

**KENSINGTON AND CHELSEA PARTNERSHIP STEERING GROUP
MEETING ON 23RD MAY 2002**

REPORT OF THE DIRECTOR OF STRATEGY AND SERVICE IMPROVEMENT

REVISED TERMS OF REFERENCE AND GOVERNANCE ARRANGEMENTS

This report introduces the revised Terms of Reference and Governance Arrangements for the Partnership and the Partnership Steering Group (referred to in this report as 'the Steering Group').

FOR COMMENT AND APPROVAL

1. BACKGROUND

- 1.1 At its meeting on 20th March 2002 the Steering Group considered a report suggesting preliminary governance and constitutional arrangements for both the wider partnership and for itself.
- 1.2 The aim of the report was to provide more confidence as the partnership moves forward. The proposals attempted to cover the "what, who, how and when" of the operation of the Partnership and Steering Group.
- 1.3 The Steering Group approved this report, subject to a number of amendments. The report has now been updated in light of these recommendations and is attached as appendix A.
- 1.4 This covering report outlines the recommendations made by the Steering Group, and the amendments that have been made to the document.
- 1.5 As these Terms of Reference and Governance Arrangements are put into practice, the Steering Group may wish to keep the 'workability' of this document under review.
- 1.6 Subject to the Steering Group's discussion of the proposals below, the following approach to the Terms of Reference is recommended:
 - a. Agree the Terms of Reference as drafted at appendix A. These do not address two issues where further discussion seems necessary: funding the work of the Kensington and Chelsea Partnership and the accountability of the Steering Group.
 - b. Discuss these two outstanding issues at the away day (see agenda item 5), and then add an agreed form or words for each of them to the Terms of Reference.

2. THE WIDER PARTNERSHIP

2.1 This section outlines the key changes to the terms of reference and governance arrangements for the wider partnership. The corresponding paragraph in the revised document is given in brackets for ease of reference.

2.2 Members Arrangements

2.2.1 *Original text*

'The Steering Group will reserve the right to exclude an organisation or individual from membership if they have sufficient evidence that such membership would harm the stated interests of the Partnership.' (para 2.2)

Steering Group recommendation

That a one-stop right of appeal be provided for, and that officers develop an appropriate mechanism for this, possibly using a sub-group of Steering Group members not involved in the initial exclusion decision.

Action taken

Additional item inserted reads: 'A one-stop right of appeal will be provided to any organisation or individual excluded from membership. Appeals will be heard by a sub-group of the Steering Group to be decided upon notification of the appeal.' (para 2.3)

2.2.2 *Original text*

'The Steering Group will determine from what date all written communication will be achieved electronically.' (para 2.6)

Steering Group recommendation

That whilst electronic means of communication be used for the dissemination of information to the 'wider partnership', hardcopies of agenda papers for Steering Group meetings should continue to be made available in the Borough's main public libraries.

Action taken

Additional wording at the end of this item reads: 'Hard copies of the agenda papers for all Steering Group meetings will continue to be made available in the Borough's main public libraries after this date.'

3. The Partnership Steering Group

3.1 This section outlines the key changes to the terms of reference and governance arrangements for the Steering Group. Again, the corresponding paragraph in the revised document is given in brackets for ease of reference.

3.2 Terms of Reference

3.2.1 *Original text*

'To lobby central and regional Government' (para 2.10)

Steering Group recommendation

That the words '*on issues of concern to the Partnership*' be added at the end of this sentence.

Action taken

This sentence has been amended accordingly.

3.3 Membership

3.3.1 *Original text*

'Nominated/appointed members of the Steering Group shall not be permitted to send substitutes to meetings.'

Steering Group recommendations

That no formal provision be made for substitution arrangements (on the basis that the Steering Group needs continuity so as to maintain an ethic of close teamwork), but that on those rare occasions where a member is unable to attend and wishes to send a substitute, they should only do this having notified the Chairman in advance of the date of the meeting.

Action taken

Original text removed. New item inserted reads: 'In the interests of continuity and teamwork, there will be no formal provision for substitution arrangements. However, on the exceptional occasions when a member is unable to attend and wishes to send a substitute, they will notify the Chairman prior to the date of the meeting.' (para 3.6)

3.3.2 *Additional amendments made*

Agenda item 3 – 'Steering Group Membership' indicates that the revised Terms of Reference and Governance Arrangements includes the following additional provisions:

- 'Each year there will be a session of the Borough Conference at which members of the Kensington and Chelsea Partnership can debate and discuss membership of the Steering Group. A report of this discussion will be considered at the next meeting of the Steering Group and the group will be invited to decide whether any changes to its membership should be made. The Steering Group will be accountable to the Partnership for its decision.' (para 3.3)
- 'All existing seats will be secure for a period of no less than two years from the date of appointment.' (para 3.4)

3.3.3 Agenda item 3 also updates the membership of the Steering Group. This has been reflected in the Terms of Reference as follows (para 3.8):

The Business Sector	
Business Representative (1 seat)	Representative from the Kensington and Chelsea Chamber of Commerce

The Public Sector	
A Strategic Training Provider (1 seat)	Representative from the Learning and Skills Council
The Council (3 seats)	The Leader of the Council 2 Cabinet Members
The Local Health Service (1 seat)	Chief Executive, Kensington and Chelsea Primary Care Trust
The Police (1 seat)	The Borough Commander
The Voluntary and Community Sector	
Local Residents (2 seats)	One representative from the Kensington and Chelsea Society One representative from the Kensington and Chelsea Residents' Association
Local Faith Groups (1 seat)	One representative from the Forum of Faiths
The Social Council (1 seat)	The Director of Kensington and Chelsea Social Council
The Voluntary Organisations Forum (VOF) (4 seats)	VOF to nominate one representative for each of the following interest groups: <ul style="list-style-type: none"> • Children and Young People • Education and Employment • Arts and Culture • 1 other

3.4 Equality of Opportunity

3.4.1 *Original text*

'Organisations represented on the Steering Group are required to make a commitment to fair practices, under the law.' (para 4.1)

Steering Group recommendation

That Karin Woodley's offer to provide a more sensitive and suitable wording for this item be accepted.

Action taken

This section now reads as follows:

'The Steering Group is committed to equal opportunities for all people regardless of race, culture, religion, disability, marital, educational and socio-economic status, responsibility for dependants, sexual orientation, gender or age. (para 4.1)

The Steering Group recognises that some working and consultative practices have discriminatory effects and will therefore give particular encouragement and support to individuals and groups who are under-represented in its structure, public bodies and voluntary agencies. (para 4.2)

The Steering Group will monitor and review its activities and practices on an on-going basis to ensure that equality of opportunity is actively pursued. (para 4.3)

Equal opportunities will apply to all areas of the Steering Group's activities:

- 4 To its members and the organisations that they represent
- 5 To its staff and contractors and to its employment and recruitment policies and practices (para 4.4)

The Steering Group aims to actively promote inclusivity, diversity and equality of opportunity in all its practices and within the delivery of services provided by public bodies and voluntary organisations. (para 4.5)

The Steering Group recognises that equal opportunities is promoted by:

- Challenging discriminatory practices within partners, public bodies and voluntary agencies
- Establishing consultation processes which encourage partners, members and local residents to articulate what they cannot articulate by any other means
- Encouraging participative processes that empower partners, members and local residents to articulate thoughts and feelings about matters which concern them and their communities
- Offering partners, members and local residents 'safe' spaces for the exploration of new ideas
- Challenging discriminatory practices by exploring alternative critical frameworks for partnership working
- By targeting specific partners, members and local residents who are under-represented in public bodies and voluntary organisations or deemed to be specifically at risk of being discriminated against
- By cultivation of partnerships with agencies who focus on creating access, or providing services to people who are excluded from mainstream services
- By providing opportunities for partners, members and local residents to present, develop or initiate their own activities at a neighbourhood level
- By ensuring that appropriate training and support is offered to all Steering Group members
- Diversifying approaches to marketing, promotion and consultation so that they deploy, for example, 'street', 'formal', local and targeted networks which disseminate information at a variety of outlets and in a variety of forms
- By implementing quality assurance and evaluation procedures in all areas of the Steering Group's activities (para 4.6)

3.5 Decision Making

3.5.1 *Original text*

'Members will be required to declare any pecuniary interests with respect to agenda items and will be barred from taking part in any decision required with respect to these items.' (para 5.2)

Steering Group recommendations

That both pecuniary and non-pecuniary interests should be declared, although the latter would not normally bar a member from taking part in the business being transacted.

That a further item be added under this section to explain that the Steering Group is not an executive decision-making forum and that any proposals (other than those involving monies already allocated to the Steering Group by way of an operating budget) would require approval through the relevant decision mechanisms of any partner organisation(s) which is/are, or whose services are, in any way the subject of such proposal.

Action taken

Para 5.2 now reads: 'Members will be required to declare any pecuniary and non-pecuniary interests with respect to agenda items. Members will be barred from taking part in any decision required with respect to pecuniary items. Non-pecuniary items will not normally bar a member from taking part in the business being transacted.'

Additional para reads: 'The Steering Group is not an executive decision-making forum. Any proposals (other than those involving monies already allocated to the Steering Group by way of an operating budget) shall require approval through the relevant decision mechanisms of any partner organisation(s) which is/are, or whose services are, in any way the subject of such proposal.' (para 5.4)

4 OUTSTANDING ISSUES

4.1 Accountability

4.1.1 *Original text*

To the wider partnership, through consultation and reporting.

To the public, through consultation and reporting, through the Borough Conference and by holding Steering Group meetings in public wherever possible.

To partner agencies, through the accountabilities of each Steering Group member to their nominating/appointing organisation and of the Steering Group as a whole to partner organisations collectively.

To each other, by keeping promises and delivering action against agreed goals.'

Steering Group recommendation

That officers clarify at the next meeting whether Steering Group members are to be collectively or individually accountable.

Action taken

Agenda item 5 proposes that this matter should be discussed further at an away day. Until this discussion has taken place the section on accountability has been removed from the Terms of Reference.

4.2 Financial Implications

4.2.1 *Original text*

'To be discussed. [Possible way forward: a budget for the Steering Group to be agreed each year and each 'agency' will be expected to contribute pro-rata to its net operating budget....?]

Steering Group recommendation

That all Steering Group members consider with the relevant committee etc. of their nominating organisation and/or partnership cluster the proposal that partner groups contribute to the Partnership's budget on a pro-rata basis and that a further report be made to the next Steering Group meeting.

Action taken

Agenda item 5 proposes that this matter should be discussed further at an away day. Until this discussion has taken place the section on financial implications has been removed from the Terms of Reference.

4.2.2 In the meantime the following thoughts are offered:

- a. The costs of the partnership for the coming year are estimated at £100k and can be broadly broken down as follows:

Category	Approximate Costs
Secretariat Staffing and administration	50k
Publications	25k
Partnership development	5k
The Borough Conference and associated publicity	15k
The Website	5k

- b. The Royal Borough proposes that a budget for the Steering Group is agreed each year and each 'agency' contributes pro-rata to its net operating budget. Further work will need to be done but in the first instance views on this principle are sought.
- c. The Steering Group may wish to note that for an initial 'settling in' period of one year the Council is willing to underwrite the majority of the costs incurred by the Partnership with the exception of the Borough Conference planned for November 2002. A separate report elsewhere on this agenda proposes the financial arrangements for the next Borough Conference (agenda item 4).

5. SUMMARY AND RECOMMENDATIONS

5.1 The Steering Group is recommended:

- (a) To agree the revised Terms of Reference and Governance Arrangements, for which the main revisions are outlined in sections 2 and 3 of this report, and which are attached in full as Appendix A.
- (b) To agree that the outstanding issues of accountability and finances be discussed at the away day (see agenda item 5), following which an agreed form of words for each item should be added to the Terms of Reference.
- (c) To offer views on the principle that a budget for the Steering Group is agreed each year and each 'agency' contributes pro-rata to its net operating budget, as described in paragraph 4.2.2 b. of this report.

FOR COMMENT AND APPROVAL

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Background Papers used in the Preparation of this Report: None

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