



Blackburn with Darwen Local Strategic Partnership

Constitution

May 2008

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Background to the Blackburn with Darwen Local Strategic Partnership (LSP)

The Local Government White Paper ‘Strong and Prosperous Communities’ tasks LSPs as the main vehicle for developing a vision for transforming a place and for tackling hard cross-cutting social problems, and for producing and delivering the Sustainable Community Strategy (SCS). They are also the vehicle for delivering the Local Area Agreement (LAA), which is a three year agreement between the LSP and the Government and which, aligned with the SCS, sets out the key local priorities for Blackburn with Darwen.

The role of the LSP

The LSP is a multi agency group that represents the diverse public, private and third sectors in Blackburn with Darwen. The LSP is a non- statutory body and it does not have a separate legal entity. However, it does have a very important role in bringing together on the basis of a shared common purpose and good will the public, private and third sectors to co-ordinate joint working and expertise to improve the locality. The relationship between the parties is based on trust with everybody recognising the value of working together with an agreed shared agenda. The LSP provides the forum for collectively reviewing and steering resources through identifying local priorities.¹ The Blackburn with Darwen LSP will achieve this by:

- Drawing on the expertise of the public, private, and third sectors (the third sector includes members of the voluntary, community and faith sectors) to co-ordinate joint working to improve the quality of life in Blackburn with Darwen;
- Drawing together partnership activity in the Borough to deliver Blackburn with Darwen’s SCS, including the community’s 2020 Vision, as well as ensuring delivery on the priorities within the LAA;
- Promoting and overseeing the delivery and performance management of the LAA and any other targets for which the LSP is responsible;
- Encouraging joint working and improved service delivery between members of the same sector through the wider networks which exist under the LSP structure – the Community Network for the third sector, Community and Business Partners Limited for the private sector, and the Local Public Service Board for the public sector;
- Monitoring the overall achievements of the LSP and being publicly accountable to the wider community.

¹ As non statutory bodies, LSPs are not the ultimate decision makers on plans such as the Sustainable Community Strategies and Local Area Agreements. All target-setting, and consequential financial, commissioning, or contractual commitments proposed by LSPs, must be formalised through the relevant local authority, or through one of the other LSP partners as appropriate.

VALUES AND PRINCIPLES

There are a number of overarching values and principles which underpin the LSP's framework:

- o The Public Good
- o Pluralism
- o Interdependence of Sectors
- o Social Inclusion and Community Cohesion
- o Equality of Opportunity
- o Sustainability

The Public Good

The LSP is grounded in the belief that the public, private and the third sector partners in Blackburn with Darwen are fundamentally committed to the enhancement of the public good. That is, the goal of continuing improvement in the personal, economic, social and cultural well-being of all citizens of the borough.

Pluralism

It is further grounded in the recognition that achieving the goal of enhancing the public good requires a plurality of means and methods. Each sector brings to bear its own range of approaches with their distinctive strengths and advantages, drawing on distinctive types of resources.

Interdependence of Sectors

It acknowledges that the public, private and third sectors are interdependent; that the contributions of all sectors are necessary to the achievement of their shared goals in relation both to service delivery and community engagement. This does not conflict with the requirement that the formal independence of the sectors from each other be recognized and reinforced.

Social Inclusion and Community Cohesion

It assumes that the objective of creating a socially inclusive and cohesive borough is implicit in the overall goal of enhancing the public good. In other words, all partners, individually and collectively, should be working towards outcomes of inclusion and cohesion within and between different communities.

Equality of Opportunity

It is fundamentally committed to equality of opportunity and promoting cohesive communities for all citizens and communities in the borough. This commitment must be reflected in the partnership's evolving policies and practices. The commitment also embodies the explicit determination to avoid policies and practices that are discriminatory in their impact.

The LSP will at all times take into account the different needs of members and that all who participate are regarded as equal.

Membership

The membership of the LSP has been developed to meet the guidelines as outlined in the Local Government Act 2000 and subsequently the Local Government and Public Involvement in Health Act 2007.

The LSP aims to be an inclusive body and for this reason its membership will be kept under review. Thus any additional representation on the Board will be determined as and when the partnership strategy develops.

Each organisation or sector agrees that the representative nominated by them will be duly authorised and that he/she will occupy a position of authority in order to achieve the overall objectives of the LSP.

The overarching LSP Board will comprise:

- 10 Borough Councillors as nominated by the Borough Council
- 9 private sector representatives as nominated by Community and Business Partners Ltd
- 14 representatives from other public sector organisations as nominated by the Local Public Service Board
- 22 representatives from the voluntary, community and faith sector as nominated by the Community Network

The LSP Executive will comprise:

- 8 chairs of the thematic forums
- 3 Borough Councillors from amongst their membership on the LSP Board, as determined by the Borough Council
- 2 private sector representatives from amongst their membership on the LSP Board, as determined by Community and Business Partners Limited
- 4 public sector representatives from amongst their membership on the LSP Board, as determined by the Local Public Service Board
- 7 voluntary, community and faith sector representatives from amongst their membership on the LSP Board, as determined by the Community Network

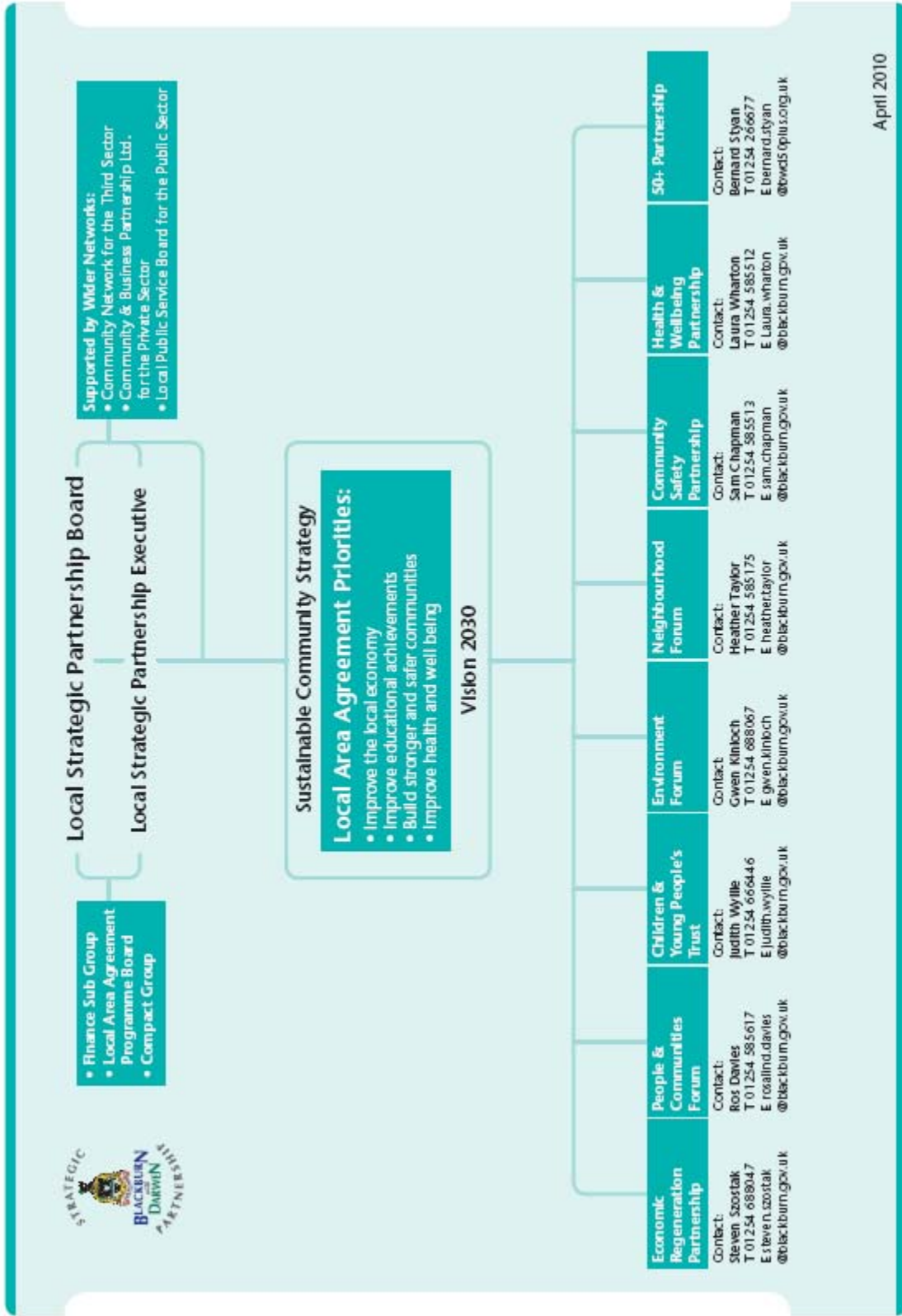
Co-option

The Board shall have power to co-opt additional members to both the Board and the Executive as it determines is appropriate. Co-opted members shall have the same duties, powers and responsibilities as other members of the LSP.

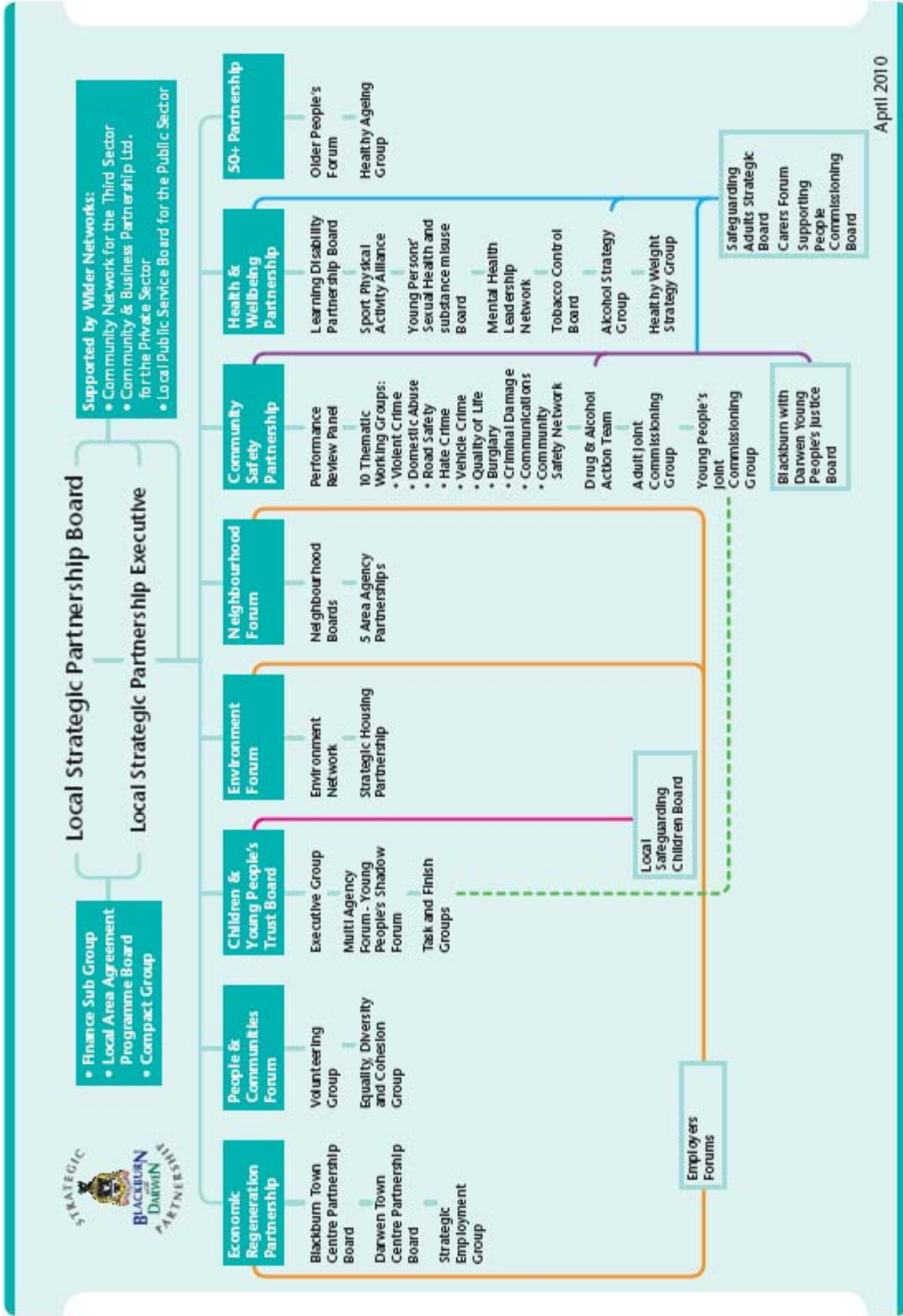
Term of office

Subject to the provisions of this constitution, members of the Board and Executive shall serve for the length of time determined by their nominating body or until they resign from, or leave their nominating body, or resign as that nominating body's representative on the Board / Executive.

How the Local Strategic Partnership is structured



April 2010



Terms of reference of the Board and Executive

The Board

The Board is the overarching and strategic management body that has responsibility for the direction and overall corporate governance of the LSP. It normally meets four times a year (or more frequently if necessary). Representatives will speak for the organisation or network that they represent at meetings and carry back to their organisations the key messages and decisions of the LSP. Where necessary, they will arrange for their own organisation or network to endorse, adopt or progress LSP decisions.

In the unlikely event of any difference or dispute arising between the Board and the Executive concerning the interpretation or validity of the Constitution or the rights or liabilities of either party then both parties shall in the first instance meet up and attempt in good faith to discuss and negotiate a settlement of such dispute.

Each party will use all reasonable endeavors to reach a negotiated resolution through the above dispute resolution procedure. The specific format for such resolution will be left to the reasonable discretion of the parties.

If the dispute is not resolved at this meeting then the Board shall in the wider interests of the partnership act as a final arbiter in all instances and any determination that it makes shall be final and binding on the parties.

The terms of reference of the Board are:

- To contribute to the delivery of improved quality of life for the people of Blackburn with Darwen, especially within deprived communities in the borough;
- To have overall responsibility for the development and management of the SCS and the LAA and to oversee their delivery and performance management ;
- To promote the delivery of, and scrutinise performance on, the SCS, including the community's 2020 Vision;
- To develop other LSP strategies as appropriate and to ensure the effective delivery of programmes and projects to fulfill those strategies;
- To facilitate the partners ability to share information to inform future partnership activity, and to raise topical, relevant issues that affect the LSP's remit as appropriate;
- To assist key organisations to align their planning processes to secure the maximum benefit for local people from LSP partnership working;

- To produce an Annual Report which shall include an annual governance statement and a report on progress against the LSP's key performance indicators;
- To be responsible for negotiating, managing, and having an overview of the monitoring and of the targets within the Borough's LAA;
- The Board may establish Groups either permanently or for a defined period of time. Any decision to establish such a Group must include clear terms of reference for the Group. The Board shall however retain the right to exercise the functions of the Group in its own right and to overrule or reverse the actions of the Group. The minutes of all meetings of the Board's Groups shall be reported to the next practicable meeting of the Board or Executive.
- To manage any other grants or resources which the LSP may access;
- Each individual member has a responsibility to ensure that their organisation has in place adequate data quality arrangements and that it reports relevant performance information to the Borough Council within agreed timescales:
- Individual members shall have the responsibility to carry back to their organisations the key messages and decisions of the LSP. **Where necessary, they will arrange for their own organisation or network to endorse, adopt or progress LSP decisions or recommendations.**

The Executive

The Executive will normally meet six times a year. Its role is to ensure the effective delivery of interventions on the ground that make a positive difference to the lives of the people of Blackburn with Darwen and make an impact on the LSP's priorities and targets. Further, it will give steer to the thematic forums to develop action plans or work programmes and projects to deliver improved local services. It will ensure that the LSP's priorities are being delivered at an operational level – checking that milestones and targets are being met and that project plans are on track. It will monitor performance management information, particularly against the LAA targets for Blackburn with Darwen.

All partners will be responsible for taking any commitments that affect their organisation back to their own governance bodies for endorsement and action as necessary.

The term of reference for the Executive are:

- To be responsible for ensuring the effective delivery of interventions on the ground that will make a positive difference to the lives of the people of Blackburn with Darwen;

- To co-ordinate the work of the thematic forums and to join up activity and interventions in a way that impacts on the LSP's priorities, including the LAA's priorities and those of the Sustainable Community Strategy;
- To bring together key agencies and organisations in the Borough in a way that is visible, meaningful and accountable to local people and which delivers improved services for local people and that maximises the potential for bringing arrangements into one single focus for joined up service delivery.
- To be responsible for exercising the primary performance management function of the LSP and to scrutinise partnership performance and challenge any underachievement, either by the partnership as a whole or by partners within it;
- Each individual member has a responsibility to ensure that their organisation has in place adequate data quality arrangements and that it reports relevant performance information to the Borough Council within agreed timescales:
- To ensure effective communication across the LSP at every level;
- To develop specific initiatives as appropriate.

Sub Groups

Finance Sub Group

The LSP's Finance Sub Group shall be responsible for allocating resources available to the LSP in order to achieve its priorities. Terms of reference will be developed in 2008/9.

Local Area Agreement Programmes Board

The Local Area Agreement Programmes Board shall develop a robust and consistent approach to the programme management of funding sources available to the LAA. Terms of reference will be developed in 2008/9.

The thematic forums

There are 8 thematic forums that sit below the Board and Executive that are tasked with delivering on priorities for the LSP. Their role includes:

- To develop action plans or work programmes which will ensure that progress can be demonstrated against the SCS and LAA targets year on year;
- To be responsible for those performance targets which are allocated to the individual forums and to contribute meaningfully to any relevant cross-cutting targets and to regularly monitor performance;
- To consult with a wide range of individuals and organisations linked to the forums to ensure their work responds to the needs and wishes of local people and compliments and contributes to the LSP's priorities;
- To promote joint working across organisational boundaries;
- To promote new projects and models of service delivery to progress LSP priorities.

The thematic forums are:

- Children and Young People's Trust (formerly the Children and Young People's Partnership)
- People and Communities Forum
- Environment Forum
- Neighbourhood Forum
- Community Safety Partnership
- Health and Well Being Partnership
- Older People's Partnership
- Economic Regeneration Partnership

The Terms of Reference of each of the thematic forums are appended to this constitution. The Thematic Forums shall have the power to amend their terms of reference, other than in a fundamental respect, in which case the approval of the LSP Board will be required.

Operating arrangements for both the Board and the Executive

1. Chair and Vice Chair

The first meeting in each Municipal Year shall include as the first item of business on the agenda the election of a Chair and Vice Chair from among the members.

In the absence of both the Chair and Vice Chair from any meeting, the members present shall elect a Chair for that meeting from among their number.

2. Secretary

The Chief Executive of Blackburn with Darwen Borough Council or his nominee shall be the Secretary.

3. Meetings

The Board will normally meet 4 times a year and the Executive will normally meet 6 times a year

One quarter of the members may at any time submit a request to the Secretary in writing for a meeting to be convened. The Secretary must then arrange for a meeting to take place within 28 calendar days of the date on which s/he receives the request.

The Secretary may, with the agreement of the Chair or Vice Chair (which need not be in writing) arrange additional meetings or cancel meetings as s/he deems necessary. At least 5 working days notice must be given of any additional meetings.

The Secretary will send the agenda for meetings to all members at least four clear working days before the day of the meeting.

The proceedings of a meeting are not invalid because of irregularity in the giving of notice of the meeting or the sending out of the agenda, or because business that was not on the agenda was raised and carried out at that meeting.

The LSP will seek to make decisions by consensus whenever possible. In the event of any disagreement, the Chair will seek to resolve any differences. If disagreement cannot be resolved, then a vote will be taken. In the case of a tied vote, the Chair will have a second or casting vote.

4. Quorum

The quorum for a meeting is one quarter of the total membership of the group. The attendance of a substitutes will count towards the quorum.

5. Named substitutes

Members of the Board may nominate a named substitute to attend meetings on their behalf when they are unable to attend themselves. In the case of the Lancashire Care Trust, two named substitutes may be nominated. In order to do this, they must notify the Secretary of the name of their proposed substitute who will then report the name to the Board for endorsement.

Approved named substitutes will have full voting rights and count towards the establishment of a quorum.

It will be the responsibility of each member to arrange for their named substitute to attend on their behalf if they are unable to attend a meeting and to brief them appropriately in advance of the meeting.

A member of the Board who also sits on the Executive may also ask their named substitute to attend meetings of the Executive on their behalf if they are unable to attend themselves. Again, named substitutes will have full voting rights and count towards the establishment of a quorum.

The attendance of a member's named substitute at meetings will not count towards the attendance record of the member themselves.

6. Attendance

Unless there are exceptional reasons, as determined by the Board, a member who misses three consecutive meetings of the Board will be considered as having resigned from the Board, and consequently also from the Executive if they are also members of that body.

Unless there are exceptional reasons, as determined by the Executive, a member who misses three consecutive meetings of the Executive will be considered as having resigned from the Executive.

7. Declaration of interests

In the spirit of openness, any member having a direct or indirect financial or non financial interest within the meaning of the National Code of Local Government Conduct or Sections 94-98 and Section 105 of the Local Government Act 1972 must disclose the fact orally.

Those declaring an interest may be asked to leave the room and / or take no part in the discussions around a particular item. However, the Chair of the meeting can, if appropriate, invite the interested party to provide factual information before the discussion begins.

8. Changes to this constitution

This constitution may be amended by a resolution of the Board.

9. Minutes

The Secretary shall record the decisions of the Board and Executive in the minutes of each meeting.

10. Delegations

The Borough Council's Chief Executive, in consultation with the Chair and Vice Chair of the Board, shall in urgent circumstances have delegated powers to act on the Board's behalf to further the LSP's aims and objectives.

Any decisions taken under these delegated powers must be reported to the next practicable meeting of the Board or Executive.

11. Attendance at meetings by members of the public

The Board and Executive will meet in public. The public are welcome to attend Board and Executive meetings as observers (i.e. without the right to speak or vote), except during consideration of any confidential items, which will be considered in private.

12. Public access to Board and Executive agenda and openness

Blackburn with Darwen Borough Council will provide the administrative support to the Board and Executive. This will include organising venues, distribution of agendas and taking minutes. The agenda and reports, apart from those marked confidential, will be made available for inspection at Blackburn and Darwen Town Halls at least 4 working days before the meeting. Failure to comply with this will not invalidate a meeting.

Information about the partnership and the Annual Report which will cover progress against identified outcomes and implementation of the LAA will be made available on www.blackburn.gov.uk/lsp

13. Termination arrangements

Individual partners who no longer wish to be involved in the LSP should write to the Secretary of the LSP to offer their resignation from the Board. A replacement nomination will be identified by their nominating body.

Additional governance issues

1. Code of Conduct

All members of the Board, Executive and all the thematic forums and other LSP groups, and their named substitutes, will abide by the Code of Conduct appended to this constitution. Additionally, members of the Borough Council are bound by the Code of Conduct contained in Part 5 of the Council's Constitution.

If the Chair of the partnership believes that a representative is in breach of the Code of Conduct, he or she will request the individual to withdraw from the meeting and a letter will be sent to the organisation or body that the individual is representing. The individual will be suspended from participating in meetings of the partnership until the relevant organisation or body has investigated the matter, taken appropriate actions and informed the Chair of the partnership in writing of those actions. A substitute may be appointed in the meantime.

2. Funding and financial responsibility

Blackburn with Darwen Borough Council is the accountable body for the finances of the Local Strategic Partnership. Accountability within Local Strategic Partnerships is complex and inextricably linked to performance management. It is important that all members of the LSP understand how they are accountable. All decisions taken by the Board and the Executive will be made in accordance with the financial procedures of the Borough Council and where necessary the appropriate approvals will be sought from the Borough Council or other members of the Partnership.

3. Performance management and accountability

The SCS and the LAA are the delivery mechanisms for the LSP. A cross organizational approach is required to ensure professional tracking of the indicators and performance reporting will occur on a quarterly basis from all partners who have responsibility for targets within the plans.

All members of the LSP should report back to their own organizations about the work of the LSP and the impact it has on their respective organizations.

Code of conduct

Members of the LSP agree to abide by the following general code of conduct when attending meetings or other business of the LSP:

Selflessness - Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity - Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity - Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability - Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness - Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal Judgement - Members may take account of the views of others, including any political group to which they belong, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for Others - Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the partnership's officers and the officers of any of its partners.

Declaration of interests - In the spirit of openness, any member having a direct or indirect financial or non financial interest within the meaning of the National Code of Local Government Conduct or Sections 94-98 and Section 105 of the Local Government Act 1972 must disclose the fact orally.

Those declaring an interest may be asked to leave the room and / or take no part in the discussions around a particular item. However, the Chair of the meeting can, if appropriate, invite the interested party to provide factual information before the discussion begins.

Duty to Uphold the Law - Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship - Members should do whatever they are able to do to ensure that the Partnership uses its resources prudently and in accordance with the law.

Leadership - Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

Gifts or hospitality - Any offers of gifts or hospitality should be treated with caution. Any gifts or hospitality offered or accepted as a result of activity undertaken on behalf of the partnership should be registered in accordance with any guidelines that exist within the organization or body that the member is representing. If gifts or hospitality are offered or accepted to an officer who is employed to support the partnership, these should be registered in accordance with any guidelines that exist within the organization by which the officer is employed.

Amendments to the constitution:

22 September 2008 to allow the Lancashire Care Trust to nominate two named deputies and to increase the Borough Council representation on the Board from 9 to 10

16 February 2008 to increase the number of private sector representatives on the Board from 8 to 9 to accommodate a place for United Utilities