

## CONFIDENTIAL WORKING DRAFT

### THE KENT FORUM

#### Terms of Reference and Governance

##### 1. Introduction

- 1.1 The Kent Recommitment (see Appendix 1) as agreed by the Leaders of Kent's councils, seeks to establish the principles and framework for new and streamlined partnership architecture for the county, with local democracy at its heart.
- 1.2 The basis of the Kent Recommitment is to plan and deliver public services in Kent more effectively, more accountably, at less cost and as close to service users as possible
- 1.3 The Forum will be a single body made up of democratically accountable representatives from across the public sector in Kent that:
  - (a) brings together the democratically accountable parts of the public sector;
  - (b) is a non-statutory, non-executive organisation; and
  - (c) operates at a level which enables strategic decisions to be taken.
- 1.4 It is a non-decision making body and where the word "decision" is used in this document, or the context suggests that matters may be determined or concluded, it shall not be construed as a body capable of binding any of the parties but as making recommendations which will be subject to approval by each of the member authorities by their own processes.
- 1.5 The role of the Kent Forum as part of this process is to:
  - (a) be the primary forum for delivering the Kent Recommitment, respecting the sovereign decision-making powers of individual councils;
  - (b) facilitate the effective exercise of strategic and spatial powers;
  - (c) devolve decision-making to the most appropriate level;
  - (d) ensure the efficient delivery of local public services;
  - (e) respond to the needs and aspirations of local people;
  - (f) save tax-payers' money; and
  - (g) replace the *Kent Leaders' Group* and significantly reduce the number of member partnership working groups across the county.
- 1.6 It will recommend the strategic priorities for the Kent-wide partnership architecture, and will be complemented by 'Locality Boards' set up at district level so as to be close enough to individual neighbourhoods to allow actions to be determined at a community level.

## **2. The Kent Forum**

### ***Principles***

- 2.1 The Forum, as the lead body of the newly shaped Kent-wide partnership, will have overall responsibility for co-ordinating and agreeing shared priorities and progress, encouraging community leadership, and supporting new initiatives. As such, it will consider and endorse Kent-wide strategies including under the *Vision for Kent* and county-wide plans for action such as those produced for *21st Century Kent – Unlocking Kent's Potential*.
- 2.2 The Forum recognises that defining and delivering Kent's future needs goes beyond the remit of individual local authorities, and those of the many partners, acting alone. It seeks to add value at a strategic level.
- 2.3 All Forum participants are expected to engage in this partnership working ethos, operating with the following values enshrined in their work:
- (a) mutual accountability – partners are accountable to each other for the delivery of jointly agreed and collectively owned outcomes;
  - (b) promoting community cohesion, equality of opportunity and participation, and valuing diversity; and
  - (c) promoting trust and openness to foster an involved and participative approach from all members and partnerships.
- 2.4 The Forum will consider cross-cutting policy issues within Kent, including the implementation of health service reform and the enhanced role of democratically-elected local authorities within this context.
- 2.5 Within and across District boundaries, the Forum will establish pilots of local District and County members and others coming together on 'Locality Boards' to oversee and shape local delivery of the Kent Recommitment and to draw together local public services for greater effectiveness and efficiency.
- 2.6 Locality Boards will consist of District Council Cabinet members, local County Councillors and the relevant County Council Cabinet Member. Additional local representatives may be agreed.[NB – voting rights may need to be considered if Cabinet Member and other local representatives are appointed to the Board]

### ***Responsibilities***

- 2.7 The Forum is responsible for:
- (a) promoting the social, economic and environmental well-being of residents and businesses, and promoting sustainable development;
  - (b) co-ordinating and agreeing shared priorities and endorsing Kent-wide strategies, including the *Vision for Kent* and county-wide plans for action such as those produced for *21st Century Kent – Unlocking Kent's Potential*;
  - (c) Kent's local arrangements for representation on a Local Enterprise Partnership (LEP).
  - (d) supporting co-ordination and joint working with neighbouring LEPS on issues of shared interest to provide the strongest possible support for individual priorities;
  - (e) agreeing arrangements for other groups and delivery mechanisms designed to deliver the priorities and objectives of the Forum

- (f) engaging with Kent residents, communities and businesses, utilising existing members' engagement mechanisms and avoiding duplication;
- (g) encouraging innovation and the efficient and effective use of local resources and assets; and
- (h) promoting and fostering the values of community engagement, equalities, cohesion and sustainability.

***Membership, representation and conduct***

- 2.8 The membership of the Forum will comprise the County and District Council Leaders of Kent, Chairman of the Kent Fire and Rescue Authority and relevant cabinet portfolio holder(s) for the County Council depending on the issue for discussion. The membership will be reviewed on a regular basis.
- 2.9 Each Leader will be entitled to nominate a substitute of their choosing. This will normally be the Deputy Leader or other cabinet member of each council.
- 2.10 The leaders of other public bodies with full democratic accountability within Kent will be invited with the consent of all members (at an appropriate time) to join the Kent Forum (e.g. the Chairman of the Fire & Rescue Authority, the directly-elected Police Commissioner, etc).
- 2.11 Kent MPs will be invited on a non-voting basis to join all meetings of the Kent Forum to build greater understanding of decision-making and accountability for total public service spending within Kent.
- 2.12 The Forum will seek to work closely with all local public service providers.
- 2.13 The responsibilities of Forum members include the following:
  - (a) to prepare for and attend meetings as required and agreed, and to fully participate in meetings;
  - (b) to arrange for the attendance of a suitable substitute at meetings in the event of the nominated representative being unavailable;
  - (c) to ensure that they have sufficient authority to represent their organisation on policy and practice issues, and to properly represent its views;
  - (d) to ensure that all necessary approvals of the nominating organisation are obtained;
  - (e) to keep their organisation informed about progress and communicate effectively and accurately the outcomes of Forum meetings; and
  - (f) to ensure prompt progress and delivery on any agreed actions outside formal meetings; and
- 2.14 All members (and substitutes) have a right to speak and be heard at meetings. The Chairman may exclude from the meeting any member who attempts to deny such rights.
- 2.15 The Kent Forum will also mandate members to represent the Forum in other meetings and partnerships. The member mandated will report back to the Forum on these meetings.

### **Chairman**

- 2.16 The Forum is chaired by the Leader of KCC, initially for a period of two years, following which the chairmanship will be as determined by the Forum.
- 2.17 The position of Vice Chairman will rotate annually amongst the members of the Forum, according to a schedule to be determined by the Forum.
- 2.18 The Chairman will support the work of the Forum by:
- (a) providing leadership to ensure that the business of the Forum is dealt with efficiently and effectively;
  - (b) promoting cohesion within the Forum, ensuring all opinions are represented and listened to on an equal basis;
  - (c) ensuring that key issues are discussed in a timely manner by the Forum, and that appropriate information is available to all members; and
  - (d) taking appropriate action where conflicts of interest issues arise as outlined below.

### **Meetings**

- 2.19 The Forum will meet six times a year. Meetings are organised so that dates for each financial year are arranged in advance. The Chairman may convene additional meetings if s/he considers it necessary, after consulting with members of the Forum.
- 2.20 Meetings will be held in one central location within the county, with the exception of one meeting which will be held in Westminster to enable attendance by Kent MPs.
- 2.21 Council Chief Executives or their representatives will be invited to attend all meetings of the Kent Forum. It is expected that meetings will be arranged at a time to enable preceding meetings of political Leaders and other meetings as appropriate.
- 2.22 Meetings of the Forum are to be held in public.
- 2.23 The quorum for meetings is one half of members (including substitutes).
- 2.24 All members can require that items be placed on the agenda. Agenda items may be notified by any member at least ten working days before the meeting.
- 2.25 Other persons may attend meetings of the Forum with the agreement of the Chairman.
- 2.26 Meetings will be serviced and supported by a secretariat proportionately resourced by a combination of all members.
- 2.27 Agendas, reports and minutes (including a record of attendance and any conflicts of interest) of Forum meetings will be circulated and submitted for approval at least ten working days before the meeting. The draft Minutes (agreed by the Chairman or Vice Chairman when appropriate) will be circulated to all Members of the Forum within ten working days of the Forum. Additional items may only be tabled at meetings if urgent and at the discretion of the Chairman.
- 2.28 Minutes (including a record of attendance and any conflicts of interest) will be a matter of public record.

### ***Conflicts of Interest***

- 2.29 Members must notify the Chairman if they have any personal or prejudicial interest in any item under discussion at the Forum (in accordance with the Code of Member Conduct) where that item could reasonably have a greater impact on the wellbeing and/or financial position of that individual and/or their family and friends than for other citizens, If a prejudicial interest, the Chairman will require the member to have no further part in that matter under discussion and to leave the meeting pending any discussion on that particular matter.

### ***Decisions***

- 2.30 Every effort will be made to ensure that decisions are taken by consensus.
- 2.31 No decision of the Forum as a whole can override the decisions of individual organisations. Rather, decisions made by the Forum are intended to influence partners to work with all other partners and adopt a common position.

### ***Financial issues***

- 2.32 Forum members will work together to support place-based budgets at County and District levels and press for greater devolution of powers and budgets from national and regional quangos and agencies to the family of local government in Kent.
- 2.33 In the event that KCC is designated by Government as the accountable body for place-based budgets, all decisions on the allocation of such budgets will be made only after full consultation with, and detailed consideration of, the views and recommendations made by the Forum and its members.
- 2.34 In the event that a unanimous and consensual recommendation on place-based budgets allocation is not forthcoming, KCC (assuming it is the accountable body) will take responsibility for any final decisions in this regard, having taken into account the views of the Forum, especially those members that represent the majority view, and will notify the Forum members in writing of its reasons for such decisions.

### ***Access to Information***

- 2.35 The Forum will adhere to requirements of the Freedom of Information Act 2000.

### ***Confidentiality***

- 2.36 All members will respect the confidentiality of information supplied by other members when the relevant tests can be met

### ***Conflict Management***

- 2.37 Where a conflict remains unresolved within or between any Forum members, the issue may be referred by any Forum member to the full Forum to advise on the best way of achieving a final resolution.

### ***Exit***

- 2.38 Any member wishing to resign from the Forum shall give at least two months' written notice to the Chairman. In the event that such notice is given, that member shall cooperate with the Forum during the notice period so as to facilitate a smooth exit from the partnership working arrangements.

## APPENDIX 1

**The Kent Recommitment**

*“We will take strategic decisions and deliver local public services and seek genuine devolution of powers to both county and district level to ensure we are able to respond to the needs and aspirations of local people and save taxpayers money.”*

**Source: Letter from all Kent Leaders to Eric Pickles,  
Secretary of State for Communities & Local Government, June 2010**

**1. Purpose**

The Kent Recommitment, signed by the Leaders of Kent's County, District, Borough and City Councils, is the foundation for our work together to plan and deliver public services in Kent more effectively, more accountably, at less cost and as close to service users as possible.

**2. Our Principles**

- All public services delivered to Kent's residents and the £8billion spent in the county by the public sector must be made increasingly democratically accountable.
- Existing regional and national quango powers must be devolved to the most appropriate level.
- Kent's 13 sovereign County and District Councils, together with our rich network of Parish and Town councils, are the “building blocks” for public service planning and delivery within the county.
- We recognise the strength of fighting together for local communities on issues of both county-wide and national importance and standing up for the interests of Kent's residents.

**3. Function of the Kent Recommitment**

- Through the Kent Recommitment, we will work together to help shape and influence new government policy and its delivery within the county, as we are already doing.
- We will seek genuine devolution of powers to both county and district level to ensure we are able to respond to the needs and aspirations of local people and save taxpayers money:
  - We will support Kent County Council to exercise greater strategic and spatial powers within the county, working closely with local District Leaders through a “Forum” model.
  - We will support Kent's District Councils to exercise greater influence in delivering/commissioning and targeting services within their areas
- Together, we will identify those services which may be better delivered at district level, those services and functions which may be better exercised at county level and those that may be better co-ordinated through local, outcome-based commissioning, bringing together District, local County Council and KCC Cabinet members.
- We will support greater devolution to our Parishes, Towns and local communities and always champion the needs of local residents and business in Kent.
- In our dealings with Government, we acknowledge the strength of speaking together on shared issues in representing the interests of Kent's businesses and residents.

#### **4. Form – How we will work together**

- We will establish the “Kent Forum” (or other agreed name) of the County and District Leaders, with relevant KCC Cabinet Members for county-wide services (*see below*), as the primary forum for delivering the Kent Recommitment, respecting the sovereign decision-making powers of individual councils.
- There will be no voting arrangements until full Governance proposals have been developed and agreed, including Cabinet Member and officer attendance.
- We will invite leaders of other public bodies with full democratic accountability, at an appropriate time, to join the Kent Forum (e.g. Chairman of Fire & Rescue, directly-elected Police Commissioner) and we will work closely with all local public service providers.
- The role of the Kent Forum will be as a Kent-wide body to co-ordinate and agree shared priorities and progress. As such, it will consider and endorse Kent-wide strategies including those produced for “*21<sup>st</sup> Century Kent – Unlocking Kent’s Potential*”.
- The Forum will also consider cross-cutting policy issues within the County, beginning first with the implementation of Health Service reform within Kent and the enhanced role of democratically-elected local authorities within this reform.
- Within District boundaries, we will establish District-based pilots of local District and County members and others to oversee and shape delivery of the Kent Recommitment locally and to draw together local public services for greater effectiveness and efficiency.
- We will invite Kent MPs to join all meetings of the Kent Forum to build greater understanding of decision-making and accountability for total public service spending within Kent. Once a year, the Kent Forum will meet in Westminster.
- The number of partnerships across the county will be significantly reduced, to reflect this new and streamlined way of working.
- The Kent Forum will meet in shadow form with immediate effect (*replacing the Kent Leaders Group*).

#### **5. Building a Local Economic Partnership**

- Reflecting the above, we will work together for the success of a Local Economic Partnership (LEP) on which all 14 Leaders will be represented, either directly or through a mandated representative agreed through the Kent Forum.
- Within the LEP, we will recognise clearly defined sub-economic groupings which will exist as delivery bodies in their own right within the framework, with specific powers and assets as appropriate.
- By organising ourselves in this way, we are united in fighting together at county level and within our specific economic areas for our strategic priorities and we will ensure strategic level support for specific areas of Kent within the LEP, including the Thames Gateway, our Coastal Communities, Growth Points and rural West Kent.
- The LEP will support co-ordination and joint working with neighbouring LEPs on issues of shared interest to provide the strongest possible support for individual priorities.

#### **6. Finance and Savings**

- We will work together to support place-based budgets at County and District levels enabling total flexibility to respond to the needs and aspirations of local residents in the context of scarce resources.
- We will press for greater devolution of powers and budgets from national and regional quangos and agencies to the family of local government in Kent.
- We will fight for existing regional programmes to be funded until they end and for continuing support, where appropriate, when this funding goes.
- Cost saving, openness and transparency will be fundamental to all that we do.