

## Divisions / Wards Affected - All

### **JOINT SHARED SERVICES & PERSONNEL COMMITTEE**

**25 April 2022**

### **Joint Officer Transition Working Group (JOTWG) Update and Recommendations**

### **Report by the Chief Executive (Cherwell District Council) and the Interim Chief Executive (Oxfordshire County Council)**

## **RECOMMENDATION**

1. **The Joint Shared Services and Personnel Committee is RECOMMENDED to:**
  - a) Note the programme update set out in Annex A.
  - b) Agree to the establishment of revised partnership working arrangements for the following services, as set out in exempt Annex B, subject to the conclusion of suitable agreements between the Councils:
    - Internal Audit
    - Counter-Fraud
  - c) Support the decoupling of the partnership working arrangements managed through the current s.113 agreement and establish a revised partnership working arrangement for the following services, as set out in exempt Annex B, subject to the conclusion of suitable agreements between the Councils:
    - Climate Action
  - d) Delegate the completion of such agreements and any actions necessary to establish the revised partnership arrangements to the Assistant Director Law and Governance (CDC) and the Director of Law and Governance (OCC), in consultation with the Leaders of each Council.
  - e) Support the decoupling of partnership working arrangements managed through the current s.113 agreement in the following services, as set out in exempt Annex B:

- Corporate Health and Safety
  - Policy and Strategy
  - Healthy Place Shaping
- f) Delegate the final arrangements and actions necessary for transition in these services to the Chief Executive (CDC) and Interim Chief Executive (OCC) working through the Joint Officer Transition Working Group (JOTWG).

## **Executive Summary**

2. In February 2022, both Councils agreed to give notice to terminate the current s.113 partnerships between the Councils. In-line with this decision and the subsequent direction of travel for future working endorsed by the JSS&P Committee on 14 March, this report sets out recommendations for future working arrangements for the six services now within Phase 1 of the transition programme approved by the Committee.

## **Exempt Information**

3. Due to the small number of roles within each of the six service areas within Phase 1, Annex B, while not naming individuals, clearly identifies specific posts. Annex B is therefore exempt from publication.

## **Matters for consideration**

4. In February 2022, Cherwell District Council and Oxfordshire County Council agreed to the required six months' notice for the termination of the s113 agreement dated 31 August 2018 which governs joint working between the two councils.
5. In order to ensure appropriate separation of decision making and to fully serve the interests of each council through the termination process, the Councils also agreed to separate the statutory roles of Head of Paid Service (Chief Executive), Monitoring Officer and s151 Officer, with immediate effect. The Councils also agreed to separate Housing Services with immediate effect.
6. In the decision agreeing to terminate the agreement, both councils agreed an ongoing role of the Joint Shared Services and Personnel Committee (JSS&P Committee) with revised terms of reference, to provide suitable oversight and decision-making concerning the termination of the agreement. A Joint Officer Transition Working Group (JOTWG) has been established and a programme of due diligence and service reviews is underway, with the aim of keeping the best interests of residents at the centre of decision making.
7. Subsequently the roles of Director of Law and Governance and Director of Human Resources were separated effective 1 April. From 1 April, it was also

agreed to separate the roles of Corporate Director Customers, Organisational Development and Resources and Director of Customer and Cultural Services would be separated following a notice period. As a consequence of these changes, Executive Support arrangements for these roles were also decoupled effective from 11 April.

8. Where appropriate for each council, revised partnership arrangements will remain in-place supported by new agreements as per paragraph 1 d) to commence from a date agreed between the two Councils.
9. An update to the work programme is attached to this report as Annex A. The JOTWG has agreed to maintain flexibility within the ordering of each phase of decoupling to adhere to the principles set out in the joint approach to termination and bring forward new arrangements as soon as possible, while ensuring that all appropriate due diligence and planning is in place to ensure a smooth transition, in the interests of residents
10. Exempt Annex B sets out a summary of the proposal for the future of each services area brought forward by the JOTWG following the due diligence and service review process.

## Financial Implications

11. A summary of the financial implications of each service review are set out within exempt Annex B. Detailed implications of the transition will need to be factored into 2022/23 budget management and incorporated within the detailed 2023/24 budget and business planning process of each Council.

Comments checked by:

Lorna Baxter, Director of Finance, Oxfordshire County Council,  
[lorna.baxter@oxfordshire.gov.uk](mailto:lorna.baxter@oxfordshire.gov.uk)

Michael Furness, Assistant Director – Finance, Cherwell District Council,  
[Michael.Furness@cherwell-dc.gov.uk](mailto:Michael.Furness@cherwell-dc.gov.uk)

## Legal Implications

12. To the extent that services are delivered under the revised partnership arrangements both Oxfordshire County Council (OCC) and Cherwell District Council (CDC) have the relevant statutory powers to do so under either s1 of the Local Authorities (Good and Services) Act 1970 or section 9EA of the Local Government Act 2000. In addition, the application of the public procurement regime will have to be considered in each case. The most likely route to being able to provide the Services between OCC and CDC without triggering the Public Contracts Regulations 2015 (PCR 2015) is a shared service collaboration/cooperation arrangement under the Hamburg Waste exemption as codified in Regulation 12(7) of the PCR 2015.

13. In order to rely upon Regulation 12(7), an arrangement needs to satisfy the following criteria:
- (a) it must be implementing or establishing a co-operation between contracting authorities (Co-operation);
  - (b) the Co-operation must have the aim of “ensuring that public services they have to perform are provided with a view to achieving objectives they have in common”;
  - (c) the implementation of the Co-operation is governed solely by considerations relating to the public interest; and
  - (d) the participating contracting authorities perform on the open market less than 20% of the activities concerned by the Co-operation.

Comments checked by:

Anita Bradley, Director of Law & Governance and Monitoring Officers,  
Oxfordshire County Council, anita.bradley@oxfordshire.gov.uk

Shahin Ismail, Monitoring Officer & Assistant Director – Law, Governance and  
Democratic Services (Interim), shahin.ismail@cherwell-dc.gov.uk

## **Staff Implications**

14. The staffing implications of each Service Review are set out within exempt Annex B. No specific posts are put at direct risks through these recommendations. However, both Council’s will wish to review their future structure and establishment subsequent to the termination of the partnership to ensure that their operating models are fit for purpose and affordable.

## **Equality & Inclusion Implications**

15. There are no direct equality implications of the recommendations of this report. Any future changes to staffing, policy and operations subsequent to the termination of the partnership, will need to undergo review in the normal way.

## **Risk Management**

16. Risks for the Councils are considered at a high level with exempt Annex B. More detailed programme management documentation is monitoring and where necessary escalating the risks of transition within the risk management arrangements of each Council.

Yvonne Rees, Chief Executive, Cherwell District Council  
Stephen Chandler, Interim Chief Executive, Oxfordshire County Council

Annex A: Decoupling Update  
Annex B: Service reviews: summaries and proposals (exempt)

Contact Officer: Nathan Elvery, Chief Operating Officer, (Interim), Cherwell District Council, [nathan.elvery@cherwell-dc.gov.uk](mailto:nathan.elvery@cherwell-dc.gov.uk)

Robin Rogers, Programme Director, Oxfordshire County Council, [robin.rogers@oxfordshire.gov.uk](mailto:robin.rogers@oxfordshire.gov.uk)

April, 2020

This page is intentionally left blank

Annex A.

# TRANSITION PROGRAMME PROGRESS UPDATE

## Joint Shared Services and Personnel Committee

*Decoupling - Cherwell DC & Oxfordshire CC*

Page 7



**OXFORDSHIRE  
COUNTY COUNCIL**



**Cherwell**

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

# Timeframe

Meeting	Feb	Mar	Apr	May	June	July	Aug	Sept
Joint Officer Transition Working Group		7 March	4 April	12 May	20 June	18 July	TBA	N/A
Joint Shared Service and Personnel Committee		14 March	25 April	23 May	4 July	29 July	TBA	N/A

Page 8

Meeting	Feb	Mar	Apr	May	June	July	Aug	Sept
Phasing		Baseline	Phase 1	Phase 2	Phase 3	Implementation Phasing		Go Live Phase



# High Level Plan – Baseline Phase

Action	Lead	Feb	Mar	Apr	May	June	July	Aug	Sept
Head of Paid Service	Council	Appointment of Chief Executive and HoPS on the 7/2/22							
S.151 Officer	Council	Appointment of S.151 Officer, Assistant Director – Finance on the 7/2/22							
Monitoring Officer	Council	Appointment of Monitoring Officer (interim) on the 7/2/22							
Interim CDC Structure	Yvonne Rees	Interim CDC structure report approved by Personnel Committee							
OCC Structure	Stephen Chandler	No changes proposed to current OCC structure							
Heads of Terms for the JOTWG (in support of JSS&P Committee Terms of Reference)	Shahin Ismail/Anita Bradley	Draft Head of Terms prepared and with OCC	Head of Terms agreed by JOTWG 7 March						
JSS&P Timeframe	Yvonne Rees/Stephen Chandler	Timeframes to be established	14 March	25 April	23 May	4 July	29 July		
JOTWG Timeframe	Yvonne Rees/Stephen Chandler	Timeframes to be established	7 March	4 April	12 May	20 June	18 July		
Staff Engagement Timeframe (CDC)	Yvonne Rees	Timeframes to be established	16 March	6 April 26 April	18 May	8 June	6 July 27 July	17 August	7 September
Baseline Financial Cost	Michael Furness/Lorna Baxter	Baseline Financial Cost prepared – needs agreement of JOTWG	Finalise Baseline	To be agreed at 4 April JOTWG					
Baseline Services	Michael Furness/Lorna Baxter	Baseline Services prepared – needs agreement of JOTWG	Finalise Baseline	To be agreed at 4 April JOTWG					
Baseline Structure	Karen Edwards	Baseline Structure prepared – needs to agreement of JTOWG	Finalise Baseline	To be agreed at 4 April JOTWG					

66669

Progressing to plan

Adjustment to plan

Not on plan

Complete

# High Level Plan – Phase One

Service Area	Lead Officers	CDC	OCC	JOTWG	Notes
Housing Services	Vicki Jessop	Statutory Service decision 21 <sup>st</sup> February	Decoupled from OCC	7 March	To be reflected in decoupling arrangements, employment and financial.
Healthy Place Shaping	Nathan Elvery/Ansaf Azhar	CDC separation to support local policies and community development		4 April	Omitted from original service review list
Climate Team	Nathan Elvery/Bill Cotton	Ongoing Partnership Opportunity	Ongoing Partnership Opportunity	4 April	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Internal Audit	Michael Furness/Lorna Baxter	Ongoing Partnership Opportunity	Ongoing Partnership Opportunity	Virtual	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Counter Fraud	Michael Furness/Lorna Baxter	Ongoing Partnership Opportunity	Ongoing Partnership Opportunity	Virtual	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Corporate Health and Safety	Nathan Elvery/Karen Edwards	CDC separation to support service.		Virtual	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Policy and Strategy	Nathan Elvery/Susannah Wintersgill	CDC separation to support local policies.		Virtual	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022

Phase 10

- Partnership
- Further Work
- Decouple
- Complete

# High Level Plan – Phase Two

Service Area	Lead Officers	CDC	OCC	JOTWG	Notes
Emergency Planning	Nathan Elvery/Steve Jorden	Ongoing Partnership Opportunity	Ongoing Partnership Opportunity	12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Regulatory Services & Community Safety	Nathan Elvery/Steve Jorden	Ongoing Partnership Opportunity	Ongoing Partnership Opportunity	12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Legal Services	Shahin Ismail/Anita Bradley	CDC separation to support statutory role.		12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Democratic Services	Shahin Ismail/Anita Bradley	CDC separation to support service.		12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Strategic Marketing, Communications & Engagement	Nathan Elvery/Susannah Wintersgill	CDC separation to support local priorities.		12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Insight & Corporate Programmes	Nathan Elvery/Susannah Wintersgill	CDC separation to support local priorities.		12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Information Governance	Shahin Ismail/Anita Bradley	CDC separation to support statutory role.		12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
FOI's	Shahin Ismail/Anita Bradley	CDC separation to support local priorities.		12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022

Page 11

Partnership

Further Work

Decouple

Complete

# High Level Plan – Phase Three

Service Area	Lead Officers	CDC	OCC	JOTWG	Notes
Digital & IT Services	Nathan Elvery/Tim Spiers	Ongoing Partnership Opportunity	Ongoing Partnership Opportunity	20 June	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Procurement & Contracts	Michael Furness/Anita Bradley	Ongoing Partnership Opportunity	Ongoing Partnership Opportunity	20 June	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Property, Investment and Facilities Management	Nathan Elvery/Steve Jordan	Ongoing Partnership Opportunity?	Ongoing Partnership Opportunity?	12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Customer Experience & Customer Services	Nathan Elvery/Claire Taylor	Ongoing Partnership Opportunity?	Ongoing Partnership Opportunity	12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022
Continuous Improvement	Nathan Elvery/Claire Taylor	Ongoing Partnership Opportunity?	Ongoing Partnership Opportunity	12 May	Approved direction by JSS&P Committee – 14 <sup>th</sup> March 2022

Page 12

Partnership

Further Work

Decouple

Complete



Cherwell

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

# BASELINE STAFFING STRUCTURE

*Decoupling - Cherwell DC & Oxfordshire CC*

Page 13



**OXFORDSHIRE  
COUNTY COUNCIL**



**Cherwell**

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

# Decoupling : Joint Senior Leadership Team (CEDR)

Post	Joint	OCC/CDC	Current Position/Next Steps
Chief Executive	X	CDC	Chief Executive – Council decision taken in CDC 7 <sup>th</sup> February 2022 and OCC 8 <sup>th</sup> February 2022.
Corporate Director Commercial Development Assets & Investment	X	ODC	Phase 2 – requires further consideration.
Director of Law & Governance	X	OCC	Phase 1 – arrangements in place from 1 <sup>st</sup> April 2022.
Corporate Director, Environment and Place	X	OCC	Phase 1 – arrangements in place from 1 <sup>st</sup> April 2022.
Corporate Director, Public Health & Well Being	X	OCC	Phase 1 – Consideration of Healthy Place Shaping Lead
Corporate Director, Adults & Housing Services	X	OCC	Phase 1 – arrangements in place from 21 <sup>st</sup> February 2022.
Corporate Director, Children's Services		OCC	Not applicable
Director of Finance, S151	X	OCC	S.151 Officer – Council decision taken in CDC 7 <sup>th</sup> February 2022 and OCC 8 <sup>th</sup> February 2022.
Corporate Director, Customers, Organisational Development and Resources	X	CDC	Phase 1 – handover arrangements and notice period in place

Page 14

Decoupled
On plan
Further Work

# Decoupling : Wider Leadership Team

Post	Joint	OCC/CDC	Current Position/Next Steps
Director, HR	X	CDC	Phase 1 – arrangements in place from 1 <sup>st</sup> April 2022.
Director, Communications, Strategy & Insight	X	OCC	Phase 2 – review of Strategy, Strategic Marketing, Communications & Engagement and Insight & Corporate Programme teams required.
Director, Digital & IT	X	OCC	Phase 2 – review of IT services teams required.
Director, Customer Experience & Customer Services	X	CDC	Phase 2 – review of Customer Services and Quality and Performance teams required.
Assistant Director Wellbeing		CDC	Phase 1 – arrangements in place from 1 <sup>st</sup> April 2022.
Assistant Director Finance		CDC	Phase 1 – arrangements in place from 7 <sup>th</sup> February 2022
Assistant Director, Revenues & Benefits		CDC	Interim appointment for Cherwell DC – 30 <sup>th</sup> June 2022
Interim Assistant Director, Housing & Social Care Commissioning		CDC	Phase 1 - decision taken to move Housing to CDC to support the Statutory role for the Housing Authority.
Healthy Place Shaping Lead	X	OCC	Phase 1 proposals
Assistant Director, Planning & Development		CDC	Phase 1 – arrangements in place from 1 <sup>st</sup> April 2022.
Assistant Director, Growth & Economy		CDC	Phase 1 – arrangements in place from 1 <sup>st</sup> April 2022.
Assistant Director, Environmental Services		CDC	Phase 1 – arrangements in place from 1 <sup>st</sup> April 2022.
Head of Legal	X	OCC	Phase 1 – arrangements in place from 1 <sup>st</sup> April 2022
Head of Procurement & Contract Management	X	OCC	Phase 3 – this role is within the Director of Law & Governance management team.
Assistant Director, Property, Investment & Facilities Management	X	OCC	Phase 2 – review of Commercial, Facilities Management, Estates, Assets & Investment and Capital/Major Project teams required.
Assistant Director, Regulatory Service & Community Safety	X	OCC	Phase 2 – review of Regulatory Services & Community Safety teams required.
Chief Fire Officer		OCC	Phase 2 – will be decoupled at the appropriate time pending Regulatory Services & Community Safety review

Page 15

Decoupled
On plan
Further Work

# FINANCIAL IMPLICATIONS

Page 16



**OXFORDSHIRE  
COUNTY COUNCIL**



**Cherwell**

DISTRICT COUNCIL  
NORTH OXFORDSHIRE



# Decoupling: Cherwell District Council and Oxfordshire County Council Financial Implications

Service	2021/22 CDC Baseline £m	2021/22 OCC Baseline £m	2022/23 CDC Baseline £m	2022/23 OCC Baseline £m	Partnership Baseline
CEDR	0.283	0.257			Staff only
Housing Services	0.066	0.013			Staff only
Emergency Planning	0.025	-			Service Level Agreement
Regulatory Services	0.103	-			Staff only
Climate Change	0.064	-			Service Level Agreement
Procurement	0.170	-			Staff only
Internal Audit	0.070	-			Service Level Agreement
Counter-Fraud	0.068	-			Service Level Agreement
Legal Services	0.035	-			Staff only
Democratic Services	-	0.015			Staff only
Policy & Performance, Communications	0.304	0.473			Staff only
Communications (now included in above line)					
Information Governance	0.022	-			Service Level Agreement
FOI's	-	-			
HR Training & Health and Safety	0.011	0.109			Staff only
IT Services	0.107	0.118			Staff and Service Level Agreement
Property Services	0.053	0.031			Staff only
Customer Services	-	0.125			Staff only
Continuous Improvement	0.030	-			Service Level Agreement
Public Health	0.029	0.023			Staff only
<b>TOTAL</b>	<b>1.438</b>	<b>1.164</b>			

This page is intentionally left blank

By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank