

Report to: Cabinet
Date: 18 December 2019
By: Assistant Chief Executive
Title of report: Partnership Working Proposal
Purpose of report: To seek Cabinet's agreement to enter into an agreement with West Sussex County Council to work as their improvement partner including sharing the services of the Chief Executive of East Sussex County Council.

RECOMMENDATIONS:

Cabinet is asked to:

- 1. approve the proposal to work with West Sussex County Council as an improvement partner including sharing the services of the Chief Executive of East Sussex County Council and other officers as required.**
 - 2. approve the entering into an agreement under s113 Local Government Act 1972 with West Sussex County Council**
 - 3. delegate authority to the Assistant Chief Executive, in consultation with the Leader of the Council, to take any action he considers appropriate to give effect to the above recommendations, including, but not limited to, agreeing the terms of and entering the s113 agreement**
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1. Background

1.1 West Sussex County Council (WSSCC) is facing significant challenges, including recent external review findings that both its children's services and fire service were not performing adequately. There is currently no chief executive in post and WSSCC is keen to draw on the experience and expertise in East Sussex to improve services by asking East Sussex to become its corporate improvement partner. This is a new model in local government and will mean members and officers working alongside WSSCC to help strengthen services, agree and deliver an improvement plan and work together on shared issues. WSSCC would be working alongside Hampshire CC colleagues in relation to Children's social care (as they are the Partners in Practice) and John Coughlan (Hampshire Chief Executive) as the Department for Education's commissioner.

2. Proposal

2.1 Under section 113 of the Local Government Act 1972 a local authority is permitted to enter into an agreement with another local authority to place its officers at the disposal of the latter for the purposes of their functions. This is the relevant section for these proposals. Section 4 of the Local Government and Housing Act 1989 states that all local authorities must designate one of their officers as its Head of Paid Service. At West Sussex County Council the Chief Executive is designated to that role. The proposal is that Becky Shaw is appointed to this role and an agreement be drawn up between both Councils to ensure that the interests of all parties are protected. This would mean that East Sussex County Council would remain the employer of the Chief Executive.

2.2 The arrangement in relation to the sharing of Chief Executive would form part of a wider partnership between the two Councils, working together at a member and senior officer level to provide experience, mutual learning, assistance and improvement. The agreement would enable staff from both councils to be made available to each other. Opportunities for working together on issues of mutual interest will also be investigated.

2.3 The proposal would involve a due diligence period between January and March 2020, where a baseline for West Sussex improvement would be established. This would lead to the production of a detailed action plan to enable both Councils confirm plans, arrangements and commitment in April 2020. There would be a further opportunity for both Councils to review the commitment to joint working or amend as needed following the elections in 2021.

2.4 This partnership would not alter the sovereign status of either authority in any way – our focus and priorities for East Sussex and its people remain the same and our resources will continue to be deployed through the Reconciling Policy, Performance and Resources process. The partnership would, bring benefits to both Councils by sharing best practice and learning, enabling us to jointly tackle common challenges and explore opportunities. The agreement will provide mechanisms for identifying and addressing potential areas of conflict. We will monitor the impact on East Sussex to ensure there is no detriment.

3. Potential Benefits

3.1 There are many areas of joint work and shared interest in which East and West Sussex have common challenges and opportunities and where resource and impact could be enhanced by a strong partnership. These include working with local NHS and other partners, economic development, climate change and adaptation work, management of markets for social care and other providers, workforce development, transport and infrastructure planning, Brexit preparations and work in response to new Government initiatives following the election.

3.2 In addition there are currently areas where performance issues faced by WSCC are having an impact on both Councils, for example competition over staff and providers. A partnership removes the need for us to compete for the same resources, enables us to have greater influence on the market and strengthens partnerships, especially with health. This will benefit both the Councils and our residents.

4. Financial implications

4.1 The salary of the shared Chief Executive will be split on a 50/50 basis between East and West Sussex County Council. A fundamental principle would be that East Sussex County Council will not suffer any financial detriment and that West Sussex County Council will bear the cost of any additional support required to assist in their improvement journey.

Philip Baker
Assistant Chief Executive