

The Commissioning Joint Committee

The CJC is sponsored by CIPFA. Its members cover all the main disciplines involved in commissioning and competition, and also contractors' and third sector organisations.

The CJC is an independent forum, and accepts no funding from any source. It meets all its expenses from sales. It has been active for over 25 years and:

- promulgates a comprehensive online *Standing Guide to the Commissioning of Local Authority Work and Services*
- responds to all significant consultation papers, and provides ministers, parliamentary standing committees and others with views and advice ad hoc
- issues guides to major technical problems in commissioning and competition.

Visit the CJC at www.cipfa.org/CJC for:

- the full list of contents of the Standing Guide
- details of other CJC current publications
- the full text of CJC responses to major consultation documents
- minutes of recent meetings.

Contents

| | | |
|----------------|--|-----------|
| PART 01 | THE PLACE OF SERVICE SHARING..... | 1 |
| | GREAT EXPECTATIONS | 1 |
| | WHAT MAKES FOR ECONOMIES FROM SERVICE SHARING | 1 |
| | THE TERMINOLOGY | 2 |
| | WHERE TO START | 3 |
| | CHOOSING THE METHOD TO BE USED FOR SHARING SERVICES..... | 4 |
| | DECISION TIME..... | 4 |
| | CONTENTS..... | 5 |
| | THE AUTHORS OF THE GUIDE..... | 6 |
| | OTHER SOURCES | 6 |
| PART 02 | DELEGATION..... | 7 |
| | THE LAW OF AGENCY | 7 |
| | DELEGATION BY LOCAL AUTHORITIES | 7 |
| | DELEGATION TO LOCAL AUTHORITIES | 9 |
| | THE RECOVERY OF AGENTS' COSTS | 10 |
| | PROCUREMENT BY PRINCIPALS AND AGENTS | 10 |
| | CONTRACTING OUT CLIENT SIDE DUTIES..... | 10 |
| PART 03 | SECONDMENT..... | 13 |
| | THE POWERS | 13 |
| | THE TERMS | 13 |
| | PERIODS OF SECONDMENT..... | 13 |
| | THE APPLICATION OF TUPE..... | 14 |
| PART 04 | SERVICE SHARING BY AGENTS WHICH CONTINUE TO DO THE WORK | |
| | IN-HOUSE..... | 15 |
| | DELEGATION AGREEMENTS | 15 |
| | HARMONISATION | 16 |
| PART 05 | CONTRACTING OUT BY AN AGENT..... | 19 |
| | DELEGATION AGREEMENTS AND HARMONISATION..... | 20 |
| | HANDING OVER..... | 21 |
| PART 06 | CONTRACTING OUT BY AN AGENT WHICH PROVIDES A SHARED | |
| | SERVICE IN-HOUSE | 23 |
| PART 07 | PARALLEL CONTRACTS..... | 25 |
| | WHAT THEY ARE | 25 |
| | HOW THEY WORK..... | 25 |
| | DELEGATION AGREEMENTS | 26 |
| | THEIR PROS AND CONS..... | 27 |
| | FRAMEWORK CONTRACTS | 28 |

| | | |
|----------------|--|-----------|
| PART 08 | CONTRACTING OUT TO A JOINT WHOLLY OWNED COMPANY | 29 |
| | THE POSSIBLE ROLES OF JOINT WHOLLY OWNED COMPANIES..... | 29 |
| | DOCUMENTATION | 31 |
| | THEIR REGULATION AND GOVERNANCE | 32 |
| | ANNEX A – BODIES TO WHICH CONTRACTS MAY BE AWARDED WITHOUT NOTICES IN OJEU..... | 33 |
| | ANNEX B – THE LIABILITY OF JOINTLY OWNED COMPANIES TO VAT | 34 |
| | ANNEX C – CONTROLS ON LOCAL AUTHORITY COMPANIES AND CONNECTED ENTITIES | 34 |
| PART 09 | JOINT COMMITTEES | 37 |
| | WHO MAY SET THEM UP | 37 |
| | THEIR POWERS | 38 |
| | THEIR MEMBERSHIP..... | 38 |
| | THEIR FINANCING..... | 39 |
| | AGREEMENTS SETTING THEM UP | 39 |
| | THEIR STRENGTHS AS SERVICE PROVIDERS | 40 |
| | THEIR WEAKNESSES AS SERVICE PROVIDERS..... | 40 |
| | JOINT COMMITTEES SET UP UNDER OTHER POWERS..... | 40 |
| | OTHER MULTI-PURPOSE BODIES | 41 |
| PART 10 | LEAD AUTHORITIES..... | 43 |
| | THEIR PLACE | 43 |
| | THEIR PROS AND CONS..... | 43 |
| | DELEGATION AGREEMENTS | 44 |
| PART 11 | COLLABORATION | 45 |
| | WHAT IT IS..... | 45 |
| | INFORMAL SERVICE SHARING | 45 |
| | THE CO-LOCATION OF SERVICES..... | 46 |
| | ANNEX D – COLLABORATION AND THE STATUTES..... | 47 |
| PART 12 | SERVICE INTEGRATION | 49 |
| | WHAT IT MEANS | 49 |
| | WHAT SERVICE INTEGRATION CAN DO..... | 49 |
| | HOW TO ARRANGE IT..... | 50 |
| | DELEGATION TO A LEAD BODY | 51 |
| | THE FUNDING OF LEAD BODIES..... | 51 |
| | JOINT BODIES | 51 |
| | ADVISORY PARTNERSHIP BODIES..... | 52 |
| | ANNEX E – WHOLE PLACE COMMUNITY BUDGETING..... | 54 |
| PART 13 | SHARED APPOINTMENTS | 57 |
| PART 14 | MAKING THE CHOICE | 59 |
| | THE FIRST TO CONSIDER | 59 |
| | SPECIAL CIRCUMSTANCE..... | 59 |
| | SERVICES WITH SPECIAL NEEDS..... | 59 |
| PART 15 | WHAT NEXT FOR SERVICE SHARING? | 61 |

PART 16 KEEPING THE CLIENT SIDE FIT FOR PURPOSE63
DISCHARGING PRINCIPALS' STATUTORY RESPONSIBILITIES..... 63
GETTING GOOD IT SERVICE FOR USERS..... 63
THE MANAGEMENT OF IN-HOUSE WORK BY AGENTS 64
THE MANAGEMENT OF CONTRACTS BY AGENTS..... 64
CAPACITY TO RESUME WORK IN-HOUSE..... 65

PART 17 GLOSSARY.....67