

1. TERMS OF REFERENCE

SOUTH WHITEHAVEN NEIGHBOURHOOD MANAGEMENT

Terms of Reference for the Delivery Partnership for the Neighbourhood Element in SOUTH WHITEHAVEN

1. NAME

1.1 The SOUTH WHITEHAVEN Neighbourhood Management Delivery Partnership.

2. STATUS, AREA AND PRINCIPAL ROLE

2.1 The Partnership is an unincorporated body and will act as the delivery vehicle for SOUTH WHITEHAVEN neighbourhood element programme within the defined area. (see map attached at appendix). Copeland Borough Council (“the Council”) will remain responsible for the handling of funds and legal liabilities rather than the members of the Partnership contracting in a personal capacity. “The Council” works within the overall framework of the accountable body Cumbria County Council as defined by the Safer Stronger Community Fund (SSCF) agreement.

2.2 The Partnership’s principal role will be to ascertain the best route for neighbourhood management, such that conditions of disadvantage in the area may be overcome. The Partnership will recommend this route to the Council and other bodies such that the necessary resources may be directed at achieving the Partnership’s objects through projects, services and activities commissioned by the Partnership.

2.3 The Partnership will promote the participation of residents, representative residents’ groups and all bona fide community interests in the management of the area through the consultation structures and arrangements set out in section 5 of the Governance Directory.

3. KEY PRINCIPLES

- 3.1 Members of the Partnership subscribe to the following key principles which will at all times underpin the role of the Partnership and guide its decision-making:
- 3.1.1 It is important to highlight the thrust of the SOUTH WHITEHAVEN Neighbourhood Element is children and young people. Public resources made available for the Neighbourhood Element are not simply to be divided or shared out between different community interests but are to be used to best effect for the benefit of all in the area
- 3.1.2 The local community (primarily those who live in the area) will be fully involved in planning, consultation and delivery and will both benefit from, and be encouraged and assisted to contribute to, neighbourhood management
- 3.1.3 The Partnership will be motivated by a commitment to probity, transparency, equality, inclusivity, community empowerment and generosity of spirit

4. OBJECTIVES

- 4.1 The objectives of the Partnership will be to deliver the mandatory targets set by national Government through the Cumbria Safer Stronger Communities Fund by:
- 4.1.1 establishing evidence of the need for Neighbourhood Element in SOUTH WHITEHAVEN area through consultations and studies and in the light of those findings to develop a realistic and achievable programme
- 4.1.2 developing a delivery plan for the Neighbourhood Element, to be set out in an annual Delivery Plan (in accordance with SSCF guidance), based on the views and aspirations of individuals and groups of local residents
- 4.1.3 identifying and securing the funding and mainstream resources required for implementation of the neighbourhood management making best use of Neighbourhood Element funding for this purpose
- 4.1.4 inculcating recommendations as to the proposed actions required of the Council and other bodies to support the delivery of the Neighbourhood Element

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- 4.1.5 managing the delivery of the Neighbourhood Element programme and supervising its implementation in the community to achieve successful and sustainable pertinent change
- 4.1.6 identifying organisational arrangements and resources that will enable the Neighbourhood Element to be sustained in the longer term, while maintaining accountability to local residents
- 4.1.7 ensuring that the work and the outcomes of the Partnership are regularly fed back to residents and members of the community in accessible ways

5. **COMPOSITION**

- 5.1 Membership of the SOUTH WHITEHAVEN Neighbourhood Management Partnership Board consists of 5 constituent groups:

Community (residents)	21
Voluntary Sector	4
Private Sector	1
Public Sector	8
Elected Members	4
TOTAL	38

- 5.2 The Partnership Board will reserve the right to co-opt additional non-voting members to provide additional expertise as required. Such members will remain on the Partnership Board for as long as the Partnership Board decide.

6. **POWERS**

- 6.1 The Partnership shall have the following powers:
 - 6.1.1 To set up Theme Groups and Sub-Committees to work on defined tasks or areas of enquiry and report back to the Partnership as required
 - 6.1.2 To establish a consultation and empowerment structure that will enable the participation of residents, representative residents' groups and all bona fide community interests
 - 6.1.3 To supervise and direct the work of staff engaged on the management of the Neighbourhood Element programme through the Neighbourhood Manager on such terms as may be agreed with their employers

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- 6.1.4 To enter into protocols and agreements with the Council and other bodies concerning the planning, consultation and delivery tasks associated with the Neighbourhood Element
- 6.1.5 To make decisions on the use of Neighbourhood Element and other resources to achieve the Partnership's objects
- 6.1.6 To develop policies and procedures relevant to the carrying out of its tasks and to issue public statements under its own name

7 DECISION-MAKING

- 7.1 The meeting will strive to reach a decision by consensus . However, if it fails to do so a formal decision shall be decided by a show of hands by those members present. The chair will have the casting vote.
- 7.2 Once the Partnership Board is quorate (see 8.1) and should a vote be required, the Chair must ensure that the composition of the Partnership Board must be at least 51% drawn from community representation.
- 7.3 If a matter requiring decision arises between meetings, the Chair shall consult with the heads of the relevant Theme Groups and (if so required under the Memorandum of Agreement) the Council, and, at the discretion of the Chair, the matter either shall be decided and reported to the next meeting or shall be referred to the members of the Partnership either in writing or at the next meeting, depending on the urgency with which a decision is required.
- 7.4 The Partnership shall at all times function in accordance with the Nolan Principles of Public Life, a summarised version of which is set out in section 3 in the Governance Directory as part of the Code of Conduct.

8. MEETINGS

- 8.1 Regular meetings of the Partnership will be scheduled in advance and held at least every eight weeks. Notice of meetings will be sent to members at least ten working days before they are held. The quorum for-meetings of the Partnership shall be eleven.

Attendance

- 8.2 Attendance at meetings and training sessions is obligatory for all members of the Partnership. Any member who fails to attend three consecutive meetings and/or training sessions without providing an apology which is acceptable to the Partnership Board, shall immediately cease to be a

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member. Where the member is representing an organisation, that organisation or constitution will be asked to nominate a replacement.

Conduct

- 8.3 Members of the Partnership and its Theme Groups agree to abide by the Code of Conduct as a condition of membership.
- 8.4 Without prejudice to the operation of the Code of Conduct, if at any time the Chair believes that the work of the Partnership is being harmed by the activities (at the meeting or otherwise) of one or more of the persons attending a meeting or purporting to act in the name of the Partnership, then the Chair may seek the authority of those present to exclude such person or persons from the meeting or the authority of the Partnership to exclude such person or persons from future meetings and/or refute their actions.

Circulation of Papers

- 8.5 Papers for meetings will be circulated, where possible, 10 working days in advance to those on the mailing list of the Partnership at the time.

Times and Venues

- 8.6 Meetings will be arranged at times and at venues with the aim of encouraging maximum attendance and facilitating the proper conduct of business

Minutes

- 8.7 Minutes of meetings of the Partnership including a note of Members and others in attendance will record all decisions taken at Partnership meetings including any reported in the manner described at 8.2 above.
- 8.8 At every meeting of the Partnership Board the minutes of the last meeting shall be taken as an agenda item and, if agreed to be accurate, shall be signed as a true record. Any amendments to the minutes of the last meeting shall be recorded in the minutes of the meeting taking place.

Public Access to Meetings

- 8.9 There will be open access to all Partnership Board meetings. Members of the public wishing to use Public Speaking time must inform the Chair no later than 48 hours prior to the meeting. (See 8.11) for confidential information.

Publication of Minutes and Papers

- 8.10 Subject to paragraph 8.11 below, the Neighbourhood Manager of the Partnership shall ensure that a copy of the agenda for each meeting of the

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Partnership, the approved minutes of each meeting and any report, document or other paper considered at each meeting shall in each case as soon as may be, be made available during normal office hours at the Partnership's offices to any person wishing to inspect them and appear on the Partnership web-site.

- 8.11 There may be excluded from any item required to be made openly available any matter which, by reason of its nature, the Partnership is satisfied should be dealt with on a confidential basis and kept confidential.

2. CODE OF CONDUCT

1. INTRODUCTION

- This Code is intended as a guide, to indicate the standards of conduct and accountability which are expected of Partnership members and other individuals involved in the Neighbourhood Element.
- This Code is designed to assist the Partnership as a whole, and all associated groups, to function both efficiently and effectively, and to understand what conduct is expected of individuals when they are operating as a member of the Partnership and its Theme Groups, sub-committees, forums and any other meeting which takes place under the auspices of the Partnership.

This Code has been developed in line with the NOLAN PRINCIPLES summarised overleaf and seeks to recognise that:

1. Any Partnership is made up of a diverse set of individuals with varying and sometimes **conflicting** interests, motivations, expectations and characters.
2. Any Partnership is made up of a diverse set of individuals with varying but potentially **similar** interests, motivations, expectations and characters.

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THE SEVEN PRINCIPLES OF PUBLIC LIFE

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

2. EQUAL OPPORTUNITIES

Individuals must not discriminate against people they come into contact with during their work with, or on behalf of, the Partnership on the basis of their ethnic origin, gender, sexuality, religion, disability or age.

All individuals will be expected to comply with Equal Opportunities legislation and the agreed Equal Opportunities policy of the Partnership.

We are all different and it is expected that this diversity will be respected and welcomed.

In all the Partnership's work this will be demonstrated by:

- Not making **assumptions** about a person or a group of people
- Not making **judgements** about a person or group of people
- Not **discriminating** against any person or group of people on the basis of their ethnic origin, gender, religion, sexuality, disability or age.

3. BEHAVIOUR

3.1 During Meetings

The vast majority of the work of the Partnership will be undertaken at meetings, small and large. The effectiveness of these meetings is critical because they will be:

- The principal decision making tool of the Partnership
- The principal method of wider community and partner involvement

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The behaviour of participants at a meeting is important to the success of the meeting. Many people lack the confidence to express themselves fully in a meeting with other people, whereas some find it all too easy to dominate. Effective meetings can be achieved if all individuals are committed to some simple ground rules for behaviour before and during meetings.

- Individuals have a responsibility to be properly prepared for meetings by reading the paperwork beforehand and by committing themselves to attending meetings as required.
- Individual and personal disputes and any issues of a political nature should not be allowed to affect conduct within the meeting but should be resolved elsewhere.
- All contributions should be addressed to the meeting via the Chair. Individuals wishing to speak should seek the attention of the Chair and wait their turn to speak only when directed by the Chair.
- Individuals should as far as possible undertake to arrive on time and remain in the meeting until the scheduled end time. Individuals should remain seated and attentive and should refrain from getting up and moving around the meeting room or building except with the leave of the Chair.
- Individuals should not have meetings within meetings by discussing issues with other individuals or groups of individuals when another person has been directed by the Chair to speak. All comments and queries should be directed to the whole meeting via the Chair.
- Individuals should ensure that any mobile phones or other communications equipment under their control is disabled for the duration of the meeting
- Individuals should respect the contributions of others by not interrupting when someone is speaking even when you may not agree with what they are saying.
- In contributing to the meeting individuals will ensure that comments they make do not amount to a personal attack on another individual and should avoid using heated, emotional and value loaded language and behaviour.

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- Individuals should be constantly aware in their remarks of their equal opportunities responsibilities and avoid the use of potentially offensive language and comments.
- Individuals should above all remember that partnership work means not always getting the decision **you** want and accepting the responsibility of abiding by majority decisions.
- Notwithstanding the above the individual member has the right to question the received wisdom of others.

It is very important that decisions taken in meetings are well informed by having appropriate, accurate information and debate on the topics concerned. The wider community and government must be able to feel that decisions, particularly those affecting the spending of public funds, are fair and have not been influenced by the vested interests of those making these decisions or based on misinformation. For this reason one of the most important areas of appropriate behaviour during meetings, in addition to the above, relates to declarations of interest. Equally, it is essential that members should have the right to call for reasonable additional explanation and/or information to help inform any decisions they would not otherwise feel competent to take.

Declarations of Interest

At the beginning of a meeting the Chair will ask individuals in attendance to declare whether they have any personal, financial or other material interest in any item on the agenda. (More detailed information about what kinds of areas may constitute a Conflict of Interest and need to be declared is covered in a separate section below.) The Chair and the remaining voting members of the meeting will then decide whether individuals declaring an interest must leave the meeting for the relevant item or just not take part in the discussion or decision making.

Members of the Partnership will also be expected to complete a 'Declaration of Personal and Pecuniary Interests', a copy of which is to be found at Appendix 4 of the Governance Directory. This will be kept in a Register of Interests and made available for inspection on prejudicial interests on request.

3.2 Outside Meetings

It is just as important that individuals conduct themselves appropriately outside of official meetings since they will be seen as representatives of the partnership and its views in a number of other circumstances including non Partnership meetings. Some of the issues to consider are outlined below:

Confidentiality

Partnership meetings may occasionally receive information which is not in the public domain often relating to individuals, organizations or financial matters. It is the responsibility of each individual to ensure that this information remains confidential to the meeting unless prior agreement has been given by the individual concerned or the source of the information has given approval for the information to be shared. Individuals must never use confidential information for their personal advantage or the advantage or disadvantage of anyone known to them or to disadvantage or discredit the Partnership.

Collective Decisions

Individuals will inevitably have differences of opinion on issues debated at meetings. After a full discussion the meeting will reach a conclusion and a decision will be made. It is important to recognise the different views of individuals whilst recognising the importance of Partnership Board consensus. Partnership Board members should not undermine Partnership Board decisions.

Communications with other agencies

There will be occasions when individuals will be asked to, or wish to, communicate with external agencies e.g. Government Office, the local council, press etc. In order to ensure they are fully appraised of the latest information and that communications are consistent throughout the organization this should only be done following contact with the Neighbourhood Manager of the Partnership.

Hospitality and Gifts

Individuals must declare any gifts or hospitality over £25.00 they are offered in connection with their role within the partnership to the Neighbourhood Manager/Chair. Anything which could be construed as a means of influencing the way in which decisions of the partnership are made should be refused. Advice should be sought from the Neighbourhood Manager/Chair if in doubt before accepting.

4. ROLES AND RESPONSIBILITIES

Some issues of behaviour and conduct relate to a lack of understanding of the various roles and responsibilities of the different individuals and groupings within which most partnerships operate.

Staff

The staff working for the Partnership and their day-to-day management rests with the Neighbourhood Manager. It is not the role of Partnership members or others to act as managers of the staff team nor to give direct instructions to members of staff (other than the Neighbourhood Manager in the case of Partnership members). Any requests or issues relating to the work of other staff members should always be directed to the Neighbourhood Manager for action.

Neighbourhood Manager

It is the role of the Neighbourhood Manager to implement the Partnership's decisions and to manage on a day-to-day basis the affairs of the Partnership, including the staff team, within the budgets, legal and statutory framework and other relevant criteria. In particular, the Neighbourhood Manager liaises as necessary with the Accountable Body in connection with the implementation of Partnership decisions (among other things, through the expenditure of public funds.)

Chair

This is a key role within the Partnership structure and this individual plays an

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important part in the management of meetings and the conduct of individuals representing the Partnership. The Chair's responsibilities include:

- Keeping order and making sure that the agreed rules of conduct are followed
- Minimising any sense of confusion and frustration by ensuring that the agenda is properly covered, that jargon is not used or is explained and that individuals understand the debate and what decisions are required and why.
- Making sure that everyone who wants to contribute is encouraged to do so
- Summarising the decisions taken and the action points which arise from this.
- Acting as an independent referee when required.

The Chair will be elected through members of the Partnership Board with an open nomination process.

Partnership Members

The Partnership's function is to decide the strategy, policies and overall direction of the Partnership work within the budget, legal and statutory framework and other relevant criteria including the Partnership's own Terms of Reference.

The Partnership will also be responsible for monitoring the performance of the Neighbourhood Manager in delivering their legitimate decisions.

The Partnership is also accountable for matters affecting compliance with terms on which the Government has made Partnership funds available. The Accountable Body has specific responsibilities on this but the Partnership shares overall responsibility for maximising the benefit derived from the use of such funding.

Partnership members are expected to give a commitment to learning and to take advantage of training and personal support programmes, including awaydays, courses and study visits, aimed at developing the capacity of individuals and the Partnership as a whole.

5. CONFLICT OF INTEREST

It is a requirement within the funding agreement for public funds that there is a formal written procedure for the avoidance of conflicts of interest. This covers members of the Partnership together with connected persons including members of the same household. This applies in particular to decision-making as it relates to project appraisal /approval, and to the extent that it is within the Partnership's remit, the letting of contracts.

It is acknowledged that all those involved in the Partnership may, due to its nature, have an interest of some sort. Such interests must not be allowed to result in actual or perceived undue benefit or conflict, and consequently to unsound decision making.

Where a conflict of interest exists or potentially exists a declaration of interest should be made to the Chair of the appropriate meeting as outlined above in section 3.1. The types of conflict include:

- Where an individual or a connected person stands to gain financially from a partnership decision. Any interest of the individual or a member of the household or a related company or organization etc would be covered by this **Prejudicial Interests** category. For example where a project approval or decision on the letting of a contract would benefit an individual directly or an organization or company the individual was involved with. This would also apply if a member of the individual's household would benefit or if they were similarly involved with an organization or company who would benefit.
- Many individuals wear more than one hat i.e. some residents in decision making positions will be also employees of potential beneficiaries and some Partnership members will be employees of organizations bidding for funds or contracts etc.

This can seem a confusing area for those not used to operating within these types of guidelines and if in doubt as to whether a potential conflict of interest exists this should be clarified with the Neighbourhood Manager or Chair either before or during the relevant meeting. Further guidance on this can be provided by the City Council.

6. BREACHES OF THE CODE

It is always preferable for breaches of the code to be dealt with promptly.

Where this occurs during a meeting:

- Participants should raise breaches of the code as a point of order through the Chair.
- If the Chair agrees that a breach has taken place, a first oral warning will be issued to the person concerned. This will be noted in the Minutes.
- If an individual is held to have breached the code for a second time they will be asked by the Chair to leave the meeting. This will be noted in the minutes, explaining briefly the reasons for exclusion from the meeting.
- Following exclusion from a meeting the Chair will arrange a meeting of a small review group of Partnership members at the meeting to discuss the breach. This review group will meet within 14 working days of the original meeting.
- The Chair will decide whether it is appropriate for the individual to attend any Partnership meetings or functions during this review period depending on the nature of the complaint.
- A copy of the complaint will be sent to the individual and to the other review group members 7 days before the review meeting.
- The review group will allow the individual to attend the meeting and to speak in reply to the complaint.
- If there is any dispute about the facts the review group may call for evidence and reconvene at a later date but within a further 14 days.
- If it is agreed that the code has been breached then appropriate sanctions will be taken. The review group are authorised to give:
 - A written warning concerning future conduct.
 - A fixed term suspension from involvement in specific/all meetings of the Partnership.

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If it is decided that permanent suspension from meetings of the Partnership is warranted, or in the case of a Partnership member removal from office, then a report will be taken to the next full meeting of the Partnership for decision.

There will be no right of appeal. In extreme cases the Accountable Body and/or the Government Office may become involved if such disputes threaten to affect the delivery of the programme.

Where the breach of code takes place outside a meeting then complaints must, in the first instance, be made in writing to the Chair.

The Chair will then decide whether to convene a review panel to investigate as outlined above.

As a member of the SOUTH WHITEHAVEN Neighbourhood Management Delivery Partnership and/or one of its Theme Groups I agree to be bound by the provisions of the Code of Conduct and to act always in accordance with and in the spirit of the Partnership's Terms of Reference

Signed:

Date:

Print Name:

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