



supporting**people**

supporting independence

The Gloucestershire Supporting People Partnership

**Partnership Agreement/ Memorandum of
Understanding 2006/2009**

1. Purpose of the Partnership

1.1 The Gloucestershire Supporting People Partnership purpose is to provide effective, clear strategic leadership and to manage the Supporting People Programme to deliver high quality, effective supported housing and housing related support services to vulnerable service users in both the urban and rural areas of the county.

1.2 The aim of the Partnership is to:

- Establish well planned services that meet identified needs
- Promote healthy living
- Promote Safer Communities by reducing re-offending
- Ensure that services provided offer good value for money
- Ensure all services commissioned are available to all eligible service users on an equitable basis
- Recognise the different needs, cultures and requirements for housing related support of all Gloucestershire's communities
- Develop appropriate service standards to ensure high quality services
- Promote and sustain partnership working amongst statutory agencies, providers and service users
- Carry out continuous reviews and monitoring of purchased services to ensure services meet the expected standards
- Involve and consult service users in the decision making process
- Develop imaginative solutions to deliver services to vulnerable service users in rural communities
- Encourage partners to be proactive and not reactive in planning and delivery of services

1.3 The Supporting People Partnership Board will seek to meet these strategic objectives set out in its aims, within the prevailing financial constraints on the Supporting People Grant budget allocated to Gloucestershire by the Deputy Prime Minister.

2. Strategic Links

- 2.1 The Supporting People Partnership recognises that its role is to support the delivery of the key aims and objectives of the Gloucestershire Strategic Partnership's Gloucestershire Community Plan and the allied Local Delivery plans for health, housing, social care and criminal justice services.

3. Status of the Partnership

- 3.1 The Partnership as constructed is not a legal partnership under the Partnership Act 1890. The Partnership is an unincorporated body established to deliver the Supporting People Programme in Gloucestershire within the parameters of the Supporting People Grant Conditions (England) issued by the ODPM.

4. Membership

- 4.1 The Partners are:

Gloucestershire County Council
National Probation Service Gloucestershire
Gloucestershire Partnership NHS Trust
Cheltenham and Tewkesbury Primary Care Trust
Cotswold and Vale Primary Care Trust
West Gloucestershire Primary Care Trust
Cheltenham Borough Council
Cotswold District Council
Forest of Dean District Council
Gloucester City Council
Stroud District Council
Tewkesbury Borough Council

5. Structure of the Partnership

- 5.1 All meetings of the Partnership Board and Core Strategy Group are closed meetings. Representatives from interested parties may be invited to attend meetings to present information to the Board. All the minutes and agendas of Partnership Board meetings and the minutes of Core Strategy Group meetings will be posted on the County Council's website.

- 5.2 The Partnership has two levels of activity within its structure.

These are:

The Supporting People Partnership Board (known as the Commissioning Body in ODPM Grant Conditions).

The Board:

- Provides strategic leadership
- Approves the annual financial plan and manages the budget
- Approves the 5 year strategy in the context of each Partner's

- delegated level of authority
- Makes decisions on which services to commission
- Approves tendering strategies/approves tenders
- Instructs Administering Authority to contract with providers

Core Strategy Group

- Interprets/develops policy proposals
- Monitors performance of Administering Authority
- Monitors performance of service providers
- Makes recommendations to Commissioning Body on commissioning decisions

6. Supporting People Partnership Board

- 6.1 The Supporting People Partnership Board will meet quarterly. These meetings will be fixed into the ODPM cycle of grant allocation. In addition to formal Board meetings the Board will meet with provider representatives twice a year.
- 6.2 Each partner will appoint two representatives to the Supporting People Partnership Board. This will normally be a Lead Member or Non Executive Board Member and a Chief Officer or Director. Each partner may send substitutes but the representatives should ensure they have the authority to enable the Supporting People Partnership Board to operate efficiently.
- 6.3 The Partnership Board will be supported by the co-option into its membership of the two non-voting members. These are:
- Supporting People Independent Professional Advisor** – Role is to provide an impartial provider perspective to the decision making process and provide scrutiny to the decision making process.
- Financial Manager from the Administering Authority** – Role to provide Financial Management advice to the Board to inform the decision making process.
- 6.4 The Partnership must gain assent from all the members of the Supporting People Partnership Board for the Supporting People 5 year Strategy. The strategy must be passed unanimously. If the partners fail to reach unanimous agreement then the question shall be referred to the Secretary of State for determination.
- 6.5 The Supporting People Partnership Board can make decisions within the Strategic framework set out in the current Supporting People Strategy and Annual Financial Plan approved by the Partners' decision making bodies or their agreed proxy.
- 6.6 The Partnership will work together to deliver the aims and objectives of the Partnership, underpinned by the vision for the delivery of the Supporting People programme outlined in the Strategy. It is expected that the Partnership will work to achieve consensus.

- 6.7 However, for individual commissioning decisions that are within the Strategic framework, where there is not consensus and a decision is required to enable the partnership to meet its stated objectives then a vote will be held. For a decision to be carried it needs a simple majority of those voting members present at the Supporting People Partnership Board meeting.
- 6.8 Individual commissioning decisions that are outside the strategic framework will require assent of all the members of the Supporting People Partnership Board. Such decisions must be passed unanimously. If the partners fail to reach unanimous agreement then the question shall be referred to the Secretary of State for determination.
- 6.9 The Chair for decisions described in 6.7 will have the casting vote.
- 6.10 The Supporting People Partnership Board can invite representatives from external bodies and from within their own organisations to present information to the Board to help it in its decision making processes.
- 6.11 To be quorate at least six Partners have to be represented.

7. Core Strategy Group

- 7.1 The Core Strategy Group will meet a minimum of 4 times per year. These meetings will be held in January, April, July and October.
- 7.2 Each partner will appoint a representative to the Core Strategy Group. The Core Strategy Group will co-opt 2 members of the Gloucestershire Supporting People Provider Steering Group and the Regional Investment Manager of the Housing Corporation to be non-voting members. Each partner may send a substitute but the representative must have the authority to commit their organisation to agreed activities.
- 7.3 The Core Strategy Group is not a Decision making group but a policy formulation group/ implementation monitoring group and will refer all issues that are outside current policy or are commissioning decisions to the Supporting People Partnership Board. As reflects its status there is no minimum for the meeting to be quorate.

8. Spirit of Co-operation

Resources

- 8.1 Each partner agrees to commit resources in terms of staff commitment to ensure that the decision making of the Partnership is unhindered.

Information Exchange

- 8.2 The partners agree to exchange information in accordance with the Supporting People Information Sharing Protocol (annex one) and other

relevant local and National Agreements and Legislation to enable the efficient Management of the Supporting People Programme.

Authority

- 8.3 The Supporting People Partnership Board has the authority to make recommendations to Gloucestershire County Council to formally agree to carry out actions as set out in sections 6.4- 6.7 (inc) of this agreement. Gloucestershire County Council will comply with its constitution and Financial Standing Orders in fulfilling these recommendations. Each partner is to authorise its representative to make decisions at the Supporting People Partnership Board or for their representative to obtain authority in relation to decisions to be made by the Commissioning Body.
- 8.4 All the partners commit themselves to be actively involved in the decision-making processes and to accept the decision of the Supporting People Partnership Board if their will does not prevail. The Board will act in an accountable, democratic manner, with all partners working to meet the aims and fulfil the vision set out in Section 1.
- 8.5 All partners agree to abide by decisions of the Supporting People Partnership Board and Supporting People Appeals Panel and not to undermine the work of the partnership to meet its aims as set out in Section 1 by hampering or delaying its work.
- 8.6 The Chair will be the Member Representative of the Administering Authority (Gloucestershire County Council). In the case of planned absence, the Partnership Board shall be chaired by an elected representative, of one of the District Councils. In the case of unplanned absence of the chair, the Partnership Board shall be chaired by the Executive Director of Social Services of the Administering Authority.
- 8.7 All commissioning decisions made by the Partnership Board are subject to appeal by the provider using the Supporting People Appeals Process agreed by the Supporting People Partnership on the 7th July 2005.

9. Duration of Partnership Agreement

- 9.1 This Partnership will be effective from the 1st January 2006 to the 31st March 2009, subject to an annual review as to the relevance of the Partnership.

10. Administering Authority

- 10.1 The ODPM appoints Gloucestershire County Council as the responsible legal body (Administering Authority) for the delivery of the Supporting People programme through the spend of Supporting People Grant distributed to Administering Authorities through 5.93 of the Local Government Act 2000.

- 10.2 The County Council is responsible to ensure that the Supporting People Partnership Board complies with the requirements of the Deputy Prime Minister in the Management and use of Supporting People Grant awarded under his powers contained within the current Grant Conditions (England).
- 10.3 The Administering Authority has the right to veto decisions of the Supporting People Partnership Board if that decision would contravene Grant Condition, break the available funding limits, or the Administering Authority's constitution, Financial standing Orders , standard contract procedure or the financial strategy set out within the Supporting People Annual plan.
- 10.4 The Administering Authority will apply its Fairer Charging Policy to all service users receiving a Chargeable service. This will determine an individual service users entitlement to receive a subsidy from the Supporting People Partnership Board to fund their support service, The Administering Authority will ensure that the service user is informed of their entitlement to subsidy and method of payment required. In instances where the Administering Authority is responsible for collecting the income it will use its standard income collection procedure.

11. Administration of the Programme

- 11.1 The Supporting People Partnership Board expects the Administering Authority to maintain an effective management and staffing structure to manage the Supporting People programme within the constraints of the resources allocated by the ODPM for this purpose.
- 11.2 The Administering Authority will report to each Supporting People Partnership Board meeting the current expenditure profiles of both the Administration and Supporting People Grant budgets and produce annual audited accounts for each financial year to submit to the ODPM in line with requirements of the ODPM.
- 11.3 The Administering Authority will manage tender processes and enter into contracts with providers of housing related support services as directed by the Supporting People Partnership Board in line with the Administering Authority's own Standing Orders.

12. Complaints

- 12.1 The Supporting People Partnership Board adopts the Administering Authority Complaints Policy and Procedure.
- 12.2 In adopting this policy the Supporting People Partnership Board agrees to be bound by the outcome of that process.

13. Appeals on Commissioning Decisions

- 13.1 The Supporting People Partnership has adopted an Appeals process to enable service providers to appeal against Commissioning Decisions made by the Board.

- 13.2 The Supporting People Partnership Board agrees to be bound by the decision of its own Appeals Panel

14. Risk Sharing

- 14.1 All the Partners recognise that there are a number of risks involved in the management of the Supporting People Programme. The Supporting People Partnership will agree annually the acceptable level of risk and approve a Risk Management Strategy and monitor regularly the current risk factors that could effect the delivery of the agreed strategy.
- 14.2 The Partners recognise their responsibility to support the Administering Authority in managing the programme efficiently within the policy framework set by the local Strategy and the Supporting People Grant Conditions (England) issued by the ODPM, and will not make decisions that would conflict with or adversely affect the delivery of the strategy.
- 14.3 In addition to the efficient financial management of the programme there are a number of risks in the Supporting People Programme associated with service failure. All the Partners agree in principle to offer practical assistance to the Administering Authority in accordance with 6.1
- 14.4 Each Partner has a responsibility not to take unilateral action(s) that has a detrimental impact on the Supporting People Partnership Board's ability to deliver the agreed strategy or inflicts financial damages on the County Council in its role as Administering Authority without the prior approval of the Supporting People Partnership Board to such a decision or action. The Administering Authority has the same responsibility in respect of the Partnership.

15. Performance Management/Scrutiny

- 15.1 The Supporting People Partnership Board will introduce an effective Performance management model which will include:
- Annual Work plan
 - Annual targets and Performance Indicators
 - Reporting process to Partners and other stakeholders.
- 15.2 This Performance information will be publicly available and each Partner has the right to scrutinise any aspect of the Supporting People Programme through its relevant Scrutiny/Overview mechanisms.

16. Standards of Conduct

- 16.1 The Supporting People Partnership Board will introduce an effective Performance management model which will include:
- Annual Business plan
 - Annual targets and Performance Indicators
 - Reporting process to Partners and other stakeholders.

16.2 No member or officer of any Partner shall put themselves in a position whereby duty and private interest conflict. The Partners shall develop policies for identifying and managing conflict of interest.

Signed by:

_____ on behalf of Cheltenham Borough Council

_____ on behalf of Cheltenham & Tewkesbury Primary Care
Trust

_____ on behalf of Cotswold District Council

_____ on behalf of Cotswold & Vale Primary Care Trust

_____ on behalf of Forest of Dean District Council

_____ on behalf of Gloucester City Council

_____ on behalf of Gloucestershire County Council

_____ on behalf of Gloucestershire Partnership NHS Trust

_____ on behalf of the National Probation Service

Gloucestershire

_____ on behalf of Stroud District Council

_____ on behalf of Tewkesbury Borough Council

_____ on behalf of West Gloucestershire Primary Care Trust