



DERBY CITY COUNCIL

Partnership Toolkit

DRAFT

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Foreword – Leader and Chief Executive

To be agreed.

Section 1 – Introduction and Context

Introduction – A partnership toolkit

Partnerships are now integral to the way local authorities set and seek to achieve their ambitions. Through Local Strategic Partnerships (LSPs) councils and other partners have developed Sustainable Community Strategies and signed up to Local Area Agreements. Shared information and consultation is enabling councils and their partners to reach a common understanding of local problems.

Partnership is an important means of building capacity, adding value and is fundamental to the Council's approach to achieving each of the shared priorities. Strategic service delivery partnerships with other councils or with the private or voluntary sectors can help to improve efficiency of support services.

Partnership working in Derby

Derby City Council has a long history of success of working in partnership. As the accountable body for Derby City Partnership (DCP), the Council works closely to ensure the effective governance and performance of the partnership. Following the Council restructure in May 2010, DCP now sits within the Chief Executive's Office.

DCP is an alliance of organisations working together to improve the quality of life for people in the city. DCP was established in 1995 and aims to bring a wide range of people and organisations together to help them work with each other to improve our city. In 2002, DCP became the Local Strategic Partnership for Derby, responsible for delivering the Neighbourhood Renewal Strategy.

Derby City Partnership has an excellent reputation, achieving 'green' ratings from Government Office for the East Midlands for four years and becoming one of the early pilots for Local Area Agreements, following the successful and innovative development of a Single Local Management Centre for funding.

The purpose of this toolkit

The toolkit gives detailed guidance in the life of a partnership:

1. The Life of a Partnership – Appendix 1
2. Making the Business Case – Appendix 2aw
3. Reviewing a partnership – Appendix 3
4. Leaving partnerships – Appendix 4

The purpose of this toolkit is to help the Council and its partners to work more effectively to identify if all the partnerships it is involved with have good systems of governance.

Governance means the processes, procedures and policies that deal with and address issues like accountability, probity and audit. Good governance leads to excellent performance.

The toolkit will...

- Provide a framework for all staff involved in considering new partnership working.
- Help Members and officers review and evaluate existing partnership arrangements.
- Ensure the Council's own values and priorities are being met.
- Assess risks for the Council and for the partnerships.
- Ensure that best practice, in areas such as risk management and performance monitoring is shared.
- Provide guidance for officers, members and partners on the development of partnerships and the skills required for effective partnership working.

Who will use this toolkit?

Both officers and elected Members of the Council will have access to this toolkit. The toolkit will also be available to the Council's partners and prospective partners. It is hoped that good practice will be shared between officers, partners and Members.

Defining a partnership

The term 'Partnership' can be defined as a relationship between two or more independent legal bodies, organisations or individuals working together to achieve a common vision with clear aims and objectives.

The Audit Commission use the term 'partnership' to describe a joint working arrangement where the partners:

- are otherwise independent bodies
- agree to co-operate to achieve a common goal
- create a new organisational structure or process to achieve this goal, separate from their own organisation
- plan and implement a jointly agreed programme, often with joint staff or resources
- share relevant information
- share risks and rewards.

In Derby our main partnerships are those required in relation to the Local Strategic Partnership (LSP) and the Community Safety Partnership.

When a partnership is based on contractual relationships, they will still need to be managed according to contract procedure rules.

Why work in partnership?

There are five main reasons why agencies develop partnerships...

1. To achieve shared objectives that would not be achieved by organisations working on their own.
2. To deliver co-ordinated packages of services to individuals.
3. To tackle complex problems which cross traditional organisational boundaries.

4. To bid for, or gain access to new resources.
5. To meet a new statutory requirement.

In order to tackle many local issues, local partners need to work together; they also need to work together to engage local people in setting priorities as well as in developing, commissioning and delivering local services.

When is a partnership appropriate?

Partnership arrangements are appropriate when they have the potential to achieve:

- **improved value for money** – when available resources are used economically, efficiently and effectively
- **added value** – delivering something that is unlikely to be achieved by another form of working arrangement
- **cross cutting outcomes** – outcomes from all partners should be achieved.

Other ways of working must be assessed to determine if a partnership arrangement is the most appropriate one. The outcomes and expectations of any partnership must always be considered against the legal framework in which the Council has to operate, through its cabinet/leader process and key decision making process. For example,

- Any partnerships where we are a 'party' should be approved if it has key decision implications i.e. funding implications or generally so we know what the Council are party to.
- A cabinet decision will also be required if we are accountable bodies to any organisation.
- We also have our own procurement regulations whereby if we need to tender for any goods or services our own procurement procedures must be followed. These will be in addition to anything specific set down for the partnership.

Key Ingredients

The key ingredients for a successful partnership are:

- clear, shared objectives and vision
- a realistic plan and timetable for reaching these objectives
- commitment from the partners to take the partnership's work into account within their mainstream activities
- a clear framework of responsibilities, accountability and decision making powers and processes
- a high level of trust and honesty between partners
- realistic ways of measuring the partnership's achievements
- conflicts of interest are dealt with quickly
- robust exit strategy.

Challenges to partnership working

Whilst there are many benefits to working in partnership, there are challenges. These include:

- getting partners to agree on priorities for action
- keeping partners actively involved and managing expectations
- formalising processes and procedures
- gaining understanding in terms of role, culture and language
- making decisions that all partners endorse
- focusing on delivering and achieving objectives.

Mapping the Council's partnership activity

At Chief Officer Group's request a Partnership Register was created for 2007/08, with each identified partnership asked to complete a high risk partnership template. This helped to provide an evidence base for reviewing partnership arrangements.

High risk partnerships were identified as those where the Council acts as accountable body or has significant funding commitments based on the 2007/08 partnership register.

In January 2009 the Governance Working Group reviewed and updated the Partnership Register. This involved identifying strategic partnerships. Consultation was undertaken with lead partnership contacts and was centered on discussing and reviewing the completed templates. As a result of the submissions and consultation, a checklist was developed which list key issues from each high risk partnership.

The Partnership Register is to be published on DerbyNet. Every new partnership is to be added to the Partnership Register as part of the Partnership Business Case (see Appendix 2). The complete Partnership Register will be reviewed annually.

Section 2 – Working in Partnership

Engaging with other sectors

Private sector

Engagement of the private sector is fundamental to effective partnership working. In Derby, a significant number of achievements would not have been possible without working in partnerships with businesses, including:

- The development of Pride Park, one of the UK's most successful regeneration projects employing around 6,500 people with the programme equating to around £300 million.
- The creation of Derby Cityscape, Derby's Urban Regeneration Company, which is transforming the city centre with a total development value of around £1.3 billion.
- Creating Marketing Derby's Embassy and Ambassadors Club – Derby is the first city to have an embassy in the capital which will work to raise the profile of Derby and seek further investment for the city.
- Launching Workstation to help local people from areas of high unemployment get equipped to apply for jobs in the new Westfield Shopping centre.

Businesses can gain a great deal from engaging with public sector partners, including:

- the ability to influence the way in which services are delivered
- extending local contacts and raising business profile
- meeting environmental responsibilities
- accessing funding for business development
- contributing to the local community.

Third Sector

The voluntary and community sector, also known as the Third Sector, make a significant contribution to partnership working in Derby. In Derby, a significant number of achievements would not have been possible without the involvement of the Third Sector, including:

- Winning 'Local Compact of the Year' award in 2008, recognition of the excellent partnership working between the public sector and the Third Sector in Derby.
- Developing the Forum of Faiths – a diverse group of representatives from all of Derby's faith communities and building the Multi-Faith Centre, one of the first of its kind in the world.
- Creating the successful Children and Young People's Network providing a voice for the voluntary sector and ensuring representation for the network on over 32 board and forums in Derby.

A copy of the Compact Checklist is shown in Appendix 15.

Review and evaluation of continuing Council involvement in partnerships

All existing partnerships need to be reviewed annually for continuing relevance to the Council's priorities. There are two aspects to this...

1. Review of the partnership itself; providing assurance that proper systems are in place and that its outcomes and performance are monitored and evaluated.
2. The Council must decide whether its requirements are being met and be assured that the partnership is effective.

The Partnership Register should be updated annually by each Directorate. Although partnerships are responsible for their governance arrangements, the Council has a duty to ensure that adequate procedures and processes exist regarding the stewardship of public funds.

Leaving Partnerships

At some point, partnership arrangements, or the Council's involvement in a partnership, may come to an end. This could be for the following reasons...

- The partnership achieves all that it set out to do.
- The priorities of the Council or partners change.
- On review, the partnership is not delivering the outputs and outcomes it was set up to do and a new approach needs to be explored.
- The partnership is replaced by another partnership or working arrangement.
- External funding sources or resources cease.
- On review, a high level of risk continuing the partnership is identified.
- The legal framework upon which the partnership was founded, changes.

Governance should be in place to provide guidance on good practice for organisations leaving a partnership or for dissolution of a partnership.

It is important that exit strategies are considered at the beginning of partnerships. Exit strategies must be agreed in a partnership's Business Case (for more information see Appendix 2) and in a Partnership Agreement (see Appendix 3).

For more information on leaving partnerships see Appendix 4.

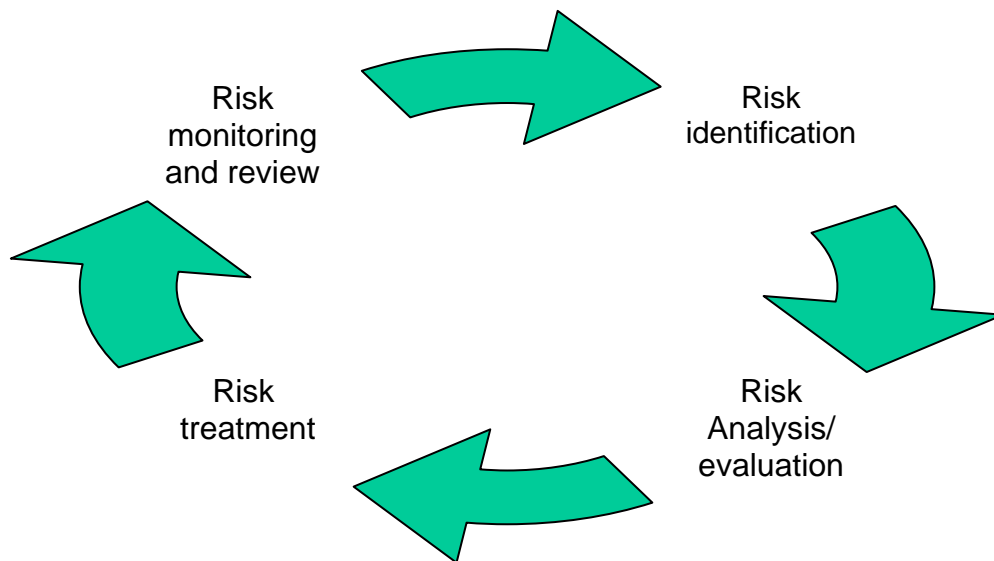
Risk assessment and risk management

The Council and its partnerships needs to ensure that financial, legal, and reputational risks are managed effectively. Risk management is tied to decision-making processes and good risk management is one of the principle elements of good governance.

Key aspects to consider are...

- Assessing the legality of proposed partnership arrangements.
- Ensure there is sound governance arrangements in place including financial reporting.
- That the Council's representative(s) on the partnership understand their roles and have the appropriate training and support to carry them out.

- A designated member of the partnership needs to be responsible for maintaining a risk register. This risk register will identify the key risks that may affect the partnership achieving its objectives.
- Consider if there is a robust exit strategy in place.
- Check the insurable risk, such as indemnity cover for partner members or public liability.



Significant partnerships will be subject to the Council's processes of assessing internal control, mainly through the work of internal audit.

The Council's Guide to Risk Management and Partnerships contains detailed guidance in this area, as well as Appendix 10.

Developing skills for partnership working

The Council recognises that partnership working requires particular skills and abilities, if it is to be undertaken effectively.

Derby City Partnership has a Learning Plan (see Appendix 14) with the aim of "Supporting employees and partners to develop the knowledge, skills and approaches to work together more effectively in partnership to achieve the 2020 Vision". DCP also offers regular induction and update sessions for all partners and members of the public to give the latest information on partnership developments and achievements. DCP also supports specific partner skills and learning with a range of activities including: induction of newly elected Members, breakfast briefings for private sector partners.

Please refer to the examples of Skills and Knowledge required for partnership working in Appendix 8 for more information.

Protocol for elected members involved in any work with outside bodies

Officers need to observe, at all times, the relevant Codes of Conduct and Protocols in the city Council Constitution. This can be found on Derbynet. Any elected members involved in partnership working with Derby City Partnership would be expected to sign up to and adhere to the 'Partnership Agreement'. Please refer to Appendix 12 for more information.

Protocol for employees involved in any work with outside bodies

Employees need to observe, at all times, the relevant Codes of Conduct and Personnel Policies in the Personnel Handbook.

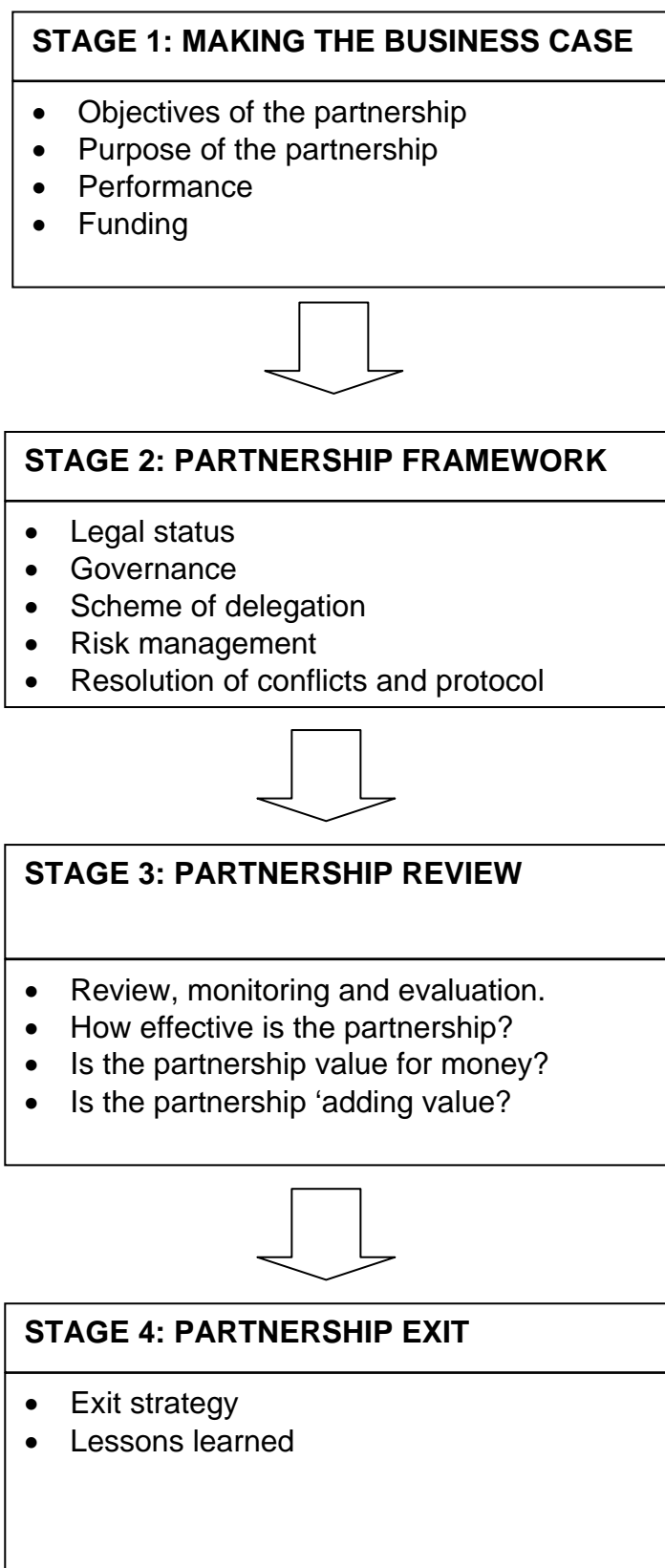
Please refer to Appendix 13 for more information.

Section 3 - Appendices

- 3.1 The Life of a Partnership
- 3.2 Partnership Business Case Template
- 3.3 Reviewing a Partnership
- 3.4 Leaving a Partnership
- 3.5 Partnership Agreement
- 3.6 Declarations of Interest
- 3.7 General principles of conduct for partnership working
- 3.8 Examples of skills and knowledge required for partnership working
- 3.9 Procedure for resolution of complaints or conflict
- 3.10 Guidance on risk management in partnership working
- 3.11 Insurance considerations
- 3.12 Protocol for elected Members involved in any work with partnerships, outside bodies and voluntary agencies
- 3.13 Protocol for employees involved in any work with partnerships, outside bodies and voluntary agencies
- 3.14 Learning Plan

The Life of a Partnership

This diagram explains the Life of a Partnership through the stages of forming, performing and then ending.



Partnership Business Case

This template should be completed if there is a business case for setting up or joining an existing partnership.

Partnership Business Case	
Name of Partnership:	
Nature of the business case	
This is concerned with: <ul style="list-style-type: none"> • Setting up a partnership • Joining an existing partnership • Reviewing an existing partnership 	
Reasons for the partnership	
What are the key aims and objectives of the partnership?	
How do these fit in with the strategic outcomes of the... <ul style="list-style-type: none"> • Sustainable Community Strategy • Corporate Plan • Local Area Agreement • Other Council plans 	
Which of the Partnership Vision ambitions does / will the Partnership support?	
Has an options appraisal been carried out?	
Partnership Structure	
Lead Council officer:	
Member representation:	
Partnership size:	
Partnership type (strategic, statutory, etc)	
Which other organisations will be represented on the partnership?	
Are there any links to other partnerships?	

Governance Arrangements	
To whom is the partnership accountable?	
What is the role of the Council? (e.g.lead agency, silent partner)	
Does the partnership have a Terms of Reference?	
What is the life span of the partnership?	
Is an exit strategy in place? What is the exit strategy?	
How will the partnership deliver good governance?	
Is there a form of Partnership Agreement that can be used? If not, see Appendix 3.3.	
Legal Arrangements	
What legal status will the partnership have? E.g. Will it become formally incorporated or remain as an unincorporated body?	
Risk assessment	
Attach the completed risk assessment of the partnership.	
Attach the completed Equality Impact Needs Assessment for the partnership.	
Performance Management and Monitoring	
Will the partnership report performance and progress to the Council? If yes, how often?	
Excellence and efficiency	
Give examples of how the partnership will deliver:	
Value for Money:	
Added Value:	
Resources and funding	

What resources is the Council providing in terms of:			
	Cost - £	Source (internal / external)	In kind
Finance			
Staff			
Accommodation			
Facilities			
Legal			
IT			
Administration			
Training			
Insurance			
Recruitment			
Advice			
Other			
When is funding for the partnership due to end?			
Are any Derby City Council (DCC) staffs being seconded? If so, DCC rules must apply.			
Partnership register			
Has the partnership been added to the partnership register?			
This business case has been reviewed by the following officers...			
Legal officer			
Financial officer			
Human Resources officer			
Service Director(s)			
Other(s)			
Authorisation			
<p>Business case must be authorised by Strategic Director.</p> <p>Name:</p> <p>Job Title:</p> <p>Date:</p> <p>Contact details:</p>			

Reviewing a Partnership

When reviewing a partnership, the following guidance should be used.

Reviewing a Partnership	
Name of Partnership:	
Governance	
Risk Management	<ul style="list-style-type: none"> Are there systems in place to assess and manage partnership risk?
Status	<ul style="list-style-type: none"> Is the legal status clarified? Is there a Partnership Agreement in place?
Accountability	<ul style="list-style-type: none"> Where does accountability lie for managing funds? Who is accountable for the partnership? Are financial monitoring arrangements robust?
Staff	<ul style="list-style-type: none"> Are roles and responsibilities clear? Is the code of conduct followed? Does the partnership have sufficient support?
Equality	<ul style="list-style-type: none"> Has the partnership carried out an Equality Impact Needs Assessment?
Performance	
Accountability	<ul style="list-style-type: none"> Does the partnership have an officer accountable for monitoring its performance? Is the partnership monitored against its objectives and outcomes? How frequently is performance reported?
Outcomes	
Efficiency	<ul style="list-style-type: none"> Is the partnership delivering Value for Money? Is the partnership delivering Added Value?
Authorisation	
<p>Business case must be authorised by Service Director:</p> <p>Name:</p> <p>Job Title:</p> <p>Date:</p> <p>Contact details:</p>	

Leaving a Partnership

This template needs to be completed after the Council has decided to end its working arrangement with a partnership.

Leaving a partnership	
Name of partnership:	
From what date will / did the Council's involvement with the partnership end?	
Why did the Council's involvement with the partnership end?	
Who decided the Council's involvement with the partnership should end?	
Will the partnership continue without Council involvement?	
Will the Council be involved with a similar partnership again?	
What did the partnership achieve?	
What could the partnership have done better?	
What could the Council have done better?	

Completed by:

Job Title:

Date

Contact details:

Partnership Agreement

A Partnership Agreement must address the following headings:

1. **Purpose**
 - List the aims and objectives of the partnership.
2. **Accountability**
 - To whom is the partnership accountable?
 - What does that accountability include?
3. **Terms of Reference**
 - Please list the Terms of Reference.
4. **Roles and Responsibilities**
 - List the roles and responsibilities of each of the members of the partnership.
 - List what the voluntary, business and public sector members bring to the partnership, and areas of partnership activity they will be responsible for delivering.
5. **Membership**
 - What are the membership arrangements?
 - List the members and outline who they represent. Are they from organisations in the public, private or voluntary sectors?
 - Who chairs and vice chairs the partnership?
 - How often is the membership reviewed?
 - How will decisions be taken?
6. **Information**
 - What information will agencies need to share?
 - How will this be done? (Including overcoming any technical or legal barriers)
7. **Code of Conduct**
 - What arrangements are in place for guiding the conduct of officers, Councillors, and members of the partnership?
 - How will declarations of interest be managed? (Appendix 6)
8. **Conflict and Complaints Resolution**
 - What processes are in place for resolving disputes that may arise between partners?
 - What is in place for resolving disputes?

9. **Equalities**

- How and when will the partnership carry out Equalities Impact Assessments?
- What arrangements are in place to ensure that equality is actively promoted?
- More information is available in the Equality impact assessment toolkit on Derbynet.

10. **Scheme of Delegation**

- Who can make what decisions?

11. **Meetings**

- What is the frequency and timing of meetings?
- What are the chairing arrangements?
- What are the voting arrangements?
- What venue will be used?
- What is the expectation of behaviour in the meetings?

12. **Risk Management (Appendix 10)**

- What arrangements are in place for assessing and managing the risks associated with the partnership?
- What are the potential liabilities for the Council?

13. **Performance and Monitoring**

- How and when will performance be reviewed?

14. **Business Continuity Plans**

- Business continuity plans should be developed at the start of the partnership and continually reviewed throughout the life of the partnership.

15. **Legalities**

- What arrangements are in place to ensure that the partnership is not able to commit potential fraudulent or illegal transactions?
- The legal status of the partnership needs to be clarified.

16. **Exit Strategies**

- Have you got an exit strategy?
- What are the arrangements for ending the partnership?

All Partnership Agreements should be signed by suitable representatives from each partner organisations and copies should be readily available.

Partnership Agreements should be reviewed annually.

Declarations of Interest

Interests should be declared before entering a partnership. This is a template from Derby City Partnership.

DECLARATIONS OF INTEREST

Name	
------	--

Organisation	
--------------	--

1 Employment, office, trade, profession or vocation

- You should show every employment, office, trade, profession or vocation that you, your husband / wife or your partner with whom you are living, has to declare for income tax purposes.
- Give a short description of the activity concerned, for example, “computer operator” or “accountant”.
- Employees should give the name of their employer. If you are employed by a company, give the name of the company paying your wages or salary, not that of the ultimate holding company. If you are a partner in a firm or the sole proprietor, give the name of the firm.
- Where you hold an office, give the name of the person or body that appointed you. In the case of a public office, this will be the authority that pays you. In the case of a teacher in a maintained school, the local education authority. In the case of an aided school, the school’s governing body.

Name of employer or body	Description of employment or activity	State whether self, husband/ wife or partner

2 Interests in companies and societies

- You should list the names of any companies, industrial and provident societies, co-operative societies, or other bodies corporate that, to your knowledge, are active in Derby and in which you have a substantial interest. You do not need to show the extent of your interest.

You have a substantial interest if you own shares or other securities in the company with a nominal value of more than £25,000 or more than 1% of the issued shares or securities. If there are several classes of shares or securities, the 1% applies to any of those classes. These limits also apply to deposits with industrial and provident societies and co-operative societies.

A company or body corporate is active in Derby if it has land or a place of business in that area.

- The requirement also covers shares and securities held in the name of other people, in which you have a beneficial interest.

<i>Name of company/body</i>

3 Membership of public bodies or other organisations

<i>Name of body or organisation</i>	<i>Nature of its activities</i>	<i>Position held including member, governor, board member</i>

4 Membership of clubs or societies

<i>Name of club/society</i>	<i>Nature of its activities</i>

5 Membership of voluntary bodies

<i>Name of voluntary body</i>	<i>Nature of its activities</i>

6 Contracts for goods and services in the city of Derby

- You should describe all contracts for goods, services or works of which you are aware, and which are not fully discharged, between any body, company or firm and Derby City Partnership in which you, your relative, the partner with whom you live or your partner's relative has an interest of the type described above. You need not say what the financial arrangements are, but you should say for how long the contract is.

<i>Description of contract</i>

7 Land in the city of Derby

- You should include any land in Derby in which you have a beneficial interest, that is, in which you have some proprietary interest for your own benefit. You should give the address or a brief description to identify it. If you live in Derby you should include your home under this heading as owner, lessee or tenant.
- You should also include any property from which you receive rent, or of which you are a mortgagee.
- “Land” includes any buildings or parts of buildings.

Address/description of land	Nature of interest in land

8 Licences to occupy land

- You should include land in Derby which you have a right to occupy, but neither own nor have a tenancy of it. You should give the address or a brief description to identify it.

“Land” includes buildings or parts of buildings.

Address/description of land

9 Other significant or material interests

I, or my husband / wife, relative, partner with whom I am living or relative of my partner have the following other significant or material interests which are relevant to Derby City Partnership.

I confirm that the above is a full declaration of my interests and undertake to notify Derby City Partnership of any change.

Signed:

Date:

Name:

General principles of conduct for partnership working

Selflessness

Members of the partnership will serve only the public interest not their own and should never improperly seek or confer an advantage or disadvantage on any person or organisation.

Honesty and integrity

Members of the partnership will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly, and will consistently avoid such behaviour.

Objectivity

Members of the partnership will make decisions without prejudice and on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

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

Openness

Members of the partnership will be open about their actions and those of the organisation they represent, and should be prepared to give reasons or justifications for those actions.

Personal judgement

Members of the partnership will take account of the views of others, including those of political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others

Members of the partnership will promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They will respect the impartiality and integrity of the local authority's officers and other employees as they abide by dignity at work principles and value the diversity of all partners.

Duty to uphold the law

Members of the partnership will uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship

Members of the partnership will do whatever they are able to ensure that the organisation they represent authorises use of their resources prudently and in accordance with the law.

Leadership

Members of the partnership will promote and support these principles by leadership, and by example, and will act in a way that secures or preserves public confidence.

Examples of skills and knowledge required for partnership working

Leadership	
Skills	Coalition building, vision and consensus building, communicating, consulting, managing change, delegating, influencing, negotiating and assertiveness
Knowledge	Needs and opportunities which provide the basis for common ground, policy and funding developments, partners' roles, contributions, constraints, motivations
Trust	
Skills	Building relationships, managing expectations, promoting dialogue, listening, empathy, managing conflict, giving constructive feedback, managing communications, coping with the unfamiliar and unexpected
Knowledge	Group dynamics, cultures, values and ways of working with others, forms of partnership agreement
Learning	
Skills	Problem solving, creative thinking, systems thinking, networking, diagnosing performance issues
Knowledge	Benchmarking and process mapping, partnership review and evaluation, how to promote learning in partnerships, facilitation techniques
Managing Performance	
Skills	Negotiating, entrepreneurial, setting objectives and performance measures, project planning/management
Knowledge	Partnership structures, accountability mechanisms, managing meetings, ways of making better use of resources

Procedure for resolution of complaints or conflict

Step 1 - Informal

The problem should be resolved as soon as possible with the complainant and respondent, preferably on the same day or within 14 days of the complaint or incidence of conflict being reported.

Most incidents will hopefully be resolved at this informal stage.

Step 2 – Formal

1. If the problem is not resolved between the complainant and respondent, or if the complainant wants the matter dealt with by someone other than the respondent, then the incident should be reported in writing to the Chair and the Director/Manager of the Partnership.
2. The Chair acknowledges the incident in writing within 48 hours, with a copy to the Director/Manager of the Partnership.
3. The Chair investigates the complaint or incidence of conflict, including interviewing the complainant, the respondent and others to establish the facts. He/she keeps the complainant informed of progress and any possible delays.
4. A written response and personal explanation by the Chair is made to the complainant within 28 days of the start of Step 2, with a copy to the Director/Manager of the Partnership.

If the incident involves the Chair, then it is referred to the Director/Manager of the Partnership.

If the Director is the respondent, the incident will go straight to the Chair of the Board who will appoint an investigating officer.

Step 3 - Review

1. If the complainant is not satisfied with the response then an appeal can be made to the Partnership Board for a review within 28 days of the result of Step 2.
2. The Review Panel should be two or three people none of whom should have been involved with the complaint or incidence of conflict. The Panel should include a member of the Board and an independent person possibly from another organisation who shall act as chair.
3. The convenor of the Review Panel should be a member of the Partnership Board.
4. Ten days' written notice should be given of the Review Meeting. All parties will be given notice and the opportunity to submit papers to the panel. These will be included with the written notice of the meeting.
5. The complainant should be informed that he or she may bring a person of their choice for support.

6. The Review Meeting should be as informal as possible. It is important that the complainant and respondent should be present at the meeting together.
7. After the complainant and the respondent have stated their case they leave together.
8. The Review Panel will then consider its action in private and write to the complainant and the respondent outlining its decision within seven days of the meeting.
9. The decision of the panel is final.

The Partnership will keep a written record of all steps followed and the action taken.

Definitions

'Complainant' is the person who reports the incident to the Partnership.

'Respondent' is the person or chair of the group to whom the complaint or incidence of conflict relates.

Guidance on risk management in partnership working

Problems arise in partnerships when governance and accountability are weak, i.e. when leadership, decision-making, scrutiny and systems and processes such as risk management, are under-developed.

In order to meet best practice, local authorities must meet two key responsibilities for each partnership they have. They must:

- Provide assurance that the risks associated with working in partnership with another organisation have been identified and prioritised and are being appropriately managed.
- Ensure that the partnership has effective risk management procedures in place.

There are two aspects to risk management in partnership working:

1. **Outside looking in** – from the Council's perspective...

What are the risks that the Council faces in being involved in the partnership? This risk identification exercise should be undertaken **before** partnership working commences and should be incorporated into the business case. Risks that should be considered and may apply include:

- Financial risk.
- Legal risk.
- Reputation risk.
- Resource conflicts.
- Reliance on a partner to deliver the Council's objectives.
- The partners track record in managing risk.
- Risk specific to the nature of the partnership or its objectives.

2. **On the inside** – from the partnership's perspective

The lead organisation should seek assurances from prospective partners:

- How well is risk management embedded in the business?
- Does their risk management methodology conform to good practice?
- Who are the key players involved?

Other considerations are:

- How will shared key risks be reported to management?
- What will the arrangements be for joint risk registers?
- How will action plans be prioritised?

Risk within the partnership will include some of the risks already identified through the pre-partnership risk assessment, but others to consider may be:

- Lack of 'buy in' from all partners.
- Confused governance arrangements, e.g. financial control, reporting arrangements etc.

- Organisational culture differences.
- Partnership is seen as Council led.
- Risks inherent in professional judgement/activity, e.g. care of the vulnerable.
- Failure of the supply chain.
- Reliance on IT system or equipment.
- Change in national or local government policy.
- Customer satisfaction/perception.
- Staff recruitment/retention/skills.
- Data protection, data reliability and data processing.
- Equality risks, i.e. discrimination outcomes, non compliance with statutory duties.

Critical Success Factors

For risks to be managed effectively within a partnership there are four key elements that need to be in place:

- Support for risk management from senior management of all partners.
- A Partnership Risk Management Framework must be agreed at senior level by all partners.
- An organisational culture that supports well thought through risk taking and innovation.
- Risk management must be fully embedded in management processes.

Benefits

Developing a partnership approach to risk management can have the following benefits:

- A common understanding by all partners of the risks and opportunities and how they will be managed
- An environment that allows the partnership to anticipate and respond to change
- Minimise surprises, loss and cost of risk for all partners
- Raised risk awareness and enhanced accountability
- Enhanced communication
- Improved basis for allocation of resources and delivery of better equitable services

Much of this guidance is summarised from 'Risk management guidance notes – *Partnership risk management*, CIPFA, September 2006. It can also be found in the Council's Guide to Risk Management and Partnerships.

For further information on risk management please see contact Chris Salt on extension 25 5535.

Insurance considerations

The following list highlights a number of areas where insurance decisions may need to be taken.

Area	Insurance Considerations
Employment of staff	Do officers involved in the partnership have appropriate cover for employer's liability by their host organisations for their work in the partnership?
Use of physical assets – buildings, equipment, vehicles	Which party owns the assets and are they appropriately safeguarded in terms of security, control over use etc? Are the assets insured for identified risks (e.g. fire, theft, vandalism, accidental damage, third party etc)?
Responsibility for finances	Does the Partnership manage finances and are they protected by sound systems of internal control and policies covering fidelity etc?
Public Liability	Do officers involved in the partnership have appropriate cover for public liability by their host organisations for their work in the partnership?
Capital works	Is the Partnership involved in capital works and are appropriate arrangements in place for managing risks to works in progress?
Officers'/Professional Indemnity	Do officers involved in the partnership have appropriate cover for their work in the partnership?
Members Indemnity	Do Members involved in the partnership have appropriate cover for their work in the partnership?

Protocol for Elected Members involved in any work with partnerships, outside bodies and voluntary agencies.

Introduction

This protocol should be read and followed when working as part of a public/private/voluntary partnership.

The protocol

The Council supports the activities of partnership working and recognises the benefits to the community, but wishes to ensure that Elected Members and the Council are not exposed to any unidentified and unexpected liabilities.

Authority to become involved with a partnership

Any Elected Member who is approached or wishes to become involved in a partnership should discuss the matter and the extent of their involvement with their Group Leader before accepting. The Group Leader may want to discuss the partnership and aspects of work with the Group or Chief Executive. The Elected Member should only accept or become involved after receiving approval from their Group Leader and appropriate Group Member and the approval of the Chief Executive, and the appropriate Chief Officer.

A lead partnership officer must determine what the Elected Member's role is and if they are representing the Council. The Elected Member should also discuss and agree if any support and/or training are required.

Prohibition on signing contracts

Elected Members working for a partnership should not sign any contracts or legally binding documentation on behalf of the partnership or the Council. Only authorised officers have power to sign documents of this nature.

Prohibition on provision of financial, technical or legal advice

Elected Members should not provide financial, technical, or legal advice to a partnership. They should satisfy themselves that such advice is available and is taken when necessary and must ensure that the partnership arranges indemnity insurance as appropriate, details of which should be provided to the Council's Insurance Officer. A requirement for either professional or trustee indemnity insurance will not always be appropriate; however, the cost of such insurance could be prohibitive for a small group with only a small income and no employees. In such circumstances, a "risk assessment" should be carried out to ensure that financial systems are in place to prevent financial or legal difficulties.

Protocol for Employees involved in any work with partnerships, outside bodies and voluntary agencies.

Introduction

This protocol should be read and followed when working as part of a partnership, either directly representing the Council.

Employees should ensure that appropriate Partnership Agreements (see appendix 5) or are adopted by all partnerships in which they are involved. The Agreement may be different for each partnership, but Officers should ensure that legal advice has been sought.

Personal responsibility of Employees

Employees must bear in mind that acceptance of a role as a charity trustee or company director is a responsibility personal to you.

The Protocol

The Council supports the activities of partnership working and recognises the benefits to the community, but wishes to ensure that the employee and the Council are not exposed to any unidentified and unexpected liabilities.

Authority to become involved with a partnership

Any employee who is approached or wishes to become involved in a partnership should discuss the matter and the extent of their involvement with their appropriate line manager before accepting. The manager may want to discuss the partnership and aspects of work with their manager and/or Head of Service.

The employee should only accept after receiving approval, in writing (or file note) from their Manager.

It is the responsibility of the manager, whilst discussing the employee's involvement within the partnership, to be clear as to the role and if the employee approached is the most appropriate representative. Once the appropriate employee has been identified, then the manager should ascertain what, if any, additional support and training is required. The manager is responsible for arranging this training and support.

Notification to Head of Service, Legal, HR and Finance

It is the employee's manager's responsibility to ensure that the Head of Service is aware of the Council's involvement in any partnership and also to inform legal services and the appropriate finance manager.

Prohibition on signing contracts without legal advice

Employees working for a partnership should not sign any contracts or legally binding documentation on behalf of the partnership, unless written confirmation of legal advice that it is acceptable can be provided.

Provision of financial, technical or legal advice

If the implications to the partnership of not following the advice could lead to an illegal act, health and safety issues, financial implications or other serious implications not in the partnership/public/Council's interest, then these should be made clear to the partnership when the advice is given and a written note provided.

It is the responsibility of the finance manager, when they are informed of the establishment of, or Council's involvement in, a partnership, to raise appropriate issues such as budgetary control and financial monitoring procedures and whether there are any VAT implications. Any agreement with the partnership to provide financial advice and support must be made after approval from the Head of Finance.

Learning Plan

This is Derby City Partnership's Learning Plan. It is a good example which can be adapted to any partnership.

Vision

Supporting employees and partners to develop the knowledge, skills and approaches to work together more effectively in partnership to achieve the 2020 Vision

Priorities

1. Inform new members about structure and role of DCP
2. Ensure existing members have knowledge of new developments and achievements in DCP
3. Support learning and sharing of skills within DCP centre
4. Support learning of partners in particular areas as identified

Priority 1 - Inform new members about structure and role of DCP

'Welcome to DCP' induction sessions will be held four times a year and open to anyone who is new to the partnership or needs to refresh on the partnership. The session covers the history, aims, achievements and current structure of the partnership. This induction session can be adapted and delivered to specific groups within the partnership on request.

Priority 2 - Ensure existing members have knowledge of DCP developments and achievements

'What's new in DCP' sessions will be held four times a year and are aimed at those in the partnership who have already attended the 'Welcome to DCP' session and want to know more about recent developments and achievements in the partnership. Each session is focussed on a specific theme for 2009 these are the LAA, The Sustainable Community strategy, Be Inspiring and Third Sector support.

Priority 3 - Support learning and sharing of skills within DCP centre

An internal programme of lunchtime learning sessions has been developed to support members of the Centre in their work. Topics for sessions have been identified through consultation on the learning needs of team members. Sessions will be delivered by team members and provide an opportunity to share skills within the centre and provide a valuable opportunity to increase training delivery experience.

Priority 4 - Support learning of partners in particular areas as identified

Regular Business Breakfast sessions will be held in partnership with the University of Derby and Derby and Derbyshire Chamber aimed at local SME to provide an opportunity to raise awareness of DCP, provide information on a subject relevant to the business community and an opportunity for networking.

Four sessions are planned for 2009.

Consultation of partners is required to determine the future training needs of partners specifically in relation to partnership working and partnership activity. This will inform a series of in depth higher level sessions on selected topics for partners to be held in 2009.

Compact Checklist

[To be inserted]