

## Summary Sheet

### Council Report:

Cabinet and Commissioners' Decision Making Meeting – 13 February 2017

### Title:

The Rotherham Compact

### Is this a Key Decision and has it been included on the Forward Plan?

No, but has been included on the Forward Plan

### Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

### Report Author(s)

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Assistant Chief Executive's Directorate

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Assistant Chief Executive's Directorate

### Ward(s) Affected

All

## Summary

Action D18 in the Council's Phase Two Improvement Plan is to: "Agree a new Rotherham MBC / voluntary sector partnership 'Compact' in consultation with the sector and wider partners". The Compact is a mutually agreed document which sets out how we all work together for the benefit of communities and citizens.

There is a national Compact between the government and voluntary / community sector. The Rotherham Compact is an agreement between the public sector partners in the Rotherham Together partnership and the voluntary and community sector (VCS).

There is no statutory requirement to have a local Compact – it is a voluntary agreement - but it does provide a useful framework of principles and commitments for both public sector organisations and VCS groups. Once it is endorsed, there would be a reasonable expectation that the parties to the Compact would comply with the commitments and principles detailed within the document.

The Rotherham Compact was last refreshed around 2010. Previous versions of the Rotherham Compact have achieved regional and national recognition as models of good practice. However, the previous Rotherham Compact had lost its momentum and focus over the years. It has had no dedicated lead/champion in the council for some time, and is very rarely referenced in decision making and consultation.

The local public sector has changed since the adoption of the 2010 Compact – for example the replacement of the Primary Care Trust with the Clinical Commissioning Group. There are also other developments such as the Social Value Act, new commissioning structures, reviews of commissioning & procurement and public service reform.

The Compact recognises the value that Rotherham's VCS brings to the borough. Research shows that the VCS employs 2,100 full-time paid and 1,500 part-time paid staff. There are 49,000 volunteer roles and 12,300 committee/board members, together providing 85,300 hours of volunteering per week. The sector's overall contribution to the local economy is estimated as £187 million per year.

The Compact particularly reaffirms the VCS as equal partners, who often have a unique understanding and relationship with some of the borough's most vulnerable people.

A Compact Working Group to oversee the refresh was convened in June 2016 and consisted of members nominated by the VCS strategic representatives group and public sector partners. The Compact was updated and a new consultation draft was prepared. Consultation of the Compact took place over a 12 week period which ended on 3<sup>rd</sup> November. Following further revisions incorporating feedback from the consultation, a final version is now attached for endorsement.

## **Recommendations**

1. That the work completed to refresh the Rotherham Compact, including feedback from the consultation exercise, be noted.
2. That the Rotherham Compact be endorsed.
3. That the intention to launch the Rotherham Compact, subject to endorsement by all public sector partners, on 29 March 2017 be noted.

## **List of Appendices Included**

Appendix A – The Rotherham Compact

## **Background Papers**

"Rotherham: State of the Voluntary and Community Sector 2015" – Sheffield Hallam University – available here: [www.varotherham.org.uk/wp-content/uploads/2016/02/Rotherham-SOS-Report\\_Final.pdf](http://www.varotherham.org.uk/wp-content/uploads/2016/02/Rotherham-SOS-Report_Final.pdf)

## **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

N/A

## **Council Approval Required**

No

**Exempt from the Press and Public**  
No

## **Title: The Rotherham Compact**

### **1. Recommendations**

- 1.1 That the work completed to refresh the Rotherham Compact, including feedback from the consultation exercise, be noted.
- 1.2 That the Rotherham Compact be endorsed.
- 1.3 That the intention to launch the Rotherham Compact, subject to endorsement by all public sector partners, on 29 March 2017 be noted.

### **2. Background**

- 2.1 In the Council's Improvement Plan one of the themes is to build 'strong, high impact partnerships'. Action D18 in the Phase Two action plan (endorsed at the Cabinet and Commissioners' Decision Making meeting on 11 July 2016) is to: "Agree a new Rotherham MBC / voluntary sector partnership 'Compact' in consultation with the sector and wider partners".
- 2.2 The Compact is a mutually agreed document which sets out how people and organisations all work together for the benefit of communities and citizens. There is a national Compact between the government and voluntary / community sector. Linked to the national Compact, many local authority areas have established local Compacts. In some areas this has been between the local Council and the voluntary/community sector (VCS). Other areas, like Rotherham, have chosen to develop a Compact between the public sector partners in the local partnership and the VCS.
- 2.3 There is no statutory requirement to have a local Compact – it is a voluntary agreement - but it does provide a useful framework of principles and commitments for both public sector organisations and VCS groups. Once it is endorsed, there would be a reasonable expectation that all the parties to the Compact would comply with the commitments and principles detailed within the document.
- 2.4 The Rotherham Compact was last refreshed around 2010. Previous versions of the Rotherham Compact have achieved regional and national recognition as models of good practice, with Rotherham previously commended for having a Compact between the VCS and all public sector partners in the Rotherham Partnership rather than just between the Council and the VCS.
- 2.5 However, the previous Rotherham Compact had lost its momentum and focus over the years. It has had no dedicated lead/champion in the council for some time, and was rarely referenced in decision making and consultation. Feedback from public sector partners and VCS groups had indicated that the Rotherham Compact was being seen as out of date and 'no longer had meaningful impact'. There was also a desire for an updated 'protocol for relations with the voluntary sector' which was reflected in the Rotherham Council Improvement Plan as part of the borough's improvement journey.

- 2.6 The local public sector has also changed since the adoption of the 2010 Compact – for example the replacement of the Primary Care Trust with the Clinical Commissioning Group. There are also other developments, such as the Social Value Act, new commissioning structures, reviews of commissioning & procurement and public service reform.
- 2.7 A Compact Working Group to oversee the refresh was convened in June 2016, Chaired by Shafiq Hussain from Voluntary Action Rotherham and supported by Waheed Akhtar as Rotherham Borough Council's Voluntary Sector Liaison Officer. The group membership consisted of members nominated by the VCS strategic representatives group and public sector partners. Furthermore, a sub-group was established to look at the 2010 Compact in detail. That version of the Compact was reviewed and a new consultation draft was prepared.
- 2.8 Consultation of the Compact took place over a 12 week period which ended on 3<sup>rd</sup> November. Following further revisions incorporating feedback from the consultation, a final version is now attached for endorsement.

### **3. Key Issues**

- 3.1 The Rotherham Compact is an agreement between the VCS and the public sector partners represented in the Rotherham Together Partnership:
- Rotherham Metropolitan Borough Council
  - Rotherham Clinical Commissioning Group
  - The Rotherham NHS Foundation Trust
  - Rotherham Doncaster and South Humber NHS Foundation Trust
  - Rotherham and North Notts College
  - South Yorkshire Police
  - South Yorkshire Fire and Rescue
- 3.2 It covers commitments for public sector and VCS organisations respectively in three main sections: Involvement in policy development; allocating resources; and advancing equality. There are also smaller sections on the role of volunteers and shared principles. The updated Rotherham Compact is attached at Appendix 1.

### **The Voluntary Sector in Rotherham**

- 3.3 The VCS plays a critical role in helping the Council (and other partners) to reach and deliver much needed services to a wide range of people; often in the most disadvantaged and marginalised communities of the borough.
- 3.4 A research report published in 2016 by Sheffield Hallam University, "Rotherham: State of the Voluntary and Community Sector 2015", shows that there are around 1,400 community and voluntary groups in Rotherham. The sector employs 2,100 full-time paid and 1,500 part-time paid staff; 81% of these employees being women. There are 49,000 volunteer roles and 12,300 committee/board members, together providing 85,300 hours of volunteering per week; and the value of their voluntary contribution is estimated at £88 million per year. The sector's overall contribution to the local economy is estimated as £187 million per year.

- 3.5 Rotherham has a large community sector made up of small neighbourhood groups. However, at the moment the scope for utilising this community asset base further is limited. Most of these small organisations are sustaining themselves through volunteers and fundraising, not public sector contracts, and only a small number of key larger organisations have the ability to potentially take on contracts.
- 3.6 With public sector budgets continuing to reduce, VCS organisations will need to explore a range of options to ensure sustainability including fundraising; securing a broader range of grants and contracts; generating earned income; working in partnership with others or pursuing organisational change such as mergers.
- 3.7 The Compact recognises the value that Rotherham's VCS brings to the borough. It also reaffirms the VCS as equal partners, who often have a unique understanding of, relationship with and ability to support some of the borough's most vulnerable people.

### **The Consultation Process**

- 3.8 During the 12 week consultation period each of the public sector partners were asked to consult within their own structures (staff, volunteers, Board, Members etc.). Within Rotherham Borough Council, the following was undertaken:
- A joint RMBC / VCS session to review key issues in relations between the sector and the Council was held on 14<sup>th</sup> September 2016 and involved the Chief Executive, Strategic Directors and Assistant Directors.
  - A briefing session was held with the Council's "M3" (middle) managers on 14<sup>th</sup> September.
  - Information on the Rotherham Compact has been included in the RMBC Members Newsletter of 26<sup>th</sup> September.
  - A Member Seminar on the Compact and voluntary/community sector issues, including the State of the Sector 2015 findings, was held on 4<sup>th</sup> October 2016. This was chaired by the Cabinet Member for Neighbourhood Working and Cultural Services.
  - Information on the Compact consultation has been emailed to all Members.
  - Information has been sent to Clerks to the Parish Councils.
  - An Employee Briefing was circulated to RMBC staff on 22<sup>nd</sup> October 2016.
  - A further Seminar for Members was held on 29<sup>th</sup> November. This encompassed a wider range of VCS issues as well as the results of the Compact consultation.
- 3.9 During the consultation period Council services were asked to consider the Commitments made within the Compact and to assess their ability to meet these commitments. Services were asked either to amend existing policies and procedures to ensure compliance with the Compact or to provide feedback if any Commitment was not achievable.

3.10 The consultation within the Council has also identified the need to look again at volunteering policies within the Council. This is from the context of Council employees volunteering in communities and also external volunteers supporting Council services (for example in Libraries or on a Community Justice Panel). This will be overseen by the new Head of Human Resources who started employment with the Council in January.

3.11 Within the VCS, Voluntary Action Rotherham led on consultation, including:

- a session aimed at community groups held on 5<sup>th</sup> October
- consultation with the VCS consortia (Children and Young People's Consortium, Adult Services Consortium, Food in Crisis Partnership, Advice in Rotherham Partnership, Rotherham Ethnic Communities Network)
- a meeting of the VCS strategic representatives group
- information dissemination through the weekly VAR email bulletin, sent to 700+ organisations
- information on the VAR website

3.12 Following the conclusion of the consultation period all feedback from public sector partners and VCS organisations has been compiled and an updated version of the Compact is attached at Appendix 1.

3.13 The main changes following the consultation are:

- Some rewording to bring the document into closer alignment with the national Compact whilst also maintaining a character that is relevant for the Rotherham perspective.
- Feedback also pointed out that when local Compacts were widely developed in the early 2000s, the context of public sector budgets was very different from what it is now and that challenges to public sector budgets are likely to increase. In a rapidly changing environment, flexibility will be required but the principles set out in the Compact will provide a useful framework for fair and transparent decision making and service development.
- Section 3.7 of the Compact refers to a 12 week consultation process as good practice. The revised wording, which is now based on the national model, more clearly recognises that this may not always be appropriate - e.g. due to consultation bound by statutory deadlines, or where previous consultation has already been completed, or where there is some other clear rationale for shortening this period.

## Guidelines for Resolving Issues

- 3.14 The Guidelines for Resolving Issues (at Appendix 1 of the Rotherham Compact document attached) was also simplified and reduced from what was previously a five stage process to a three stage process. The Guidelines explain how concerns can be raised if there is a belief that the Compact or its commitments are not being followed correctly and encourages positive resolution as part of a Compact way of working. The emphasis is on resolving disagreements at the lowest possible level and that if there is a future disagreement which remains unresolved after all the stages have been completed, it may indicate the need to further review the Compact.
- 3.15 Wording at Stage 3 of the Guidelines for Resolving Issues has also been amended to show that a panel may make a *recommendation* to both parties for resolution. Previous wording in the consultation draft that the decision of an independent panel 'will be binding on both parties' has now been deleted. This, in part, is in response to concerns that these Guidelines should not replace or supersede individual organisational governance structures.
- 3.16 The partner organisation's own processes should be used where the issue is not Compact related - e.g. for an issue about services provided or an issue about individual Elected Members, officers or employees of a Compact member organisation.

## Next Steps

- 3.17 Through discussions with VCS organisations a number of issues have been identified and improvements may be required in three key areas:
- Improving communication - aim for clear, transparent communication
  - Commissioning – aim for clarity and consistency on the process; social value benefit and feedback on performance
  - Consultation – aim for an open and inclusive approach
- 3.18 The above areas are covered in the Compact and the real test will now be in ensuring that all public services are able to comply with the Compact in practice. For the Council, this will include a continued emphasis on delivering against the established staff values and behaviours (as set out in the 2016/17 Corporate Plan) and the 'Being Brilliant at the Basics' element of the Leadership and Management Development Framework.
- 3.19 A Compact Leads Group with representatives from public sector organisations and the VCS will continue to meet regularly to share learning and development on Compact compliance. This will provide a key forum for opinion from the sector to be fed back to Council services on how the Compact is being adhered to in day-to-day practice. This group will also explore evaluation of economic and social return on investment, through links with academic and other partners in order to develop a better understanding of evaluation methods and tools.

3.20 Once all the public sector partners have endorsed the Compact through their governance structures, it is proposed to have a joint launch event to raise the profile of the Compact. This is proposed for 29<sup>th</sup> March 2017 (alongside the new “Community Strategy” for Rotherham being developed collaboratively across public, community and private sector organisations through the Rotherham Together Partnership).

#### 4. Options considered and recommended proposal

4.1 Cabinet has the following options:

- a) Option 1 – To not endorse the Rotherham Compact
- b) Option 2 – To request further changes to the content of the Compact prior to endorsement. Members are asked to note that the Compact has already been subject to a 12 week consultation process (including the measures noted at paragraph 3.8 above), with issues raised incorporated into the version enclosed at Appendix 1. Any further significant changes might require additional consultation with the sector and therefore risk a delay to the proposed launch of the Compact in March.
- c) Option 3 – To endorse the Rotherham Compact as enclosed at Appendix 1. After the launch of the Compact, all public sector partners within the Rotherham Together Partnership will be expected to comply with the commitments and principles laid out within the Compact.

4.2 The recommended option for Cabinet to approve is Option 3, given the extensive consultation already held to inform the version enclosed.

#### 5. Consultation

5.1 Feedback from public sector partners and VCS groups has been incorporated into the revised Compact. Detailed information on the consultation that has been undertaken is given at section 3 of this report.

#### 6. Timetable and Accountability for Implementing this Decision

6.1 Should Cabinet endorse the recommended option at Section 4 above, the following outline timescales are envisaged (subject to detailed development):

February 2017	Cabinet decision to endorse the Rotherham Compact
February to March 2017	All other public sector partner organisations represented within the Rotherham Together Partnership to endorse the Rotherham Compact through their own governance arrangements
29 <sup>th</sup> March 2017	Launch of the Rotherham Compact alongside with the Rotherham Together Partnership “Community Strategy”
Following 29 <sup>th</sup> March 2017	Rotherham Compact becomes ‘live’

## **7. Financial and Procurement Implications**

- 7.1 There are no direct financial or procurement implications at this stage. However future decision making would need to be taken within the Rotherham Compact framework.
- 7.2 The launch of the Compact will be incorporated into the launch of the Rotherham Plan - for which the costs will be met from the Rotherham Together Partnership central budget.

## **8. Legal Implications**

- 8.1 The Rotherham Compact is a voluntary agreement between the public sector organisations represented in the Rotherham Together Partnership and VCS organisations. It is not legally binding.
- 8.2 There are however Public Law implications such that endorsing the Compact may create a 'legitimate expectation' that signatories will abide by the commitments and principles.
- 8.3 The Compact has 'Guidelines for Resolving Issues' attached at Appendix 1 should any Compact related disagreements occur. The emphasis of these Guidelines is to resolve the disagreement at the lowest possible level to the satisfaction of both parties involved. It may also be the case that if a complaint is submitted via the Council's complaints procedure, it may be referred to the 'Guidelines for Resolving Issues' process first as part of finding a suitable solution.

## **9. Human Resources Implications**

- 9.1 The consultation within the council has also identified the need to look again at volunteering policies within the council. This will be overseen by the new Head of Human Resources.

## **10. Implications for Children and Young People and Vulnerable Adults**

- 10.1 The Compact includes a section on volunteering and equalities which would impact positively on Children, Young People and Vulnerable Adults.

## **11 Equalities and Human Rights Implications**

- 11.1 The 'Advancing equality' section of the Compact recognises the vital role that the VCS organisations have in helping to create a more equal society. It sets out commitments that will help both public sector and VCS organisations to work together to achieve their equality goals.

## **12. Implications for Partners and Other Directorates**

12.1 Along with the Council, the following public sector partner organisations will also be signing up to the Rotherham Compact:

- Rotherham Clinical Commissioning Group
- The Rotherham NHS Foundation Trust
- Rotherham Doncaster and South Humber NHS Foundation Trust
- Rotherham and North Notts College
- South Yorkshire Police
- South Yorkshire Fire and Rescue

12.2 Each of the partners above will be considering endorsement of the Rotherham Compact through their own governance arrangements. Following the launch in March, all of these partners will be expected to comply with their commitments as set out within the Rotherham Compact.

## **13. Risks and Mitigation**

13.1 The risk is that Council services do not comply with the commitments set out in the Rotherham Compact, leading to disagreement, deterioration of relationships with the VCS or some other negative course of action.

13.2 This has been mitigated by the following actions:

- clear leadership and direction by the Chief Executive and the Senior Leadership Team that compliance should be ensured
- a briefing session was held with M3 (middle) managers with a request that the Compact should be considered in their team meetings and internal procedures should be reviewed to ensure compliance; and that where any commitment cannot be delivered, feedback to be given during the 12 week consultation process – no feedback was received to suggest that a particular commitment could not be met
- an employee briefing was disseminated with information on the draft Compact and the ability to provide feedback
- two member seminars were held; an article was placed in the member newsletter; and the draft Compact was emailed to all Members during the consultation period

13.3 After endorsement by the Cabinet, and before the launch, a further employee briefing will be provided to remind officers of the Council's commitments and to ensure that all services are working in compliance to the updated version of the Compact. The launch will provide fresh impetus and awareness raising on the Rotherham Compact.

13.4 A Compact Leads Group – with representatives from the public sector partners and VCS organisations - will meet on a regular basis to support compliance, learning and development. Further opportunities to raise awareness of the Compact and the work of the VCS will be explored.

#### **14. Accountable Officer(s)**

Shokat Lal, Assistant Chief Executive

Approvals Obtained from:-

Strategic Director of Finance and Customer Services:-  
Stuart Booth and Judith Badger

Assistant Director of Legal Services:-  
Stuart Fletcher

Head of HR Services:-  
Sue Palfreyman

Procurement:-  
Helen Chambers

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