

Report to:	Cabinet	Date: 14 October 2026
Subject:	New Persona Shareholder Agreement – PART A	
Report of	Cabinet Member for Adult Care, Health and Public Service Reform	

Summary

1. Persona Group Limited (Company number 10966300) (Persona) is a not-for-profit Local Authority Trading Company (LATCO) wholly owned by the Council set up to deliver a wide range of care and support services for older adults and people with learning disabilities. Its current contract with the Council was signed in April 2021 and has a ten-year term until 31st March 2031.
2. It provides supported living accommodation based services to people living with learning disabilities as well as shared lives, respite and day support.
3. For older adults it provides day care, respite and intermediate care.
4. It is rated Good by the CQC, is financially stable and has good employee relations, it is a real living wage provider and most recently acquired the Good Employment Charter. It has proved itself to be well led and successful.
5. Set up with its own Board of Directors it operates with the Council as its sole shareholder. A Shareholder Agreement entered into in 2015 is currently in place which governs the relationship between the two bodies.
6. Whilst the Shareholder Agreement entrusts the day to day running of the company to the Board of Persona it still requires many elements to be referred back to Committees of the Council for a decision. This relates in particular to decisions regarding growth, service expansion and change.
7. In recognition of the success of Persona, its proven ability to deliver high quality services and its smooth-running working operation, it is felt that now is the appropriate time to review the Shareholder agreement and the mandate to do this was provided last year by cabinet. This was with a view to explore if it can be adapted to deliver greater flexibility to Persona and its Board whilst not affecting the necessary control powers the Council retains.
8. A new shareholder agreement has been written and will ensure the company's ability to grow as well as adapt its care models more rapidly in response to its users

preferences enabling more highly person centred care, ensuring its sustained position as a high quality care provider of choice.

9. The new agreement also clearly identifies the distribution of any surpluses between the council and the company
10. Cabinet previously gave permission for the shareholder agreement to be updated to ensure the company was provided with greater flexibilities to facilitate growth and high quality service delivery. Following this permission from cabinet previously this paper seeks permission for its adoption, which is the result of lengthy collaboration between the council and Persona supported by the council's legal team. The agreement is appended in Part B

Recommendation(s)

11. The Cabinet Member for Health and Adult Care and Public Sector Reform requests authorisation from Cabinet to adopt the new Persona Shareholder Agreement

Reasons for recommendation(s)

12. To explore the potential for providing Persona with greater flexibility in decision making to facilitate growth in high quality service delivery by a local company which provides giving a strengths-based approach to care and support of older residents and those living with learning disabilities.

Alternative options considered and rejected

13. Do nothing – Persona will be unable to respond fully to the department of health and adult care commissioning intentions and potentially miss out on growth opportunities

Report Author and Contact Details:

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Links with the Corporate Priorities:

Please summarise how this links to the Let's Do It Strategy.

14. Local – persona is a local company, supporting local people with care and support needs and employing local people in good quality jobs
15. Enterprising – delivery of a refreshed shareholder agreement will ensure Persona is able to maximise its potential.

16. Together - the Persona Shareholder Agreement review will be a joint participative exercise between Persona and the Council.
17. Strengths – Persona ensures a strength based approach is taken in all its care delivery

Equality Impact and Considerations:

*Please provide an explanation of the outcome(s) of an initial or full EIA and make **specific reference regarding the protected characteristic of Looked After Children**. There must be a signed off EIA template appended with a full analysis or explanation as to why an analysis is not needed for the report to be put forward to Cabinet. Sign off to be completed by the Council's Equality, Diversity and Inclusion (EDI) Manager (contact l.cawley@bury.gov.uk for advice).*

18. N/A

Environmental Impact and Considerations:

*Please provide an explanation of the Environmental impact of this decision. Please include the impact on both **Carbon emissions** (contact climate@bury.gov.uk for advice) and **Biodiversity** (contact S.Tinsley@bury.gov.uk and Dennis.whittle@bury.gov.uk for advice)*

19. N/A

Procurement Implications:

20. No procurement implications as the recommendations do not alter the existing service contract with Persona

Legal Implications:

Persona Group Limited is a company wholly owned by the Council and operates under existing contractual and shareholder arrangements. The proposed adoption of the revised Shareholder Agreement is intended to update the governance framework between the Council, as sole shareholder, and the company, whilst maintaining appropriate oversight and control of the Council's interests.

The Council has powers under the Localism Act 2011 to participate in and exercise functions through companies, subject to compliance with applicable legal and governance requirements. The revised Shareholder Agreement should clearly define the respective roles and responsibilities of the Council as shareholder and the Persona Board, including

matters reserved to the Council, governance arrangements, and the approach to the distribution of any company surpluses.

The recommendations do not alter the existing service contract between the Council and Persona, which remains in place until 31 March 2031. However, implementation of the revised Shareholder Agreement will require the Council to continue to ensure appropriate separation between its role as shareholder and its commissioning and contract management functions. Subject to approval, the new Shareholder Agreement may be executed in accordance with the Council's constitutional requirements.

Financial Implications:

There are no financial implications arising directly from the report.

Appendices:

PART B - Persona and the Metropolitan Borough of Bury Shareholder Agreement

Background papers:

Please list any background documents to this report and include a hyperlink where possible.

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning