

**WORCESTERSHIRE DISTRICT AND COUNTY COUNCIL**

**WORCESTERSHIRE REGULATORY SERVICES**

**MEETING OF THE WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE**

THURSDAY 25TH JUNE 2015, AT 4.30 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

**SUPPLEMENTARY DOCUMENTATION**

The attached papers were tabled at the meeting, as the report previously distributed was amended to include Recommendation 5, as detailed in the amended report attached.

6. Future Arrangements for Worcestershire Shared Services Joint Committee and Worcestershire Regulatory Services (Pages 1 - 18)

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30th June 2015

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## Worcestershire Regulatory Services

*Supporting and protecting you*

**Joint Committee: 25 June 2015**

**Title: Future arrangements for Worcestershire Shared Services Joint Committee and Worcestershire Regulatory Services**

### **Recommendations**

The Joint Committee is recommended to:

1. Note the outcome of consultation with partner Councils, WRS staff and stakeholders and;
2. Recommend to partner councils that:
  - a. The current Worcestershire Shared Services Partnership is dissolved by mutual agreement on 31 March 2016;
  - b. A new Worcestershire Shared Services Partnership comprising the six district councils is created on 1 April 2016 in accordance with the terms set out in appendix 2;
  - c. The new Worcestershire Shared Services Partnership enters into a service level agreement with Worcestershire County Council for the provision of trading standards services in accordance with terms to be agreed by the Acting Head of Worcestershire Regulatory Services; and
  - d. All existing contracts and service level agreements between the existing Worcestershire Shared Services Partnership and other local authorities are novated to the new Worcestershire Shared Services Partnership.
3. Approve the new management structure for Worcestershire Regulatory Services set out in appendix 4 for consultation with staff and recognised trades unions.
4. Following consultation, authorise the Acting Head of Worcestershire Regulatory Services, in consultation with the Chair of the Joint Committee to finalise the future management structure and undertake recruitment in accordance with the terms set out in

the Worcestershire Shared Services Partnership Agreement.

5. *To establish an appointment sub-committee comprising 3 Members of the Joint Committee; the Executive Member from the Host Authority and the Chairman and Vice Chairman supported by officers as detailed in the legal implications contained within this report.*

## **Contribution to Priorities**

The proposals for reconstitution of the Worcestershire Shared Services Partnership will contribute directly to delivery of partner authorities' priorities for economic, social and environmental well-being, including the agreed priorities for WRS set out in the WRS Service Plan 2015/16 and WRS Business Plan 2015/18.

## **Introduction / Summary**

At its meeting on 19 February 2015, this committee approved for consultation proposals for creating and delivering a sustainable regulatory partnership for Worcestershire.

Consultation has been undertaken with partner councils, WRS staff and a range of stakeholders. The outcome of consultation is detailed in this report and is broadly supportive of the original proposals. Significant concerns were however raised in relation to the future level of trading standards service provision by the County Council.

It is proposed that the Joint Committee recommends that partner councils dissolve the current shared services partnership and reconstitute a new one comprising the six district councils, on terms detailed in this report. These reflect the proposals previously presented to this committee. The Joint Committee is also recommended to approve a new senior management structure for Worcestershire Regulatory Services for consultation with staff and recognised trades unions.

## **Background**

The Worcestershire Shared Services Joint Committee (hereafter *the Joint Committee*) was established on 1 June 2010 by the county and six district councils in Worcestershire as the vehicle for their two tier regulatory shared service – Worcestershire Regulatory Services (WRS). This governance model was based upon established arrangements for shared service delivery operating within the County and was structured to allow for the addition of other shared services.

The Joint Committee and WRS were established in response to central government's challenge that service delivery in two tier local government areas should be no less efficient than in unitary ones. The original business case for WRS was founded on all partner councils having closely aligned policy positions and service levels enabling efficiency gains of 17% to be made, compared with the cost of predecessor arrangements.

WRS has been extremely successful, delivering savings to its partners well in excess of 20% of predecessor arrangements, gaining plaudits from national regulators including the Better Regulation Delivery Office (BRDO). However, in recent years there has been increasing challenge within the partnership arising from differences in partner service requirements, driven by the individual financial pressures on partners. Most notably the County Council has had to make difficult choices regarding the future level of trading standards service provision, with current financial plans identifying net expenditure reducing to £450k in 2016/17.

In February, the Joint Committee endorsed proposals to restructure the current partnership into a smaller partnership of the district councils, with them continuing to have closely aligned policies and service levels, and the County Council entering into a service level agreement with WRS for the provision of trading standards services. The Committee considered that this model would best maintain the strengths and benefits of the original business case whilst protecting individual partner councils from the pressures and risks of diverging financial positions.

The Joint Committee initiated a process of consultation on these proposals, details of which are set out below and have informed the further detailed recommendations for the future partnership contained within this report.

## **Consultation**

Three consultation events were held for elected members of partner councils during mid-March 2015. Each comprised a presentation on the proposals followed by an open question and answer session.

These events did not reveal any objections to the proposals and were broadly supportive of them. It is noteworthy that almost half of the questions related not to the proposals themselves but to the future level of trading standards services likely to be provided on behalf of the County Council. A copy of the summary of questions and answers is

provided at appendix 1.

A consultation event for WRS staff was held on 4 March at the Guildhall. This followed a similar format to the sessions for elected members and was timed to enable key messages to be reported at the elected member events. As with elected members, WRS staff recognised the need for change and were broadly supportive of the proposals, once again expressing concern about the future level of trading standards service provision.

The following stakeholders were consulted in writing:

- Hereford and Worcester Chamber of Commerce
- Health and Safety Executive
- Worcestershire LEP
- Better Regulation Delivery Office
- Worcestershire Federation of Small Business
- Hereford and Worcester Chamber of Commerce
- Food Standards Agency

Written replies were received from Worcestershire LEP and Better Regulation Delivery Office. Both praised the work of WRS with Worcestershire LEP emphasising the importance of its contribution to the Better Business for All initiative. The Better Regulation Delivery Office declined to comment on the Joint Committee's proposals, whilst Worcestershire LEP welcomed them "*to secure WRS as a robust proposition.*" The LEP did express concerns about adverse impact upon Better Business for All arising from the proposed County Council reduction in business advice regarding Trading Standards and is pursuing this directly with the County Council.

A meeting was held at the request of the Food Standards Agency Regional Coordinator to discuss the proposals in more detail. The meeting echoed concerns of the LEP and did not subsequently lead to a formal written response.

## **Reconstitution of the Worcestershire Shared Services Partnership**

The extant partnership agreement signed on 1 June 2010 contains provisions enabling partners to leave the partnership. However, these are cumbersome and complex to invoke. Notice periods must be given and the terms of exit determined by agreement of all partners. This includes arrangements for departing partners to bear the financial consequences of their exit. These provisions have never been utilised in relation to this or other similar shared services using this basic agreement.

Legal advice is that it is more appropriate in these

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circumstances not to rely upon these provisions but for the partners to dissolve the current partnership by mutual agreement and immediately constitute a successor partnership of the six Worcestershire districts. A service level agreement between the new partnership and the County Council for provision of trading standards services would be entered into as the basis for continuing provision of these services recognising the significant investment made by the County Council in the original partnership and WRS.

Dissolution and reconstitution is not a matter within the competence of this Joint Committee and requires a decision of each partner council. Given the time period necessary for each partner to consider this matter and decide upon it, these decisions will likely conclude in September and October this year. Accordingly it is proposed that these changes take place at the turn of the municipal year, 31 March/ 1 April 2016. This timescale also permits WRS management and officers of the partner councils to make the necessary detailed administrative arrangements.

The majority of the terms of the 2010 partnership agreement remain relevant to the proposed new six district partnership as this will continue to operate as a Joint Committee in accordance with Section 101 of the Local Government Act 1972 and Section 20 of the Local Government Act 2000. It is therefore proposed to use the extant agreement as the basis for the new partnership agreement with modifications, additions and deletions reflecting the future requirements.

The key changes to the partnership and agreement are:

- Agreement is between the six Worcestershire districts
- The provision for expansion of the partnership will be deleted
- A requirement will be introduced obliging any partner unable or unwilling to maintain its service levels and financial contributions at or near to other partners to exit the partnership with the option to continue to receive services under a service level agreement on 'at-cost' terms.
- There will be one member from each partner authority on the Joint Committee (instead of the current two members) with robust deputising arrangements and the inclusion of partner officers to form a WRS Board. This will normally be the member with portfolio responsibility for regulatory matters.
- Deletion of the WRS Management Board.
- Delegated authority from partners to the Joint Committee and Head of Service to enter into agreements for the provision of services to other

public bodies (delegation dependent upon annual value of agreement and nature of relationship).

- Further provisions relating to the role of the Host Authority in relation to entering into contracts and service level agreements with public bodies on behalf of the Joint Committee.
- New financial provisions relating to adoption of a fee-earner model for new public authority customers and at-cost service provision for former partner councils of the original 2010 partnership.
- New provisions regarding the use of the WRS brand.

Appendix 2 sets out the principal terms of the proposed new partnership agreement identifying proposed amendments, additions and deletions to the extant agreement.

## **WRS Senior Management Structure**

The current WRS senior management structure of Head of Service, Business Managers and Team Managers was that put in place at inception when the shared service had both a larger complement of staff (circa 120 full time equivalents) and budget, albeit that the number of Business Managers and Team Managers was initially greater.

Slimming of senior management numbers has been progressive as the WRS budget and workforce has reduced year on year. Departure of the Head of Service in January 2015 provided an opportunity to re-examine the structure in light of the proposed new partnership, further reducing income and greater focus on undertaking income-generating work for other public bodies.

Based on the projected WRS financial envelope of £3.475 million from 2016/17 onwards and an expected overall workforce of 78 full time equivalents, it is difficult to justify continuing with three levels of senior management given that spans of control are now 1:2 between the top three tiers. Reducing the number of tiers of management will not only free up resources to maintain service delivery but shorten the management chain making it more flexible and responsive. It is intended to retain the post of head of service given the importance of this role in leading the organisation through a further period of change. It is also proposed to delete the existing tier of Business Managers and redefine the roles of Team Managers to create a single tier of senior management reporting to the head of service.

With the planned further downsizing of trading standards operations, there will cease to be a justification for a dedicated Team Manager. It is proposed to integrate the professional and technical elements of trading standards



within the remit of the proposed Environmental Health and Trading Standards Manager, with other intelligence functions reporting elsewhere.

Importantly, some of the capacity released by de-layering senior management will be beneficially reinvested in providing necessary capability for securing new business, external income and managing relationships with partners and customers. A new role of Business and Relationship Manager is proposed to meet this requirement.

It is proposed that one of the Team Managers will act as the designated deputy in the absence of the Head of Service. This may be on a personal to holder basis to give some future structural flexibility.

The proposed future senior management structure for WRS is shown in appendix 4. Based on an evaluation of the revised Team Manager roles it is anticipated that this will contribute in excess of £100k/ annum of savings making a significant contribution to meeting the future WRS financial envelope whilst providing the necessary capacity and focus for future business development. This is considered by Management Board to be the minimum level of managerial resource necessary to ensure effective direction and control of WRS.

Whilst it may appear premature to seek approval to changes in management structure ahead of decision on the future of the partnership, as the financial envelope was defined in the Business Plan approved in February, action is needed to address this now. There will be greater benefits in managing the transition to a reconstituted partnership if the senior management structure has been refreshed and has had time to bed down.

Joint Committee is asked to approve the proposed future structure for consultation with WRS staff and recognised trades unions. Subject to the outcome of this consultation, Joint Committee is also requested to authorise the Acting Head of WRS, in consultation with the Chair of the Joint Committee to finalise the future management structure and undertake recruitment in accordance with the terms set out in the Worcestershire Shared Services Partnership Agreement.

## **Financial Implications**

The future financial envelope for WRS for the period to 2017/18 is already determined within the WRS Business Plan 2015-18, which was agreed by this Committee in February 2015. The proposals set out within this report are

designed to ensure that WRS can continue to operate effectively within this envelope and that its resources continue to be focused upon front line service delivery.

The business plan also identifies an income to WRS rising to £300,000 in 2016/17 and it is important that the service has both the necessary stability and management capacity to achieve this.

Dissolution and reconstitution of the partnership in the manner proposed will not impose a significant financial burden on any party and will provide the necessary framework for future financial stability and risk management. By utilising the existing agreement as the basis for a successor drafting will be minimised and it is expected that this can be concluded within existing legal resources.

Implementing the proposed restructuring of senior management will incur some transitional costs as there will be an overall reduction in numbers, managed in accordance with the host authority's HR policies and procedures. This may involve redundancy, early retirement and redeployment costs which will fall upon the partners to meet in the established manner. These will of course be reduced by the current vacancy for Head of Service which is presently filled on an acting basis.

## **Legal Implications**

The proposals and recommendations in this report have significant legal implications as they involve dissolving and reconstituting a shared service partnership. By utilising the proven Joint Committee model and building upon the extant legal agreement these implications will be managed to best effect and the recommended approach is supported by specialist external legal advice.

Future work undertaken for other public bodies will be governed by agreements or contracts that provide appropriate checks and balances to protect the interests of all parties, in particular the new shared service partners. Existing proven models will be adopted for such arrangements wherever practicable and all agreements will be subject to Host Authority legal approval on behalf of the partnership before signature.

It is not proposed to undertake work for non-public bodies as this would require a local authority trading company to be established by the partners to comply with local authority trading law. This position could be revisited if sufficient private sector work becomes available to more than cover the costs of operating a trading company.

This approach depends for its success on the unanimous agreement of all current and future partners to the recommendations of this committee.

*The Worcestershire Regulatory Services Partnership Agreement provides that the appointment of a Head of Regulatory Services be delegated to the Joint Committee by the Participating Authorities. In addition it provides that such appointment be made in accordance with the provisions of the Local Authorities ( Standing Orders ) ( England ) Regulations 2001 (Statutory and Non Statutory Chief officers and Deputy Chief Officers) within the meaning of s.2 of the Local Government and Housing Act 1989.*

*In agreeing to recommendation 4, it will be necessary for the Acting Head of WRS to establish a sub-committee comprising 3 Members of the Joint Committee ( one being the Executive Member from the Host Authority), supported by the Acting Head of WRS and an officer from HR ( from the Host Authority).*

*It is proposed for the purposes of this report that the Chairman and Vice Chairman of the Joint Committee make up the remainder of the 2 member places on the sub-committee.*

*The sub-committee will notify all members of the Joint Committee and the Cabinet of the Host Authority in accordance with the officer employment rules before a formal offer of appointment is made.*

## **Risk**

The proposed dissolution and reconstitution of the partnership has been subject to extensive consultation as detailed in this report. There were no objections to the proposals and general support from many respondents. However this consultation was undertaken before the district elections so there is a risk if newly elected councils take a different view, as this proposal remains dependent upon unanimous agreement of all current and future partners.

The approach of implementing this proposal utilising the extant partnership agreement as the basis for a successor agreement minimises the risk of approval by all partners not being achieved.

There may be some risks to operational service delivery during implementation of the new management structure. These will be mitigated by adopting an incremental approach in accordance with Host Authority HR policies and

procedures and interim capacity will be utilised if necessary in a similar manner to current arrangements for the Acting Head of Service.

## **Sustainability**

The proposals and recommendations in this report are considered to be those most appropriate to ensuring the future financial and operational sustainability of WRS and the reconstituted Worcestershire Shared Services Partnership.

## **Contact Points**

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## **Background Papers**

*'Creating and delivering a sustainable regulatory partnership for Worcestershire'* – report of Chair of WRS Management Board – Worcestershire Shared Services Joint Committee – 19 February 2015

*'Business Plan for Worcestershire Regulatory Services 2015-2018'*

Worcestershire Shared Services Partnership Agreement 1 June 2010

Worcestershire LEP letter of response to consultation on proposed changes to WRS Partnership - 17 April 2015

Better Regulation Delivery Office email response to consultation on proposed changes to WRS Partnership - 8 April 2015

## Appendix 1

**SUMMARY OF QUESTIONS, RESPONSES AND COMMENTS AT WRS ELECTED  
MEMBER ENGAGEMENT SESSIONS  
17 MARCH 2015, COUNTY HALL, WORCESTER  
18 MARCH 2015, COUNCIL HOUSE, BROMSGROVE  
19 MARCH 2015, CIVIC CENTRE, PERSHORE**

	COUNCILLORS QUESTIONS AND COMMENTS	PANEL RESPONSES
1	Will the proposals lead to more delegation to WRS officers?	No – policy will continue to remain with partners and the current arrangements for delegation to the Joint Committee and Officers will remain.
2	How will new WRS Board operate in relation to Trading Standards?	The WRS Board will have strategic responsibility for ensuring the delivery of Trading Standards services to the County Council in accordance with the terms set down in the proposed Service Level Agreement. The Board will not determine service levels for Trading Standards services which will continue to be a matter for the county council.
3	Have all the Joint Scrutiny Task Group recommendations been taken on board?	The vast majority have and these are referenced in the Joint Committee report. The main recommendation which has not been accepted is appointments of Board members for a two year term. This is not possible because of the constitutional arrangements of several partner councils which take precedence over the partnership agreement.
4	We note there will be only 1 Member and 1 officer on the WRS Board. Will officers be able to vote?	No. The WRS Board will continue to be a Joint Committee under the terms of the Local Government Act 1972 which only permits voting by elected members.
5	Frequency of Joint Committee and WRS Board meetings. Will more frequent meetings be needed to enable the Board to develop its identity?	The initial proposal is for quarterly meetings which are envisaged to be adequate for the WRS Board to provide the necessary strategic direction and decision making. This will of course be reviewed in the light of experience and any changing circumstances. It should be noted that this model has worked well for other shared services in Worcestershire.
6	Are exit arrangements being changed to benefit the County Council?	No. The proposed changes to the partnership exit arrangements are designed to protect the interests of all partner councils and to ensure the future sustainability of the partnership.

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7	How does repositioning WRS relationship with the County Council help to protect the interests of the Districts?	The basis of the WRS partnership is that partners continue to have a close alignment in terms of priorities, policies and financial capacity. This continues to be the case for the Worcestershire Districts but not so the County Council. This divergence since the formation of WRS has introduced a range of risks which the original partnership agreement is not suitable to manage. The proposed Service Level Agreement with the County Council will clearly define the work that WRS will undertake for it, the resources that will be deployed to do this and the charges that will be made. It is also expected that Trading Standards work will also be re-branded as WCC to provide clarity to customers. These arrangements will ensure that any excess or unmet demand for Trading Standards services will not adversely impact on district Environmental Health and Licensing work and that there will be no unintended cross subsidy.
8	Is this a solution with mutual benefits?	Yes very much so. Partners will continue to benefit from economies of scale and access to professional expertise that they could not achieve alone or in a smaller grouping. All councils, including the County Council will continue to benefit from the unique capabilities of WRS and of investment made to date.
9	Will District partners pay more because the County Council are withdrawing from the partnership?	No. The total financial envelope for WRS will not change as a result of these proposals. The County Councils expected contributions under the proposed Service Level Agreement will mirror those currently forecast. We also expect increased income from work undertaken for other public bodies to help meet future district partner financial expectations.
10	What will happen to the pre-existing financial envelope for WRS?	The total financial envelope for WRS will not change as a result of these proposals.
11	In Trading Standards will WRS need to match the demand coming in with shrinking resources?	Yes the proposed Service Level Agreement will align the Trading Standards work undertaken to the resources deployed by WRS. This reduces risk of work spilling over onto District activities.
12	Does County Council define work for Trading Standards? How can Councillors ensure Trading	Yes the County Council will continue to define the Trading Standards work undertaken for it by WRS. Councillors will

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	Standards delivers a full proper service?	be able to hold the County Council's administration to account through the County Council's established governance arrangements.
13	Does the anticipated reduction in expenditure and resources deployed represent a lowering of service for Trading Standards?	The likely reduction in funding for Trading Standards will inevitably mean a smaller number of WRS staff engaged in this work though we will continue to ensure the County Council shares in efficiencies WRS achieves in future that may offset this.
14	Could extra work in Trading Standards could be funded by other organisations, for example Public Health?	Yes it could.
15	Will we consider letting other councils join the new partnership?	No. The aim is to keep the new partnership focused on the closely aligned priorities of the Worcestershire Districts. New partners who may have differing priorities and pressures would create potential governance difficulties. We will of course be looking to selling our services to other councils as described in the Joint Committee report.
16	Majority voting would appear better	Noted
17	What sort of % reductions can be expected for Trading Standards?	This will be a matter for the County Council to determine as part of negotiation of the Service Level Agreement
18	Where is mention of public protection in these proposals?	Public protection remains at the core of the purpose of WRS and is fully address in the WRS Service Plan and Business Plan which was agreed by the Joint Committee at its meeting last February.
19	Is it the case that Capita identified reputational risk with Trading Standards during the recent procurement for a Strategic Partnership?	Capita perceived a number of risks which contributed to their decision to withdraw from the procurement process.
20	Will Trading Standards budget in 2016/17 result in 6 people?	The number of WRS personnel deployed to Trading Standards work in 2016/17 will be agreed with the County Council under the proposed Service Level Agreement.
21	Will Trading Standards have resources to cope if there was an outbreak of say foot and mouth disease?	This is always dependent upon the scale of any outbreak. In the event of a national epidemic as seen a decade ago it would be necessary to bring additional resources and to work closely with other partners such as the police. Existing Mutual Aid agreements would be invoked if this were to happen.
22	Risks for Trading Standards are	Noted

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	significantly different for County compared to districts.	
23	What if a district cannot afford current or future levels of funding? What are processes for exit?	An agreed threshold figure for exit will be included in the new partnership agreement which will oblige a Council which is unable to maintain a similar level of policy and financial commitment to other partners to leave the partnership. This is to protect the interests of the other partners. If this occurs any departing partner will be entitled to receive services under a Service Level Agreement in a similar manner to that proposed for the County Council.
24	What if everyone needs to cut?	If all partners are in a similar position this is relatively straightforward as the solution can fit everyone. It must be recognised that future cost reductions cannot be delivered only through efficiencies and service reductions would be necessary.
25	What about the Joint Scrutiny Task Group recommendation to address the lack of training of Members on regulatory matters?	The merit of this recommendation is acknowledged but because it was linked to proposed 2 years term of the Joint Committee is cannot be achieved due to primacy of partner constitutions. WRS will continue to work with partner councils to raise member awareness and understanding of regulatory matters.
26	Reserve substitute Members should be provided for in the new WRS Board arrangements.	Noted and we will see how this can be done similar to the Joint Customer Service Board that oversee the Worcestershire Hub Shared Service
27	Will the implementation period of 3 months allow for involvement of Scrutiny?	This depends on individual partner council constitutional arrangements.
28	What will be the partner payment mechanism?	This is expected to remain "as is"
	How small can the WRS be reduced to?	The aim is to avoid further substantial reductions in the size of WRS by increasing the services sold to other public bodies.



## Appendix 2

### Proposed amendments, additions and deletions to Worcestershire Shared Services Partnership Agreement 2010 to create new Worcestershire Shared Services Partnership Agreement 2016

Item	Reference	Proposed amendments, additions and deletions
	Part I - Between:	Delete (1) Worcestershire County Council and re-number
	Part I recitation (vi)	Amend to include 'sustaining regulatory capacity and expertise by providing services to other public bodies'
	Part I - 1.1	Delete definition of Management Board, update definition of TUPE. Insert definition of 'Service Level Agreement'
	Part I - 2	Insert that the Joint Committee will be known as the Worcestershire Regulatory Services Board
	Part I - 3.4	Previously deleted
	Part I – 4.1	Amend to 'one member' from 'two members' in line 1 and delete 'at least one of those members from' 'authority' from line 3. Insert 'The member shall be the portfolio holder responsible for regulatory matters'.
	Part I – 4.8	Amend to 'will' from 'shall be entitled to' in line 1 and delete 'at least one of the members attending on behalf of that Member Authority'
	Part I – 4.11	Insert 'Each Member Authority shall designate a senior officer to represent it at meetings of the Worcestershire Regulatory Services Board. For the avoidance of doubt such senior will not be members of the Joint Committee and shall have no voting rights.'
	Part I – 6.1.3	Previously deleted
	Part I - 8.1	Previously amended
	Part I – 9.1	Insert 'income targets' on line 3 after 'financial objectives'
	Part I – 9.2	Previously amended
	Part I - 10	Amend to 'Contracts and Service Level Agreements'
	Part I – 10.1	Insert 'and Service Level Agreements' after both references to 'contracts' on line 1 and on line 4; Insert ' and the supply of services to other public bodies' after 'services' on line 2; Delete ' or Shared Services Management Board'
	Part I - 10	Insert new sub-clause specifying that Service Level Agreements entered into with other public bodies must be in accordance with the Shared Service Business Plan and be on such terms as may from time to time be specified by the participating Authorities. Insert new sub-clause limiting use of the Worcestershire Regulatory Services name and brand to Participating Authorities and services delivered on their behalf or with their authority only.

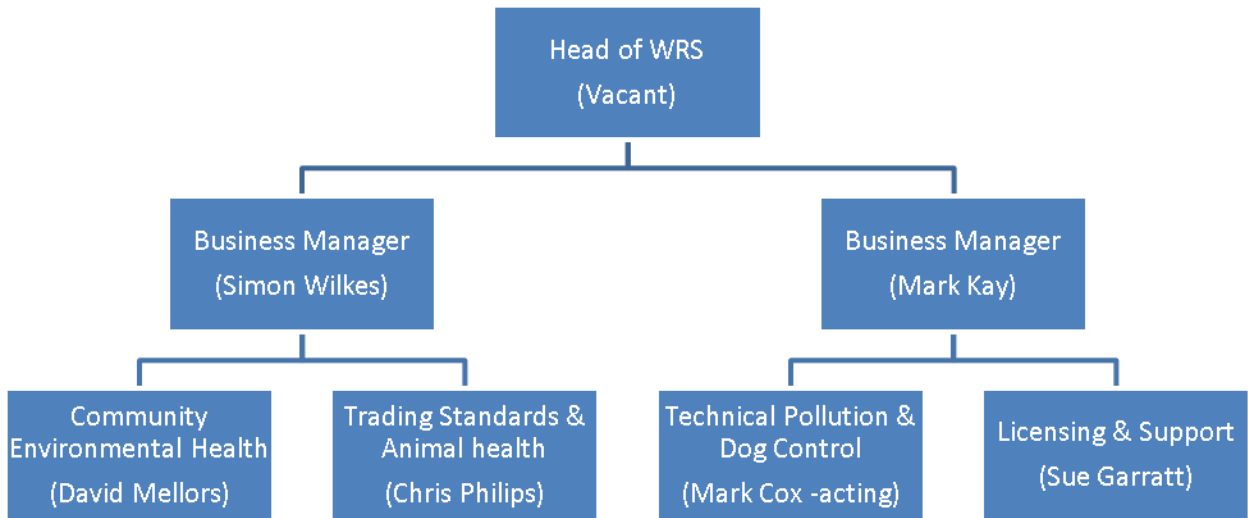
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Part I – 15.2.2	Insert 'or Service Level Agreement' after 'contract' in line 1.
Part I – 11	<p>Insert clause clarifying that where employees are employed on work undertaken for non-participating authorities under Service Level Agreements that TUPE will apply in circumstances where such work is transferred upon expiry or termination of such Service Level Agreements.</p> <p>Insert clause clarifying that where employees are employed on work undertaken for non-participating authorities under Service Level Agreements that all redundancy and termination costs arising from the cessation of such work other than by TUPE transfer must be borne by the non-participating authorities concerned.</p>
Part I - 15	Modify clauses to clarify that where work is undertaken for non-participating authorities and other public bodies under Service Level Agreements, that the Participating Authorities shall be required to indemnify the Host Authority against all actions claims demands expenses and costs arising out of or in connection of the provision of the relevant services under the said Service Level Agreement
Part I - 18	<p>Amend to 'Duration and Termination'</p> <p>Insert new sub clause requiring a Participating Authority to withdraw its participation from one or more shared services in circumstances where it is no longer able to maintain a similar policy service and financial position to other Participating Authorities</p> <p>Insert new sub clause permitting a withdrawing Participating Authority to enter into a Service Level Agreement for continued delivery of services on terms to be agreed by all the Participating Authorities without invoking the provisions of Schedule 2. Amend 18.2 accordingly.</p> <p>Amend 18.1.2.1 to '31<sup>st</sup> March 2018' corresponding to earliest termination date in original agreement</p>
Part I – Schedule 1 (iv)	Insert additional bullet point 'Gaining external business and income generation'
Part I – Schedule 1 - 2.4	Amend 'seven' to 'six'
Part I – Schedule 1 - 6	Insert 'the senior officer nominated in accordance with 4.11 will attend every meeting of the WRS Board.'
Part I – Schedule 1 – 9.5.2	Delete and replace with 'Decisions on all matters relating to the functions delegated under any subsequent Part of this agreement shall be by a simple majority of those present and entitled to vote thereon'.
Part II – 1.1	Delete 'Worcestershire County Council' and renumber
Part II – 4, Schedule 1, Schedule 3 and Appendix 1 (Statement of partner requirements)	Delete references to Worcestershire County Council and Trading Standards Services. Delegations to be contained within future Service Level Agreement

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	Part II - 5	Delete entire clause
	Part II - 8	Previously amended
	Part II – 10	Insert clause clarifying that where employees are employed on work undertaken for non-participating authorities under Service Level Agreements that all pensions costs in respect of such work shall be borne by the non-participating authority concerned.
	Part II – Schedule 4	<p>Amend to incorporate ‘fee earner’ calculation model and that this is the basis of charging for work undertaken for non-participating authorities and public bodies.</p> <p>Insert clause that Worcestershire County and any future withdrawing Participating Authorities will receive services ‘at cost’ based on ‘fee earner’ rates without plusage</p> <p>Insert clause delegating determination of plusage applied to ‘fee earner’ rates in respect of work undertaken for external organisations to Head of Shared Service</p> <p>Insert clause clarifying intention to move to future cost sharing between Participating Authorities based on application of ‘fee earner’ rates to rolling three year average recorded activity levels and that current cost sharing arrangements will remain in place until three full years activity data becomes available.</p> <p>Insert clause providing for WRS and Host Authority to collect fee income on behalf of partners and external customers and for this to be off-set against contributions to the costs of the Joint Committee and WRS</p>
	Various	Other consequential additions, deletions or amendments as may be found necessary whilst drafting

## Appendix 3 – Current WRS Senior Management Structure



## Appendix 4 – Proposed WRS Senior Management Structure

