



Partnership Protocol And Toolkit

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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.

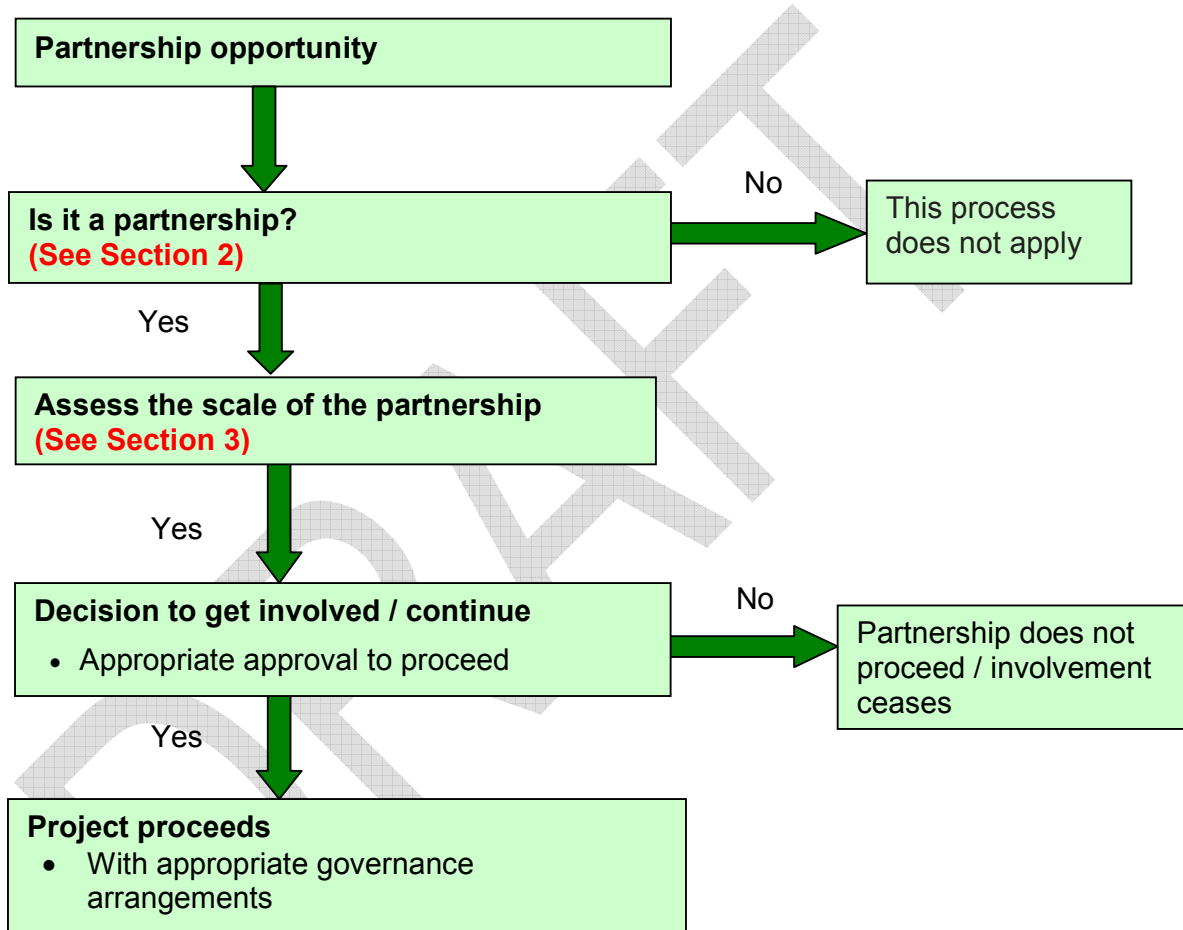
The Protocol outlines the approach to be applied when considering both establishing new partnerships and reviewing existing arrangements. It provides a basis for examining the key issues that require consideration, to ensure that any potential problems identified in relation to partnership working are 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%)	Significance (70%+)	Major		

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