

# **MINUTES OF THE MEETING OF THE CABINET MEMBER SIGNING HELD ON MONDAY, 22ND AUGUST, 2016, 12:00**

## **PRESENT:**

**Councillor Claire Kober (Chair)**

### **37. FILMING AT MEETINGS**

The Leader referred those present to agenda Item 1 as shown on the agenda in respect of filming at this meeting and asked that those present reviewed and noted the information contained therein.

### **38. URGENT BUSINESS**

None.

### **39. SHARED ICT AND DIGITAL SERVICES: JOINT COMMITTEE TERMS OF REFERENCES**

Following Cabinet approval for the creation of a shared ICT and Digital Service between Camden, Haringey and Islington in March 2016, the report sought approval for the Terms of Reference for the Joint Committee.

## **RESOLVED**

That the Leader:

- I. Agrees the Terms of the Reference for the Joint Committee as set out in Appendix A with it to come into effect from 1 October 2016,
- II. Delegates authority to the Chief Operating Officer and the Borough Solicitor, in consultation with the Cabinet Member for IT, to negotiate, agree and enter into any necessary legal arrangements that will govern and underpin the operation of the shared service and to give effect to this decision
- III. Appoint two members of the Cabinet (the Cabinet Member for Corporate Resources and the Cabinet Member for Finance & Health) to be members of the Joint Committee for the remainder of the municipal year 2016/17.

**Alternative options considered**

The report proposed terms of reference for the operation of the shared ICT and Digital Services Joint Committee. This sets out to strike a balance between what is delegated by the Joint Committee to the Chief Digital Information Officer (CDIO) overseen by the Management Board and what remains with the Joint Committee. It would be possible to either further increase or to reduce the work and decision making powers retained by the joint committee, but it is considered that the distribution of responsibilities set out in the draft terms of reference in Appendix A strikes the right balance in the light of the four overarching principles set out in paragraph 5.3 of the report.

It should be noted that decisions of the Joint Committee will be made by a simple majority of those present and able to vote, this means that Haringey's members of the Joint Committee may be out voted by the other members of the committee.

In considering the options for the Joint Committee and related legal agreement, four overarching principles have been used that are consistent with the wider objectives of the proposals. Any arrangement should:

- Be as light touch as possible to ensure that decisions can be made in the most efficient and effective way possible,
- Avoid any form of 'duplicate decision' making within the organisations that undermine the integrated nature and spirit of the undertaking,
- Facilitate, and not undermine, a potential move towards a more public services company model in the future and
- Ensure appropriate levels of input and scrutiny for each council.

Options exist to pursue a different governance structure than a Joint Committee, including the creation of a public services company. As part of the development of these proposals, Cabinet agreed that the Joint Committee approach would be implemented for October 2016. It was felt that this provided the quickest route to operation, but it was recognised that further consideration should be given to other long term strategic options. Officers have been asked to prepare a review of governance arrangements for consideration by the Joint Committee within one year of its inception. This has been captured within the proposed terms of reference.

### **Reasons for decision**

In creating the Joint Committee, it is felt that this approach has the following benefits:

- It allows a clear and straightforward delegation of authority functions,
- A joint committee is a governance structure that is tried and tested across local government,
- It represents the fastest way to establish the shared service,
- It does not limit any potential options that the council may wish to consider in terms of longer-term governance structures – i.e. it can still form the basis of a move to a public services company structure if desirable,

- Democratic accountability is maintained – member involvement is at the heart of the arrangement
- There is an opportunity to create a separate 'brand' that provides a distinctive identity and which provides the basis for culture change.

The proposed Terms of Reference are set out in Appendix A of the report. The following key points of note are as follows:

- The Joint Committee is planned to go-live on 1 October 2016 and will meet at least twice a year.
- Haringey will be represented by two Cabinet members on the Joint Committee as will both Islington and Camden, noting the rotating chair and majority voting.
- It will provide democratic oversight over the strategic delivery of the joint digital service,
- It will approve the strategic service and financial plan for the service, including performance measures.
- It will agree the procurement strategy for contracts relating to the Joint Service the estimated value of which exceeds £2m revenue or £5m capital and to award such contracts.

There will also need to be a legal agreement that underpins the creation and delivery of the integrated ICT and Digital Service. This will address the operational issues of the service and govern the day-to-day running of the services and how the three boroughs interact. Work across the three councils is currently underway to develop this agreement and it builds on the learning from both the Camden/Islington public health arrangement as well as the OneSource agreement between London boroughs of Havering and Newham.

In particular the agreement will provide for the following:

- (i) The establishment of the Joint Committee with the terms of reference set out in Appendix A;
- (ii) The establishment of the Management Board with an emerging draft terms of reference set out in Appendix B;
- (iii) That existing staff employed in the ICT service of each of the councils will remain employed by their current council but that all new employees in the shared service will be appointed as employees of Camden;
- (iv) Key elements of the funding schedule;
- (v) Termination of the agreement in the event that the shared service can no longer be lawfully provided or if all three councils wish to bring it to an end and provision for withdrawal by any one council on notice;
- (vi) Arrangements that will apply in the event of withdrawal of a council from the shared service or in the event of its termination to ensure an orderly withdrawal or termination and appropriate distribution of assets, resources and liabilities;
- (vii) The sharing of liability in the event of a claim

(viii) The party's arrangements with regard to data protection.

In March 2016 Cabinet delegated the power to agree this arrangement to the Chief Operating Officer. It is now proposed that authority is delegated to the Chief Operating Officer and the Borough Solicitor, in consultation with the Cabinet Member with responsibility for IT, to negotiate, agree and enter into any necessary legal arrangements that will govern and underpin the operation of the shared service and to give effect to this decision

**40. NEW ITEMS OF URGENT BUSINESS**

N/A

CHAIR: Councillor Claire Kober

Signed by Chair .....

Date .....