

# Memorandum of Understanding for a Joint Administration

Below is a template for a Memorandum of Understanding between Councillors from Different Political Groups.

***[Insert a Title that reflects the terminology agreed by both groups]***

The “Signatories” to this Memorandum comprise the **XXXXXX (name of the groups subscribing to the agreement)** and shall be referred to as the **XXXX Group/Joint Administration**.

The **XXXX (Group Name/Joint Administration)** have agreed to work in partnership to ensure the effective governance of **XXXXX Council** through the formation of a Cabinet, in order to work collectively to ensure the long-term stability of the Council. The **XXXX** agree to work collectively to develop budget proposals of necessary savings, efficiencies and income generation, taking into account the Council’s duties to achieve and annual balanced budget as required by national government, striving to protect services and recognising there will be difficult decisions to be made.

This Memorandum of Understanding is founded on the democratic principles of trust, equity, openness and fairness (**you could list all the Nolan principles here**) and is committed to enabling and supporting the delivery of services to residents, communities and businesses in **XXXXX Council**.

The **XXXX** have agreed to work together, acting in the best interests of **XXXXX Council** and its people in a co-operative, open and participatory manner, involving residents, businesses and the third sector, keeping them informed, and reflecting their views in developing policy and commissioning/delivering effective and efficient services.

The terms of this Memorandum of Understanding shall always operate in compliance with the Councils Constitution.

## DURATION

This Memorandum of Understanding is entered into for the political term of office **XX to XX**, subject to an annual review by the **XXXX** and in any event subject to there being no change to the political balance of the Council that would enable any Partner to form an Administration exclusively. Any (political) Group may terminate

the Memorandum of Understanding on the annual anniversary (the effective start date) if there is an irretrievable breakdown in mutual confidence that the **XXXX** is able to deliver the content and spirit of the Memorandum of Understanding.

The **XXXX** agree to review the terms of the Memorandum of Understanding within six months from the start date, in order to reflect the operation of the partnership in practice.

## PRINCIPLES

1. The Leaders of each Group shall ensure that all members of their respective Groups observe the spirit and intent of the partnership.
2. The Signatories respect each others' commitment to the principles under which they respectively operate.
3. Groups agree to work on the principle of full transparency to their fellow Groups and to reach consensus through discussions for the benefit of the residents, communities and Businesses in **XXXXX Council**. No Group shall seek to afflict any other Group in conducting Council business.
4. The Signatories agree to support the Joint Administration on votes of confidence and votes to ensure that a balanced budget is passed.
5. To agree to work together on the basis of the principles of honesty, openness and transparency. This does not prevent Councillors voting in accordance with their conscience, but all Signatories shall have regard to the spirit of the principles
6. To promote strong working relationships with Council Officers based on mutual trust and respect.
7. To act in the best interests of **XXXXX Council** and its residents reflecting their views and with the aim of creating a better Southend.
8. To study Agendas when published and bring queries, questions, amendments to all relevant **XXXXX** members at the earliest opportunity. Amendments to motions must be agreed in advance and not tabled at the meeting, working on the transparency principle.
9. Should there be any disagreement between members of the **XXXX** or their Councillors then every effort will be made to resolve matters in good faith in the spirit of the Memorandum of Understanding. Matters should be escalated to all Group Leaders in the event the disagreement is not swiftly resolved. The Group Leaders will seek support from their LGA Regional Peers in

respect of significant disagreements.

10. In any event this Memorandum of Understanding shall not operate to fetter the statutory duties of the Council and its governance, which is duly established by law and enshrined in the Council's Constitution.

## GOVERNANCE

The Signatories agree that:

1. The **XXXX** shall form a Cabinet of **X** members to operate as the Council's Executive in accordance with the Council's Constitution. (You may wish to outline the proportionality agreement of the make up of the Cabinet)
2. The **XXXX** agree the Cabinet will operate through collective responsibility.
3. The **XXXX** agree that the Overview and Scrutiny role is an important element of the Council's governance structure, adding real value in improving policy-making and the efficient delivery of public services, in addition to their scrutineer role. The **XXXX** commits to ensuring the Overview and Scrutiny process is used to its fullest extent.
4. Appointment of Leader, Deputy Leader and other Cabinet members will be agreed by the **XXXX**. *(Normally the Leader would be the Leader of the largest political group on the Council)*
5. Signatories that will support all nominations submitted by the Joint Administration for appointments to Council bodies and outside bodies at the special Council
6. Signatories will support the **XXXX** in respect of its Budget proposals and on any confidence motion
7. This Agreement shall constitute the whole agreement between the Signatories and will inform and be informed by the Council's strategic plans and objectives.
8. This Agreement shall be reviewed on an annual basis.

***[It would then be appropriate to set out a list of Priorities for the Administration based on a collective agreement. That then sets the agenda for the period of the Memorandum of Understanding. For example: Housing, Public Safety, Parking, Public Transport, Employment, Children's Social Care, Adult Social Care]***

This Agreement has been signed by all individual members of the Signatories to confirm their agreement (***Signatures from all the Leaders of the political groups would be necessary, so the political Group itself is signed up and preferably then by all Councillors covered by the MOU so ensure they are all personally signed up to it***)

Signed:

\_\_\_\_\_ Date:

\_\_\_\_\_ Date:

\_\_\_\_\_ Date:

\_\_\_\_\_ Date:

Etc