

STANDARDS COMMITTEE

**15th FEBRUARY 2010
AT 1400 HOURS**

PROVIDING ACCESS FOR ALL

If you need help understanding any of our documents or require a larger print, audio tape copy or a translator to help you, we can arrange this for you. Please contact us on the telephone numbers provided:



01246 242407 or 01246 242323.

Other Equalities information is available on our web site.
www.bolsover.gov.uk or by e-mail from equalities.officer@bolsover.gov.uk

Minicom: 01246 242450 Fax: 01246 242423

Sherwood Lodge
Bolsover
Derbyshire
S44 6NF

Date: 5th February 2010

Dear Sir or Madam,

You are hereby summoned to attend a Standards Committee meeting of the Bolsover District Council to be held in the Committee Room 1, Sherwood Lodge, Bolsover, on Monday 15th February 2010 at 1400 hours.

Members are reminded that under Section 51 of the Local Government Act 2000 the Bolsover Code of Conduct was adopted by the Council on 16th May 2007. It is a Councillor's duty to familiarise him or herself with the rules of personal conduct by which Councillors must conduct themselves in public life. In addition, Members should review their personal circumstances on a regular basis with these rules in mind and bearing in mind the matters listed on the Agenda for discussion at this meeting.

Copies of the Bolsover Code of Conduct for Members will be available for inspection by any Member at the meeting.

Register of Members' Interest - Members are reminded that a Member must within 28 days of becoming aware of any changes to their interests under paragraph 14 or 15 of the Code of Conduct provide written notification to the Authority's Monitoring Officer.

Members are reminded of the provisions of Section 106 of the Local Government Finance Act 1992 and the responsibility of Members to make a declaration at this meeting if affected by the Section and not to vote on any matter before this meeting which would have an affect on the Council's budget.

You will find the contents of the agenda itemised on page 24.

Yours faithfully,



Chief Executive Officer

To: Chairman & Members of the Standards Committee

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee of the Bolsover District Council held in Committee Room 1, Sherwood Lodge, Bolsover, on Monday 14th December 2009 at 1400 hours.

PRESENT:-

Independent Members: K. Belshaw, R. H. Bishop and J. Yates.

Parish Council Members: - T. Munro and K. Reid.

Members: - H. Gilmour, and V. P. Mills.

Officers:-

W. Lumley (Chief Executive Officer) (from Minute No. 576), S.E.A. Sternberg (Solicitor to the Council and Monitoring Officer), A. Turner, (Legal and Standards Officer), and K. Rodda (Democratic Services Officer).

J. Yates - Chair

565. APOLOGIES

Apologies for absence were received from Councillors T. Connerton, A. M. Syrett, S. Wallis and Parish Councillor H. Wright.

566. URGENT ITEMS

There were no urgent items of business to consider.

567. DECLARATIONS OF INTEREST

There were no declarations of interest.

STANDARDS COMMITTEE

568. MINUTES 12TH OCTOBER 2009

Moved by Councillor H. Gilmour, seconded by Councillor V. P. Mills
RESOLVED that the minutes of a meeting held on 12th October 2009 be approved as a correct record.

569. RECOMMENDED ITEM FROM COUNCIL – 15TH JULY 2009 – CHANGES TO THE TERMS OF REFERENCE FOR THE AUDIT COMMITTEE

The Legal and Standards Officer presented the report which notified Standards Committee of changes to the Terms of Reference for Audit Committee.

Moved by Councillor Munro, seconded by Councillor K. Reid
RESOLVED that the changes to the Terms of Reference for the Audit Committee be included in the Constitution.

(Constitution)

570. COMPLAINTS AGAINST MEMBERS

The Monitoring Officer presented the report which informed the meeting of the number of complaints made against Members during the current year and compared this with figures over the last seven calendar years. There had been two more complaints received since the report had been compiled.

Reports in 2010 would include a table showing the number of Local Assessment meetings and the average number of days taken per decision.

The report was noted.

571. RIPA

The Monitoring Officer presented the report which reminded Members that at a previous Standards Committee changes to the RIPA Policy and Procedure had been approved. This report now proposed further changes by the government but this did not indicate any further changes to the RIPA regime operated by this Authority.

The report was noted.

STANDARDS COMMITTEE

572. COUNCILLOR CALL FOR ACTION.

The Monitoring Officer presented the report which informed the meeting how Council had approved the procedure for introducing the Councillor Call for action (CCfA) on 22nd April 2009 and how the procedure now needed including in the Council's Constitution. The forms and guidance were attached to the report.

The Monitoring Officer also informed the meeting that the records for this will be kept within Democratic Services.

Moved by Councillor T. Munro, seconded by Councillor V. P. Mills
RECOMMENDED that the CCfA form and guidance be included in the Council's Constitution in Part 4.5.

(Council)

573. UPDATE ON RECRUITMENT PROCESS FOR INDEPENDENT MEMBERS.

The Legal and Standards Officer updated the meeting on the process for the recruitment of Co-opted Independent Members to the Standards Committee. Adverts have gone out, 19 people have expressed an interest so far and 8 completed forms have been received to date. The closing date is 18th December 2009 and it was anticipated that interviews will take place early in the New Year with an anticipated start date for new Co-opted Independent Members being March/April 2010.

The report was received.

574. ADJUDICATION PANEL FOR ENGLAND – TRANSFER OF WORK TO FIRST – TIER TRIBUNAL

The Legal and Standards officer presented the item for Members information.

The report was noted.

STANDARDS COMMITTEE

575. ADDENDUM TO PROTOCOL ON MEMBER/OFFICER RELATIONS

The Monitoring Officer presented the report which informed the meeting how there was already a protocol for Member/Officer relations and how this now needed revising to include data and CCTV systems.

The addendum for inclusion in the Constitution was attached to the report.

Moved by Councillor T. Munro, seconded by Councillor V. P. Mills
RECOMMENDED that the Addendum to the Protocol on Member/Officer Relations be approved for inclusion in the Constitution.

(Council)

576. PARISH COUNCILLORS WHO HAVE FAILED TO SUBMIT A REGISTRATION OF INTERESTS FORM

The Legal and Standards Officer presented the report which informed the meeting that at the time of writing the report there were 2 Town/Parish Councillors who had not submitted a Register of Interests form despite repeated reminders.

Discussions took place on how to deal with this now, as they have been in breach of the Code of Conduct since 2007. It was agreed that they be requested to appear before a panel of the Committee's Members to explain why they had not filled in their Register of Interests Forms. The letter to be sent by Recorded Delivery and for it to include the reasons why this action had been taken.

The panel to be appointed by the Monitoring Officer.

It was also suggested that this be followed by a complaint if the meeting is unsuccessful

Moved by Councillor K. Reid, seconded by Councillor T. Munro
RESOLVED that the 2 Town/Parish Councillors be invited to appear before a panel of the Standards Committee.

(Monitoring Officer)

STANDARDS COMMITTEE

577. REVIEW OF MEMBERS JOB DESCRIPTIONS

The Legal and Standards Officer presented the report which informed the meeting that a review of Member's job descriptions had taken place and updated to provide a more comprehensive and relevant indication of what the roles entailed.

Existing roles in the Constitution were Leader of the Council, Executive Members and Chair of the Council. New job descriptions included All District Councillors, Deputy Leader of the Council, Opposition Leader, Chairs of Planning, Licensing and Standards Committee, and Vice Chairs of all Committees.

The job description for Members of Scrutiny Committee had not been considered as part of the review as the current structure of the Scrutiny process is subject to a separate review. All the proposed job descriptions were attached to the report.

Councillor Mills requested that recognition of Members being a Ward Councillor be included in the job descriptions.

It was agreed that Members bring their comments on the job descriptions back to the next Standards Committee.

The report was noted.

578. CEO – DELEGATION SCHEME – CHANGES

The Legal and Standards Officer presented the report which explained how from time to time the Council is involved with disputes with its employees over employment related matters and how occasionally it was necessary to commit expenditure to resolve these disputes. It was proposed therefore to authorise the Chief Executive Officer as Head of Paid Service to commit expenditure in resolving or pursuing employment related disputes.

Moved by Councillor K. Reid, seconded by Councillor H. Gilmour
RECOMMENDED that the Constitution be amended to authorise the Chief Executive Officer:

'In consultation with the Leader or Deputy Leader and on the recommendation of the Solicitor to the Council to approve expenditure in the pursuance or determination of any employment related disputes.'

(Council)

STANDARDS COMMITTEE

579. STANDARDS BOARD FORUM

The Monitoring Officer presented the item for Members information and requested that if Members wished to access the forum, they were asked to get in touch with her direct and she would set them up.

The report was noted.

580. STANDARDS COMMITTEE – WORK PLAN

The Monitoring Officer presented the Standards Committee Work Plan for Member's information.

The Work Plan was noted.

581. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor H. Gilmour seconded by Councillor V. Mills

RESOLVED that under Section 100(A) (4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

582. EXEMPT – PARAGRAPH 7 LETTER FROM SCARCLIFFE PARISH COUNCIL

The Monitoring Officer presented the letter to the meeting.

Discussions took place about whether all Parish/Town Councils were fully aware of the Local Assessment procedures and criteria, and whether training was available.

It was suggested that a letter be sent out from the Standards Committee endorsing the Monitoring Officer's original comments.

The report was noted.

STANDARDS COMMITTEE

The meeting closed at 1445 hours.

After the meeting a DVD was shown on 'Local Assessment of Complaints', but as some Members were not at the meeting and others could not stay for the whole of the showing, it was agreed to show this again at the next meeting and for it to be first on the agenda.

Complaints to the Standards Board

Year	Number	PC	DC	Review requested	ESO investigation	Monitoring Officer investigation	Hearing
2002	3	2	1		3		2
2003	10	5	5		5		1
2004	12	8	4		3	0	0
2005	6	3*	3		2	0	0
2006	10	9	1		3	1	0
2007	3	2	1		0	0	0
2008 to 8/5/08	2	1	1		0	0	0
2008 from 8/5/08	9	6	4**	1	2	5	
2009	17	13	4***	0	2	5	

* 1 complaint was made against an entire Parish Council but this has been shown as one complaint

** 1 complaint was against a councillor as both a Parish and District Councillor.

*** Each of the 4 complaints was against 4 councillors

Note

There is 1 complaint from 2008 which has not yet been concluded.

New table:-

Average time taken to reach a decision by the LAC

Year	Number of LACs	Average number of days per LAC decision.	
2010	1		

1st February 2010

Notifications to parish and town councils concerning complaints about their members and the Standards Committee (England) Regulations 2008 (the 2008 Regulations)

The 2008 Regulations make it clear that parish and town councils must be given notification that a complaint concerning one of their members has been assessed. After that, unless the initial assessment sub-committee decides to take no action on the complaint, the parish or town council must then be informed of certain significant subsequent steps taken in dealing with that complaint.

What information should be received?

Where a sub-committee of a standards committee meets to assess an allegation or to review a decision it must send in writing to the parish or town council concerned the main points considered, its conclusions, the reasons for its decision and may name the member unless to do so is not in the public interest or would prejudice an investigation. The decisions are whether to investigate the allegation, or whether to take some other action in relation to the alleged behaviour.

A parish or town council should also receive notification after a standards committee meets to consider the report into an investigation and whether to accept a finding about whether a councillor has breached the code of conduct or not. They should also receive notification of the outcome of a hearing and reasons for it, if one is held.

When should notifications be sent?

The duty to give notifications has no specific time frame. The general rule is that notification should be given as soon as is reasonably practicable. However, Standards for England recommend that notification be sent out within five working days of the decision being made for most decisions and within two weeks of any hearing being concluded.

The purpose of notifications

As a parish or town council you will be given these notifications to inform you of a case against one of your members and to keep you informed of significant events as the case progresses. This is important so that you have time to prepare or preserve evidence relevant to the complaint. You will also be able to make appropriate arrangements between the member and an employee where the complaint has been made by the employee. The rationale of the notification is to facilitate the standards committee's action, not to start new action within the parish or town council.

What to do when you get a notification

Each council needs to consider what it can lawfully do with the notifications it receives. Parish or town councils should consider putting in place protocols that deal with:

- access to information
- sharing of information
- how various legal obligations are met including those under the general law of confidentiality, the Freedom of Information Act and the Data Protection Act.

Notification procedures

Standards for England recommend that each parish or town council adopt procedures about how to deal with notifications. The clerk should then notify the monitoring officer of these procedures once they have been implemented so that the monitoring officer knows who to send the notifications to. The rules should clearly set out the limits on what information each member, employee and the public are able to receive about each complaint.

They should:

- Ensure that if the council is to be informed of a notification it is normally done by sending out an information item for members, rather than including the notification on the agenda of a council meeting.
- Choose a nominated employee (usually the clerk) and select a council committee to deal with and be informed of such notifications when they are received.

The nominated employee and the committee should, if required to discuss the notification at a council meeting:

- o draft the summonses and agendas so the identity and subject matter of the complaint are not disclosed
- o ensure that any background papers are not made public
- o ensure that the public and press are excluded from meetings where appropriate
- o ensure that the minutes of meetings are written so as to preserve confidentiality
- o make appropriate arrangements, where the complainant is an employee, between the employee and the subject member.

Take into account who will deal with providing further evidence or information needed by the standards committee about a complaint, be it the nominated employee or a member of the selected council committee.

By having appropriate arrangements in place your parish or town council will ensure that the rights of all concerned in a complaint will be considered. They will also ensure that complaints are dealt with lawfully, effectively and fairly, and will identify only those who need to know or are entitled to know certain information at the various stages of a complaint.

DRAFT STANDARDS COMMITTEE WORK PLAN 2009/10

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
1. Annual report to Council by Chairman of Standards Committee		15 th February 2010.	Suggested that this coordinated with the Standards Board Annual report and presented in April. For 2008/9 Chairman presented report to June Council. February 2010 – a special meeting may be required to met Standards For England’s deadlines.	Complete
2. Introduction of new code of conduct.			We are expecting the new code towards the end of the year. February 2010 – still awaited. No further indication of when it might be issued.	Not yet started.
3. Introduction of system for obtaining feedback on the management of complaints.			I propose that this is put before you at your February meeting. February 2010 – it has not been possible to put this in place for this meeting.	Not yet started

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
4. Review of training needs – District and Parish Councillors	District Councillors Parish Councillors Monitoring of attendance	progress reports at each meeting	It is proposed that the training include gifts and hospitality, confidentiality plus a questions opportunity. February 2010 - this will be commenced when the Parish/Town Council training is completed. Training package to be developed and delivered by 31 st March 2010. Standards for England have provided some training materials which we intend to use. Training starts in the Parishes mid October. February 2010 – by the time of the meeting we are due to have trained 9 out of the 14 Parishes.	Ongoing
5. Annual Reports -	Year end number of complaints against District and Parish Councillors received by the Standards Board Gifts and hospitality Registers	22 nd June 2009. 3 rd August 2009. 22 nd June 2009.	Done Done in October. Done.	Complete

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
	RIPA RIPA consultation response	22 nd June 2009	Not done. However a report outlining the government's response was considered at the December meeting.	
6. Review of Standards Committee Investigations Procedure		14 th December 2009.	Following the introduction of local assessment this needs review. Work has been halted on this to accommodate other aspects of the work plan. February 2010 – This is no longer needed as a result of changes in the local assessment regime and the Standards for England investigations toolkit.	Completed.
7. Review of Standards Committee Hearings Procedure		14 th December 2009.	Following the introduction of local assessment this needs review. Work has been halted on this to accommodate other aspects of the work plan.	Not yet started
8. Recruitment of 5 independent co-opted members to		14 th December 2009.	The Deputy Monitoring officer has updated members earlier in the agenda. February 2010 –	Ongoing

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
Standards Committee			applications have now been received. A further update will be given at this meeting.	
9. Planning probity work	To be determined in 2009/2010		I will consult the Development Control Manager as to when he thinks this will be carried out. February 2010 – the new Head of Service starts this month and in due course I will consult him.	Ongoing
10. Review of guidance to members involved with the Planning process	To be determined in 2009/2010		I will consult the Development Control Manager as to when he thinks this will be carried out. February 2010 – the new Head of Service starts this month and in due course I will consult him.	Ongoing
11. Review of Constitution	Finalisation of the 2009/10 Constitution Review			Partially complete
	Contracts Standing orders	3 rd August 2009.	Work is continuing on a review of Contracts Standing orders but unfortunately these are not ready for this meeting due to pressures with other work. These will be presented to the next meeting as they are not yet complete.	Ongoing
	Financial Regulations	3 rd August 2009.	The Director of Resources is reviewing Financial Regulations but	Ongoing

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
	review		<p>unfortunately these are not ready for this meeting.</p> <p>February 2010 – in respect of both the above 2 items these have not yet been completed due to pressures with other work. These will be completed for the May meeting.</p>	
	Budget and Policy Framework	22 nd June 2009	Done.	Complete
	Review of member Job Descriptions	3 rd August 2009.	<p>Members Job Descriptions are on the agenda for this meeting.</p> <p>February 2010 – on the agenda of this meeting.</p>	Ongoing
	Delegation Scheme	14 th December 2009	<p>Since the major restructure of senior management approved in August, the delegation scheme will need reviewing. This is an additional part of the review.</p> <p>February 2010 – this is ongoing but not complete yet for presentation to members.</p>	Ongoing
	Constitution Review 2010/11	15 th February 2010.	<p>Members to determine which aspects should be reviewed in 2010/11. February 2010 – update to be given to meeting</p>	Not yet started.

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
12. Development of the Annual Standards Committee work plan for 2010 to 2011		10 th May 2010.	February 2010 – members’ suggestions are welcome.	Not yet started
13. Partnership Governance arrangements and the ethical framework?	Scoping report	3 rd August 2009.	This is not yet ready. Work has been halted on this to accommodate other aspects of the work plan.	Ongoing
14. Review of Standards Committee relationship with Parish Councils.	discussion paper	14 th December 2009.	Previously deferred to 2009/10 work plan.	Not yet started
15. Monitoring Officer Protocol with the Parish and Town Councils		14 th December 2009.	Previously deferred to 2009/10 work plan. This has been commenced but is not yet ready for members to consider a draft.	Ongoing
16. Consideration of further publicity required for the Standards Committee		12 th October 2009..	A preliminary paper will be presented to this meeting or the next. Preliminary report presented to May 2009 meeting. No further progress for this meeting.	Ongoing
17. Annual consideration of publicity requirements for the	16 th September 2008.	12 th October 2009.	A preliminary paper will be presented to this meeting or the next. Preliminary report presented to May 2009 meeting. No further progress	Ongoing

ITEM	MILESTONES	DATES OF MEETINGS	COMMENTS	STATUS
Local Assessment of complaints against members procedures			for this meeting. February 2010 – member suggestions are requested on the best way of advertising this.	
18. Ethical governance audit initial report commencement of audit	Initial report on proposals and resources implications for inclusion in the budget process including feasibility and costs of carrying out the audit and consideration of the ethical governance toolkit when produced Approval of project plan Commencement of audit	15th February 2010.	There is a need to review the need for this. No work has been carried out on this in the light of the work that has had to be done to introduce the new local assessment system. In addition the toolkit has been revised. This should be looked at later in the year.	Not yet started
19. Review of Constitution User Guide			The Head of Democratic Services is to review this.	Not yet started

STANDARDS COMMITTEE

AGENDA

Monday 15th February 2010 at 1400 hours

Item No.		Page No.(s)
	PART 1 – OPEN ITEMS	
1.	To receive apologies for absence, if any.	
2.	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4 (b) of the Local Government Act 1972.	
3.	Members should declare the existence and nature of any personal or prejudicial interests in respect of:- a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items and, if appropriate, withdraw from the meeting at the relevant time.	3
4.	To approve the minutes of a meeting held on 14 th December 2009.	4 - 10
5.	Standards Board DVD 'Assessment made clear – Local Assessment of complaints.'	
6.	Members Job Descriptions	Update from Members
7.	Update on Co-opted Independent Members	Verbal Update
8.	Update on Member Complaints	11
9.	Guidance for Parish Councils on receipt and reporting of LAC Decision Notices.	12 - 13
10.	Online Guides	14
11.	Standards Committee Work Plan	15 - 21
	PART 2 – EXEMPT ITEMS	
	<i>The Local Government (Access to Information) Act 1985, Local Government Act 1972, Part 1, Schedule 12a.</i>	
12.	Exempt Paragraph – 7 Minutes of a Local Assessment Committee held on 15 th January 2010.	22 - 23



Partnership Protocol And Toolkit

Contents

Ref	Title	Page
1	Introduction	2
1.1	Background	2
1.2	Partnerships and Use of Resources	2
1.3	Purpose of this protocol	2
1.4	Protocol steps – in summary	3
2	Is it a partnership?	4
3	Assess the significance of the partnership	5
4	Formal approval to proceed	6
5	Governance requirements	7
5.1	Good governance	7
5.2	Partnership Evaluation Template	8
5.3	Council's role and contribution	9
5.4	Aims of the partnership	9
5.5	Contribution to Council's Corporate Aims	10
5.6	Risk Assessment	10
5.7	Funding	11
5.8	Accountability and transparency	11
5.9	Learning and sharing	12
5.10	Evaluation and monitoring	13
6	Stakeholder management	14
7	Role of CEPT	15

1. Introduction

1.1 Background

Partnership working is central to effective modern local government. Increasingly the objectives of the council are dependent on the success of partners from the public, private and voluntary sectors.

It is vital that the Council **has confidence that there is a rigorous approach to partnership arrangements**, which are appropriate to the scale of the partnership.

This protocol has been developed to provide a standard against which officers can judge the partnerships in which they are involved and offers a degree of support and direction for advice. Through this approach the Council can gain a degree of confidence and rigour around the partnerships in which it operates.

Under the Comprehensive Area Assessment, the judgement of the Council's success will ultimately depend on how well the Council and its partners perform.

Partnership working is a key element of the Key Lines of Enquiry (KLOE) / Use of Resources processes.

1.2 Partnerships and the Use of Resources Assessment

The Use of Resources assessment, as part of the overall Comprehensive Area Assessment (CAA) process, against which the Audit Commission assesses the Council, makes several references to partnerships: ***(See Appendix F for relevant partnership related questions to be considered)***

There are further references to partnerships in the Data Quality Assessment. It is important that these issues are addressed as part of the effective management and governance of partnerships.

1.3 Purpose of this protocol

The main objective of this Protocol is to ensure that the Council participates in successful partnerships, through robust governance practices and management.

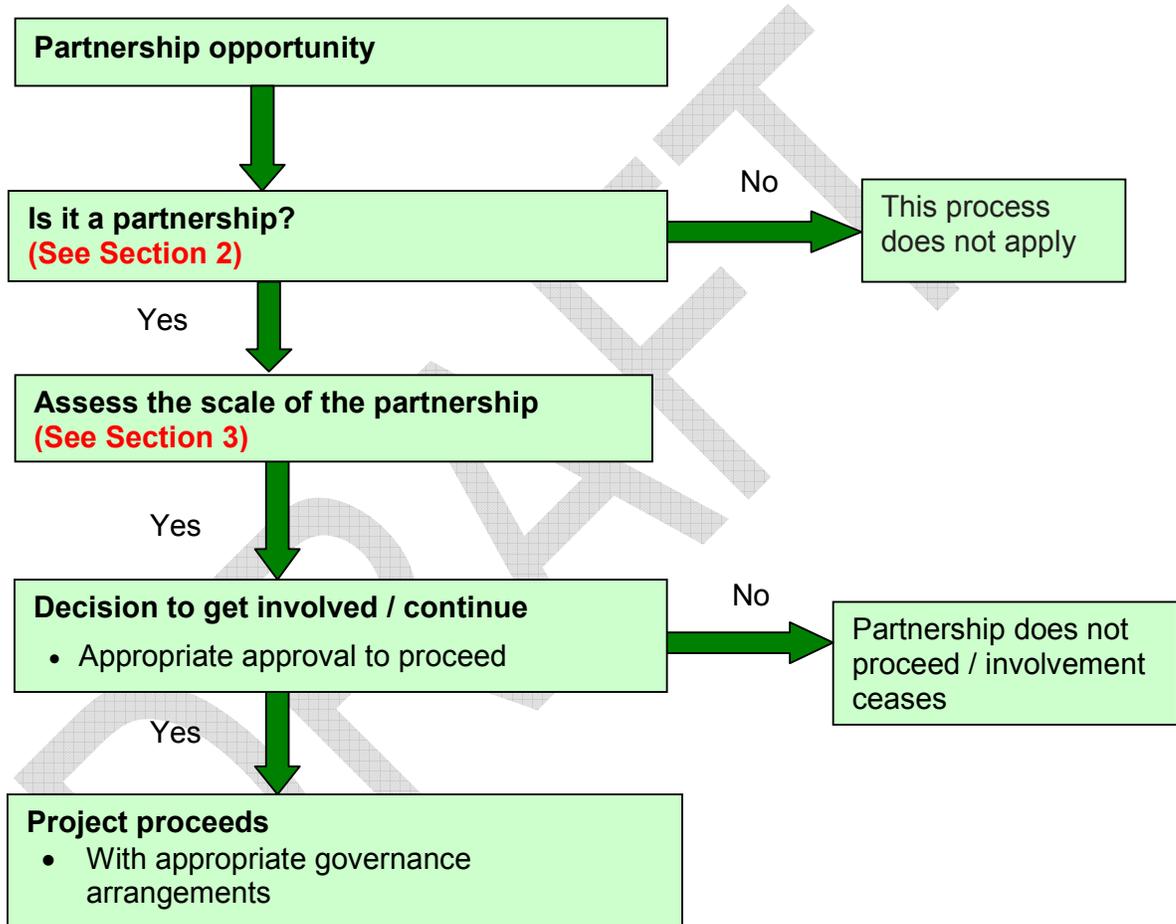
The Protocol outlines the approach to be applied when considering both establishing new partnerships and reviewing existing arrangements. It provides a basis for examining the key issues that require consideration, to ensure that any potential problems identified in relation to partnership working are confronted, assessed, overcome and avoided in the future.

The protocol is intended for use by staff and elected members of the Council for both new and existing partnerships.

The Council will ensure access to its protocol with its partners and encourage them to apply similar standards.

1.4 Protocol steps – in summary

The diagram below outlines the steps to be followed when using this protocol:



2. Is it a partnership?

Before proceeding it needs to be established whether the opportunity or arrangement is actually a partnership.

Does the opportunity fall within the Council's partnership criteria definitions:

“An agreement between two or more independent bodies to work together, with shared risk(s), to achieve mutually beneficial outcome(s) that will improve the quality of life for residents in Bolsover district”.

Some examples of what kinds of arrangements are / are not partnerships are shown below:

Is a partnership	In between	Is not a partnership
<p>Statutory partnerships:</p> <ul style="list-style-type: none"> • Local Strategic Partnership • Community Safety Partnerships <p>Grant funding schemes:</p> <ul style="list-style-type: none"> • Conservation area grant schemes <p>Joint/shared service delivery:</p> <ul style="list-style-type: none"> • Emergency planning / Business continuity with Derbyshire County Council • Collaborative Working with neighbouring Local Authorities <p>Joint initiatives:</p> <ul style="list-style-type: none"> • Local Enterprise Growth Initiative • Derbyshire Action on Smoking (funding) 	<p>Limited companies.</p> <p>Charities / with trustees.</p> <p>Voluntary groups and organisations:</p> <ul style="list-style-type: none"> • Community Voluntary Partners • Meden Valley Making Places 	<p>Compact with other organisations, often the voluntary sector.</p> <p>Health improvement programme with Primary Care Trusts.</p> <p>Simple contractual arrangements:</p> <ul style="list-style-type: none"> • consultants delivering a piece of work <p>Networking forums:</p> <ul style="list-style-type: none"> • Fairness for All • Jobs Fairs <p>Secondments / jointly funded posts.</p> <p>Simple grants allocated from the Council to another body.</p>

If the arrangement is a partnership, then the rest of this Protocol is relevant. If not, then the rest of this Protocol may not apply, although it maybe prudent to apply the good practices in the Protocol. If in doubt, or the arrangement is 'in between', then answer yes thereby ensuring that the good governance principles identified in this Protocol are applied.

It is intended, however, that this protocol should be applied practically and not be too prescriptive so deviations from the above may be allowed with sound justification.

3. Assess the significance of the partnership

This grading structure does not assess the level of risk but the significance of the partnership for then determining the level of governance required.

Not all partnerships are of the same significance, or carry the same degree of risk. A level of common sense has to be built into any arrangements to ensure that smaller or innovative partnerships are not strangled by an inappropriate amount of red tape. To achieve this, a grading system has been devised to allow officers and members to gauge in rough terms the significance of each partnership.

The example below indicates that Bolsover LSP is categorised as a significant project and the more stringent governance arrangements set out in this protocol should be applied. A blank template can be found at Appendix A.

PARTNERSHIP SIGNIFICANCE ASSESSMENT							APPENDIX A
Partnership Name: Bolsover LSP							
This table assesses the significance of your partnership /partnership you are proposing.							
Please enter the score in the last column which most closely represents your partnership. Answer all applicable questions, using scores of 1, 2, 3, 4, or 5.							
Impact No.	Description	Insignificant (Score "1")	Minor Significance (Score "2")	Moderate Significance (Score "3")	Major Significance (Score "4")	Highly Significant (Score "5")	Score
1	FINANCIAL COST TO THE COUNCIL The Council directly contributes money to the partnership, contributes resources (officer time / work done), or money is directed through the Council's accounts to the value of...	< £10K	£10K to 25K	£25K to £160K	£160K to £1000K	>£1000K	5
2	DIRECT CONTRIBUTION TO CORPORATE AIMS: How many of the Council's corporate aims does the partnership contribute to, either directly or indirectly?	0	1-2 Corporate Aims	3 Corporate Aims	4-5 Corporate Aims	6 Corporate Aims	4
3	LEGAL COMMITMENT/LIABILITY What financial or legal commitment does the Council have with regard to the partnership?	None		Some financial or legal implications may arise for the Council as a result of this partnership		Statutory responsibility / accountable body	5
4	POLITICAL PROFILE To what degree is there political interest in the partnership?	Insignificant	Ward interest	District interest	County interest	National interest	5
5	STAKEHOLDER INVOLVEMENT	Partnership has a small number partners who are trusted and reliable	The partnership has many familiar partners	Partnership attracts new interested partners	Unknown or unreliable partners	Disinterested/resistant partners	2
6	EXTERNAL DEADLINES Project deadlines, milestones, submission of information/reports, financial deadlines.	No	Yes	Yes with reputational damage	Yes with external censure	Yes with financial penalties	5
9	TRACK RECORD: Confidence in delivery.	Similar project has been successfully delivered with same trusted partners	Similar project has been successfully delivered but with different partners or Different project has been delivered successfully with same trusted partners	Limited success previously achieved with same partners or with a similar project	Little or no previous experience of this kind of project, or with these partners	Unsuccessful previous activity or partnership working	1
TOTAL:							27
HIGHEST POSSIBLE SCORE (No. of questions answered x 6)							35
IMPACT SCORE ("Total" divided by "Highest Possible Score" x 100)							77%
		Limited Significance (0-49%)	Moderate Significance (50-69%)	Major Significance (70%+)			

The key at the bottom of the chart should be used to categorise the partnership in terms of its 'significance score'. The category will guide any further action to be taken, and the level of governance to be applied to the partnership.

NB When undertaking this assessment your own knowledge and experience of the partnership being assessed will be crucial to decide on the appropriate scores. To assist Officers and to avoid the unnecessary completion of further paperwork, should there be any doubt in respect of the final score, the Score Sheet can be submitted at this point to the CEPM and any obvious queries contemplated, discussed and mutually agreed. If there is still no consensus to agree a final score, the CEO will have the final decision on the rank awarded.

4. Formal approval to proceed

It is a clear requirement of good governance that decisions are informed, transparent and take account of the risk. Therefore the approach taken is to make the decision process appropriate to the significance of the partnership. In practise this will be:

	Green LIMITED	Amber MODERATE	Red MAJOR
Documentation required:	Partnership Registration (Appendix B)	Basic Partnership Evaluation (Appendix C)	Full Partnership Evaluation (Appendix D)
Sign off required:	Head of Service	Relevant member of Senior Management Team	Relevant member of Senior Management Team (and Council / Executive in some cases)
Monitoring to be undertaken via:	Service Plan	Service Plan	Service Plan
Risks to be recorded:	Service Plan	Service Plan	Service Plan and Council Operational Risk Register
Partnership to be reviewed:	As part of service planning process	Annually using the Partnership Annual Review Form (Appendix E)	Annually using the Partnership Annual Review Form (Appendix E)

All partnerships, irrespective of their significance score, will be recorded in the Partnerships Register which is maintained by the Chief Executive's and Partnership Team (CEPT). All documentation, including annual reviews must therefore be submitted to CEPT as part of the approval process.

Section 5 provides guidance on the issues that should be considered before entering into a partnership arrangement.

5. Governance Requirements

5.1 Good governance

Definition of Corporate governance:

“The framework of accountability to users, stakeholders and the wider community, within which organisations take decisions, and lead and control their functions, to achieve their objectives” Source: [Audit Commission](#)

The six principles of good governance (as defined by CIPFA and SOLACE) are:

- Performing effectively in clearly defined functions and roles;
- Focusing on the organisation's purpose and on outcomes for citizens and service users;
- Promoting values for the whole organisation and demonstrating the values of good governance through behaviour;
- Taking informed, transparent decisions and managing risk;
- Developing the capacity and capability of the governing body to be effective; and
- Engaging stakeholders and making accountability real.

Good governance arrangements are essential to the success of a partnership. This includes robust systems and processes, accountability, effective leadership and high standards of behaviour.

5.2 Partnership Evaluation Template

To assist in establishing the level of governance already in place, identifying any gaps which need to be addressed, and ensuring that the Council is aware of its role within each partnership opportunity, a Partnership Evaluation Template has been developed.

This Template must be completed by the relevant officer for all partnerships that are deemed to be of Major Significance (Significance Score of 70% or more).

The Template incorporates the six principles of good governance as described in the previous section under the following headings:

- Council's Role and Contribution to the Partnership
- Aims of the Partnership
- Contribution of Partnership to Council's Corporate Aims
- Risk Assessment of Council Involvement
- Funding
- Accountability and Transparency
- Learning and Sharing
- Evaluation and Monitoring

Completion of the Evaluation Form ensures that governance issues have been considered and that the partnership in question is embedded into the Council's own governance structures including service planning and risk assessment processes. It also ensures, through the risk assessment process, that the partnership utilises any relevant policies or legislation as required by the Council such as procurement and data quality standards.

For those partnerships deemed to be of MODERATE or LIMITED significance, a FULL Partnership Evaluation Template is not required, however the guidance in this section can be used to assist in the completion of the documentation that is required.

Significance	Documentation Required
Limited (0-49%)	Partnership Registration(Appendix B)
Moderate (50-69%)	Basic Partnership Evaluation (Appendix C)
Major (70%+)	Full Partnership Evaluation (Appendix D)

Sections 5.3 to 5.10 below provide further guidance.

5.3 Council's Role and Contribution to the Partnership

Significant Partnerships should have a formal / governing agreement. The agreement should include: clarification of the roles and responsibilities, relationships, management and the decision making structure. This will help to build goodwill and trust.

The scope and complexity of the agreement will depend on the partnership. The main elements that should be considered for inclusion are:

- Name of partnership
- Aims and objectives
- Membership, including status of different members
- Authority of the Partnership
- Roles / responsibilities
- Income and financial matters, including right of access of Internal Audit
- Meetings and minutes
- Decision making processes
- Timescales
- Amendments to rules
- Data Quality / Data Sharing Protocol
- Governance
- Accountability
- Conflict Resolution arrangements

It is recommended that these issues be addressed within an agreed Constitution or Terms of Reference.

For the purposes of the Partnership Evaluation Template, the focus is on the Council's role within the Partnership, and the contribution that it makes in terms of resources. This section should be completed and supplemented by a copy of the Partnership's Terms of Reference or Constitution.

5.4 Aims of the Partnership

One of the main reasons that partnerships fail is the lack of clear objectives, plans and management.

The first step of setting up any partnership is for partners to identify their main objectives and what they intend to achieve. Questions that partners should ask include:

- What are its agreed aims and objectives? Are they realistic and measurable?
- Why does this partnership exist? Is there any evidence of consultation with the community or service users?
- Has there been an investigation into whether the Partnership will duplicate existing activity? Is there a documented options appraisal?
- Is there a strong and robust business case? What will be the actual benefit to end users?
- How does that Partnership communicate with stakeholders? Is there a communications strategy? Have service users and the wider public been communicated with to explain how the partnership works and where responsibility and accountability rests? Does the partnership have a joint

complaints procedure? If not, how can redress be obtained? How are any conflicts resolved?

5.5 Contribution of Partnership to Council's Corporate Aims

How does the partnership help to achieve our vision, corporate aims and objectives?

Partnerships to which the Council contributes significant resources should without doubt contribute towards the Council's Corporate Aims either directly or indirectly. However, serious consideration should be given to the benefit of any involvement or contribution to a partnership if there is to be little or no impact upon the organisation's corporate aims and objectives.

Additionally, the impact upon the Sustainable Community Strategy priorities also should be borne in mind, as the Authority (as the statutory body responsible for its production) in agreement with partners also should be considered.

5.6 Risk Assessment of Council Involvement

The Council has an established Risk Management Process, which should be used to identify and manage the risks associated with the partnership. If the Council is the lead body, the Council's Risk Management methodology should be used unless there is a more appropriate methodology. Section 4 of the Partnership Evaluation Template requires confirmation that a risk assessment has been undertaken on behalf of the Authority, and a summary of its findings.

Risks associated with partnerships need to be identified, assessed and managed from two aspects:

- The risks to the Council resulting from being involved in the partnership; and
- The risks to the partnership as an entity.

Risks to the Council associated with the partnership need to be identified, assessed and managed both before entering into the partnership and during the life of the partnership. These risks should then be captured in the relevant service risk register in the Service Plans and / or the Corporate Risk Registers.

It maybe that the risks to the partnership and the Council are the same and of the same magnitude, or they may be different. The level of risk may also vary between the partners.

The risks within the partnership should be assessed by a joint risk assessment involving all the partners. This will require that a suitable risk management methodology is first agreed (not necessarily the Council's). The aim will be for all partners to achieve a common understanding of the potential business risks associated with achieving partnership objectives, their relative seriousness, and how they can be managed. A joint risk register for the partnership could be considered. Risks identified to the partnership will need to be assessed as to how they impact on the risks to the Council; i.e. they cannot be looked at in isolation. For example a key risk for the partnership may be that Bolsover District Council withdraws funding. The Council, however, may assess the risk to itself of withdrawing the funding as being minimal in respect of financial risks and reputational risks.

Typical risks associated with partnership working are:

- Unclear governance arrangements
- Unclear financial and legal liabilities
- Differing objectives and priorities
- Inadequate performance management
- Service delivery failures
- Differing cultures – poor relationships
- Incompatible systems and processes
- Failure of partners to perform
- Lack of commitment from other partners (refer to section 6 – Stakeholder Management)

5.7 Funding

If there is the possibility of the partnership committing Council funds, resources or services then the implications of this must be considered, e.g. budget implications in current and future years and formal approval to spend.

Section 5 of the Partnership Evaluation Template provides an opportunity to record partners contributions, both confirmed and proposed, in terms of funding and staffing the Partnership.

The following should also be considered by the Partnership with reference to funding:

VAT

Without proper adherence to VAT legislation the Partnership may find that its funding is less than expected, and if VAT rules are not followed this might mean that interest and penalties have to be paid.

Grants

Grants are often the main funding source for partnership arrangements and the terms and conditions of those grants, including document retention must be clear. Grants are often given with a range of conditions, which must be adhered to. Grant money must only be spent on qualifying expenditure. It is also necessary to avoid the potential claw back of any grant monies.

Accountable Body

It is important, to consider who is to become the accountable body. See Section 5.8.

5.8 Accountability and Transparency

Accountable Body

Where projects are funded by grants, the funding body requires that one of the partners takes on the role of Accountable Body. The Accountable Body is responsible for the financial administration of the grant and maybe responsible for any agreed deliverables / outputs. Accountable Body status can only be granted to an entity, which has a “legal personality” for example, a company registered at Companies House, a local authority or health trust.

If the Council takes on the role of Accountable Body it may need to fund the projects pending receipt of the grant. This represents a risk to the Council in the event of the project incurring costs, which are not reclaimable from the grant funding body. Before the Council takes on the role of Accountable Body there must have been prior approval of the Executive where deemed appropriate.

The Accountable Body is normally responsible for securing and signing contracts or service level agreements and paying out funds. This involves:

- Administering and taking responsibility for the funding;
- Providing resources (e.g. staff, facilities) to carry some of the obligations of the partnership (inc. procurement, finance, information systems support);
- Ensuring that the grant allocated is spent according to the agreed plan; and
- Establish and maintain effective systems for monitoring and auditing spend.

An Accountable Body may either be the partnership itself (if it has formed a company limited by guarantee) or one of the members of the partnership acting on behalf of the rest of the partners.

In order to qualify as or be appointed an Accountable Body, the organisation must be:

- Nominated to act on behalf of the partnership;
- A legal entity; and
- Capable of meeting legal obligations.

Public Accountability

Members of the partnership should be accountable to the public (where appropriate), and to other members of the partnership for their actions and the manner in which they carry out their responsibilities. They should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Members and employees will, at all times, need to observe the Council's relevant Codes of Conduct – Employees and Members.

INSERT Ethical Governance paragraph (Standards Board/Committee) SARAH

Should a partnership wish to adopt its own shared standards; areas to be considered include:

- Equal opportunities
- Behaviour during meetings
- Behaviour outside meetings
- Declarations of Interest
- Confidentiality
- Hospitality and gifts
- Conflict of Interest
- Duties - elected members
- Whistleblowing

5.9 Learning and Sharing

Partnerships can benefit greatly from researching similar activities previously undertaken by other partnerships or organisations. Section 7 of the Partnership Evaluation Template encourages the use of examples of best practice and case studies to improve the potential effectiveness of the Partnership in question. It also encourages the partnership to consider how it can share its own examples of best practice.

Information Sharing

Please refer to the Council's Data Quality Management Statement.

Members and employees will, at all times, need to observe the Council's Data Quality Policy when sharing data through a partnership. Good quality data will assist in ensuring that the partnership is a success.

It is important that there is a formal data sharing protocol in place which specifies the responsibilities of partners to provide data which is 'fit for purpose' to members of the partnership.

5.10 Evaluation and Monitoring

It is important that the partnership has an action plan or business plan and that performance is managed and monitored against this. The plan must be clear and measurable and include appropriate timescales for delivery. All aspects should be performance managed – the achievement of the milestones, outcomes and performance indicators and also the timescales and budgets in which they were delivered.

The following performance issues should be considered, documented and regularly reviewed by the partnership:

- Clear lines of accountability for the financial and outcome performance of the partnership
- How progress against targets is to be managed and reported
- Formal arrangements for partnership representatives to report back to their member organisations
- Reconsideration and, where necessary, revision of partnership aims, objectives and working arrangements in the light of monitoring and review findings
- Regular and formal opportunities should be available to challenge performance

A fundamental test for the partnership is whether the Council can evaluate how well it is performing at any point in time. This can be considered at two levels.

Objectives – Outputs and Outcomes

What does the service hope to achieve and how does this link to corporate and community objectives?

Outputs –Outputs may be quantifiable levels of service, such as number of families re-housed or the occurrence of single event. Output targets should be SMART (specific, measurable, achievable, realistic and timely). This will mean that part of a targeted output will include an indication of how the performance will be measured.

Outcome –Outcomes may be less easy to define with straightforward quantifiable measures, but clear indicators of performance will be included as part of the targeted outcomes. For example, a targeted outcome could be about reducing homelessness, which might be measured by a specialist survey or a reduction in the number of registered homeless.

Specific Deliverables

Task – Brief description of a key task within the planned activity.

Milestone - Date by when a task is to be completed or in certain cases (for example: improvement to be achieved in a National Indicator) a milestone per quarter etc. could be set for regular monitoring.

Lead person – Named person responsible for ensuring the task is completed

Resources – Resources required to complete the task. This could include human / financial resources.

If the partnership has both unclear objectives and unclear specific deliverables, then serious consideration should be given to ceasing the activity.

Project Lifetime and Exit Arrangements

A clear exit strategy needs to be in place for both the planned and unplanned cessation of partnership arrangements. The termination arrangements should be pre agreed by all partners, documented and regularly reviewed. They should clarify the management of any continuing financial liability, the ownership of any assets and what the arrangements are for disposal in order to avoid the risk of future legal disputes, or of the accountable body becoming liable by default. Questions that should be asked include:

- What are the arrangements if this partnership comes to an end, be it planned or unplanned?
- Will the services provided by the partnership be mainstreamed?
- What are the arrangements for the Council leaving the partnership?
- How will resources be reallocated back to partners?
- Who do any residual liabilities rest with?
- How will the impact of the cessation of the Partnership be assessed?
- How often are these arrangements to be reviewed?

6. Stakeholder management

The success of the partnership is reliant on the efforts of all the partners to make it successful. So it is good practice to assess all partners at an early stage, and continue to do so during the life of the partnership.

Please consider this section when scoring question 5 of the Partnership Significance Assessment (Appendix 1) and when undertaking a risk assessment of any partnership.

The steps towards effective stakeholder management are:

Step:	Criteria / Question
1	Identify the different partners and stakeholders who effect the success of the partnership
2	Determine the level of power / influence each stakeholder has over the partnership (high, medium, low)
3	Determine how interested each stakeholder is. Are they positive or negative about the Partnership (high, medium, low)
4	Plot their location on the table
5	Through the Risk Management process determine how best to deal with each stakeholder should they not be a partner.

E.g. Bolsover Local Strategic Partnership

Partners	Interest	Power / Influence	Risk to Partnership
Derbyshire Police Derbyshire County PCT Derbyshire Fire Service	Key Partner Organisations HIGH	Board and Executive Support Group representation and financial contributors HIGH	Key partners not being at the table would affect delivery against priorities in Bolsover Sustainable community Strategy 2006-2020 AND Core Cost contributions would be lost. SIGNIFICANT STATUS

The matrix shown below can be used to plot the above:

Interest ↓	High			Derbyshire Police County PCT Derbyshire Fire and Rescue Service
	Medium			
	Low			
		Low	Medium	High
	Power / Influence ↑			

7. Role of Chief Executive's and Partnership Team (CEPT)

As the team directly responsible to the Chief Executive Officer and for the Authority's Corporate Partnership working, the CEPT will:

- i) Create and maintain a Corporate Partnerships Register on behalf of the Authority.
- ii) Be responsible for the receipt of all appropriate and relevant forms required as part of the partnership evaluation process
- iii) Ensure compliance with the agreed Corporate Partnership Protocol and Toolkit
- iv) Follow up any anomalies or omissions from submitted paperwork to ensure correct corporate use of the Protocol and Toolkit
- v) Ensure the Corporate Partnerships Register is annually reviewed and reported through the Council's meeting structures highlighting efficiency savings and value for money
- vi) Maintain hard copy evidence files within CEPT

PARTNERSHIP SIGNIFICANCE ASSESSMENT

Partnership Name: _____

This table assesses the significance of your partnership / partnership you are proposing.

Please enter the score in the last column which most closely represents your partnership. Answer all applicable questions, using scores of 1, 2, 3, 4, or 5.

Impact No.	Description	Insignificant (Score "1")	Minor Significance (Score "2")	Moderate Significance (Score "3")	Major Significance (Score "4")	Highly Significant (Score "5")	Score
1	FINANCIAL COST TO THE COUNCIL The Council directly contributes money to the partnership, contributes resources (officer time / work done), or money is directed through the Council's accounts to the value of...	< £10K	£10K to 25K	£25K to £160K	£160K to £1000K	> £1000K	
2	DIRECT CONTRIBUTION TO CORPORATE AIMS: How many of the Council's corporate aims does the partnership contribute to, either directly or indirectly?	0	1-2 Corporate Aims	3 Corporate Aims	4-5 Corporate Aims	6 Corporate Aims	
3	LEGAL COMMITMENT/LIABILITY What financial or legal commitment does the Council have with regard to the partnership?	None		Some financial or legal implications may arise for the Council as a result of this partnership		Statutory responsibility / accountable body	
4	POLITICAL PROFILE To what degree is there political interest in the partnership?	Insignificant	Ward interest	District interest	County interest	National interest	
5	STAKEHOLDER INVOLVEMENT (refer to section 6 of Partnership Protocol and Toolkit).	Partnership has a small number partners who are trusted and reliable	The partnership has many familiar partners	Partnership attracts new interested partners	Unknown or unreliable partners	Disinterested/resistant partners	
6	EXTERNAL DEADLINES Project deadlines, milestones, submission of information/reports, financial deadlines.	No	Yes	Yes with reputational damage	Yes with external censure	Yes with financial penalties	
7	TRACK RECORD: Confidence in delivery.	Similar project has been successfully delivered with same trusted partners	Similar project has been successfully delivered but with different partners or Different project has been delivered successfully with same trusted partners	Limited success previously achieved with same partners or with a similar project	Little or no previous experience of this kind of project, or with these partners	Unsuccessful previous activity or partnership working	
TOTAL:							0
HIGHEST POSSIBLE SCORE (No. of questions answered x 6)							
IMPACT SCORE ("Total" divided by "Highest Possible Score" x 100)							#DIV/0!

The matrix below uses the Significance Score to categorise your partnership and guide further action.

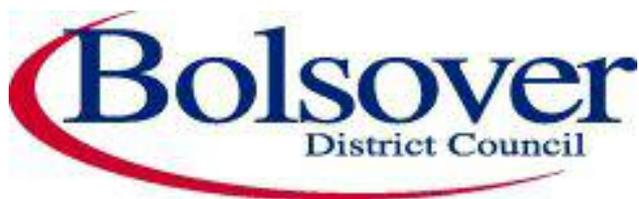
	Limited Significance (0-49%)	Moderate Significance (50-69%)	Major Significance (70%+)
Documentation to be completed:	Partnership Registration	Basic Partnership Evaluation	Full Partnership Evaluation
Sign off required by:	Head of Service	Relevant member of Senior Management Team	Relevant member of Senior Management Team (and Council / Executive in some cases)
Monitoring to be undertaken via:	Service Plan	Service Plan	Service Plan
Risks to be recorded in:	Service Plan	Service Plan	Service Plan and Council Operational Risk Register
Partnership to be reviewed:	As part of Service Planning Process	Annually using the Partnership Annual Review Form	Annually using the Partnership Annual Review Form

All completed documentation should be submitted to the Chief Executive's and Partnership Manager

Corporate Aims:
Please indicate to which of the Council's six Corporate Aims the Partnership contributes (tick all that apply). Community Safety Regeneration Customer Focussed Services Environment Social Inclusion Strategic Organisational Development
Lead Officer responsible for this partnership:
Name: Job Title: Signature: Date:
Head of Service:
Name: Signature: Date:

All forms must be fully completed and sent to: Pam Brown (Chief Executive's & Partnership Team Manager).

Logged on Partnerships Register:
Name:
Signature:
Date:



Partnership Evaluation Template (Basic)

1. Council's Role and Contribution to Partnership

1.1 Name of Partnership and Sector (e.g. Public, Private, Community and Voluntary)

1.2 Role and Representatives of the Council:

- a) Lead Partner Number of Officers
- b) Contributory Partner Number of Members
- c) Other

1.3 Resources Contributed

- a) Financial £
- b) Assets (please list)

2. Aims of the Partnership

2.1 Is the Partnership statutory? YES NO

2.2 Does the Partnership have an aim or mission statement? If so, please include below:

- 2.3 Will it duplicate any existing partnership activity? YES NO

If yes, please provide details:

- 2.4 What benefits will be felt by the wider community and has there been any consultation regarding their involvement or participation?

Please provide details:

3. **Contribution of Partnership to Council's Corporate Aims. Please indicate to which of the Council's six Corporate Aims the Partnership contributes (tick all that apply).**

Community Safety	
Regeneration	
Customer Focused Services	
Environment	
Social Inclusion	
Strategic Organisational Development	

4. **Risk Assessment of Council Involvement**

- 4.1 Has the Authority undertaken a Risk Assessment in respect of its membership/involvement of this Partnership?

If yes, please indicate levels and nature of risk assessed:-

Type	Examples	Level of Risk (High, Medium, Low)
Strategic	<ul style="list-style-type: none"> - Strategic direction changed by other partners - Key partners leave causing non achievement of objectives - Conflict with Council's objectives/aims 	
Performance	<ul style="list-style-type: none"> - Partners fail to deliver - Insufficient staffing resource to deliver aims - Seconded staff may not share commitment of partner organisations 	
Reputation	<ul style="list-style-type: none"> - Actions of partners damage the Council's reputation by 'association' - Compact protocols not adhered to 	
Financial	<ul style="list-style-type: none"> - Insufficient funding from Partnership - Actual costs exceed estimated costs 	

	<ul style="list-style-type: none"> - Insufficient controls to prevent fraudulent activity of partners/individuals - Inability of Partnership to access contingency funds - Failure to recover money owed to the Partnership - VAT implications - Procurement protocols not adhered to 	
Legal/Insurance	<ul style="list-style-type: none"> - Partners their statutory duties - A legal claim against the partnership - Inadequate insurance cover of insurable risks - Liability of partners or individual members not clarified - Sharing of information between partners breaches confidentiality/data protection legislation 	
Other	<ul style="list-style-type: none"> - Non-adherence to Council policies and procedures (record retention, data quality) 	

4.2 Is the Partnership listed on the Council's Corporate Risk Register?

YES NO

4.3 What additional measures can be taken to reduce those risks identified as 'High'?

4.4 Do existing processes and any additional measures proposed above, appropriately manage the risk of the Council's membership/involvement of the Partnership. If not, how can this be achieved?

5. Funding and Accountability

5.1 How is the Partnership resourced?

5.2 Is the Council the Accountable Body? YES NO

If no, what level of accountability (if any) will be involved by the Council in participating?

6. Performance Monitoring and Evaluation

6.1 Are there any monitoring or performance management responsibilities for the Council in participating in this partnership? YES NO

If yes, to what extent?

6.2 Is there a timescale for the lifetime of the project? YES NO

7. Contact Details

Name of Partnership:

Contact details of person completing questionnaire

Name:

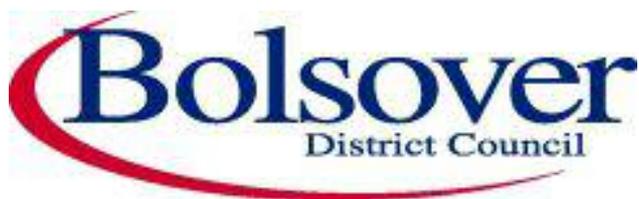
Position:

Address:

Tel.:

E-mail:

Date:



Partnership Evaluation Template (Full)

1. Council's Role and Contribution to Partnership

1.1 Name of Partnership and Sector (e.g. Public, Private, Community and Voluntary)

1.2 Role of the Council:

- a) Lead Partner
- b) Contributory Partner
- c) Other

1.3 Representatives

- a) No. of Councillors Combined annual commitment days
- b) No. of Officers (please provide detail against individual officers below):

Job Title	Estimated proportion of time committed (%)

- 2.5 Has there been an investigation of whether the formation of the Partnership will duplicate work of existing partnerships or bodies?

- 2.6 What is the benefit to the community and/or to partner agencies of this work being undertaken by the Partnership, e.g. reduced cost/increased usage/coverage etc.?

- 2.7 How does/will the Partnership communicate with all parts of the community and other partners in order to ensure that work does not happen in isolation?

- 3. Contribution of Partnership to Council’s Corporate Aims. Please indicate to which of the Council’s six Corporate Aims the Partnership contributes (tick all that apply).**

Community Safety	
Regeneration	
Customer Focused Services	
Environment	
Social Inclusion	
Strategic Organisational Development	

4. Risk Assessment of Council Involvement

4.1 Has the Authority undertaken a Risk Assessment in respect of its membership/involvement of this Partnership?

If yes, please indicate levels and nature of risk assessed:-

Type	Examples	Level of Risk (High, Medium, Low)
Strategic	<ul style="list-style-type: none"> - Strategic direction changed by other partners - Key partners leave causing non achievement of objectives - Conflict with Council's objectives/aims 	
Performance	<ul style="list-style-type: none"> - Partners fail to deliver - Insufficient staffing resource to deliver aims - Seconded staff may not share commitment of partner organisations 	
Reputation	<ul style="list-style-type: none"> - Actions of partners damage the Council's reputation by 'association' - Compact protocols not adhered to 	
Financial	<ul style="list-style-type: none"> - Insufficient funding from Partnership - Actual costs exceed estimated costs - Insufficient controls to prevent fraudulent activity of partners/individuals - Inability of Partnership to access contingency funds - Failure to recover money owed to the Partnership - VAT implications - Procurement protocols not adhered to 	
Legal/Insurance	<ul style="list-style-type: none"> - Partners their statutory duties - A legal claim against the partnership - Inadequate insurance cover of insurable risks - Liability of partners or individual members not clarified - Sharing of information between partners breaches confidentiality/data protection legislation 	
Other	<ul style="list-style-type: none"> - Non-adherence to Council policies and procedures (record retention, data quality) 	

4.2 Is the Partnership listed on the Council's Corporate Risk Register?

YES

NO

- 4.3 What additional measures can be taken to reduce those risks identified as 'High'?

--

- 4.4 Do existing processes and any additional measures proposed above, appropriately manage the risk of the Council's membership/involvement of the Partnership. If not, how can this be achieved?

--

5. Funding

- 5.1 How is the Partnership funded?

Source	Amount of Funding Already Agreed	Amount of Funding Proposed	Amount as % of total funding	In-kind Contribution
District/Borough Council				
County Council				
National Government e.g. Neighbourhood Renewal Funding				
Lottery				
Charity				
Other				

Comments

--

5.2 How is the work of the Partnership staffed?

Number of Partnership staff

Permanent

Temporary

Voluntary

Number of staff of member bodies working on Partnership

--

5.3 Will the Partnership act as a 'sign post' to enable partners and other organisations to access other available resources?

YES

NO

If so, please give examples below

--

6. Accountability and Transparency

6.1 To which authorities/organisations will the Partnership be accountable?
(Please give details)

--

6.2 How does/will the Partnership communicate with members of the Partnership?

- a) Regular, time-tabled meetings with agendas
- b) Prompt informative minutes
- c) E-mail
- d) Newsletters
- e) Other (please give details below)

6.3 How does/will the Partnership ensure the wider community is aware of its work?

- a) Well publicised public meetings
- b) Agendas and minutes made readily available
- c) Use of local media to promote the work of the partnership and invite contributions from the general public
- d) Newsletters
- e) Other (please give details below)

7. Learning and Sharing

7.1 How does/will the Partnership learn from examples of best practice from other organisations?

7.2 How does/will the Partnership share experience/expertise, both within and outside the Partnership?

8. Evaluation and Monitoring

8.1 How often does/will the Partnership evaluate/review its aims and objectives?

8.2 Does/will the Partnership monitor its performance against:

- | | | |
|--------------------------------------|-----|----|
| a) Clear milestones: | YES | NO |
| b) Stated outcomes: | YES | NO |
| c) Target dates: | YES | NO |
| d) Benchmark/Performance Indicators: | YES | NO |

If so, what are they:

8.3 Has consideration been given to the lifetime of the Partnership?

YES NO

Prospective end date

9. Contact Details

Name of Partnership

Contact details of person completing questionnaire

Name:
Position:
Address:
Tel.:
E-mail:

Date:

DRAFT



Partnership Annual Review Form

Please use this form to review partnerships of **moderate** and **major** significance.

For guidance, refer to the Partnership Protocol.

Ref	Review Criteria
1.1	Name of the partnership:
1.3	Have the Council's representatives changed in the last year?
	Yes / No If yes, please state:
2.3	Have the long term aims of the partnership changed?
	Yes / No If Yes provide details:
3	Is the partnership contributing to the Corporate Aims stated in the Partnership Evaluation Form?
	Yes / No If No provide details:
4.1	Have risk assessments been reviewed and necessary action taken?
	Yes / No If Yes attach copy of reviewed Risk Register. If No provide review date:
4.1a	Are relevant Council policies being adhered to?
	Data Quality Procurement Behaviour and Conduct Equal Opportunities
4.1b	Are sound governance arrangements in place:
	Regular partnership meetings Yes / No
	Financial reporting Yes / No
	Performance reporting Yes / No
	Risk management reviews Yes / No
	Reviews of terms of reference Yes / No

Ref	Review Criteria
5	Have there been any changes to the funding profile?
	Yes / No If Yes provide details:
8	Is the partnership achieving its stated targets:
	Milestones Yes / No Outputs Yes / No Outcomes Yes / No

Lead Officer:

Name:

Job Title:

Signature:

Date:

Head of Service:

Name:

Signature:

Date:

All forms must be fully completed and sent to: Pam Brown (Chief Executive's & Partnership Team Manager).

Logged on Partnerships Register:

Name:

Signature:

Date:

PARTNERSHIPS PROTOCOL – APPENDIX F

QUESTIONS RELEVANT TO COMPREHENSIVE AREA ASSESSMENT
AND USE OF RESOURCES KEY LINES OF ENQUIRY FOCUS.

Managing Finances

How effectively does the organisation manage its finances to deliver value for money?

1.1 Does the organisation plan its finances effectively to deliver its strategic priorities and secure sound financial health?

KLOE focus – The organisation:

Integrates financial planning with strategic and service planning processes on a medium to long-term basis;
Engages local communities and other stakeholders in the financial planning process
Manages spending within available resources and is financially sound over the medium term **EXAMPLE Collaborative Working - Bolsover Chesterfield and North East Derbyshire Consultancy (Building Control) – BCN – Building Control/Regeneration**
Recognises individual and collective responsibilities for financial management and values and develops financial skills.

1.2 Does the organisation have a sound understanding of its costs and performance and achieve efficiencies in its activities?

KLOE focus – The organisation:

Understands its costs, including whole life, transaction and unit costs, the main factors that influence these and how they link to performance;
Takes account of this understanding of its costs and performance in decision making and commissioning
Identifies the scope for making efficiencies and is on track to achieve planned efficiencies. **EXAMPLE (ALL) BCN (see above)**

1.3 Is the organisation's financial reporting timely, reliable and does it meet the needs of internal users, stakeholders and local people?

KLOE focus – The organisation:

Produces relevant, timely and reliable financial monitoring and forecasting information;
Uses financial and related performance information to monitor performance during the year;
Produces financial reports that are clear, relevant and concise to support strategic decision making;

*Prepares accounts that meet statutory requirements, financial reporting standards and present fairly, or give a true and fair view of, the financial performance and position; and
Publishes reports that provide an objective, balanced and understandable assessment of the organisation's performance in the year. EXAMPLE (ALL) BCN (see above)*

Governing the business

How well does the organisation govern itself and commission services that provide value for money and deliver better outcomes for local people?

2.1 Does the organisation commission and procure quality services and supplies, tailored to local needs, to deliver sustainable outcomes and value for money?

KLOE focus – The organisation:

*Has a clear vision of intended outcomes for local people which shapes its commissioning and procurement, and is based on an ongoing analysis and understanding of needs;
Involves local people, partners, staff and suppliers in commissioning services;
Seeks to improve the customer experience, quality and value for money of services through service redesign, making effective use of I.T.;
Understands the supply market and seeks to influence and develop that market; EXAMPLE "LEO" project (Marketing) – (Regeneration)
Evaluates different options, (internal, external and jointly with partners) for procuring services and supplies; and
Reviews the competitiveness of services and achieves value for money, while meeting wider, social, economic and environmental objectives. EXAMPLE BCN (see above) and Ways to Work Project (CEPT)*

2.2 Does the organisation produce relevant and reliable data and information to support decision making and manage performance?

KLOE focus – The organisation:

*Produces relevant and reliable data and works with partners to ensure the quality of partnership data;
Understands the needs of its decision makers and provides them with information that is fit for purpose and is used to support decision making;
Ensures data security and compliance with relevant statutory requirements; and
Monitors performance against its priorities and targets, and addresses under-performance.*

2.3 Does the organisation promote and demonstrate the principles and values of good governance?

KLOE focus – The organisation:

*Has adopted, promotes and demonstrates, the principles of good governance;
Maintains focus on its purpose and vision;
Demonstrates a strong ethical framework and culture; and
Applies the principles and values of good governance to its partnership working.*

2.4 Does the organisation manage its risks and maintain a sound system of internal control?

KLOE focus – The organisation:

*Has effective risk management which covers partnership working;
Has a clear strategy and effective arrangements, including allocation of appropriate resources, to manage the risk of fraud and corruption; and
Has a sound system of internal control including internal audit.*

DRAFT