

Agenda item 5

For approval

Interaction Partnership; 13 May 2008

Amendments to the Interaction Partnership Constitution

Paper by John Milligan, Interaction Partnership Manager

Summary

The attached paper details a set of proposed changes to the Interaction Partnership's Constitution, which was initially approved by the board at its inaugural meeting in 10 October 2006. The changes have been made to;

- reflect the governance structure set out in the Partnership's Strategy, which was approved by the board on 6 March 2008.
- reflect current practices in appraising project funding applications and to comply with a recommendation of a recent audit of the partnership's governance and operational systems carried out by Tendring District Council.

Note that the changes (text deletions and insertions) are detailed in the attached constitution.

Recommended; *that the board agrees to the proposed amendments*

Constitution

Terms of Reference for the Interaction Neighbourhood Management Partnership Board

1. Background

- 1.1. The Interaction Neighbourhood Management Partnership (referred to below as the Board) is an informal and unincorporated association of residents, statutory agencies, voluntary sector organisations and private sector bodies working in the Pier and Golf Green Wards of the Tendring District. They have agreed to work together as a Board, to implement the Safer Stronger Communities Neighbourhood Management Programme and undertake any such other related activities that the Board deems relevant with a view to empowering local people in playing an active role in their community.
- 1.2. All members of the Board accept that they are committed to working closely together over the next four years to improve service delivery with an aim of creating a vibrant, active and empowered community in the two wards.
- 1.3. The Board recognises that it can only work together successfully by reaching consensus and building co-operation across the organisations and communities represented. It will not unreasonably attempt to dictate to or instruct its members over matters of proper policy or implementation.
- 1.4. The Board is committed to the community being involved in the business of the Board both at a strategic and local level. This will be achieved by ongoing consultation that will be directed at inviting comment on direction, service proposals, outcomes and future developments.

2. Terms of Reference

2.1. The Members of the Board will work together, as part of the Government's strategy to tackle poverty and social exclusion, to agree and deliver services for the communities of Pier and Golf Green wards in the District of Tendring and will:

- Agree the vision, values and objectives of the Partnership.
- Agree the *insert; strategies*, policies and plans needed to achieve these objectives.
- Agree the annual budget, annual report and annual accounts.
- Promote inclusive, joined up and better service delivery in the neighbourhoods.
- Establish and oversee a scheme of delegation and systems of control which ensure a delineation between policy matters reserved to the Board and implementation matters to be undertaken by staff.
- Agree policies and make decisions on matters that give rise to significant financial or other risk to the Board or which raise material issues of principle.
 - Agree the *insert; Partnership Strategy and Action Plan (Delete; Annual Delivery Plan)*.
 - Monitor and review on a regular basis the performance of the partnership in relation to the *insert; Partnership Strategy and Action Plan (Delete; Annual Delivery Plan)* and other appropriate policy documents.
 - Encourage existing services to work more closely together, to better co-ordinate their activities and seek to attract mainstream funding to the neighbourhoods.
 - Develop new services for the communities where appropriate.
 - Integrate funding streams, and agree levels of contribution.
 - Initiate, promote and agree policies for community development, empowerment, participation and consultation in the neighbourhoods.

- Help to appoint and oversee the work of the Neighbourhood Manager, via the Chairman.
- Represent the views of local people on the quality of services and any new initiatives required in the neighbourhoods.
- Ensure publicity and promotional materials are branded appropriately

2.2 The main tasks of the Board will be:

- To work within the guidelines of the Safer Stronger Communities Fund (SSCF) as set out by the Department for Communities and Local Government (DCLG).
- To set up local thematic sub groups that are as far as possible representative of all relevant sectors of the community, to deal with specific issues.
- To receive proposals for service delivery, prioritise and approve as appropriate in accordance with guidelines.
- To ensure that all services are monitored and evaluated with respect to quality assurance and effectiveness.
- To actively promote neighbourhood management on a partnership basis with a view to capacity building in local communities.
- To prepare annual reports on progress and development of the neighbourhood management programme for Tendring District Council, local partnership groups and other interested parties.
- To monitor the work of the Accountable Body (Tendring District Council) in respect of finance, employment and contracting in as far as this relates to the work of the Board.
- To provide leadership and advice on consultation and participation of residents and businesses in the two neighbourhoods.
- To ensure that the Neighbourhood Manager's role includes building and developing links across the two neighbourhoods and their service providers.
- To ensure groups that have been identified as "hard to reach" have services commissioned to meet their needs with a local focus.

3. Composition of the Board

3.1. The Board will have a maximum of 18¹ voting members representing a cross section of agencies from the community and voluntary sector, statutory organisations and local groups. The Board members are committed to ensuring that representation and links are made both strategically and operationally with other key government initiatives and plans.

3.2. The voting membership of the Partnership Board will be as follows:

Statutory Service Providers 'Champions'	Community Representatives	Resident Representatives
Community Safety – Police representative	Golf Green Local Councillor	Jaywick -Golf Green
Environmental Health/Housing – Tendring DC representative	Pier Ward Local Councillor	Jaywick – Golf Green
Planned Environment – Tendring DC representative	County Councillor	Jaywick – Golf Green
Health – Tendring PCT representative	Voluntary / Comm Sector	Town Centre - Pier
Education – Youth Commissioner for Essex County Council	Town Centre Business Clacton Chamber of Trade and Tourism	Town Centre - Pier
Jobs & Training – Colchester Institute representative	Jaywick Community Forum	Town Centre - Pier

3.3. The Neighbourhood Manager will attend all meetings, and will be expected to ensure appropriate team members attend.

3.4. In exceptional circumstances statutory service provider 'champion' members can send a deputy to Board meetings, and they will retain the voting right for the agency they are representing. The member must inform the Chairman if they will not be attending and who their representative will be.

3.5. A member of the Board will be nominated to feed back on performance and Board activities to the LSP at least twice a year.

3.6. Observers can request to attend the meetings, or may be invited to attend by the Chairman. Observers may not vote, and must only talk on the items they have been invited to present unless invited to do otherwise by the Chairman.

4. Frequency of Meetings

- 4.1. The Board will meet at least every three months.
 - 4.1.1. Items for the agenda must be submitted to the Chairman for approval. The Chairman must forward approved items to the administrative officer ten working days before the meeting.
 - 4.1.2. The agenda and supporting papers will be circulated by the administrative officer a minimum of five working days before the Board meeting.
 - 4.1.3. Meetings will be supported and minuted by the administration officer.
- 4.2. A Task Group will be set up and will meet as required to respond to any Board issues and to act as an advisory body to the Neighbourhood Manager. The Task Group will comprise 6 members and will have 2 representatives from each sector. The Task Group must include the Chairman of the Board, and its quorum is four members.

5. Delegation

- 5.1. The Board may delegate any of its responsibilities to the Neighbourhood Manager, or to the Neighbourhood Manager in conjunction with the Chairman, or to a thematic sub group of the Board. *(Delete; Any thematic sub group of the Board must include at least two Board members)*. Officers and thematic sub groups who have delegated responsibilities must keep the Board informed of their acts and proceedings and conform to any regulations made by the Board. They must also submit formal written reports to the Board when requested. The Board will agree a scheme of delegation.
- 5.2. Thematic subgroups covering specific areas may be convened as needed. Members will be invited to attend by the neighbourhood management staff team, and will draw up terms of reference for agreement by the thematic sub group as a whole at its first meeting. These terms of reference must be agreed by the Board.

6. Thematic sub groups

- 6.1. Thematic sub groups **insert; may (Delete; will)** be **insert; set up by the Partnership Board (Delete; commissioned by the Board when actions or activities are required that need) insert; to enable in depth discussion and analysis of thematic issues and objectives**. They will meet as and when it is deemed to be necessary. **(Delete; The**

conclusions from these groups' recommendations will be reported to the Board when necessary).

6.2. There will be four **(Delete; three)** standing thematic sub groups. **(Delete; One to oversee the regeneration of Clacton town centre, one to ensure the environmental improvements to both neighbourhoods with a remit to monitor the work of the neighbourhood action team, and a third with a remit for community safety to work with the police neighbourhood teams (as structure chart below).**

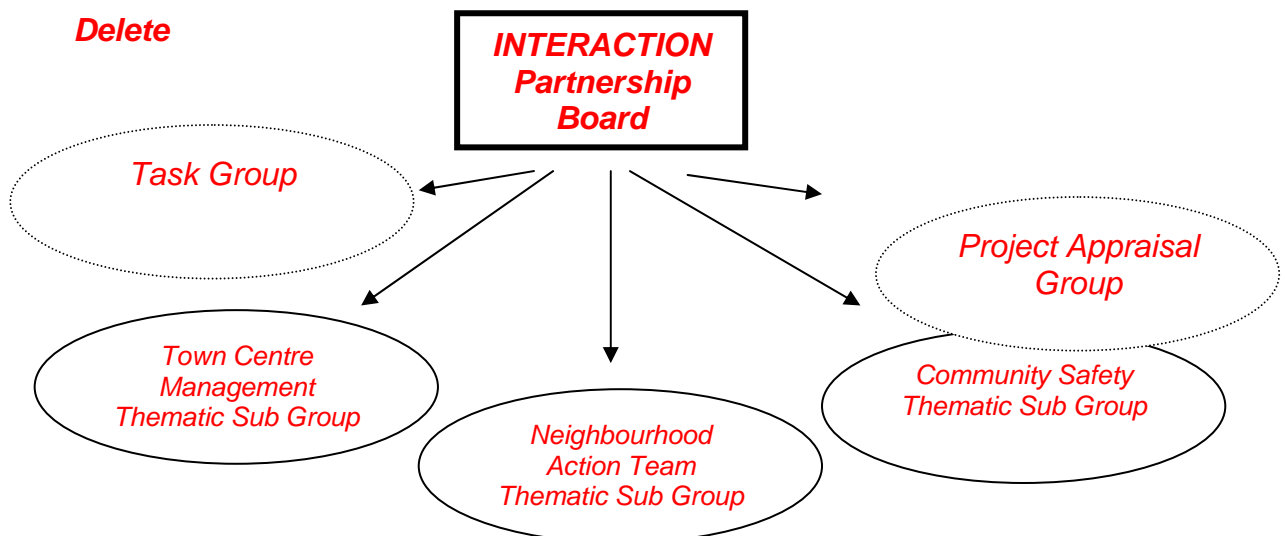
insert; These are comprised of;

Community Safety and Environment and Housing Group; Pier Ward

Community Safety and Environment and Housing Group; Golf Green Ward

Community Development Group (encompassing the themes of; Health, Children and Young People, Employment and Incomes and Community Development); Both wards

Clacton Town Centre Retail Group



6.3. **Delete;** Initially a Chairman will be appointed for each thematic sub group at the main Board – and that Chairman will be responsible for feeding back to the main Board any key issues raised at that group.

insert; The theme groups will be responsible for appointing their own chair which must be approved by the chair of the main partnership board. The Neighbourhood Manager will be responsible for reporting back to the main board on the work and progress of the theme groups

- 6.4. Each thematic sub group will elect a Chairman by the third meeting, and this may be any member of that group.
- 6.5. A staff member of the neighbourhood management team will act as Secretary for each of the thematic sub groups and will compile an agenda for and a set of action points from each meeting.
- 6.6. The thematic sub groups will act to:
 - 6.6.1. Forward the views of residents, the statutory and voluntary sectors with an interest in the area to the Board.
 - 6.6.2. Give the community a chance to discuss partnership and wider issues at a very local level.
 - 6.6.3. Act as consultative and advisory body on local issues and planned activities, especially in relation to the delivery plan.
 - 6.6.4. Look at ways in which the range of statutory and voluntary services could be better managed and delivered at an area level and to pass advice on these to the Board.
 - 6.6.5. Act as a conduit for project proposals that are proposed as part of the delivery plan. Only after consideration by a pertinent thematic sub group will these then go for project appraisal.

*6.7 **Delete;** All project funding appraisals will be considered by specific Project Appraisal Groups. These are ad hoc groups set up for the specific purpose of appraising project proposals submitted to the Board.*

***Insert;** All project funding applications to the Partnership Board must be appraised by a minimum of two people which may include members of the main partnership board or specialists in the particular field of work pertinent to the project. The appraisers will have delegated responsibility to recommend approval of projects within the structure of the Partnership's strategy and action plan, and report back to the main Board who may approve funding.*

***Delete 6.8;** These groups will comprise different members of the Board depending on the frequency of the panels and availability of Board members, but must comprise a minimum of two members of the Board, and one member of the neighbourhood management team. These groups will have delegated responsibility to recommend approval of projects within the structure of the delivery plan, and report back to the main Board who may approve funding.*

7. Conflicts of interest

- 7.1. A register of interests made in accordance with the Tendring District Council Code of Conduct for members will be held by the Neighbourhood Manager. The individual Board members are responsible for entering in this register any interests they have and for updating his/her entries in this register.
- 7.2. Members must declare any interests they have in any matter to be considered. Where the interest in the matter is such that it is prejudicial the member concerned must not vote and must leave the meeting during consideration of that matter. Should any interests be found not to have been declared that Board member can be removed from the Board. A complaint may be made to the Standards Board for England if the Board member is an elected Councillor.

8. Appointment of the Chairman of the Board

- 8.1. The Chairman of the Board will be elected annually by a majority of votes and any members wishing to stand for Chairman's office should submit their written expression of interest to the outgoing Chairman at least one month before the last Board meeting of the calendar year. The Board may fill a casual vacancy in the Chairman's office as it arises.
- 8.2. Nominations, seconded by another member of the Board, must be put to the Chairman in writing, by a specified date. A paper ballot will be held to elect the new Chairman if there is more than one nomination, and more than half the members of the Board present at the meeting demand it. Otherwise the Chairman will be elected on a show of hands. The Chairman must give the Board one month's notice should he or she choose to resign their position.

9. Role and Responsibilities of the Chairman

- 9.1. The Chairman of the Board will help the Neighbourhood Management Team maintain close links with senior managers of partner agencies.
- 9.2. The Chairman of the Board will have responsibility for ensuring that the tasks of the Board are carried out through the constituent members, and in accordance with the Terms of Reference. They will act as contact and signatory for agreements on behalf of the group. They will also have an additional casting vote.

10. The Chairing of Meetings

- 10.1. The Chairman will preside at meetings of the Board in an inclusive way so as to ensure that;
 - 10.1.1. meetings are well chaired, and move through their agenda in a systematic fashion and finish at a pre-agreed time, ensuring the core business is delivered;
 - 10.1.2. all Board members are allowed, within reason, to have their say;
 - 10.1.3. no member or groups of members of the Board are able to monopolise its discussions, or interrupt other Board members; and
 - 10.1.4. no personally abusive/offensive behaviour or personal attacks on any member of the Board or other third party are allowed.
- 10.2. All members of the Board have a duty to behave in a way that is in accordance with the Code of Conduct and assists the Chairman in achieving the above objectives.
- 10.3. If the Chairman is not present within 10 minutes of the time fixed for the beginning of the Board meeting, or is unwilling or unable to act in the case of a conflict of interest, the members present will elect one of their number to act as Chairman for that meeting or item only.

11. Appointment and Removal of Members

- 11.1. Appointment and removal of members shall be in such form and contain such information as the Board may prescribe. They will take effect when received in writing by the member and the Neighbourhood Manager. The Neighbourhood Manager will keep a written record of all such appointments and removals.
 - 11.1.1. Members of the Board may be appointed, and removed in a manner consistent with the prescribed procedures.
- 11.2. Appointed members will be made aware of their roles and responsibilities to the Board, and will undergo an induction process in liaison with the Neighbourhood Manager and Board Chairman to explain their role as a Board member.
- 11.3. A person will cease to be a member of the Board if he or she:
 - 11.3.1. Retires.
 - 11.3.2. Resigns by written notice to the Neighbourhood Manager.
 - 11.3.3. Is removed by the organisation that appointed him or her.
 - 11.3.4. Is replaced by virtue of the paragraph 11.4 below.
 - 11.3.5. Becomes bankrupt.

11.4. The Board may require that an organisation replace its member if it considers that the member concerned has damaged the Board's interests or is no longer qualified to be a member. The Board will give that member;

11.4.1. at least seven days written notice of a Board meeting where any discussion about the replacement of a Board member will take place and written details of the reasons for discussion (e.g. a complaint has been received); and

11.4.2. an opportunity to be heard and represented at that meeting.

11.5 In the event of a dispute as to the appointment of any member the Board may decide the matter and the decision of the Board will be final and conclusive.

12. Attendance of Members

12.1. Members of the Board are expected to attend Board meetings and if absent for more than 3 meetings annually, their position on the Board may be reviewed.

12.2. Members have the responsibility for ensuring that they not only represent the views of their constituent organisations but that they also demonstrate objectivity and impartiality in the decision making of the Board. They should at all times uphold the principles of the Safer Stronger Communities Fund and wherever possible promote the work of the Partnership.

13. Meetings of the Board

13.1. The Board will normally meet every three months. All meetings will be held in public.

13.2. The Neighbourhood Manager will, if requested by the Chairman or by at least three other members of the Board, call an urgent Board meeting by giving five working days notice to each member stating the time, date and place of the meeting and the matters to be discussed. An urgent Board meeting may be called at shorter notice at the written request of three members. The Neighbourhood Manager will publish a notice calling the meeting and the agenda at the Neighbourhood Management Team's office and this will be available for public inspection.

13.3. The Board will only discuss business on the agenda and any other business that the Chairman at his or her absolute discretion decides is urgent.

13.4. A quorum for Board meetings will be eight members, at least four of whom shall be community sector or resident representatives. No decisions may be made without a quorum present.

- 13.5. Decisions will be taken by consensus wherever possible. Otherwise decisions will be decided by a majority of those present and voting by show of hands. If the number of votes are equal the Chairman will have a casting vote. A paper ballot can be used should the Board wish – for which the Chairman will announce the result.
- 13.6. All members of the Board shall have one vote.
- 13.7. The Neighbourhood Manager will keep accurate records of all Board meetings. The minutes will record the members present and the decisions taken. If requested by a member the Neighbourhood Manager will record how that member voted or abstained on a particular matter.
- 13.8. If the Chairman of a meeting of the Board or any thematic sub group of the Board considers that a Board member persistently disregards the ruling of the Chairman and/or behaves in an offensive way and/or wilfully obstructs the business of the meeting the Chairman may;
- 13.8.1. require the member concerned to stop speaking during all or part of the remainder of the meeting;
 - 13.8.2. request that a vote be taken that the member of the Board concerned leave the meeting. This must be decided by the meeting without comment and if carried by two-thirds majority of those present and voting the member concerned shall forthwith leave the meeting; and/or
 - 13.8.3. adjourn the meeting for such period as shall seem expedient including any cases of public disruption.
- 13.9. The Board shall follow such other procedures and meet, adjourn and regulate its meetings and business in such ways as it may decide.

14. Lead Agency and Accountable Body

- 14.1. The Lead Agency and Accountable Body is Tendring District Council who will be responsible for:
- 14.1.1. Employing staff and procuring resources to maintain and support them;
 - 14.1.2. The line management, supervision and professional development and support to the Neighbourhood Manager and other core staff; and
 - 14.1.3. Ensuring that funds are spent according to the delivery plan and that Tendring District Council's financial procedure rules and audit requirements including the timing of payments are complied with.

14.2. The power of veto for Tendring District Council lies in the management of staff, or within the financial management of the programme should the Finance Officer nominated advise that the Board are managing funds inappropriately, and outside of the Council's procedure rules and audit requirements. In this instance the Council will take immediate remedial action.

15. Financial Accountability

15.1. *The Board will be responsible for the overall management of the SSCF funds and will receive quarterly reports from the Accountable Body. Tendring DC will nominate a responsible Finance Officer who will report quarterly on the budget position of the fund. The same officer will also be responsible for ensuring that information and data required to monitor programmes and their outcomes is also presented to the Board quarterly. The Neighbourhood Manager and Finance Officer will be responsible for monitoring the contracting process.*

16. Transparency and Confidentiality

16.1. *The Board will conduct its business in a transparent manner and minutes of meetings will be made available to all representatives and will be published. The minutes will include a section for confidential items.*

17. Complaints Procedure

17.1. *In the event of a complaint regarding the Partnership that has not been resolved locally, the complaint should, in the first instance be passed to the Neighbourhood Manager and Chairman of the Board, who if necessary will pass it on to the Task Group for resolution. The Neighbourhood Manager will then contact the complainant in writing outlining the outcome and any actions that need to be taken.*

17.2. *Complaints received regarding the Board should wherever reasonably possible be investigated by the Chairman of the Board and responded to in writing within 28 days.*

18. Health & Safety

18.1. The Board will ensure that all service providers follow safe recruitment practices and that staff and volunteers have awareness of Health & Safety and protection issues through training and policies. Service Providers must also provide evidence to the Neighbourhood Manager of relevant checking before commencing delivery of services.

19. Equality and Diversity

19.1. The Board will work to the Tendring District Council's Equality and Diversity Policy which must also be adopted in principle by groups or organisations in receipt of any funding.