	HP	

Development				
Draft framework/checklist/questions for Part 1 (This will include an analysis of the annual returns, what local authorities are already doing as well the work the Institute of Business Ethics work in this area).	29 Jan	1 March	HP	
Draft scrutiny questions re: Part 2 (This will include analysis of the annual returns, work already done by the Centre for Public Scrutiny and any work already done by local authorities in this area).	29 Jan	1 March	HP	
Consult with CfPS on draft scrutiny questions and checklist	2 March	22 March	TG	

Testing				
Offer tools to local authorities who have agreed to test them	23 March	1 May	HP	
Authorities to test/comment on tools	23 March	1 May	HP	

Refining				
Collect feedback from pilot authorities	1 May	10 May		
Incorporate feedback and produce further version of tools.	10 May	20 May	HP / TG	
Final Steering Group meeting	Around 20 May	Around 20 May	HP / TG	
Incorporate any comments from Steering Group Meeting and finalise report/guidance	20 May	31 May	HP / TG	
Launch Activities	Discuss with steering group			
Promotion	Discuss with steering group			

### Further information

For further information on this paper, please contact **Hannah Pearson** on 0161 817 5417 or email [hannah.pearson@standardsforengland.gov.uk](mailto:hannah.pearson@standardsforengland.gov.uk).

### References

Nicole Dando and Raven Walker, Living up to our values: Developing ethical assurance, The Institute of Business Ethics, December 2006.

Communities and Local Government, Strengthening Local Democracy: Consultation, July 2009.

<sup>4</sup> How to win Friends and Influence Partners, the Centre for Public Scrutiny, March 2009  
Small Print Big Picture, a Guide for Scrutinising Public-Private Partnerships, the Centre for Public Scrutiny, May 2008