



Shared Services Joint Committee

Report Title	Inter Authority Agreement Variation Notice
Report Author	Adele Wylie – NNC, Monitoring Officer Adele.wylie@northnorthants.gov.uk Cath Whitehead – WNC, Monitoring Officer Catherine.whitehead@westnorthants.gov.uk

Key Decision	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

List of Appendices

Appendix A - IAA Schedule 3 Overarching Principles

1. Purpose of Report

- 1.1. To request variation to the Inter Authority Agreement (IAA) to ensure that the governance and approval processes are aligned to the agreement requirements, and that all service plans, change requests and approvals to disaggregate services that have been previously approved by Shared Services (Joint Committee) from 1st April 2021 up to and including 27 April 2022 are duly incorporated.
- 1.2. To authorise a request to vary the IAA to incorporate the Schedule 3 Overarching Principles for service plans (**Appendix A**)
- 1.3. To authorise a request to vary the IAA schedule 1 and 2 information as follows (see section 7.1 background papers)
 - To remove 2A7 the duplication of Shared Lives service in the summary schedule 2 list as this is covered in 2A3 (Appendix A)
 - To incorporate proposed changes to Schedule 2G3, Household Waste Recycling Contract (HWRC), *subject to approval at Shared Service Joint Committee on 27 April 2022.*
 - To remove from Schedule 1 & 2D4 - Lord Lieutenant support

- To remove from Schedule 1 & 2F5 - The Chester House Estate
- To remove from Schedule 1 & 2C1 - Director of Public Health
- To remove from Schedule 1 & 2D3 –Services to Schools & Academies - HR Advisory & Policy
- To remove from Schedule 1 & 2G2 -Waste Management – Residual Waste and Closed Landfills
- To remove from Schedule 1 & 2A4 - Adults Safeguarding – Deprivation of Liberty Safeguards
- To remove from Schedule 1 & 2A6 - Adults Learning, Independence, Volunteering and Employment Services
- To remove from Schedule 1 & 2H2 - Management of Country Parks and Outdoor Learning
- To remove from Schedule 1 & 2H1 - Emergency Planning
- To remove from Schedule 1 & 2A5 - Employment and Disability Service

2. Executive Summary

- 2.1 Since vesting day, 1st April 2021, Schedule 3 Service Plans for the associated Schedule 2 Specified Functions have been under development, as have Exit Plans for the associated services set to disaggregate within the financial year (2021/22). To ensure efficient and effective use of resource and to manage the multiple additions and amendments to the original IAA, this report seeks to collate all the changes approved by the Shared Service Joint Committee (SSJC) between April 2021 – April 2022 to incorporate into the IAA formally and legally.
- 2.2 Delegated authority was granted to the Monitoring Officers at the November Shared Service Joint Committee (see Section 7.3, Background Papers) to agree variations to the IAA in accordance with clause 31, and agreeing any further decision or actions necessary to conclude the legal requirements of Schedule 3 Service Plans of the IAA, following the approval of KPI and finance information by the SSJC, and provision to approve any Exit Plans and Collaborative Working Agreements required as part of Disaggregation.
- 2.3 The phased delivery for the completion of the IAA service plans is now complete. The following authorised IAA Service plans now require incorporation into the IAA by Deed of Variation to ensure they are enforceable. (For copies of approved plans please see [link to previous reports to the Joint Committee](#)):
- Adults Mental Health Provider (AMHP)
 - Adults Personal Budget Support Service
 - Archives and Heritage service
 - Assistive Technology
 - Digital Infrastructure
 - Historic Environment record (HER)
 - Household Waste Recycling Centre (HWRC)
 - Learning and Development (including apprenticeships)
 - Libraries (Support)
 - Minerals and Waste Planning
 - Northamptonshire Archaeological Resource Centre (NARC)
 - Northamptonshire Travellers Unit

- Portable Antiquities Scheme (PAS)
 - School Swim Service (subject to approval)
 - SEND Information Support Service (IASS)
 - Shared Lives
 - Streetlighting PFI
 - The Virtual Schools Service
 - Visual Impairment Service
- 2.4 The Lord Lieutenant support function was descoped from the IAA and a change request authorised at Shared Service Joint Committee 15th December 2021 to remove this from the IAA. (See Section 7.4, Background Papers)
- 2.5 A request to remove the Chester House Estate from the IAA was submitted and authorised at the Shared Service Joint Committee on 15th December 2021 to remove this from the IAA. (See Section 7.4, Background Papers).
- 2.6 Agreement for a change to the previously approved blueprint to move from having a single shared Director of Public Health (DPH) across WNC, NNC and the new Integrated Care System to two DPH's employed by WNC and NNC respectively was approved at meetings of the West Northamptonshire Cabinet on the 7th of December and North Northamptonshire Council on the 1st of December 2021. (See Section 7.5, Background papers)
- 2.7 For consistency and completeness an introduction to Schedule 3 Service Plans was created by Legal services and agreed by the Monitoring Officers (North and West Northamptonshire Council). This introduction outlines the overarching principles for all Schedule 3 Service plans and requires incorporation into the agreement by deed of variation (See Appendix A)
- 2.8 Approval to disaggregate the following services has been granted by the Shared Services (Joint Committee) and therefore will be removed from the IAA
- Waste Management – Residual Waste and Closed Landfills
 - Adults Safeguarding – Deprivation of Liberty Safeguards
 - Adults Learning, Independence, Volunteering and Employment Services (LIVE)
 - Management of Country Parks and Outdoor Learning
 - Emergency Planning

Exit Plans and Collaborative Working Agreements for these services have been prepared to record the form and function of disaggregated service provision and to set out any ongoing arrangements for collaborative working following the termination of relevant schedules within the IAA.

3. Recommendations

- 3.1 It is recommended that the Committee:
- 3.1.1. Agree to vary the IAA to incorporate all Schedule 3 Service Plans, amendments, and deletions to schedule 1 and amendments and deletions to Schedule 2 Specified Functions authorised up to and including 27 April 2022 for lead and hosted shared services as set out in 2.3 of the report.

3.1.2 Agree to vary the IAA to incorporate the Schedule 3 Overarching Principles for Service Plans as set out in Appendix A.

3.1.3 Note that both WNC and NNC will act in accordance with Service Plans, Exit Plans, amendments to both the IAA and its schedules and any Collaborative Working Agreements agreed by both WNC and NCC service leads and approved by Monitoring Officers and where necessary by the Joint Committee until such time as a formal Deed of variation has been completed.

3.2 Reason for Recommendations:

3.2.1 To ensure that the IAA agreement and all schedules are up to date and present an accurate reflection of the lead and host arrangements and governance arrangements are in place and are streamlined, and all authorised changes to the IAA agreement and schedules therein are duly incorporated and legally enforceable.

3.3 Alternative Options Considered:

3.3.1 Should the Committee be minded to not approve the required changes; each IAA variation notice will be required to be served in writing and delivered to both Chief executives prior to circulation of JOB papers which will contain the same requests, this may cause potential further delay to the governance process.

3.3.2 Should the Committee be minded not to approve the required changes: All authorised IAA schedule 3 and schedule 2 change requests and made to date are unenforceable legally and that key information may be missed, without incorporation by deed of variation

4. Report Background

4.1 In readiness for the transition to unitary status, an exercise was undertaken to plan the future of services previously delivered by NCC and district and borough councils and a blueprint document was developed which set out the list of all functions and services, as well as the proposed service treatment for each function.

4.2 Reports were taken to both Shadow Executives in February 2021 and March 2021 (See background papers 7.2) to set out the detail of the Inter Authority arrangements and to establish an overarching agreement which set out the broad framework of the arrangements – Inter Authority Agreement (IAA).

4.3 NNC and WNC entered into an arrangement for the functions / services to be delivered by one authority on behalf of the other under a delegation agreement, on either a hosted or lead authority arrangement: The host / lead authority being the Provider Authority and the Authority receiving the services being the delegating Authority

- 4.4 The delegation arrangement was captured in an Inter Authority Agreement which sets out the terms and conditions under which the aggregated services would be delivered and governed.
- 4.5 As part of the Inter Authority Agreement detailed schedules outlining the functions of the Lead/Host services were prepared (schedule 1&2), these were completed after the Shadow Executive meetings under delegated powers. (See section 7.1 Background papers)
- 4.6 Detailed financial information was not available by 01 April 2021 and therefore not included in the IAA, however the IAA stipulated that Schedule 3 Service Plans would be developed post vesting day to include budget information. The (IAA) definition of a Service Plan for this purpose is 'a plan that sets out the functions of the Service and includes the approved budget for the service and key performance indicators.
- 4.7 The Transformation Team were asked to provide project support to the legal lead to assist with the delivery of service plans for all lead and host functions. Following a pilot, a phased delivery plan was agreed at Shared Service Joint Committee in October 2021.
- 4.8 All phases of the delivery are now complete and the IAA governance and change control process has been handed over to Services as 'business as usual.'
- 4.9 Due to the nature of additions and amendments, it was necessary to submit a variation notice to incorporate by deed all changes at year end.
- 4.10 This variation request has been served to incorporate all required changes from April 2021 to April 2022. All future change requests and service plans presented to Joint Committee for authorisation will be completed as 'variation requests.'

5. Issues and Choices

- 5.1 Members may choose not to approve the recommendations regarding governance and how notices are deemed served.

Should the Committee be minded to not approve the required changes; each IAA variation notice will be required to be served in writing and delivered to both Chief executives prior to circulation of JOB papers which will contain the same requests, this may cause potential further delay to the governance process.

- 5.2 Members may choose not to approve the request to incorporate plans and change requests authorised up to and including the 27 April 2022 or agree amendments to clauses required to address bespoke service arrangements for termination.

Should the Committee be minded not to approve the required changes: All authorised IAA schedule 3 and schedule 2 change requests and made to date are unenforceable legally and that key information may be missed, without incorporation by deed of variation

6. Implications (including financial implications)

6.1 Resources and Financial

Transformation, Legal, Finance and Performance resources are required to produce the associated Service Plans and action proposals referenced within this report. This is being delivered within existing resource across both West and North Northamptonshire Councils and there are no resources or financial implications arising from the proposals. Financial and performance implications relating to individual services are considered and set out within the relevant service plans.

6.2 Legal

The Shared Services Joint Committee is the relevant body for decisions relating to shared services between the Councils including matters relating to targets for service quality and the responsibilities of the provider council. This report is ensuring that the IAA which governs the arrangements between the two councils in relation to shared services is up to date and is properly amended to reflect the decisions of the Joint Committee.

6.3 Risks/Issues

- Transformation support for the co-ordination of completed Service plans and change requests ceased on the 1 April 2022. This may result in confusion around process and delay to completion of outstanding Service plans/variation requests. **Mitigation:** Communications have been shared with all Lead and Host Services and project managers clarifying the IAA processes and governance going forward. The forward plan managed by the NNC Programme Office for 2022/23 will be updated to ensure any incomplete plans and change requests relating to the IAAs are scheduled for presentation.

6.4 Consultation

6.4.1 No consultation activity is required because of this report/activity.

6.5 Consideration by Scrutiny

6.5.1 No consideration by scrutiny has been requested.

6.6 Climate Impact

6.6.1 There is no climate impact arising from the recommendations within the report.

6.7 Community Impact

6.7.1 There is no anticipated community impact because of this report.

6.8 Consideration by Executive Advisory Panel

6.8.1 No consideration by Executive Advisory Panel has been requested.

6.9 Equality Impact

6.9.1 There is no equality impact arising from the recommendations within the report.

6.10 Crime and Disorder Impact

6.10.1 There is no anticipated crime and disorder impact because of this report.

7. Background Papers

- 7.1 Administrative agreement and schedules 1&2
https://northnorthants.moderngov.co.uk/documents/g492/Public_reports_pack_09th-Jun-2021_14.00_Shared_Services_Joint_Committee.pdf?T=10
- 7.2 Shadow report 2021 North
[Meeting of North Northamptonshire Shadow Authority on Thursday 25th February, 2021 - North Northamptonshire Council \(moderngov.co.uk\)](#)
- Shadow report 2021 West
[Meeting of West Northamptonshire Shadow Authority on Tuesday 23rd February 2021 - West Northamptonshire Council \(moderngov.co.uk\)](#)
- 7.3 Monitoring Officers Delegated Authority approval
[\(Public Pack\)Agenda Document for Shared Services Joint Committee, 10/11/2021 14:00 \(moderngov.co.uk\)](#)
- 7.4 Chester House /Lord Lieutenant removal
[Agenda for Shared Services Joint Committee on Wednesday 15th December, 2021, 2.00 pm - North Northamptonshire Council \(moderngov.co.uk\)](#)
- 7.5 Director of Public health removal
North
https://northnorthants.moderngov.co.uk/documents/g177/Public_reports_pack_01st-Dec-2021_14.00_Council.pdf?T=10
West
https://westnorthants.moderngov.co.uk/documents/g285/Public_reports_pack_02nd-Dec-2021_18.00_Council.pdf?T=10