Partnership Policy – Supplementary Guidance

The Partnership Policy is the adopted Council policy that sets out the framework for the Council's approach to partnerships and how these will be monitored and evaluated. This guidance provides further detail and templates to support the application of the policy.

Areas covered by this guidance:

1. **Partnership Definitions**

For the purpose of this framework a partnership is defined as:
"A relationship between two or more independent legal bodies, organisations or individuals working together to achieve a common vision with clear aims, objectives and outcomes agreed"

This policy is only concerned with arrangements where the Council is working with other parties towards joint objectives sharing responsibilities, risk and sometimes resources. These partnerships are generally about benefiting the community and not making a profit. Therefore, the types of partnership arrangements covered are:
> ➢ Strategic Alliances
> ➢ Partnerships required or encouraged by law
> ➢ Not-for-Profit organisations
> ➢ Social Enterprise

Strategic Alliances:
- Formal Forums – a medium for open discussion and debate which play an important role in identifying/achieving service and strategic priorities and shaping/developing policies, strategies and services;
- Joint Committee – may be an appropriate partnership for two or more local authorities wishing to undertake joint activities e.g. to combine their resources to obtain economies of scale and greater commercial bargaining power;
- Management Committee – a steering group working together to support the management of a particular project or organisation;
- Strategic Partnership – a partnership that brings together different parts of the public sector together with the business and community and voluntary sectors working cohesively to deliver services and initiatives for the benefit of the local area.

Partnerships required or encouraged by law:
Partnerships required or encouraged by statute i.e. Crime and Disorder Act 1998, which encourages partnership working between local authorities and police forces, placing joint responsibility on these organisations to develop strategies to reduce crime.

Not-for Profit Organisations
These must be conducted for the benefit of the community. Examples include:
- Trusts – an incorporated association comprising a collection of individuals drawn together to pursue a common purpose which is often charitable in nature;
- Other unincorporated associations such as clubs, also often set up in the pursuit of a common purpose and may or may not be charitable or registered as such;
- Companies Limited by Guarantee – companies established on a not-for-profit basis with the aim of promoting a charitable, social or other non-trading purpose. Any profit made will be used to further promote the company's objectives rather than being shared amongst its directors or members;

- Co-operative or friendly societies regulated by law e.g. social partnerships or credit unions.

Social Enterprise

Social enterprises are businesses that trade to tackle social problems, improve communities, people's life chances, or the environment. They make their money from selling goods and services in the open market, but they reinvest their profits back into the business or the local community.

2. Partnership Assessment Checklist

What is the issue or service delivery improvement to be addressed through the partnership?

How does this assist the Council to achieve one or more of the priorities for the area, as identified in Council and partner plans and strategies?

Why does the Council require a partnership approach?

What is the Council's role in the partnership, e.g. lead organisation/ accountable body, major/minor partner, observer?

Does the partnership meet a statutory duty or government requirement?

	Yes	No	Don't Know
Is there a partnership already in place which has a similar remit and which could take on this work?			
Has the added value that the prospective partnership will bring been identified?			
Will the prospective partnership contribute to streamlining existing partnerships?			
Will the anticipated benefits outweigh the likely costs (direct and indirect) of a partnership?			
Could all the benefits be achieved in a simpler or more cost-effective way?			
Are all the prospective partners willing to participate and commit resources needed to make the partnership succeed?			
Does the prospective partnership have clear, realistic and measurable objectives which are accepted by all prospective partners?			
Does the prospective partnership have agreed terms of reference?			
Does the prospective partnership have a clear action plan?			
Are all partners clear about their roles and the resources they will need to commit?			
Is there a commitment to evaluating the performance of the partnership and clear identification of outcomes?			
Will the prospective partnership require a financial commitment from the Council and/or all partners?			
Are there clear procedures for making decisions and resolving conflict?			
Is the partnership time limited or set up on a task and finish basis?			
Is there a clear exit strategy?			

For an informed decision to be made as to whether it is appropriate for the Council to be involved in a partnership working arrangement, the following information should be provided in writing:

- state who the partners are;

- outline aims and objectives;

- indicate how long the partnership is expected to last;

- state the legal status of the partnership;

- detail insurance arrangements;

- describe what geographical area the partnership will cover;

- describe the role(s) of its Members/officers (including duties expected);

- detail the regularity of meetings;

- state whether the partnership covers the expenses of its Members;

- advise if the Council is expected to contribute any funding or other resources;

- set out financial accountability.

- the consultation/engagement process carried out with representatives of local persons or other evidence of need.

3. **Managing Risk and Identifying Opportunities**

The Council's risks template should be used to set out the risks and opportunities presented by the proposed partnership. Risk should be assessed using the Risk Scoring Matrix. Agreed actions to mitigate risks and maximise opportunities must be monitored by the Council's lead officer for the partnership.

Risk Areas to Consider - Categories of Risk:

Political .	**Failure to deliver Central Government policy or local identified priorities**
	Ceding of control
	Conflict of other Council policies/strategies
	Expectations of Members
	Maintenance of performance
	Compliance with other Government targets
	Regional and sub-regional influences
	Reputational damage
Governance .	**Are the principles of good Corporate Governance transparent to all stakeholders e.g. Openness and Inclusivity; Integrity; Accountability**
	Reporting framework
	Reporting procedures
	Structure
	Roles and responsibilities
	Audit protocols
	Confidentiality issues
	Dispute resolution procedures
Financial/ Economic	**Those affecting the ability to meet financial commitments or liabilities and affecting financial accountability, planning, control**
	Overall costs
	Maintenance costs
	External funding
	Ability to meet/upgrade costs
	Budget approval
	Members Accountable body status
	Pooled funds
	Responsibility for project funds
	Maintenance of financial records
Professional .	**Those associated with the particular nature of the skills/profession; and roles and responsibilities of the partners, including Business Continuity Planning**
	Service delivery
	Developing and sharing common facilities
	Termination agreement
	HR issues
	Recruitment/staff secondment issues
	Day-to-day management responsibilities
Stakeholders .	**Failure to meet the current and changing needs of stakeholders**
	Expectations
	Liaison/communication/engagement with stakeholders
	Community cohesion

Communication.	**Those associated with failures of the Partnership to communicate effectively either between themselves or stakeholders. This would include failure of members of the Partnership to have a common understanding of the Partnership aims and objectives**
	Information sharing protocols Reporting lines Advice giving and decision making processes Records management
Technological.	**The capacity of the organisations to jointly deal with the technological requirements of the Partnership**
	Capacity to deliver service Resource implications Future-proofing Interfacing with other systems Security/integrity Additional infrastructure requirements
Legal	**Those relating to breaches of legislation**
	General legal requirements Data Protection Act Freedom of Information Act Equalities Legislation Liabilities, Warranties, Health and Safety requirements
Contractual	**Those associated with the ability of all to meet the conditions of the Partnership Agreement. Drawing up of effective contracts. Those associated with the failure of contractors to deliver services or products**
	Partnership agreement Contract specification Procurement strategy Roles and responsibilities Indemnities Exit strategy
Physical.	**Those relating to fire security accident prevention, health and safety etc**
	Risk assessments re building conditions, workplace regulations, fire safety regulations, water hygiene/quality, mechanical systems, electrical systems, energy management Ownership of property and responsibilities Asset management and ownership Provision of office accommodation and equipment Intellectual property rights Termination strategy and liabilities
Environmental.	**Those relating to the environmental consequences of progressing the partnerships objectives**
	Management of environmental risks and legislative compliance Waste management Energy efficiency

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			

Direction of travel symbols ⇩ ⇧ ⇔

RISK SCORING MATRIX

Impact/Severity		Target impact	Stakeholder impact	Finance impact
1	Insignificant	Low impact on outcome & target achievement & service delivery	Low stakeholder concern	Low financial risk
2	Minor	Minor impact on outcome & target achievement & service delivery	Minor stakeholder concern	Minor financial risk
3	Moderate	Moderate outcome & target achievement & service delivery	Moderate stakeholder concern	Moderate financial risk
4	Serious	High impact on outcome & target achievement & service delivery	High stakeholder concern	High financial risk
5	Very serious	Very high impact on outcome & target achievement & service delivery	Very high stakeholder concern	Very high financial risk

Likelihood/ Probability		Risk	Opportunity
1	Very low	Negligible chance of occurrence; has not occurred	Possible opportunity yet to be investigated with low likelihood of success
2	Low	Low chance of occurrence; has occurred infrequently but within internal control	Opportunity being investigated with low likelihood of success
3	Medium	Equal chance of occurrence or non occurrence; could occur more than once and be difficult to control due to external influences	Opportunity may be achievable with careful management
4	High	More likely to occur than not occur; has occurred more than once and difficult to control due to external influences	Good opportunity which may be realised
5	Very high	Very high chance of occurrence but not a certainty; has occurred recently	Clear reliable opportunity with reasonable certainty of achievement

Risk score   =   Impact/Severity x Likelihood/Probability

Likelihood		Impact				
	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
	0	1	2	3	4	5
		Impact				

4. Governance Arrangements

Checklist of Governance Arrangements:

	Yes	Comments
Has the partnership been approved?		
Are the governance arrangements for the partnership clearly set out?		
Is there a partnership agreement in place?		
Does the partnership have a constitution?		
Are responsibilities and accountabilities clearly defined and allocated?		
Is there a lead partner or accountable body?		
Have partners nominated members of the governing body?		
Are nominees mandated to exercise their role for employers?		
Are governing body nominees sufficiently experienced for the role?		
Does the partnership have audit arrangements?		
Does the governance document provide an arbitration process?		
Are there escalation procedures within the arbitration process?		
Is there an exit strategy for all partners?		
Is there a formal process for withdrawal by partners?		
In the event of a partner withdrawing, is there a contingency plan?		
Is there an annual review of the partnership?		
Does the partnership have an approach to lessons learned?		
Does the partnership report financial matters?		
Does the partnership have arrangements to ensure legal compliance?		
Does the partnership have arrangements to meet obligations with respect to human resources?		
Does the partnership have asset management arrangements in place?		
Does the partnership have a code of conduct?		
Does the partnership have a training and development plan?		
Does the partnership have a communications plan?		
Is performance management monitored and reported in particular outcomes?		
Does the partnership have arrangements for reporting and assurance?		
Are responsibilities for insurance cover defined?		

5. <u>Information Sharing</u>

5.1   Information is an asset of the Council and it is important that information sharing is appropriately controlled and monitored within partnership arrangements. Sharing information is however vital to the success of partnerships and there should be maximum information exchange subject only to legal requirements.

5.2   It will be expected that partners will be willing to make their information public under the Freedom of Information Act where it relates to those areas covered by the partnership regardless of whether or not they are a public body covered by the Act.

5.3   All information and records should be stored in accordance with the Council's current records management and retention policies.

5.3   The Legal Team can provide additional guidance on legal compliance with the Data Protection Act and Freedom of Information Act, and requirements relating to the storage and retention of records and information.

Information Sharing Protocols

- It may be necessary to agree an information sharing protocol for the partnership, especially where information is likely to be shared relating to individuals;
- Working protocols will need to be specific to the operational requirements arising from the client group concerned and should be developed with the support of relevant professionals and representatives of the client group;
- The person or group responsible for developing the protocol should consult with all partners and stakeholders;
- A common format and common or integrated procedures should be adopted;
- Similar protocols developed elsewhere or by partners should be used where possible (don't reinvent the wheel) as long as they can be appropriately adapted to meet the requirements of the partnership;
- All partners will be expected to sign the protocol indicating their commitment to it;
- Issues to be addressed in the protocol include:
  - ➢ Purpose of and reasons for sharing data
  - ➢ Disclosure of data
  - ➢ Request for data
  - ➢ Responding to requests
  - ➢ Transfer of data
  - ➢ Receiving data
  - ➢ Storing data
  - ➢ Review procedures
  - ➢ Professional codes of conduct
  - ➢ Relevant applicable legislation

6. Terms of Reference - Template

A. Introduction/Purpose
- Who/what the partnership is
- Background
- Purpose

B. Vision and Objectives
- Partnership vision
- Partnership objectives (ensure objectives are Specific Measureable, Achievable, Realistic and Time Specific (SMART). Focus on outcomes and results. Think about what the partnership is going to achieve not how it will achieve it.

C. Membership, Governance and Operation
- Who are the group members/ representatives of which organisations and why
- Partnership structure
- Lead partner/organisation
- Accountability
- Partner roles, duties and responsibilities
- Role of elected Members
- Decision-making
- Chairing arrangements
- Secretariat functions
- Frequency of meetings
- Information/data sharing protocols
- Other protocols

D. Resources
- Partners Financial commitment(revenue/capital)
- Officer/Partner time commitment
- Asset commitment and ownership of assets
- Other resource commitments

E. Evaluation and Monitoring
- Reporting mechanisms - who, how often and on what
- Performance Management – how will outcomes against performance be assessed – what measures/indicators will be used (qualitative i.e. case studies, satisfaction, reputation, and quantitative i.e. numbers).
- How is the partnership achieving value for money for partners and the public

F. Special Circumstances
- Dealing with complaints

- ➢ *Resolving disputes*
- ➢ *Dealing with media/communications issues*
- ➢ *Risk assessment*
- ➢ *Procedures for whistle-blowing/fraud*
- ➢ *Dealing with breaches of protocol*
- ➢ *Expelling a partner*

G. *Dissolution/ Termination*
- ➢ *How and when the partnership can be terminated/ dissolved. Consider issues such as informing funders, stakeholders and clients*
- ➢ *Final reporting arrangements*
- ➢ *Exit strategy for partners wishing to leave the partnership*

H. *Review*
- ➢ *How often the partnership and agreement will be reviewed and by whom*
- ➢ *How revisions to the partnership and agreement will be approved/ agreed*

7. Identifying Significant Partnerships

- All significant partnerships require formal approval. A report should be submitted to the Executive or relevant Committee having first been discussed with the Head of Service or Corporate Director, as appropriate, and the Portfolio Holder/Committee Chair. The report should be an appraisal of the partnership and include a business case setting out the need for the partnership, objectives, aims, opportunities, benefits, outcomes, risks, governance arrangements and the reasons for it being deemed a significant partnership. Section 8 provides a template for this.
- Significant partnerships will be reported to the appropriate Scrutiny Committee/Panel annually as set out in the policy and section 9 of this guidance.
- Some partnerships have a higher impact than others and it is important to determine which these are. The following factors may lead to a partnership being considered significant:
    - It has a high influence on Council or Partnership spending or provides an opportunity to access a significant level of funding;
    - It has a high impact on service delivery;
    - It is required by legislation;
    - It has a high impact on strategic policy development;
    - It has a significant role in meeting identified local needs and priorities;
    - It has the potential to save considerable funds and provide a high level of "value for money" compared to partners acting independently;
    - it has a high public profile and is involved in significant strategic work that affects the public
- A scoring matrix has been developed to help officers establish whether a partnership is likely to be significant. This should be used alongside the other sections in this guidance, in particular the Partnership Checklist at Section 2.

Scoring Matrix

Assess partnership using the matrix on the following pages and calculate the overall score; this will determine if the partnership is likely to be significant, although you may determine that a partnership is still significant if it falls outside this scoring mechanism where there is a particularly high impact in one or two area. Your business case should state why you have identified it as being significant.

Overall score

0-7:   Consider whether any partnership arrangement is necessary or appropriate

8-15: Standard Partnership

16-21: Significant Partnership

Category	Score			
	0	**1**	**2**	**3**
Spending Influence *Whether the partnership has influence over the spending of the Council or partners. Provides an opportunity to access a significant level of external funding.*	No influence either way	Occasional influence over spending, usually within projects	The partnership has influence over Council spending / Council has influence over partner spending. Spending is largely at district level and mainly short-term. There is the potential to access a low-moderate level of external funding	The partnership has influence over Council spending / Council has influence over partner spending. Spending is strategic and may be cross district / county level and medium – long term with the ability to attract in significant funding
Service Delivery *To what extent the partnership is concerned with delivering a service direct to the general public or what influence over that service delivery the partnership may have.*	No connection to public service delivery	The partnership has either an indirect or low influence on service delivery with a limited impact	The partnership has influence over service delivery standards and performance	The partnership is concerned largely with direct public service delivery and will have a high impact on how these services are delivered
Statutory Driver *Whether the partnership is required by legislation or will assist the Council to deliver a statutory function*	Not required by legislation and will not assist in the delivery of a statutory function	The partnership is an entirely local initiative to help deliver a statutory function	Partnership is recognised as an effective way of delivering this statutory function but is not a legal requirement	The partnership is required by legislation

Strategic Influence *To what extent the partnership influences / can influence the development of Council policy or partner policy*	No policy influence either way	Any policy influence is through information sharing and best practice	The partnership has influence over Council and partner policy at an operational level	The partnership has significant influence over Council and partner strategic policies.
Local needs and priorities *To what extent the partnership can meet local needs and the locally identified priorities*	Partnership has little potential to meet local needs and deliver outcomes against locally identified priorities	Partnership is able to influence actions/ strategies that will help meet local needs and deliver improvements for the local area	The partnership is proactive in developing actions and delivering outcomes that will improve the local quality of life	Working in this partnership enables the Council and its partners to deliver outcomes that have a significant impact in meeting local needs and priorities
Value for Money *To what extent involvement in the partnership produces savings for the Council and partners, either direct cost savings or increases in service for the same spend*	Partnership has little potential to improve services or save money	Some savings may occur through information sharing and best practice	Working in this partnership improves the value / has potential to improve the value of services for Council and partners and can save the Council and partners some money or resources	Working in this partnership saves / has potential to save considerable funds compared to delivering the function alone
Public Influence *To what extent the public is aware of the partnership, or to what extent the strategies and policies of the partnership impact upon the public (this is related to service delivery)*	No public facing strategies / no connection with delivery of services	Little public awareness / partnership has little influence over service delivery or strategy	Partnership is recognised by the public/ influences service delivery	Partnership has a high public profile / is involved in significant operational and /or strategic work that affects the public

8. Business Case Significant Partnerships

Significant Partnership Business Case

Partnership Name	
Council Lead Officer	
Is this partnership shared across both South Hams and West Devon	
Partnership Lead Organisation	
Governance Arrangements	

Members of the Partnership:

Organisation	*Level of representation*
Purpose of Partnership	

Partnership Objectives	
Background (including reasons for partnership formation/ arrangements i.e. what is it being formed in response to)	
What outcomes and/or outputs will the partnership deliver	

Success criteria – how will success be assessed (performance measure)

Measure	*Assessment*
i.e. satisfaction levels	*Surveys (% improvement on a base figure)* *Case studies*

Is the partnership required by legislation, if so what is the legislation?	
Which local priorities will the partnership meet and why?	
What evidence is there that the partnership is needed?	

Risks and Opportunities – Summarise below and attach completed risk template

Costs and income generation (£)		Confidence
Estimated capital costs		
Estimated recurring revenue costs (per annum)		
Estimated income generated (per annum)		
Estimated funding from partners or other external funding		

Staff Resources		Confidence
Number of staff and time involved		

Savings / Benefits		
Cashable (£) per annum		
Non cashable benefits		

Source of funding for capital costs (e.g. external grants, reserves, etc.):

Mechanism for funding recurring costs(e.g. additional income, Council's base budget):

If the partnership is shared across both Council what is the % split for any financial committment:

SHDC: %

WDBC: %

9. **Evaluation and Review**

Each partnership must be reviewed on an annual basis as soon as possible after the end of the financial year. This responsibility will rest with the Council's lead officer for the partnership, who must as a minimum review:

- Whether the partnership has met its objectives and delivered agreed outcomes for the previous year and is likely to continue to do so;
- Whether the partnership still meets local needs and priorities;
- Any financial and resource commitment and that value for money is being achieved;
- Whether any changes are required to the terms of reference

For significant partnerships the monitoring proforma, set out later in this section, must be completed and sent to the Community Manager by the 1st September each year, who will then report to the appropriate scrutiny committee/panel.

Partnerships annual review template:

Name of Partnership:		
Lead Council Officer:		
1	**Objectives and Outcomes**	
	a	**Has the partnership met its objectives and outcomes? State which have been met and how and which have not been met and why.**
	b	**What performance information is available to support the above? Summarise performance.**
	c	**Is the partnership still meeting local priorities and needs? Examples.**
	d	**Can outcomes and objectives be delivered in a better way? What can the partnership do to improve performance?**
2	**Finance and Resources**	
	a	**How has the partnership provided value for money in the previous year?**

	b	**How will the partnership continue to provide value for money going forward?**
	c	**How and to whom do you report on the value the partnership provides and how funds are spent?**
	d	**Should the Council continue or is it able to provide the same level of financial support and/or resources? Please explain.**
3	**Terms of Reference**	
	a	**Are any changes required to the terms of reference? What are these and why are they required.**
	b	**When will the changes be made and how will they be agreed?**
4	**Challenges, Risks and opportunities**	
	a	**What challenges were identified during the year and how were these resolved? If not resolved, why?**
	b	**Did any new risks emerge during the year? What were they and what action has been taken to mitigate?**
	c	**Were any new opportunities identified during the year? What were they and how have these been incorporated into the partnership?**
5	**Conclusion**	
	a	**Should the partnership continue and why?**

PARTNERSHIP MONITORING PROFORMA
Partnership name:
A review of the aims and objectives of the partnership and an evaluation of whether they align with the Council's objectives and priorities.
Key outputs/achievements over the past twelve months
Key challenges over the past twelve months and how these were addressed
An appraisal of the financial commitment/resource input on an annual basis and whether the partnership continues to provide value for money for the Council

25

Is there a signed partnership agreement in place? Does this need amending?

What are the risks presented by the partnership and how are these mitigated?

What are the opportunities/benefits of the partnership and how have these been maximised?

Overall Conclusion (state if the partnership should continue and why, and whether any changes are proposed and why)