

# **ITEM 3**

**WANDSWORTH EMPLOYMENT AND SKILLS PARTNERSHIP**

**CONSTITUTION AND RULES FOR CONDUCTING BUSINESS**

**6TH FEBRURAY 2009**

## **Introduction**

1. The Wandsworth Employment and Skills Partnership (called ‘the Partnership’ in the paragraphs which follow) is a formally constituted partnership comprising members of the private, public, voluntary and community sector. The Partnership is established and supported by Wandsworth Borough Council.

## **Aims and objectives**

2. The Partnership has been established with the aim of working together with all sectors of the community on a range of key inter-related issues to improve the employment prospects and skills of Wandsworth’s resident workforce.
3. Specifically the Partnership’s objectives are:-
  - (a) agree a long-term vision and strategy with milestones on how to achieve the long-term vision to improve the employment prospects and skills of Wandsworth’s resident workforce;
  - (b) establish a consensus on future local employment support and skills priorities and actions and to secure the approval and support by relevant key partners, stakeholders and public agencies to the vision and strategy;
  - (c) agree local targets and actions, including Local Area Agreement targets, to achieve the vision in item (a);
  - (d) establish a consensus on provision of employment and skills support and services;
  - (e) identify gaps in employment support and skills provision and recommend actions, subsequent strategies and actions upon the Business Plan including objectives, actions, projects, key indicators and milestones for the partners and others to address the identified gaps in provision and achieve the vision in item (a);
  - (f) support partners’ bids, as appropriate, for resources to help deliver the vision and strategy;
  - (g) ensure the provision of high quality local services from mainstream agencies (specifically Jobcentre Plus (JCP); Learning Skills Council (LSC) and Adult and Community Learning (ACL));
  - (h) hold mainstream agencies to account for their local provision and their contribution to meeting the Partnership’s agreed targets;
  - (i) set up a network of providers of employment support and skills;
  - (j) from time to time, commission work from agencies to assist in these tasks, including identifying the barriers to employment and raising skills levels; accessing demand-led employment opportunities; bidding for funds to support

its objectives and moving from a programme to a personal approach with individuals;

- (k) monitor progress in realising the vision, strategy and targets;
- (l) communicate the vision and strategy to residents, businesses, and partners in the Borough;
- (m) contribute to the development and implementation of the Wandsworth Local Strategic Partnership's Sustainable Community Strategy where it has a significant focus on employment and skills;
- (n) prepare an annual report to partners and stakeholders to include financial performance and progress in achieving the Partnership's objectives and targets;
- (o) represent the views of the Partnership on the Wandsworth Local Strategic Partnership (WLSP); and
- (p) meet quarterly discuss local and Borough-wide issues that affect employment and skills and to agree appropriate actions.

4. The role of Members of the Partnership (including their representatives) in this process is –
- (a) to promote the aims of the Partnership and the Employment and Skills Strategy;
  - (b) to help identify resources to implement the Employment and Skills Strategy;
  - (c) to add value to, contribute to, and advise the Partnership;
  - (d) to act in a business-like manner;
  - (e) to act fairly and impartially and not to use their position as a Member of the Partnership for party political purposes;
  - (f) to act openly and in cases where a partner may have a conflict of interest in an issue to be discussed by the Partnership, to declare that interest at the start of consideration of that particular issue; and
  - (g) to recognise and respect the intellectual property rights of Member organisations and the Partnership.

### **Partnership Structure**

5. Membership of the Partnership consists of a number of key public agencies in the Borough as well as representation from the voluntary, community and the private sectors. The Partnership is intended to be an effective strategic body and it is proposed that its size should generally not exceed about 16 members.
6. The Group shall comprise of representatives appointed by public agencies, voluntary/community groups and local businesses/employers (the “constituent bodies”) as follows:-

- (a) **Business /Employer (5)**; large private sector employer; Skills Training UK Ltd. Talent, Wandsworth Chamber of Commerce, and Work Directions;
- (b) **Voluntary and Community groups (3)**; Prospects, Share Community; Wandsworth Voluntary Sector Development Agency; and
- (c) **Public sector (8)**; Wandsworth Council, Government Office for London, JCP; LSC; Wandsworth Primary Care Trust; London Development Agency; South Thames College; and Roehampton University;

### **Terms of Membership**

7. It should be noted that all members of the Partnership have an equal standing and that no one organisation can assume dominance. All decisions made will be made as a Partnership.
8. ***Period of office of members*** – All current members of the Partnership are expected to remain members for a minimum of 1 year.
9. ***New member organisations-*** New member organisations of the Partnership must be nominated by at least 2 existing members of the Partnership who should state the case for the organisation being proposed. At least one of them should be a Wandsworth Borough Councillor as a representative of the body with the statutory duty to establish the Wandsworth Local Strategic Partnership and prepare the Sustainable Community Strategy. A vote will then be taken by all members – their decision as to whether a new member is suitable for membership or not is final.
10. ***Role of members*** – Members on the Partnership are expected to participate fully in both discussions in meetings, and in an advisory role to other members in matters relating to either the organisation they are representing, or in the specific subject area of which they have knowledge.
11. ***Substitution*** – Members are asked to make every effort to attend meetings of the Partnership. However, it is acknowledged that in some circumstances members may not be able to attend. In these circumstances, substitutes should attend on behalf of the permanent member, but should be of a sufficiently senior level in the partner organisation to have the same authority to act on the organisation’s behalf and make decisions that may affect that organisation.
12. Where a member has left the partner organisation that they represented, the partner organisations shall appoint new persons to replace them and fit the criteria as above.
13. If a member of the Partnership fails to attend three consecutive meetings of the Partnership, that member shall no longer be treated as a supporter of the Partnership. In order to maintain support of its aims and objectives with all supporters, the member’s absence from two consecutive meetings shall be drawn to the attention of the member by the Secretary (in writing to the duly appointed representative) who shall be reminded of the foregoing provisions regarding absence from a fourth meeting.
14. In the event of the Partnership concluding that any Member and/or their representative has acted or done anything contrary to these Terms of Reference and/or prejudicial to the

interests of the Partnership, the Board may suspend or terminate that Member's and/or their representative from their position on the Partnership.

15. ***Dispute Resolution*** – It is acknowledged that, at times, conflicting views and opinions might be expressed. In principle, the Partnership should aim to achieve consensus by focusing on clear, objective data, through full and open discussion and with respect for the views of all members.

Differences of opinion leading to conflict should be resolved in their early stages to avoid a detrimental impact on the working of the Partnership. For this reason, it is suggested that in the first instance, the issue in question should be discussed with the Chairman. Should the issue not be resolved at this stage, the item should be put on the agenda for discussion within a meeting of the Partnership and a vote taken where appropriate.

16. ***Dissolution of the Partnership*** – The Partnership can be dissolved at anytime providing that 75% of the Members vote in favour of the dissolution resolution and that such is subsequently supported in writing by 75% of the constituent partnership organisations within six weeks [or such other period as shall be decided by the meeting at which the resolution is passed].

### **Partnership Meetings**

17. ***Frequency*** – Meetings of the Partnership shall normally be held quarterly, although extraordinary meetings may be held if necessary (e.g. if requested by the Chairman or called for by 5 or more members). Meetings are currently held in the mornings. All members will be expected to make every effort to attend these meetings.

Members of the Partnership and their representatives shall be expected to give of their time without charge.

All Partnership meetings shall be open to the press and public subject to notifying the Chairman and/or the Economic Development Officer at least two days in advance. Any confidential items will be dealt with at the end of the meeting when the press and public have been excluded.

18. ***Venue Arrangements*** – Meetings will be held in the Borough of Wandsworth.
19. ***Agenda Dispatch*** – Items for the agenda are the responsibility of the Secretary. Any member wishing to submit an item for the agenda, must do so in writing, if possible, to the Secretary not less than two weeks before the meeting date. Acceptance of items requested after this date will be subject to the Chairman's agreement. Agendas and associated documentation will normally be dispatched to members seven days prior to the meeting date to allow sufficient time for members to read and absorb material before the meeting. These will be sent out electronically wherever possible in order to save paper, printing and postage costs.
20. ***Quorum*** – No business shall be transacted at a meeting of the partnership unless at least 5 members are present, including a member of Wandsworth Borough Council.
21. ***Conduct at meetings***- All meetings of the Partnership shall be open to the press and public as observers only, provided that the Group may resolve to exclude them from any part of the

meeting if they believe that information of a confidential nature would be likely to be disclosed them if they were present;

22. The meetings will generally be chaired by the Chairman of the Partnership (or the Deputy Chairman in his or her absence), who will introduce the items on the agenda and will facilitate discussion. Where a degree of expertise is required, the appropriate member (or an external body or individual) will be called upon to expand on issues and talk through the paper offered for discussion. The Chairman must approve any such adviser (other than a partnership member) invited to the meeting.
23. It is important that every member of the Partnership has an equal right to make a comment and to contribute to the discussions. Every item should be discussed openly and in a professional manner before a decision is made. It will be the responsibility of the Chairman to ensure that every member is given opportunity for this to occur within the meetings.
24. ***Declaration of Interests*** – All Members must declare any interest in relation to any item on a meeting agenda and not vote, but may speak, if:-
  - (a) they, their spouse, partner, business interests, or family and friends would gain or lose financially by the decision;
  - (b) their personal interest in the matter creates a real danger of bias by putting their own feelings above partnership interests;

Further, by their nature, decisions of a partnership body may have the effect of benefiting or disbenefiting the organisation that employs or nominates its members, e.g. when decisions are made on bids, projects, funding allocations, etc. that will become available to partnership member organisations. It is not practicable to declare such interests (which will be obvious) or prohibit participation in votes or decisions in such cases (formal votes are in any event rarely taken at partnerships). However, all members will be expected to adhere to the Principles of Public Office, and in contributing to partnership decisions, pledge themselves to take a decision reflecting their best assessment of the option(s) which maximise overall benefits to the partnership in achieving its objectives, rather than merely seeking to assess benefits or disbenefits to their own particular employing/nominating organisation alone.

25. The Chairman's ruling with respect to the conduct of discussion and business at meetings shall be final.
26. ***Decision-making*** - In order to make a decision democratically, a system of voting will take place in respect to items needing a decision or agreement. This will be done through a show of hands. However, a private vote can be proposed by any member in case of controversial items.
27. In the case of an equality of votes the Chairman of the meeting shall have a second or casting vote. Any member dissenting from a resolution passed by the Partnership shall be entitled on request to have his/her name recorded in the minutes as having so dissented. The Chairman may also in the case of an equality of votes, request a further more detailed report for a future meeting if time permits.
28. ***Administrative support*** – Administrative support to the WLSP shall be provided by the Director of Administration for Wandsworth Borough Council The Secretary shall be

responsible for despatching agendas and papers to all partnership member organisations and all of their representatives on the Partnership and such other persons or categories of persons and organisations as shall be agreed upon by the Partnership, and for agreeing those items that are urgent and/or confidential.

The Secretary shall be responsible for editing the minutes of each meeting and maintaining a copy of each agenda, supporting papers and the minutes of each and every meeting of the Partnership.

29. **Professional Advice** – Officers from the Council will regularly be in attendance at meetings of the Partnership to give advice and information if appropriate and provided officers have no actual or potential conflict of interest.
30. The Economic Development Officer of Wandsworth Borough Council or his representative shall act as the Co-ordinator of all professional advice to the Partnership.
31. **Accountability and openness** – These are fundamental to the workings of the Partnership and the issues which are discussed. Decisions made at the meetings should also be transparent and made easily available to both the business and wider communities. The minutes of the meetings will also be sent to all the named stakeholders of the Partnership.
32. **Whistle-blowing** – All Members of the Partnership are required to comply with the Whistle-blowing policy and procedures of the organisation that they are representing.
33. **Alterations to the Constitution** – The provisions of this Constitution may be added to or amended by the partnership, provided (a) that, unless alternative arrangements have been made by the Partnership at a previous meeting, such alterations shall not take effect until three days after all Partnership member organisations have been informed in writing of the agreed change and no objections are received from; and (b) that if the Council is the Accountable Body, no alterations shall take effect unless and until they are approved by the duly authorised Committee or the Executive on behalf of the Council.

### **Chairing the Partnership**

34. In the first instance, the Chairman of the Partnership shall be the Council's Cabinet Member for Regeneration and Community Safety. After the first years of full operation, the Chairman of the Partnership shall be appointed by the members of the Partnership. Candidates for Chairman are required to be proposed and seconded by Partnership members. Should there be more than one nomination, a vote will be taken by the Partnership to determine the Chairman.
35. The responsibility of the Chairman will be an annual position and nominations and the re-election of Chairman will take place by the end of March each year starting in 2010, or in the event of their being no meeting in March, at the next meeting of the Partnership to provide continuity.
36. In the absence of the Chairman at meetings, a Deputy Chairman will assume responsibility. Again, this position is an annual one and will follow the same system of nominations and voting as the position of Chairman.
37. The Chairman and the Deputy Chairman's role is one of facilitation in order to support open and frank discussions. This will encourage all the members to have an equal voice and will

empower all sectors to become more actively involved. It is important therefore, that the Chairman and the Deputy Chairman are both briefed by Officers prior to the meetings of the Partnership, to enable them to facilitate the discussions fully.

### **Accountable Body**

38. Wandsworth Council is the accountable body. All accounts must be in a manner prescribed by the Director of Finance. This may also include the requirement to comply with Wandsworth Council's management directives, e.g. the Code of Practice for the Procurement of Works, Supplies and Services.
39. The Partnership and Wandsworth Council must ensure that:-
- (a) no part of the Council's funding is used to support any political party or to publish any material which, in whole or part, appears to be designed to affect public support for a political party;
  - (b) the Council's funding is used only to support the aims and objectives of the approved Strategy; and
  - (c) that nothing is done or published which may bring the Council into disrepute.
40. The role of Wandsworth Council is to:-
- (a) facilitate, service and advise meetings of the Partnership;
  - (b) approve and prepare regular reviews of the Strategy, including targets;
  - (c) help good communication with and between partners, businesses, voluntary sector and users;
  - (d) with other partners, bid for appropriate resources to help implement the Strategy;
  - (e) encourage others to fund projects for the benefit of Wandsworth's resident workforce;
  - (f) allocate funds from time to time for Council adopted schemes that help to realise the Strategy; and
  - (g) act as the Accountable Body for any Partnership budget ensuring accountability and probity.

### **Standards and Ethics**

41. The Partnership commits its member representatives to the following principles in all its dealings:-
- (a) **Selflessness:** Take decisions purely in the public interest – not to get financial or other benefits for you, your family or friends;
  - (b) **Integrity:** Don't put yourself under any financial or other obligation to any person or organisation that might influence you in performing your official duties;

- (c) **Objectivity:** Make choices on merit when appointing staff, awarding contracts or recommending anyone for rewards and benefits;
  - (d) **Accountability:** Remember you are accountable to the public and be prepared to have your decisions and actions scrutinised;
  - (e) **Openness:** You should be as open as possible about all your decisions and actions. You should give reasons for your decisions and only ever keep information back if the public interest clearly demands that you do;
  - (f) **Honesty:** You must declare any private interests relating to your public duties and take steps to resolving conflicts that protect the public interest; and
  - (g) **Leadership:** Promote and support these principles by leadership and example.
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