Ensuring Collaboration:
One way ahead for public-private partnerships
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Aims of this research briefing

This briefing aims to stimulate further discussion over how elected members, local government officers and public service providers can work collectively to manage change and transformation in public-private partnerships.

It adopts a pragmatic stance towards partnership working, which recognises the significance of the local contexts in which collaboration takes place, and which acknowledges the existence of the multiple ways of working in partnership or partnering with public and private organisations.

In keeping with this pragmatic perspective, the demands on partnerships will change over time as local needs evolve and the partnership enters different stages of its life cycle. In other words, there will be periods of consensus and shared purpose between partners. But, there will also be moments when such collective agreements between partners come into question, be it due to shifting local needs and priorities or changing political, economic or social pressures.

This briefing sets out one way among many of navigating these moments of change and transformation. It pursues a novel path of pragmatic adversarialism. On the one hand, this perspective accepts that consensus among partners might not always be possible, and that appeals to consensus might even mask fundamental differences in the purpose of the collaboration. But, on the other hand, it recognises the limitations of conflict escalation strategies, which can harden the divisions between partners and threaten the very purpose of the collaboration.

It seeks during moments of collaborative transformation to engage partners as adversaries with legitimate rights, grievances and demands. This rests on an ethos of openness towards partners in ways that acknowledge their different interests, and that create partnership spaces where politics and conflicting interests can be tackled head-on by a plurality of voices who have legitimate interests in the purpose and outcomes of the partnership.

In advancing this perspective, we examine the ‘lived experience’ of elected members, officers and public service providers in long-term collaborations between local government and private companies, which are in turn governed by contracts. More specifically, we build upon how practitioners have made such partnerships work from day-to-day. We offer no systematic evaluation of the efficiencies or effectiveness of public-private partnerships and their outcomes; these issues have been discussed extensively elsewhere in the burgeoning literature on public-private collaborations. Instead, as we suggest above, we advance an agenda for rethinking collaborative change and transformation, grounding our recommendations in the ethos of the Ensuring Council.
The ethos of the Ensuring Council

The Ensuring Council recognises the responsibility of local authorities to act as stewards of local communities. It promotes the democratic legitimacy of local authorities, and grounds decision-making in politics and collective dialogue over public value. It endorses where appropriate collaboration with citizens and external stakeholders. And, it acknowledges the responsibilities of local government for advancing social justice through its strategic mobilisation of public employment and civic entrepreneurship.

As an active steward, the Ensuring Council considers the impacts of any collaboration on the economic, social and environmental well being of local communities. In the language of Anthony Giddens, it will strive to deliver policy convergence, breaking down silos and organisational fragmentation to reap the benefits of the ‘positive overlaps’ between issues. For example, it will tackle issues in the round such that its interventions to address climate change will be linked inextricably to positive outcomes for social justice and business competitiveness.

Effective partnership working thus sits at the heart of the toolbox of the Ensuring Council. The pragmatic adversarial approach, which we begin to develop here, represents a first step in defining what ensuring collaboration might mean in practice.

‘Squaring the circle’ of partnership working

Narratives of collaboration often portray partnership working as one of those ‘magical concepts’ at the disposal of local politicians and public sector managers. It promises quick-fix solutions to the panoply of what Rittel and Webber call ‘wicked issues’ or complex economic, social and environmental problems facing local authorities. It is associated with increased trust, reciprocity, autonomy and the synthesis of the comparative skills and competitive advantages that multiple stakeholders bring to the policy table. And, it has become synonymous with moves from top-down hierarchical government to ‘joined up’ governance and new forms of network governance which have now arguably come to characterise how local authorities work in practice.

These strategic advantages of collaboration continue to resonate across local government. APSE’s (2014) survey of the attitudes and beliefs of local elected member confirmed the continued investment of local authorities in partnership working. Almost two-thirds of councillors believed that partnership working had increased recently, whilst over three-quarters expected partnership working to increase in the foreseeable future. Over half of councillors expected partnership working to lead to service improvements across their authority. Indeed, it is difficult to escape the belief that partnership working has been re-articulated of late as a primary response to austerity politics and spending reductions across local government.
Yet, at the same time, the advantages associated with collaboration do not go untested. Too often, alternative narratives suggest, the underlying imperative to engage in partnership working is external pressures, notably reductions in local government funding and central government’s exhortations to ‘do more.’ Others argue that much of the risk involved in partnership working remains with local government, whilst public accountability and the core capacities of councils are weakened through the diffusion of roles and responsibilities and weakened capabilities to exploit the strategic advantages of public employment. Such constraints, it is claimed, generate perverse consequences, which include the privileging of activities that are measured and rewarded and the driving out of those that are unrecognised, invisible and unbudgeted. Such charges sit alongside claims that partnership working, in particular public-private partnerships, threatens the underlying philosophy of a public service ethos, which is at worst inimical to the world of partnership working and the engagement with private sector commercial priorities. In practice, as Williams and Sullivan conclude, ‘collaborative working often proves to be “too difficult” and frequently fails to live up to expectations.’

Returning to the recent survey undertaken by APSE, elements of these alternative narratives also appear to hold sway. While embracing partnership working, elected members also voiced concerns over the challenges to partnership working. Approximately 60 per cent of councillors who responded to the survey agreed that public-private partnerships were motivated mainly by the need for councils to access new sources of funding. Just under half, 44 per cent, raised concerns that public-private partnership working leads to a decrease in public accountability.

It is clear therefore that partnership working, however far it is embedded within the daily practices of local authorities, retains the propensity to polarise views. It tends to be understood through two alternative narratives. On the one hand, the ‘optimistic’ narrative of partnership working advocates the capacity of ‘altruistic’ partners to exploit the possibilities of reciprocal exchange and consensual collaboration and tackle jointly complex policy issues. On the other hand, more ‘pessimistic’ narratives foreground the negative competition and conflict-riven bargaining between instrumental associates that repeatedly undermine partnership efficiencies and effectiveness.

In fact, local elected members, officers and partners may well voice elements of these alternative narratives at different times and in different contexts. How then are we to understand the collaborative spaces that we have seen emerge across local authorities? How are we to work collaboratively, particularly under the conditions of austerity that will affect councils for the foreseeable future? In short, how might we begin to ‘square the circle’ of these alternative narratives of partnership working?
Partnership: what’s in a name?

‘Partnership’ as a term is recognised as having a degree of ‘elasticity’, used to cover an array of different activities, which are not mutually exclusive (for example shared services, joint commissioning, outsourcing, and joint ventures). But, the use of the label of partnership working to describe particular activities is not without its implications. Naming a specific collaboration as a ‘partnership’, ‘contract’ or ‘network’ frames interactions in different ways. It brings into play expectations of participants’ roles, of how decisions will and should be made, and how performance will be managed.

For instance, here we are concerned with long-term partnerships between local government and private contractors, which in turn are governed by contracts. In itself this demonstrates the complexities of the collaboration in which local authorities and private contractors are engaged and the significance of how language used in practice to name different forms of collaboration triggers particular forms of engagement. These practices will of course evolve over time, such that the long-term duration of many public-private contracts effectively erodes the neat distinction between contracts and partnerships.

In short, ‘partnership working’ as a term has been stretched, but it still has baggage: its use comes with a set of practices, responsibilities and anticipations of how relations will and should develop. The loose badging of a collaboration as ‘partnership working’ in the early stages of its development can thus have long-term impacts on how that relationship develops.

But, at the same time, our research has shown that these roles and responsibilities are not set in stone and should not be. Partnering should be about jointly agreeing a direction of travel that can be re-shaped at any point in time and re-agreed by all partners. First, all collaboration exists in a particular political, social and economic context. Each locality, and collaboration, has different configurations of organisational values and challenges, at different moments in time. Indeed, the context of collaboration itself will change over its own life cycle.

Secondly, local actors make collaboration happen, albeit within certain constraints. It is local actors that make sense of what it means to ‘work in partnership’ and negotiate and manage the politics of implementation and delivery. Key figures in the collaboration will act as ‘regulatory intermediaries’, constituting partnership purpose and outcomes, interpreting demands for external accountability, and bringing into being the rules of engagement for the partnership.

Here we touch on two core principles of pragmatic adversarial approach. We recognise the primacy of politics and the politics of interpretation that makes sense locally of what partnership means in practice for those stakeholders engaged in its implementation. To this, we add the importance of the specific context in which
partnership working takes place. There is no single way of effective collaboration or to coin a phrase, there is ‘no one size fits all’ approach. Partnerships should be constructed around individual authority needs and requirements, developed jointly between both parties in ways that recognise local economic, environmental, political and social demands.

Evaluating partnerships
Models designed to evaluate partnership working have tended to focus on questions of organisational performance and efficiency and/or technological performance and effectiveness. They have ignored the dimension of cultural performance or social efficacy that is part and parcel of collaborative working. As a consequence, the politics of professional and organisational identities within partnerships, and the forging of shared or common understandings of outcomes and narratives of change, have tended to be ignored or at best put on the back burner in mainstream assessments of what constitutes ‘good’ partnership working.

But, the cultural performance of partnership working is pivotal to their effectiveness. Different discourses and interpretations of what it means to act as a ‘partner’, the rules and practices of board meetings, and the legacies and personal investments partners bring into the meeting room matter. Paying attention to the design of the ‘spaces’ in which collaboration takes place thus become a central element of how we should evaluate partnerships.

Key findings
The findings are drawn from a review of existing literature, a one-day focus group, and a set of telephone interviews. The focus group brought together ten individuals from different local authorities, APSE and the supply chain partner, AMEY. Participants included elected members, senior officers, policy advisors, and partnership managers from both within and outside local government. The discussion within the focus group was organised around a problem-tree activity, which was designed to surface competing understandings of the challenges of collaboration, as well as setting out an agenda for how to address these challenges. Findings from the focus group were then used to inform telephone interviews with senior officers from a selected number of local authorities.

Managing change over time: the predominant challenge of partnership working
The core challenge experienced by practitioners was the collective ownership and management of fundamental change during the life cycle of the partnership, which could be based upon a contract for 5, 10, 15 or even 25 years. In the course of such contracts, focus group participants recognised that it was naïve to assume that the external conditions or local context or pressures on partners would remain constant.
Political priorities change, market competitive pressures come and go, and spending allocations can be reduced - as austerity politics only too readily demonstrates.

These shifting pressures can radically undermine the basic agreements and assumptions that underpin a partnership. But how do partners make sense of these changes and put in place adequate processes to deal with them? And importantly, how do partners ensure collective buy-in or ownership of the pressures for change by all engaged in the collaboration?

The difficulties posed by these episodes of transformation were tied to another set of primary concerns, namely the complexity of the different logics that constitute partnership working. As participants in the focus group pointed out, under the guise of partnership working the logic of contracting and its legal underpinnings come up against commercial and public sector logics. These logics comprise of competing social and political practices, as well as different ideological appeals. But, people and effective relationship management ultimately hold the space of partnership together, and they do having to mobilise or work with finite resources. How partners address these contradictions and these competing logics remains one of the key challenges of effective collaboration, particularly at moments of fundamental change. Indeed, Roehrich, Lewis and George suggest that the inability to foresee future contingencies when negotiating long-term contracts and governance arrangements can lead to both a level of perceived certainty while at the same time constraining potential innovation.

What makes change management in public-private partnerships so difficult?

1. Having the right people and leadership skills in place
Sustaining collaboration over time raises different leadership challenges. Focus group participants acknowledged the considerable challenge to establish the necessary ‘in-built’ practices of engagement and appropriate relationship management. This went as far as making sure that the ‘right people’, those with a personal investment in making the ‘success’ of the partnership work, were appointed to key leadership positions in the partnership. In successful partnerships, it was argued that it is frequently individuals, on both sides, that make the partnership work in spite of changing pressures (although in long-term contracts personnel can and often do change).

In fact, there is no agreement as to whether public-private partnerships require new leadership skills or a re-orientation towards particular elements of more traditional forms of leadership. Recently, however, there has been increasing recognition of the significance of individuals who can operate as ‘boundary spanners’ working effectively across, or at the borders of, different organisational cultures and values. Network management tools as storytelling and framing policy problems may offer new ways of thinking how collaborative leaders facilitate, regulate and manage interactive processes.
Leadership practices will also have to respond to different demands of the partnership life cycle, with one senior officer pointing to how high levels of investment in partnership working might wane as the partnership enters maturity, only to be re-kindled as contracts come up for renewal. Yet, equally, the experience of focus group participants appeared to confirm claims that collaborative working does not always enjoy sufficient resource allocation as it is not traditionally viewed as a ‘core’ part of the business of the public sector.25

2. Facilitating the engagement of elected members
Participants expressed concerns that once contracts are signed, some elected members often experience the sentiment that they are ‘no longer in charge anymore.’ It was not an uncommon experience, as one officer pointed out, for elected members to even delegate procurement decisions to officers with specialist or technical skills required as part of the contracting process. Making it more possible for elected members to maintain their engagement at all stages of collaboration was thus defined as a further challenge, particularly for long-term collaborations, which last over multiple electoral mandates.

Numerous factors were recognised as being at play here. Councillors might not all possess the skills and capabilities to scrutinise the complex legal contracts underpinning many partnerships. Such roles may be seen as crossing into managerialism, and going beyond the traditional roles of officers and elected members. Pressures of time, alternative commitments and short-term electoral cycles may also impact upon the capacity of elected members to engage in partnerships.26

Whatever the case, this perceived distance of politicians from the management of public-private partnerships reflects concerns that politicians need to re-engage in the overall steering of networks across local authorities and that partnerships themselves needs to further anchored in local democratic procedures – two guiding principles of the ethos of ensuring.27

3. Tackling commercial transparency
Whilst acknowledging the demands of operating in a competitive market, the development of partnerships, it was argued, can sometimes be hindered by unclear and shielded exchanges over the commercial pressures on private partners. A partnership works most effectively when the commercial tension is open and available to all. Navigating change requires therefore establishing open systems of information exchange on the financial situation of partners and their corporate groups. This may include for example information on the capabilities of partners sustaining contracts over time, efficiency gains and savings, and the impacts of changing costs on the viability of the contractor.

Of course, such openness cuts both ways – with contractors arguably requiring
similar transparency over the potential impacts of public spending programmes and budget changes on service delivery.

Yet, any information does not come fully-formed in that its strategic relevance has to be interpreted and negotiated. Here the World Bank highlights the asymmetrical nature of partnerships insofar as knowledge is concerned. One of their key findings was that governments needed to acquire ‘hands-on support’ and ‘medium term technical advice’ from specialists. While it suggests the skills can be acquired through ‘on the job’ training, the fiscal risk is great enough to warrant the warning that technical expertise needed to be in place from the outset which will add a potential cost to the partnership.28

4. Monitoring and demonstrating value for money
Commercial transparency was judged to be tied directly to the difficulties of performance measurement and demonstrating the value for money of public-private collaborations. The ability of partnerships to deliver the benefits of a required level of service at a cost which both provides a profit for one partner while delivering a saving for the other partner is far from certain. Yet, it remains a central element of negotiating long-term contracts and managing effectively episodes of radical change.

Financial requirements imposed on the public sector by central government arguably create a miasma of doubt as to the real cost of any undertaking. In addition the ‘n costs associated with partnership working are claimed to ‘be too high throughout the project life-cycle….and notions such as value for money and risk transfer are regularly conflated; leading to spurious conclusions regarding benefits and costs.’29 But, at the end of the day, one inescapable difficulty is that the cost-benefit analysis of a partnership cannot be made by a simple financial equation, but has to take account of its impact on broader social, economic and environmental well being.

5. Working with multiple organisational cultures, values and identities
Distinctive organisational values and identities were recognised as a potential barrier to effective collaboration. Significantly, this challenge was not expressed solely in terms of a simple dichotomy of a public service ethos versus a private profit-seeking instrumentalism, although the public-private divide was acknowledged as a persistent, if sometimes latent, dimension of all partnerships. Rather, participants signalled the multiplicity of organisational values which have to be taken into account in partnership working.

They foregrounded the difficulties of aligning organisational values with customer and citizen identities, while integrating the professional cultures of different service areas and indeed those of different political groupings. In fact, in mature partnerships, it may well be the case that the ‘cultural divide’ lies not between public and private partners, but between those involved in the daily running of the partnerships and those external to the partnership, both in the local authority and the service provider.
Indeed, evidence suggests that under certain conditions, organisational cultures and values pass both from and to the partners engaged in collaboration. The cultural differences associated with collaborative working are a risk factor that should not be dismissed lightly. Recognition of the plurality of cultures in partnerships perhaps needs to sit alongside the awareness of the limitations of too narrow and closed cultures, particularly in mature partnerships. Biased organisational values can lead to the over-prioritisation of certain objectives, for example cost minimisation over service delivery. Embedded organisational cultures can militate against innovation and the acquiring of particular forms of knowledge and information retention.

Interestingly, this research identified a growing number of partnership officers and managers who are pursuing careers that take them from local government and into the private sector and back again (or vice versa). Authorities are also employing officers from the private sector with specialist contract expertise. Equally, managers of direct labour organisations have operated in competition with private sector organisations for some time. This suggests that a growing profession of contract managers may act as a vector for new ideas and practices across the public and private sector, perhaps even leading to a decline over time in the perceptions of cultural differences within partnerships, or at least the more effective management of such differences.
Ensuring collaboration

However, managing fundamental change in public-private partnerships continues to pose a set of interconnected challenges and risks. From a local government perspective, the risks cut across: implementation, delivery and monitoring, and reporting, control and accountability. How are local practitioners to begin to tackle these challenges?

First let us return to the fundamental principles of a pragmatic adversarial perspective at moments of partnership change and transformation. To recap, this perspective acknowledges the politics of collaboration and how local practitioners construct alternative rules, values and spaces in and through which collaboration works locally. It offers a different path between the optimist and pessimist accounts of partnership working, which either over-emphasise the trust and consensus in partnership working or its clash of differently situated and contradictory interests. A pragmatic adversarial perspective recognises the conflicts between those involved, but seeks to design partnerships as spaces in which partners come together as honest and open adversaries with legitimate rights, grievances and demands. This depends on getting appropriate processes in place, and paying attention to how we construct the rules of engagement in the spaces in which interested stakeholder meet and engage in dialogue.

Getting processes in place

There is widespread agreement on the processes that increase the probability of partnership success. From the council’s perspective these factors include, but are not restricted to, good governance arrangements, proper due diligence, options appraisal and business case to support the decision and built in break clauses which include the ability to renegotiate contracts to reflect changing circumstances.

Length of contracts

In addition, the length of some long-term contracts has come under question. One senior officer commented that engagement with private providers might be better undertaken through five-year contracts with roll-forward clauses on the basis of good performance, which private partners do work with. Of course, longer-term contracts may deliver lower costs, and such financial considerations would have to be taken into account alongside issues of public value. However, the ethos of ensuring and the key principle of stewardship may well be better served by shorter contracts with incentivisation clauses for private partners.

Building internal capacity

Local authorities may need to invest in their organisational capacity to ensure the regulation of contracts. Focus group participants stressed the significance of develop-
ing and sustaining robust financial planning and reporting, which takes into account changes in the circumstances for both authorities and private sector partners, based on commercial fairness and transparent treatment of costs and profits.

Building internal capacity can result from multiple initiatives and engagements. For example, Sheffield City Council’s approach of the Intelligent Client Model (ICM) puts in place a commercial services department to work with service areas to negotiate and regulate contracts. It also establishes a toolkit to manage contracts, which puts in place a range of operational methods, procedures to guide officers and elected members across the authority.  

Equally, effective engagement with private partners can keep local authorities abreast of changes in the market place and developments in commercial contracting. At the same time, the performance of partnerships can be benchmarked against the practices of other authorities, using these exercises to trigger further dialogue with partners over the aims and capabilities of the collaboration.

Importantly, building the internal capacity of local authorities can also generate advantages for private partners. During moments of change, all partners benefit from having robust interlocutors in place with whom to engage and reach agreements on how to move forward.

Agreeing a partnership purpose

However, building organisational capacity, our research suggests, can only be undertaken in tandem with greater dialogue and strategic clarity within authorities over the purpose of the partnership. What is it that the partnership is designed to achieve? And how are its strategic objectives contributing to the authority’s broader stewardship of the local area?

Indeed, participants argued that the starting point for any collaboration has to be the development, agreement and sustaining of a partnership purpose (and values). However, in keeping with the pragmatic adversarial perspective, any shared purpose has to be able to be contested and to be revised. It should be seen not as an all-embracing consensus, but as a temporary political settlement, which remains nonetheless open to change. Here the positive use of break clauses in long term partnerships may well enable local authorities to work pragmatically with their private sector partners to move the partnership in a new direction.

All partners should thus realise that they have the means to negotiate and challenge such agreements. But, to do so, they do not always need to resort to the ‘big guns’, be it demanding specific breakdowns of costs or ‘working to’ the contract. If there is greater dialogue over the purpose of the partnership, and that purpose is itself seen as a temporary settlement, then such tactics might not be deemed to be necessary.
**Activating a plurality of voices**

Local authorities should seek therefore to increase the number of ‘voices’ able to question the purpose and performance of the partnership, raise grievances and demands, and to do so in ways that concerns are dealt with or at least collectively discussed.

‘Good’ partnership governance rests not only on shared rules and common procedures. It rests also on building the capacity of those with an interest in the outcomes of partnerships to be able to challenge when appropriate partnership efficiency and effectiveness. These will potentially include frontline officers, elected members, users, community groups, private sector partners and so on.

Within local authorities, as research participants brought to the fore, this may mean supporting organisational development programmes for councillors and all employees of both the council and partner that puts forward and opens up to review the purpose and values of the partnership. It may also involve effective performance reporting to councillors and securing political endorsement for partnership arrangements, starting with the purpose of the collaboration.

In fact, our research suggests that in the efforts to build the capacity of interested stakeholders to review partnerships, one necessary starting point is to facilitate the engagement over time of elected members, ensuring the capabilities of councillors to re-connect with partners at key moments in the life cycle of the partnership, notably through closer involvement with partnering boards. The engagement of portfolio holders on partnership steering committees enhances leadership capabilities and offers additional conduits for the reporting of performance back to the wider council.

**Constructing spaces of collaboration**

Tapping into the politics of partnership working requires the construction of ‘safe’ spaces in which stakeholders can put forward demands, argue out differences of opinion, and continue to do so over time. In designing partnership spaces, partners should seek to adopt and design-in an appropriate ethos of openness or agonism towards others. This should avoid the division of partnerships into ‘us’ and ‘them’ camps. But equally, it should not seek to eliminate all conflicts or antagonisms. Rather, partners should acknowledge the rights and interests of other stakeholders, while recognising the legitimacy of each other’s demands. Acting as adversaries, they should acknowledge partnerships as a ‘shared space’ in which legitimate conflicts are, and will be, continually played out, while paying attention to those voices that are excluded or unheard in such exchanges.
The way ahead

The research briefing has sought to trigger an initial discussion as to how elected members and officers might begin to enact the ethos of the Ensuring Council in collaboration in public-private partnerships. It has not advanced any fixed evaluation of the advantages and disadvantages of public-private collaborations. Instead, it has advocated a pragmatic adversarial perspective that recognises the politics of partnership working, and responds to the experiences of local practitioners in the difficulties of managing radical change. In so doing, it has set out a number of proposals for what pragmatic adversaries might ‘do’ in practice, and specifically at moments of collaborative change and transformation. These proposals recognise the vital importance of ‘good governance’ accountability and performance procedures, but they also draw attention to how ‘good governance’ relies on creating partnership spaces where politics and conflicting interests can be addressed by a plurality of voices who have legitimate interests in the purpose and outcomes of the partnership. We hope that elected members, local government officers and private sector partners will take forward and adapt to their needs and demands these first steps in an agenda of pragmatic adversarialism.
Endnotes

16 Ball. R. (2011), Managing Performance in the contexts of PPPs and PFIs, presentation to ESRC Seminar Series, Collaborative Futures, 06 April, University of Strathclyde, Glasgow.


29 Roehrich, Lewis and George, 2014, p.9


32 Thorton, 2014.

33 Howe, J. (2010), Managing Contractors: Sheffield City Council’s Approach, presentation to APSE National Housing and Building Seminar, 01 July.


