

Standards in Partnerships Protocol

Encouraging high standards of behaviour in partnerships

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INTRODUCTION

Standards for England seeks to ensure that there is an effective standards framework across all local governance arrangements.

Local governance arrangements increasingly involve authorities working in partnerships with other public bodies, the private sector and the voluntary sector to ensure more effective local delivery and ensure positive benefits for the communities they serve. We are therefore taking a lead in developing ways to ensure that wherever decisions are taken which involve public service delivery and which affect local communities, there is a proper accountability and standards framework.

Working with Manchester City Council and some of their partners, Standards for England has developed a partnership behaviour protocol which is intended as a means to strengthen standards and accountability in partnership working.

We invite partners to use our protocol and either adopt it wholly or adapt it to reflect their own circumstances.

Essentially, our approach involved partners developing a shared set of values and behaviours that they think should underpin their partnership work. The values and behaviours form the protocol.

This report outlines the purpose of the protocol, the need for a protocol, the protocol itself, and suggestions for using the protocol.

THE PURPOSE OF THE PROTOCOL

The protocol gives partners a means, where necessary, by which they can challenge each other. Adoption of a behaviour protocol will enable partners to agree what behaviour they can expect from each other thereby giving them a means by which they can hold each other to account. It puts all members of a partnership on an equal footing in all respects and encourages constructive (as opposed to destructive) challenge. It therefore should promote trust amongst partners as it defines their expectations of each other.

Once finalised and signed up to by all members of the partnership the protocol should become a public facing document. The protocol and the behaviours it comprises should be easy to understand and make what are sometimes complex arrangements and accountabilities clear to the general public. Having articulated and transparent behaviour expectations should help to promote trust amongst the general public, demonstrating commitment to behaviour of a certain standard.

Partners will also be demonstrating leadership by sending a clear signal to the community and other partners by spelling out their own high standards of behaviour.

THE NEED FOR A PARTNERSHIP PROTOCOL

Good governance enables an authority to pursue its vision effectively as well as underpinning that vision with mechanisms for control and management of risk (CIPFA SOLACE 2007).

Poor governance, on the other hand, can lead to a range of problems including:

- poor quality leadership;
- poor decision making;
- lack of clarity in relation to roles, responsibilities and activities; and
- poor working relationships.

It is as important to achieve good governance in partnership arrangements as it is in organisations. Research into the governance of partnerships has shown that partnerships exhibit considerable variation in their governance arrangements (not surprising considering the variety of forms partnership working takes).

High standards of behaviour are a cornerstone of good governance; these should be part of the culture of organisations. In partnerships potential issues in defining and maintaining high standards include the facts that:

- different partners work from different cultures, particularly with respect to openness and transparency;
- there is inconsistency in the codes that partners are working to;
- and there is inconsistency in how codes are enforced (Greasley et al, 2006).

A further issue is that currently in local government elected and appointed members must sign up to a code of conduct. However, non elected individuals and bodies who are involved in decision-making as a result of partnership working are not subject to the same rules governing their behaviour. This can lead to confusion and a lack of consistency.

In terms of a solution to aligning partners' adherence to a standard of behaviour it has been suggested that all partners sign the member code of conduct. However, for many partnerships imposing this 'one size fits all' approach will amount to a disproportionate response and could discourage some bodies and organisations from working with the local authority.

The CIPFA SOLACE Good Governance Framework (which this protocol draws on) was designed to assist authorities in considering how they might go about reviewing their governance arrangements. The Framework is made up of six core principles. Principle three in particular focuses on the importance of demonstrating the values of good governance through upholding high standards of conduct and behaviour.

The Framework, however, does not provide advice on aligning the standards of conduct of partners who may have different approaches to transparency and openness and may have different codes of conduct, if they have them at all.

The key aim of this project was to engage partners to develop a shared set of values and behaviours that will underpin partnership work. It is intended that this will encourage high standards in partnership working by creating a level playing field for partners by agreeing what good behaviour looks like at the outset. It will enable partners to agree what behaviour they can expect from each other and give them a means by which to hold each other to account.

THE PROTOCOL

Achieve intended outcomes

Our priorities are evidence based and our decision making is transparent.

We will:

- Share resources to achieve joint outcomes
- Monitor how well we have used our resources
- Actively encourage ideas and innovation
- Ensure that decision making is transparent
- Be committed to continuous improvement
- Ensure that claims of improved performance are based on clear evidence
- Establish accountability both across the partnership (horizontally) and within each organisation (vertically)

Public interest

We act in the interest of the public and demonstrate value.

We will:

- Focus on long term as well as short term issues
- Act in the interests of the public good over individual interests
- Demonstrate to the community how we are achieving publicly valued outcomes
- Agree a protocol for the handling of complaints that relates to our joint work

Building partners' capacity

We build capacity in our partnership.

We will:

- Be committed to developing individual partners' skills to achieve our aims
- Encourage partners to be confident working outside of their organizational culture
- Be open to partners' suggestions and help

Value and respect each other

We respect and value everyone's contribution.

We will:

- Ensure that all partners contribute appropriately and openly
- Acknowledge the capabilities of all members
- Recognise and embrace the role of voluntary and community sector partners
- Avoid dominance by one or two individuals
- Respect each other's roles and needs
- Actively encourage the participation of all partnership members
- Build effective working relationships with each other
- Recognise the value of all partners' contributions

Act ethically

We act ethically. We are open and objective and encourage constructive challenge.

We will:

- Agree a mechanism for whistleblowing and dealing with complaints
- Ensure whistleblowers are supported
- Actively promote a 'no-blame' culture
- Support partners to both understand and constructively challenge any poor behaviour
- Use appropriate, unambiguous and simple language
- Agree how we will achieve democratic accountability
- Ensure that our dialogue is open and transparent
- Declare conflicts of interest and address them
- Make sure that the purpose of all meetings is made clear
- Be honest and objective

Aligning strategies and networks

We harness our collective efforts through joint planning, delivery and governance arrangements.

We will:

- Ensure that partners can influence the decision making of member organisations
- Allow sufficient time and capacity to be given to understand an issue and to reflect on its impact
- Make sure that actions taken by the partnership are clear, time-limited and task- orientated
- Encourage all partners to actively shape the strategy
- Ensure that agreed actions are carried out

HOW YOU CAN USE THE PROTOCOL

The protocol does not have a statutory basis or have sanctions attached to it. Nevertheless it will enable those engaged in partnership working to hold each other to account for the values and behaviours outlined in their agreed protocol.

It is our intention to continue to work with Manchester City Council on this project and look at ways of more formally implementing the protocol. We will share our findings on this in a future follow-up report.

In the meantime we have listed below the suggestions that were made during the development of our protocol with Manchester City Council and its partners as to how a protocol of this kind might be practically applied. The protocol can be used at the pre-partnership stage, in the management of a partnership that is 'up and running'.

Pre-partnership

- **Introduce an ethical dimension to due diligence by assessing the ethical commitment of a proposed partner** (Lascelles, 2007).
Ascertain partner compatibility by asking partners to commit to agreeing and signing up to some common values and behaviours. A clear indication that partners may not be compatible would be a reluctance to commit to such a process.
- **The protocol could be used to form part of a formal tendering process.**

Managing the partnership

- **Protocol to form part of partnership governance documents.**
Most authorities set out the minimum governance requirements for each of their partnerships (or for those deemed 'significant partners' at least). From the examples we have seen, these specified minimum governance requirements align with the CIPFA / SOLACE Framework and specify necessary governance documents under each framework principle. We suggest that to satisfy Principle 3 'Demonstrating the values of good governance through upholding high standards of conduct and behaviour' that a protocol similar to ours could be used.
- **Mediation on a disagreement**
Where issues do arise in a partnership, for instance one partner challenges another partner about their behaviour in relation to the protocol, the standards committees could have a role to play in mediating any disagreement.

Determining how well the partnership is doing

- **Monitor the values and behaviours of existing partnerships.**
Partnerships can be monitored against their protocol. Standards committees could act as chief promoters and champion the protocol. Standards committees would be an ideal forum to oversee both the implementation and adherence to the protocol.

WHAT THE PROTOCOL DOES NOT COVER

It should be noted that the values and behaviours outlined in this approach are in addition to compliance with legal requirements and this protocol does not replace (but supports) the following:

- Legal requirements on equal opportunities and antidiscrimination.
- Mechanisms that are required for good governance (rather than the values that underpin them) such as financial probity, systems for establishing value for money and good practice around contracting and procurement.

METHODOLOGY

The values and behaviours in the protocol have been developed in conjunction with Manchester City Council and some of their partners. A number of those that work in partnership with the City Council have been consulted on what behaviours and values they think should underpin partnership working.

As well as being devised through consultation the protocol also draws on and is consistent with the CIPFA SOLACE Good Governance Framework (see page Page 12 for more detail).

The protocol also draws on the ten general principles for the conduct of people in public life. These ten general principles are set out in the Relevant Authorities (General Principles) Order 2001. They are based on the Seven Principles of Public Life set out by the Committee on Standards in Public Life (see Appendix I).

The research was undertaken by Manchester Business School using the process illustrated in Figure 1 below (Page 9). A research approach was used that sought to evaluate values and behaviours in the real world of partnership working (Pawson and Tilley 1997). The aim was to ask realist questions – not “Do governance procedures work?” but “What style of governance and behaviours work, for whom, in what circumstances, and why?” These questions were investigated using a range of research techniques:

- **Action Learning Sets** (see below for an explanation of action learning sets) undertaken with the Council’s strategic and voluntary/contractual partners. These strategic partners are all involved in the Manchester Partnership and included representation from Greater Manchester Police, the Fire Service, NHS Manchester and Job Centre Plus.
- **Depth interviews** with a small number of partners, focusing on voluntary and contractual partners.
- **On-line questionnaire** seeking views on the expected and observed behaviors in partnerships, which was circulated to a wide range of contacts in the Manchester Partnership and those involved in the Council’s ‘significant partnerships’.

These methods were centred on the notion of action learning. An approach first developed by Reg Revans (1998), action learning has recently been linked to the concept of the learning organisation as a practical way of closing the loop of 'doing and reviewing'.

Action learning is a method of collaborative learning where a small group of people meet regularly to reflect on real world issues. Action learning set members draw on their actual knowledge and experience in order to improve performance. It enables each person to reflect on and review the action they have taken and learning points arising.

Although focused on the individual's learning, the sponsoring organisation also gains from action learning. It is most suitable to the challenge facing an organisation that wishes to create and change behaviours. There are three main requirements of action learning:

- People accept the responsibility for taking action on a particular issue (in this case constructing, promoting and implementing a description of appropriate behaviour);
- A problem or task that people set themselves to address, in this case, the construction of appropriate behaviour; and
- A set of colleagues who support and challenge others to make progress on that problem, namely the promotion and implementation of the final protocol outlining the values and appropriate behaviour.

The approach used in this research was that each action learning set member was asked to attend the first session with an account of a governance issue that had they experienced when working in partnership. Each group member shared their issue and then the rest of the group discussed the issue they had raised. Action learning set participants were given the opportunity to describe both behaviours they felt are desirable in partnership working as well as those behaviours that are exhibited in the partnerships they work in. The process is grounded within the real world of partnership activity and experience as participants are asked to use examples from their own experience.

Group members were then challenged to go back to their respective places of work and reflect on the group discussion and the emerging values and behaviours.

Manchester Business School researchers facilitated the action learning sets, but, additionally, provided an analysis of the 'real world' emerging values and behaviours that participants were discussing. From these discussions a range of potential values with defining behaviours were constructed by the researchers. The researchers aligned these emerging values and behaviours with the ten general principles of public life and the CIPFA SOLACE Good Governance Framework.

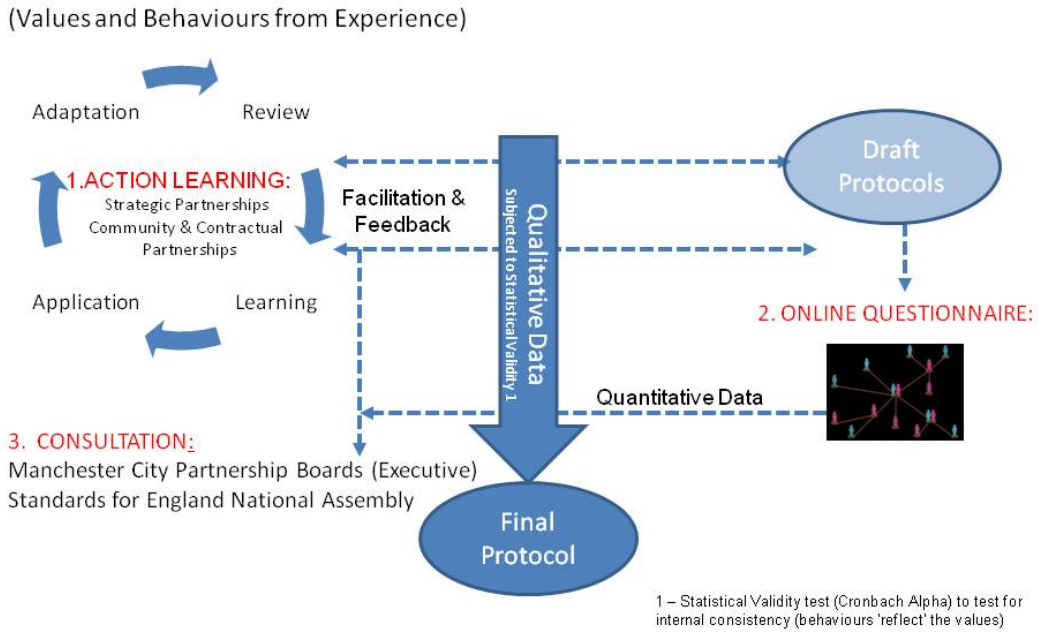
Further action learning sets were then convened at which these emerging values and behaviours were fed back to the participants and this latest iteration of the values and behaviours was then discussed further in session.

Further iterations of the values and behaviours conceived in the action learning sets were then tested more widely by means of a dedicated online questionnaire to a wider audience of Manchester City Council's partners.

The final stage involved consultation with partnership boards within Manchester on the values and behaviours that had emerged from the action learning and on-line questionnaire stages. The research team then subjected the values and behaviours to statistical tests to ensure that the grouping of behaviours was appropriately aligned to the values expressed by partners.

The process is illustrated in Figure 1 below:

Figure 1: Development of Protocol



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BACKGROUND

Standards for England

Standards for England is a strategic regulator and we work to ensure the success of a fair and proportionate local standards framework. We provide an independent, national overview of how local authorities promote and improve the ethical behaviour of their members.

We assist local authorities in this work by providing support and guidance, as well as investigating those cases of misconduct which are inappropriate for authorities to deal with themselves. We are a non-departmental public body, set up by the Local Government Act 2000.

The Act introduced a Code of Conduct for councillors, the statutory requirement for authorities to have a standards committee, the Standards Board for England (now Standards for England), and the Adjudication Panel for England. Initially, Standards for England was responsible for assessing and investigating allegations that members have breached their Code of Conduct.

The Local Government and Public Involvement in Health Act 2007 brought in a remodeled local standards framework. The new devolved regime has been up and running since May 2008. Local authorities now deal with the vast majority of complaints about their own members via their standards committees. We only deal with the most serious.

APPENDIX I

The Ten General Principles of Public Life

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 their political groups, 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 authority's statutory officers and its other employees.

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 their authorities use their 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.

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