

8.3 Access to information

- (a) The Access to Information Rules in Part 4 of this Constitution apply.
- (b) If all the members of a joint committee are members of the executive in each of the participating authorities then its access to information regime is the same as that applied to an executive, subject to any contrary provision agreed among the participating authorities as permitted by law.
- (c) If the joint committee contains members who are not on the executive of any participating authority then the Access to Information Rules in Part VA of the Local Government Act 1972 will apply.

8.4 Delegation to and from other local authorities

- (a) The Council may delegate non-executive functions to another local authority or, in certain circumstances, the executive of another local authority.
- (b) The Executive may delegate executive functions to another local authority or the executive of another local authority in certain circumstances.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

8.5 Contracting out

The Council (for functions which are not executive functions) and the Executive (for executive functions) may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contacting arrangements where the contractor acts as the Council's agent under usual contacting principles, provided there is no delegation of the Council's discretionary decision making.

8.6 Partnerships

The Council will maintain and regularly review a register of partnerships in which the Council participates. Reviews will be undertaken in accordance with the Council's Partnership Performance Management Framework to assess and evaluate the governance and effectiveness of each partnership.

8.7 Existing Joint Arrangements

[Existing joint arrangements are set out in Part 3A of the Constitution.](#)

- ~~(a) The Mountsett Crematorium Joint Committee~~
This Joint Committee operates under an Agreement dated 8 September 1983 (which was supplemental to earlier Agreements) made between Derwentside District Council and Gateshead Borough Council. The purpose of the Agreements is to provide and maintain a crematorium to serve the areas of the respective councils, known as the Joint Crematorium District. On 1 April 2009 Durham County Council assumed the rights and liabilities of Derwentside District Council under the Agreements referred to above. On 19 June 2019 the Full Council of Durham County Council agreed to update/amend the terms of reference and its Constitution.
- ~~(b) The Central Durham Crematorium Joint Committee~~
This Joint Committee operates under an Agreement dated 3 May 1983 made between Durham City Council and Spennymoor Town Council. The purpose of the Agreement is to provide and maintain a crematorium to serve the areas of the respective councils. On 1 April 2009 Durham County Council assumed the rights of liabilities of Durham City Council under the Agreement referred to above. On 19 June 2019 the Full Council of Durham County Council agreed to update/amend the terms of reference and its Constitution.
- ~~(c) The Joint Health Overview and Scrutiny Committee~~
The Joint Health Overview and Scrutiny Committee is established in accordance with section 244 and 245 of the National Health Service Act 2006. This Joint Committee is made up of 12 members, comprising 1 from each of the 12 constituent Authorities. The purpose of the Joint Committee is to scrutinise issues around the planning, provision and operation of health services in and across the North-East region, comprising for these purposes of the areas covered by all the constituent Authorities. A copy of the terms of reference and protocol can be obtained from the Scrutiny Officer upon request.
- ~~(d) Durham Police and Crime Panel~~
The Police and Crime Panel is established under the Police Reform and Social Responsibility Act 2011. The Panel is made up of 7 members from Durham County Council, 3 members of Darlington Borough Council and 2 independent co-opted members. The purpose of the Panel is to scrutinise and support the work of the Police and Crime Commissioner. The terms of reference and rules of procedure can be obtained from the Monitoring Officer upon request.
- ~~(e) Health and Wellbeing Board~~
This Board comprises of:
- ~~i. representatives nominated by the Leader being currently:~~
- ~~1. Portfolio Holder for Adult and Health Services;~~

- ~~2. Portfolio Holder for Children and Young People's Services; and~~
- ~~3. Portfolio Holder for Deputy Leader and Finance~~

- ~~ii. representation from each Clinical Commissioning Group;~~
- ~~iii. a representative from Local Healthwatch;~~
- ~~iv. Corporate Director of Adult and Health Services;~~
- ~~v. Corporate Director of Children and Young People's Services;~~
- ~~vi. Director of Public Health~~
- ~~vii. Director of Integration (a joint representative of Durham County Council and Health Partners);~~
- ~~viii. a representative from the housing section (Housing Solutions)~~

~~and nominated representation from each of the following:~~

- ~~ix. Chief Executive of Tees Esk and Wear Valley NHS Foundation Trust;~~
- ~~x. Chief Executive of County Durham and Darlington Foundation Trust;~~
- ~~xi. Chief Executive of City of Sunderland NHS Foundation Trust;~~
- ~~xii. Chief Executive of North Tees and Hartlepool NHS Foundation Trust;~~
- ~~xiii. Chief Executive of Harrogate and District NHS Foundation Trust;~~
- ~~xiv. Office of Police and Crime Commissioner;~~
- ~~xv. County Durham and Darlington Fire and Rescue Service;~~

~~The Health and Wellbeing Board has the following roles and functions:~~

- ~~1.1.2 Promote integrated working between commissioners of health services, public health and social care services, for the purposes of advancing the health and wellbeing of the people in its area;~~
- ~~1.1.3 Encourage those who provide services related to wider determinants of health, such as housing, to work closely with the Health and Wellbeing Board;~~
- ~~1.1.4 Develop and agree the Joint Strategic Needs Assessment ("JSNA"), Joint Health and Wellbeing Strategy ("JHWS") and Pharmaceutical Needs Assessment ("PNA");~~
- ~~1.1.5 Be involved throughout the process as CCGs develop their commissioning plans and ensure they take proper account of the JHWS when developing these plans;~~
- ~~1.1.6 Provide advice and assistance or other support as it thinks appropriate for the purposes of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006; and~~
- ~~1.1.7 Sign off the Better Care Fund Plan.~~

~~(f) Durham Safeguarding Children Partnership~~

- ~~i. Durham Safeguarding Children Partnership (DSCP) was established in April 2019 following the dissolution of the Local Safeguarding Children's Board by the Children Act 2004, as amended by the Children and Social Work Act 2017.~~
- ~~ii. There are three Statutory Safeguarding Partners in Durham, namely County Durham Clinical Commissioning Group, Durham County Council (Children and Young People's Service) and Durham Constabulary.~~
- ~~iii. The Safeguarding Partners share responsibility for ensuring effective local safeguarding arrangements.~~
- ~~iv. The relevant agencies required to provide virtual representation or representation at subgroups, development session and agency groups are:~~
 - ~~• County Durham & Darlington NHS Foundation Trust.~~
 - ~~• Tees, Esk & Wear Valleys NHS Foundation Trust.~~
 - ~~• Harrogate & District NHS Foundation Trust.~~
 - ~~• North Tees and Hartlepool NHS Foundation Trust.~~
 - ~~• City Hospitals Sunderland NHS Foundation Trust.~~
 - ~~• North East Ambulance Service.~~
 - ~~• Durham Voice (Voluntary Sector).~~
 - ~~• Further Education Settings.~~
 - ~~(i) Bishop Auckland College.~~
 - ~~(ii) New College Durham.~~
 - ~~(iii) East Durham College.~~
 - ~~(iv) Derwentside College.~~
 - ~~• Children and Family Court Advisory and Support Service (Cafcass).~~
 - ~~• Education.~~
 - ~~• Independent Schools.~~
 - ~~• Schools.~~
 - ~~• Public Health.~~
 - ~~• National Probation Service Durham.~~
 - ~~• Durham Tees Valley Community Rehabilitation Company.~~
 - ~~• County Durham Youth Offending Service.~~
 - ~~• Housing Services.~~
 - ~~• NHS England.~~
 - ~~• The Local Authority Adult & Health Services.~~
 - ~~• The Local Authority Early Help, inclusion and vulnerable children Services.~~
 - ~~• The Local Authority Legal Services.~~
 - ~~• The Prison Service.~~

- ~~County Durham & Darlington Fire & Rescue Service.~~
 - ~~British Transport Police.~~
 - ~~Faith Groups.~~
- v. ~~Out of the relevant agencies, there will be 4 agency groups that will be expected to meet and provide assurance reports to the Executive Group on an annual basis. Relevant agencies will not be required to attend every meeting but will nevertheless have a part to play in the business of the Durham Safeguarding Children Partnership.~~
- vi. ~~And fulfils the following functions to support and enable local organisations and agencies to work together in a system where children are safeguarded, and their welfare promoted.~~
1. ~~partner organisations and agencies collaborate, share and co-own the vision for how to achieve improved outcomes for vulnerable children~~
 2. ~~organisations and agencies challenge appropriately and hold one another to account effectively~~
 3. ~~there is early identification and analysis of new safeguarding issues and emerging threats~~
 4. ~~learning is promoted and embedded in a way that local services for children and families can become more reflective and implement changes to practice~~
 5. ~~information is shared effectively to facilitate more accurate and timely decision making for children and families~~
- vii. ~~In order to work together effectively with local organisations and agencies the Safeguarding Partners will develop processes that:~~
1. ~~facilitate and drive action beyond usual institutional and agency constraints and boundaries~~
 2. ~~ensure the effective protection of children is founded on practitioners developing lasting and trusting relationships with children and their families.~~
- (g) ~~County Durham Safeguarding Adults Inter-agency Partnership~~
- i. ~~The County Durham Safeguarding Adults Inter-Agency Partnership is a range of public authorities who share a duty to keep adults in County Durham safe from abuse, harm and neglect. It comprises representatives from:~~
1. ~~Durham Constabulary~~
 2. ~~Children and Adults Services – Durham County Council~~
 3. ~~County Durham Clinical Commissioning Group (from 1st July 2022 will be known as Integrated Care System)~~

- ~~4. Primary Care – NHS North Durham Clinical Commissioning Group (from 1st July 2022 will be known as Integrated Care System)~~
- ~~5. Tees, Esk and Wear Valley Foundation Trust~~
- ~~6. County Durham and Darlington NHS Foundation Trust~~
- ~~7. Age UK Durham~~
- ~~8. Her Majesty's Prison Service~~
- ~~9. Care Quality Commission~~
- ~~10. National Probation Service~~
- ~~11. NHS England~~
- ~~12. The Fire Service~~
- ~~13. Higher/Further Education~~

~~ii. And fulfils the following functions:~~

- ~~1. The promotion of health and wellbeing for adults with needs for care and support, and carers.~~
- ~~2. Communicating and engaging with wider agencies and communities of interest to help to make adults safer, and ensure the 'voice' of adults is heard.~~
- ~~3. Complying with local policy, monitoring that compliance and measuring its effectiveness.~~
- ~~4. Reviewing and analysing safeguarding activity across the partnership to identify and action improvements.~~
- ~~5. Monitoring the impact safeguarding training provision;~~
- ~~6. Maintaining and strengthening links and reporting to relevant forums, such as, the Local Safeguarding Children Partnership, Safe Durham Partnership, Health and Wellbeing Board and Overview and Scrutiny Committees;~~
- ~~7. Working in cohesive and collaborative ways with statutory and non-statutory partners;~~
- ~~8. Regularly reviewing the governance arrangements and checking statutory obligations are being complied with.~~

~~(h) County Durham and Darlington Fire and Rescue Authority~~

~~i. County Durham and Darlington Fire and Rescue Authority is a combined authority created by the Durham Fire Services (Combination Scheme) Order 1996. Membership comprises of 21 Members from Durham County Council and 4 Members from Darlington Borough Council (representation from each authority being determined by the size of the electoral representation within each authority). The Fire Authority's political balance is also a reflection of that of the two local authorities. The Authority is a legal body with statutory duties and responsibilities which include:~~

- ~~1. Providing a safe and effective operational response to meet a wide range of incidents, including fires, road traffic collisions, building collapse, water rescue, including flooding, rope rescue, hazardous~~

~~materials incidents and mass decontamination, national and international rescue.~~

~~2. Participating in the National Resilience Programme which prepares for and responds to major emergencies and unexpected events such as natural disasters or terrorist incidents. The resources maintained to support this programme include High Volume Pumps, Mass Decontamination Equipment and hazardous materials specialists who are trained to detect, identify and monitor chemicals.~~

~~(i) North East Combined Authority~~

~~This body brings together the four councils which serve County Durham, Gateshead, South Tyneside and Sunderland. The ambition of the Authority is to create the best possible conditions for growth in jobs, investment and living standards, to make the North East an excellent location for business, to prioritise and deliver high quality infrastructure and to enable residents to raise their skill levels and to benefit from economic growth long into the future.~~

~~(j) County Durham Integrated Care Board~~

~~The Board provides system wide leadership and accountability for the delivery of integrated service models within County Durham's Health and Care economy.~~