
Charitable Sector Memorandum of Understanding

Committee considering report:	Executive
Date of Committee:	19 September 2024
Portfolio Member:	Councillor Jeff Brooks
Report Author:	Paul Coe
Forward Plan Ref:	EX4597

1 Purpose of the Report

- 1.1 This report provides an update on progress to develop a Memorandum of Understanding (MOU) between West Berkshire Council (WBC) and the Charitable Sector.
- 1.2 It is proposed that the attached draft MOU will be used for the next stage of wider engagement with both internal and external stakeholders.

2 Recommendations

- 2.1 It is recommended that:
- a) The Draft MOU is noted in principle, subject to wider engagement with the Charitable Sector.
 - b) Wider engagement takes place with the Charitable sector and with WBC internal stakeholders.
 - c) A paper returns to Executive following that wider engagement.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	No direct costs are anticipated. Indirect costs relate to officer time.
Human Resource:	Officer time will be spent on the development of the MOU; no other HR impacts are identified.

Legal:	The MOU consists of a voluntary agreement. Further detail is needed in the final MOU regarding data sharing and potential commercial sensitivity.			
Risk Management:	Relationships between the council and voluntary sector partners will need to be carefully managed.			
Property:	No property impacts identified.			
Policy:	No policy issues identified.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	x			The MOU should facilitate effective joint working to support the community and improve support to vulnerable groups.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	x			The MOU should facilitate effective joint working to support the community and improve support to vulnerable groups.
Environmental Impact:		x		
Health Impact:	x			The MOU should facilitate effective joint working to support the community and improve support to vulnerable groups.
ICT Impact:		x		

Digital Services Impact:		x		
Council Strategy Priorities:	x			The MOU should support the delivery of the Council's priorities.
Core Business:	x			The MOU should support operational delivery.
Data Impact:		x		
Consultation and Engagement:	<p>The draft MOU has been developed in discussion with the following organisations:</p> <ul style="list-style-type: none"> • Volunteer Centre West Berkshire • Greenham Trust • Connecting Communities in Berkshire • Berkshire Community Foundation <p>Internal engagement has taken place with Legal Services, the Service Lead for Commissioning and the Service Director for Community Services as well as the Corporate Management Team.</p>			

4 Executive Summary

- 4.1 The February 2024 Corporate Peer Challenge of WBC identified a Recommendation to develop a strategic MOU with the Charitable Sector.
- 4.2 Meetings have taken place with four organisations who play a key role in the Charitable sector locally.
- 4.3 A draft MOU has been developed in collaboration with those organisations in anticipation that they can form an interface between the council and the wider sector.
- 4.4 If the draft MOU is agreed in principle, this can be used to form the basis of the next round of wider engagement.
- 4.5 Further detail will need to be added during the next phase, particularly more specificity about how outcomes will be delivered.
- 4.6 The Charitable sector will expect meaningful engagement by WBC. The nature of the sector (many organisations of varying size and with variable levels of

resource) creates a challenge. The fact that the council does not formally commission an 'infrastructure organisation' is a risk area, albeit that the Volunteer Centre carries out many of the associated functions.

5 Supporting Information

Background

5.1 The LGA Corporate Peer Challenge conducted in February 2024 identified the following recommendation:

Recommendation 11 - Build on strong and positive operational relationships between the council and partners, including contractors, and develop strategic relationships that create opportunities to deliver activity that will support wider council and partner objectives (e.g. apprenticeships, social value). As part of this, develop a strategic Memorandum of Understanding with the Voluntary and Community Sector.

5.2 Exploratory meetings have been held with some internal stakeholders (in Commissioning and Communities & Wellbeing) and with external stakeholders as follows:

- Volunteer Centre West Berkshire
- Greenham Trust
- Connecting Communities in Berkshire
- Berkshire Community Foundation

5.3 These external stakeholders have been identified as either:

- a) organisations with close links to a wide range of voluntary sector organisations
- b) routes to grants/ funding sources.

5.4 These organisations have expressed a preference for the term 'charitable sector'.

5.5 Examples of existing MoUs have been reviewed in order to borrow from best practice models.

5.6 Charitable Sector organisations can be sensitive to the approach of statutory partners and the mode of approach is therefore important. The view of the council is that the development of an MOU, even if imperfect, should represent positive progress to better relationships.

5.7 The draft MOU focuses on more structured, earlier communication between key representatives of the council to support better outcomes.

5.8 The optimal representation by council officers will need to be tested, as there are potential benefits at both strategic and operational level. The aim is for strategic decision-making, grounded in operational realities.

- 5.9 The process for wider engagement will be agreed by the core group. It is likely to consist of a combination of face to face/ hybrid events (making use of existing forums wherever possible) along with a targeted survey.
- 5.10 The draft MOU contains limited detail on data sharing. There will be some benefit in sharing information about priorities, issues and plans. There will also be some benefit in sharing high-level data about demand levels. This can be shared safely. However, there may be benefit in sharing information which includes personal or identifiable data. Information-sharing of this type would require a clear agreement relating to data handling and data protection. Parties will need to ensure that commercially sensitive information is properly managed.
- 5.11 The MOU will also need to be more specific about how outcomes will be delivered, e.g. through the development of an Annual Plan, but this will be developed further during the next phase of wider engagement.

Proposals

5.12 It is recommended that:

- a) The draft MOU is agreed in principle, subject to wider engagement with the Charitable Sector.
- b) Wider engagement takes place with the Charitable sector and with WBC internal stakeholders.
- c) A paper returns to Executive following that wider engagement.

6 Other options considered

- 6.1 A more expansive co-productive model was considered but rejected due to the time and resource required with such a large and diverse sector.
- 6.2 We could publish the MOU without further engagement, but this would not support positive relationship-building with the wider sector in the longer term.

7 Conclusion

- 7.1 The recent Peer Challenge gave the recommendation to develop an MOU with the Charitable sector. A draft has now been developed by a small group of stakeholders. The proposed next stage is to take the draft out for wider engagement.

8 Appendices

- 8.1 Appendix A – Draft MoU

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Scrutiny Commission or associated Committees, Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

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Date XXXX

Memorandum of Understanding between West Berkshire Council and the Charitable sector in West Berkshire¹

Purpose of the Memorandum of Understanding (MOU)

This document is a written understanding between partners setting out principles to support effective collaborative working between West Berkshire Council (WBC) and partners within the Charitable Sector within West Berkshire.

Charitable sector signatories to the MoU will act as an interface between WBC and the wider charitable sector.

Objectives

The Objectives of the MOU are to:

- support information sharing for the purposes of strategic discussions between WBC and representative organisations from the Charitable sector.
- support the council to fulfil its role as a leader in the district.
- support the identification of additional capacity and resources to deliver better outcomes for the residents of West Berkshire.
- support better and earlier communication between partners, providing early notice of new initiatives or plans, creating opportunities to shape early thinking and/ or co-produce solutions, and identify potential for collaboration.
- Enable charitable sector organisations to provide feedback to the council and impact the way it operates.
- Influence the way that commissioning activities are undertaken.

Working together in a way that demonstrates parity of esteem for partners to identify, develop and deliver shared priorities will result in better outcomes for local people.

Principles

We recognise the charitable sector is a vital cornerstone of effective local provision across a multitude of areas.

Charitable partners provide important services and hold expert professional intelligence.

They play a particularly important role in the 'early help' space, providing support in a way that reduces the need for local residents to turn to statutory provision. It can also reduce the impact of structural inequalities by providing a non-stigmatising support offer.

¹ With acknowledgement to North East and North Cumbria (NENC) Integrated Care Board (ICB) and the Voluntary, Community and Social Enterprise sector (VCSE) in the North East and North Cumbria (NENC)

The charitable sector also plays an important role in delivering services where there is a shortfall in available provision.

The charitable sector employs many people and represents a very significant part of the local economy.

Shared values

All partners agree to act in accordance with a set of shared values that will underpin all work we carry out together as a system:

Trust - We will create the space and time needed to develop trusting relationships between our sectors at all levels and will always act with honesty and integrity.

Impact - The actions we take will be guided by the needs of the people who live in our district, and will make a substantive and positive difference to our community.

Collaboration - We will work in partnership from the outset, assuming good intent, supporting each other, recognising and utilising our skills and talents and analysing problems together as the first step towards taking action.

Inclusivity - We will actively listen to all parts of our system including our people and communities, valuing and respecting their expertise, ensuring that we are guided by their input and that information is accessible to all.

Equity - We will ensure time to understand each other, that decisions, power, and responsibility are shared by all partners, and that all contributions are meaningful and valued.

Transparency - We will be open about our processes, planning, reasoning, and restrictions across all sectors, and will respond positively to challenges.

The Charitable Partnership in West Berkshire

The charitable Partnership provides a mechanism to support connectivity, collaboration, and integration between and within the charitable sector and WBC.

Membership is open to all charitable organisations which are active in the district.

The Partnership facilitates strategic engagement, connection, and co-ordination with the wider charitable sector for WBC.

Our Vision for the Charitable sector in West Berkshire

Our vision is a vibrant, sustainable, and resilient Charitable sector operating within the district, working in partnership with council to support each other's strategic intent.

Practical delivery

- We will meet regularly as a partnership every two months (more frequently in the initial stages of the partnership)
- The agenda will be set collaboratively
- The Chair will rotate between member organisations
- The group will be supported by relevant data and intelligence, e.g. public health indices of deprivation
- We will discuss new concepts openly to support collaborative design.
- We will share feedback openly.
- We will provide a clear and accessible explanation of our shared and individual governance structures.
- We will demonstrably grow and develop communications structures throughout our system to increase reach.
- We will review our MOU regularly to ensure it remains relevant and fit for purpose.

Data Sharing

Work relating to the MOU will primarily be at a strategic level and consequently does not require an explicit information sharing agreement/ data protection impact assessment. Where there is further work undertaken by partners, they will ensure that information-sharing agreements are in place as required.

Commercially sensitive information

Additional detail to be added relating to controls to ensure that information which may carry some commercial sensitivity is managed appropriately to safeguard participating organisations.

Funding

There is no funding explicitly attached to the MoU.

Resolution of disagreement

Where there is disagreement between members, this should be resolved in the first instance at working level. If this is not possible, it may be referred through those responsible for the management of this MoU, up to and including the Chief Executive, who will then be jointly responsible for ensuring a mutually satisfactory resolution.

Duration and review

This MoU commences on the date of the signatures below. It is not time-limited and will continue to have effect unless the principles described above need to be altered and/or cease to be relevant.

This MoU will be reviewed every two to three years but may be reviewed at any time at the request of either party. Any alterations to the MoU will require both parties to agree.

All organisations have identified a person responsible for the management of this MoU and these 'Relationship Leads' will liaise as required to ensure:

- a. This MoU is kept up to date.
- b. They identify any emerging issues in the working relationship between the organisations.
- c. They resolve any questions that arise regarding the interpretation of this MoU.

Signatories

This document is adopted under the authority of:

West Berkshire Council:

Volunteer Centre West Berkshire:

Greenham Common Trust:

Connecting Communities in Berkshire:

Berkshire Community Foundation:

(Signatures will be inserted here)