

# Corporate governance framework and toolkit for working in partnerships

### How to use this document

All officers and elected members involved in partnership working need to be aware of this document. Lead officers in particular will need to ensure they understand the guidance and refer to it for the purposes described in section 1.4 and when completing the forms in appendix 1.

This document has several interactive features detailed below:

Electronic templates have been attached to the various forms in the toolkit which can be downloaded and completed. Download the template by clicking on the title at the top of the form.

There are several supporting reference documents which you will need to refer to when completing some of the forms. The file paths are detailed at the back of the document but an electronic version can be downloaded by clicking on the document title.

If you are unable to access the shared folders or require any assistance in using this document please contact the partnerships team on 01603 212371.



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### **Acknowledgements**

In developing this framework, the council has drawn heavily on the work of other local authorities and organisations which are recognised as examples of good practice in this field, in particular the work of Hull City Council, Birmingham City Council, Leeds City Council and Bournemouth Borough Council.



Edition I, May 2009

### Foreword

"Welcome to Norwich City Council's Corporate governance framework and toolkit for working in partnerships. This document has been developed as a guide for elected members and officers when



working in partnerships. It provides a robust framework on which to base our partnership governance arrangements, thus helping us to work more effectively with our partners."

"The Corporate governance framework and toolkit for working in partnerships incorporates best practice from other local authorities, and key elements of Norwich City Council's policy framework. It supplements other council activity, such as the equalities agenda and sound risk and financial management."

"The city council proactively supports partnership working in order to achieve shared priority outcomes. This commitment is demonstrated, for example, through our leadership and involvement in the City of Norwich Partnership, the city's local strategic partnership. Partnership working is fundamental to Norwich's future and where possible we will embrace partnership activity to help achieve our vision "to make Norwich a world-class city in which to live, work, learn and visit."

Steve Morphew, leader of the council

### 1. Introduction and context

### I.I Why do we need a framework?

The city council is committed to working in partnership with other agencies to deliver priority outcomes and to improve the quality of life for local people. Good corporate governance arrangements in relation to partnerships enable the council to know whether partnerships are providing value for money, added value, and better use of resources by reducing duplication.

Robust corporate governance requires the council to be accountable, open, inclusive and effective, and to act with integrity. It enhances the council's capacity to maintain high quality services, and to deliver improvements. Good corporate governance should also extend to the council's relationships with its partners.

In addition to this, the framework seeks to integrate partnership work into the council's mainstream planning, thinking and delivery. In developing the framework, the council is proactively working to support partnership activity, and making available new systems and processes to develop partnerships.

Furthermore, by recognising the role of local strategic partnerships which are now often described as 'the umbrella under which all other partnerships operate', this framework will assist in identifying the family of partnerships supporting the City of Norwich Partnership.

# I.2 What are the benefits of working in partnership?

Working in partnership offers both opportunities and challenges. With good governance arrangements in place, partnerships can be effective in delivering added value and value for money.

The council sees many benefits of working in partnership including:

 effectively joining up and co-ordinating service delivery – reducing silo working and maximising impact

- addressing cross-cutting issues
- supporting its own objectives and priorities
- maximising the use of limited resources and to attract additional resources to the area
- championing the area and focus on the big issues facing the city
- agreeing a shared vision, objectives, action plans and commissioning of services to meet identified need.

### I.3 Purpose of this framework

The purpose of this framework is to set out:

- the processes for deciding when and how to enter a partnership
- the minimum governance arrangements each partnership requires
- how the council will support the governance of each partnership
- how the council monitors and reviews its involvement with each partnership.

The framework will promote clarity and consistency of approach in relation to partnerships' governance arrangements and will ensure:

- when entering into partnerships, the council is clear about its purpose and expected outcomes to be achieved
- that the most appropriate council officer and elected member is a representative on the partnership
- the council's own agreed objectives and priorities are being met
- there is clarity around accountability and responsibility for outcomes
- partnership activity and outcomes are monitored, reviewed and evaluated to make best use of resources
- risks for the council and the partnership are assessed and managed

- each partnership maintains a relevance to its agreed purpose during its lifespan and has an effective exit strategy
- partnerships are properly empowered and their legal status understood
- reviews are undertaken to evaluate success further, challenge processes and improve governance.

# I.4 Who will use this toolkit and when?

Both officers and elected members of the council will access this toolkit when joining a new partnership, when reviewing partnership involvement on an annual basis and as and when guidance on effective partnership governance is required. The council will also share this toolkit with its partners and prospective partners so they understand the procedures and guidance.

### I.5 Roles and responsibilities

Responsibility for advising and implementing this framework at officer level lies with the council's partnerships manager. The leader of the council has a strategic overview role for key partnerships (such as the City of Norwich Partnership, and the Greater Norwich Development Partnership), but for more operational issues the portfolio holder for corporate resources and governance is the member champion for partnership working.

The rest of this section covers the roles and responsibilities of various individuals or groups within the council.

# The council's lead officer for a partnership

The role of the identified lead officer for each partnership is to:

- ensure the council's responsibilities under the framework are carried out
- ensure the partnership complies with the minimum standards set out under the framework, including carrying out an annual review

- share with partners council documents which they should be aware of, particularly the anti-fraud strategy and whistle-blowing policy
- assess and record risks on the partnership risk assessment and ensure a copy is sent to the partnerships manager annually for inclusion in the corporate risk register
- inform the partnerships manager of any failures to comply with a requirement and proposed timescales for any follow-up actions to ensure compliance.

### The council's partnerships manager

The role of the partnerships manager is to:

- ensure there is proper support and advice to officers and members in relation to partnership involvement
- ensure the identified lead officer understands the role and is supported
- maintain a register of partnerships
- maintain a copy of each 'significant' partnership's risk register; include all of these in the council's corporate risk register; review these annually
- record any partnership which presents a risk to the council on a corporate risk register and annually review all such entries
- monitor compliance with the framework and report to corporate management team (CMT)
- review the framework annually and report to CMT.

### **All council directors**

It is the role of every director to:

- identify the partnerships that the directorate is involved in
- ensure that partnerships within the directorate are assessed for their level of significance
- ensure that partnership risks are assessed and monitored.

### The director of transformation

In addition to the above, the director of transformation has the following role:

• report to the executive on the effectiveness of the council's involvement in partnerships.

### **Corporate management team**

The role of CMT is to:

- provide a mechanism for the council to coordinate and discharge its duties under this partnership governance framework
- receive the joint summary report on the overall impact of the council's involvement in partnerships and agree any actions which do not require an executive decision
- ensure that the partnerships are properly supported and that the resources are provided to allow partnerships to succeed
- ensure that the council's representatives receive an induction with the partnership
- monitor the overall performance and effectiveness of partnerships and advise the executive on any further action required.



### Executive

The role of the executive is to:

- appoint, substitute or remove elected members (and officers on partnerships classed as 'significant') on partnership bodies
- receive reports from the director of transformation on the effectiveness of the council's involvement in partnerships
- agree the partnerships risk register, and assess the need for any further actions
- agree future direction and/or any actions arising from partnership evaluation reports
- agree the council's continued involvement in partnerships.

### **Scrutiny committee**

The role of the scrutiny committee is to:

- review the partnership risk assessments
- work with the partnerships manager to produce an annual report summarising the outcome of partnerships reviews and evaluations and identifying any necessary actions
- consider any evaluation report summarising council involvement in partnerships
- analyse and challenge outcomes, impact and direction
- evaluate if partnerships act cohesively and make differences to people's lives.

### 2. The framework

### 2.1 Defining a partnership

In order to develop a business case and review existing partnerships arrangements, it is necessary to apply a clear and workable definition of a partnership.

The Audit Commission's definition of partnership working is "an agreement between two or more independent bodies to work collectively to achieve an objective".

A partnership can also be defined as a joint working arrangement between partners who:

- 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 organisations
- plan and implement a jointly agreed programme, often with joint staff or resources
- share relevant information
- pool information, risks and rewards.

Due to the wide nature of the Audit Commission's definition, it has been refined and narrowed by other authorities, eg Hull and Birmingham City Council. This work has been recognised by the Audit Commission as a model of best practice.

Following this approach, Norwich City Council has adopted the definition of a partnership given below.

To ensure a shared understanding of this definition, phrases highlighted in blue in the next box are further explored below.

### **Definition of a partnership**

An agreement between two or more independent bodies to work collectively to achieve an objective, excluding:

- any contractual agreement entered into by the council, eg procurement arrangements and service level agreements except where these arrangements create a separate decisionmaking structure
- any agreement where the council provides an organisation with grant aid except where these arrangements create a separate decision-making structure
- public finance initiative (PFI)
- any basic networking function
- task and finish groups and project teams.

### Two or more independent bodies

There must be at least one other body distinct from the council, eg a company, a voluntary sector organisation, another local authority or a statutory body such as the police authority or a PCT.

When assessing whether a company is a partnership, consider who the members of the company are, eg shareholders. Is there any other body that is a member of the company, as well as the council?

Bodies are independent if they are separate legal entities.

### Work collectively to achieve an objective

If the council's input is integral to achieving an objective, it is likely that the council is working collectively with the other body. If the council's input is minor or incidental, the arrangement may not be a partnership; it may be an 'outside body'.

### Contractual agreement and grant aid

A contractual or grant arrangement will only be a partnership where it creates a separate decision making structure.

A public private partnership (PPP) will meet the definition if it is a contractual arrangement that creates a separate decision making structure.

### Separate decision-making structure

By this we mean a formal forum created by the arrangement, which gives the council a role in making decisions. The forum will have agreed rules about meetings, representation and voting rights.

Section 1 of the toolkit assists in the application of this definition and sets out some examples to illustrate whether particular arrangements constitute a partnership arrangement within this framework.

It should be noted that PFIs have been excluded given that the Audit Commission's report specifically excluded guidance on these, and that they have their own regulatory framework.

Some arrangements will cut across a number of service areas and CMT will need to decide which director takes responsibility.

### 2.2 Making a business case

Before entering into a partnership, a business case must be made. The business case will need to be approved in the first instance by the head of service before taking to the relevant director. In the case of a 'significant' partnership the business case must be approved by CMT and, in consultation with the portfolio holder, where appropriate by the executive for 'in principle' support. Executive will approve nominations for elected members and, where appropriate, officer appointments on 'significant' partnerships. The covering report will need to include the following:

- a cost/benefit analysis (this should not just include financial elements)
- consideration of whether any other partnership should carry out some or all of its proposed functions
- an options appraisal to determine the most appropriate organisational form for the partnership.

The following forms will be the basis of a business case:

- form a: Making the business case
- form b: Risk assessment
- form c: Risk action plan
- form d: Partnership registration form
- form e: Significance score card.

The partnerships team will inform the City of Norwich Partnership's strategic board of any new partnership arrangements which may directly link with the work of the local strategic partnership.

# 2.3 Risk assessment and the risk management framework

In essence, risk management is about making the right decisions, based on a process of identifying, assessing, controlling and reviewing risks, particularly from financial, legal and reputational perspectives. Risk management is a key part of corporate governance and partnership working. It is essential therefore that the council undertakes robust risk management to identify and deal with the key risks in relation to the partnerships it is involved in, to support both the partnership and the council in pursuit of their goals.

Risk management for the council considers corporate risks relating to and/or arising from partnership activity as well as risks within the partnership itself. The council needs to be able to understand and manage both types of risks by mainstreaming partnership risk into the organisational risk management process. Good practice suggests that the partnership itself should have robust risk management arrangements in place when undertaking priority setting, policy making, financial planning and performance management. This could involve partners sharing their risk assessments, for example, by having a joint risk register covering risks to the partnership itself. This allows the opportunity for partners to come to agreed judgements, assign responsibility for action and trigger monitoring information.

### Undertaking a risk assessment

For each new partnership, a *Risk assessment* (form b) must be completed before approval for the partnership can be given. Once the risks have been identified and assessed, a copy of the risk assessment must be provided to the partnerships manager who will also provide a copy to the finance department. As stated above, the lead officer should also ensure that the partnership itself undertakes a risk assessment. The risk assessment for a new partnership should be reviewed after six months and then on an annual basis. The risk management framework will also be applied to significant partnerships on an annual basis.

The internal risk management framework consists of the following six steps:

# I. Distinguish between strategic and operational priorities

It is important to note that risks of a strategic nature are likely to affect the medium-to long-term priorities of the council and require longer term planning in order for them to be addressed. Operational level risks, in contrast, tend to be more immediate in their impact and more susceptible to treatment in shorter time frames.

### 2. Identify and assess risks

Once all risks have been identified, the likelihood and impact of the risk needs to be assessed to arrive at a risk rating.

The scoring matrix and examples of risks according to level of severity are given in section 4 of the toolkit.

### 3. Compile a risk register

Once the risks have been identified by the council's lead officer for the relevant partnership, a central risk register will be compiled and maintained by the partnerships manager.

### 4. Manage risk

For all risks identified in the risk assessment, a decision needs to be taken about how to manage the risk. There are four general approaches to be considered:

- avoid (do not undertake the activity that is likely to trigger the risk)
- reduce (control the likelihood of the risk occurring or the impact of the consequences if the risk does occur)
- transfer (either totally or in part, eg through insurance or contract)
- accept (the ability to take effective action against some risks may be disproportionate to the potential benefits gained).

### 5. Monitor and report

Risk assessments should be monitored on a regular basis and any deterioration in mitigation reported to the partnerships manager. A central risk register will be compiled and maintained by the partnerships manager, who will regularly review it and report to scrutiny and executive.

### 6. Review

The risk management process for partnerships will be reviewed annually by the partnerships manager to ensure emerging risks are identified and managed.

### 2.4 Establishing a register of partnerships

The partnerships manager is responsible for maintaining a register of partnerships (reference 1).

It is the responsibility of each director to ensure that all of the partnerships in which the directorate is involved (where the partnership meets the definition put forward in this document) are included on the register and any amendments reported to the partnerships manager.

Through the registration process, a lead officer will be identified for each partnership. All new partnership arrangements must be registered with the partnerships manager using the *Partnership registration form* (form d), following approval by the director, CMT, or executive as appropriate.

### 2.5 Criteria for significance

The council will review each of its partnerships annually to identify which partnerships are 'significant'. It is the responsibility of each director to ensure that the level of significance of each partnership within the directorate is assessed.

To assess the significance of a partnership the council will take into account:

- the partnership's contribution to the achievement of priorities in the corporate plan, the Norwich sustainable community strategy and the Norfolk LAA
- the type of decisions the partnership makes
- whether the partnership is required by law or to secure funding
- the resources which the council contributes to the partnership
- the nature of the consequences if the partnership were to fail
- the extent to which the partnership helps the council to manage risk.

The Significance score card (form e) sets out how these criteria are applied.

As part of the register, the partnerships manager will maintain a database of those partnerships which are identified as 'significant'.

### 2.6 Equality and partnerships

The council has a duty to promote equality of opportunity, eliminate discrimination and promote good relations between different groups. To assist this process, it is a statutory requirement to conduct and publish diversity impact assessments (DIAs) on its policies and functions, as well as to ensure equalities objectives are embedded in its strategic output.

Any partnership entered into by a local authority should seek to uphold the equalities duties as outlined above. Good practice dictates that all partners demonstrate an engagement in the process of undertaking DIAs. Where the partnership is between public bodies under the same obligation, the responsibility is equal and a lead officer to undertake the DIA should be nominated. Where the partnership is with a voluntary sector or private partner, the lead officer will be from the local authority.

A DIA is a thorough and systematic risk assessment tool that helps identify potential gaps in services and potential indirect discrimination. This process should be undertaken at the development stage of a policy or function, and focus on the activities and actions planned.

The DIA process should be ongoing and the partnership governance framework should as a minimum include:

- A statement on how the partnership will operate and actively value the benefits of diversity and ensure fair treatment and equality of opportunity. This includes representation and participation on the partnership.
- A statement on how and when the partnership will carry out DIAs on the partnership activity. In the case of new partnerships this should take place no later than six months after the partnership has started for the 'significant' partnerships and 12 months for smaller partnerships.

This council has adopted an integrated assessment model which embraces all the six equality strands (gender, disability, race, age, sexual orientation and religious beliefs) together with human rights, integration and community cohesion. The DIA is comprised of three parts which are set out in section 7 of the toolkit:

- Form f: Test for relevance
- Form g: Initial screening and assessment
- Form h: Full impact assessment.

Where the council is taking the lead on completing the DIAs the nominated lead officer for the partnership should initially complete the test for relevance so it is possible to assess functions and policies that have the most impact first. Those policies and functions which are tested as having the highest relevance will be assessed in the first year of a three-year cyclical corporate timetable. The initial screening should be undertaken at the development stage of any partnership project, to ensure that any actions are reviewed for their potential impact before implementation. This will then inform the lead officer and partners as to whether a full assessment is necessary, namely if a potential negative impact has been identified.

### 2.7 Governance arrangements

Once approval has been given for the council to join a partnership and representatives and a lead officer have been chosen, it is necessary to ensure that robust partnership governance arrangements are in place.

The partnership's governance arrangement should constitute a formal written agreement. Although some elements may not be appropriate for some partnerships, good practice shows that the governance arrangements should include the following:

- the purpose and basis of the partnership
- its membership and the roles of members
- arrangements for the conduct of meetings including arrangements for declaring interests
- decision making framework

- risk management processes
- financial arrangements
- arrangements for monitoring and review
- communications
- information sharing protocols
- dispute resolution procedure
- termination of and exiting from the partnership.

The lead officer will confirm the position to the partnerships manager and provide:

- details of any failures to comply with a requirement
- a proposed timescale for any follow-up actions to ensure compliance.

Detailed examples are provided in the toolkit section 8.

### 2.8 Review and evaluation

An annual review of the performance and effectiveness of each partnership is required to establish that the council's involvement provides value for money and adds value. Ultimately it will determine if the council wishes to continue to have an input into the partnership. This process will involve reviewing the *Significance score card* (form e). It is good practice for all partnerships but essential for significant partnerships to then review and/or complete the following documents and return to the partnerships manager:

- review, evaluate and update the *Risk assessment* and *Risk action plan* (forms b and c)
- review the timetable for DIAs
- review the governance arrangements
- review or complete the Partnership assessment form (form j).

It is important that this process is undertaken in conjunction with the partnership and the partnership also takes responsibility for compliance.

The partnerships manager will monitor compliance with the framework, and will report on this annually to CMT.

# 2.9 Financial governance and partnerships

The head of finance is required to assess the register of partnerships, to identify those with which the council has a significant financial relationship (ie, to which the council contributes a significant amount of finance and/or for which it acts as the accountable body). This enables the head of finance to focus efforts on reviewing the financial performance of those partnerships that are financially significant. In cases of high significance, priority needs to be given to maximising the robustness of the governance and financial management arrangements.

If budget monitoring advice is required, lead officers should use their service accountant (details available on pg 21 of the Managers handbook under 'e-grapevine' and 'work aids'). If advice is required around more complex financial issues or regarding committee reports, then the head of finance should be contacted in the first instance who will direct the query to the appropriate senior finance manager.

### 2.10 Leaving a partnership

There are several reasons why partnership arrangements, or the council's involvement in a partnership, end. This may be because the partnership has achieved all that it set out to do, it has been replaced by another working arrangement, the funding has ceased, or the council's priorities have changed.

When exiting a partnership it is important to consider the following issues:

- Who owns any assets?
- What arrangements relate to the termination of any funding?
- What happens to any staff employed by the partnership?
- Who is responsible for any outstanding liabilities?

- Are there any legal implications of withdrawing from the partnership?
- Are there any cost implications of withdrawing from the partnership?

The lead officer will need to complete the *Partnership exit form* (form k) within three months of the council's decision to end its working arrangement with a partnership and this should be sent to the partnerships manager.

### 2.11 Protocols for elected members and officers working with outside bodies

Elected members and council officers should read and follow the protocol in appendix 2 when working as part of any partnership, whether directly representing the council, in an advisory capacity, or as part of an interest group. Any issues in this protocol which are not clear or require clarification should be discussed with the monitoring officer.

Elected members need to observe the relevant codes of conduct in the council's constitution at all times, paying particular attention to requirements for making declarations of interest.

Appendix 2 sets out protocols for both officers and elected members in working with partnerships.



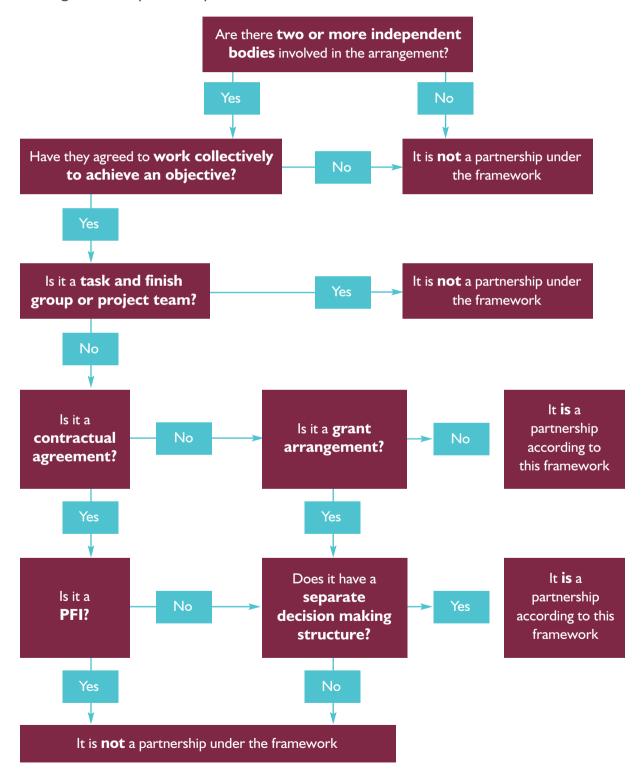
### **Appendix 1**

### The toolkit (forms and guidance notes)

### I. Definition of a partnership

### **I.I Partnership definition flowchart**

This flowchart can help establish whether an arrangement is a partnership under the definition.



# I.2 Examples – how to apply the definition

These examples are not intended to provide a definitive assessment of whether each arrangement is a partnership and are illustrative only.

### Example I: The contract



The council has entered into a contract with Lloyds TSB to provide a pool car facility. The contractual arrangement involves two bodies: the council and Lloyds TSB. They are separate legal entities, and so are independent bodies.

They may be working collectively to achieve objectives. It is not a PFI.

A contractual arrangement entered into by the council is not a partnership, except where the arrangement creates a separate decision-making structure.

As there is no separate decision-making structure, this is **not a partnership.** 

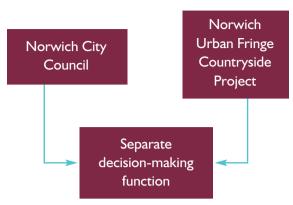
This arrangement is equally evident in the contract Norwich City Council has in relation to green waste and its composter.

### Example 2: PFI



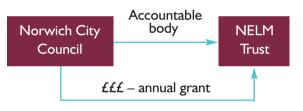
The council's arrangement with Steria forms a contract with a separate review board that makes decisions. However, the I 5-year contractual arrangement was set up as a PFI and for this reason falls outside of this framework's definition of a partnership, so it is **not a partnership**.

# Example 3: The SLA with a separate decision-making structure



This arrangement has a three-year funding agreement with an SLA in place. However, there is a separate decision-making structure so **it is a partnership.** 

# Example 4: Grant arrangements with a separate decision making structure

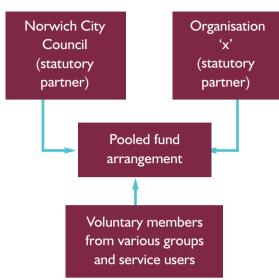


The CLG/GO East allocate a grant to be managed by NELM Trust, and Norwich City Council acts as the accountable body.

The arrangement involves three independent bodies and they have agreed to work collectively to achieve an objective.

However, a grant arrangement entered into by the council will not be a partnership, except where the arrangements create a separate decision-making structure. So if the trust takes decisions about the grant, without input from the council through a separate decision-making structure, the grant arrangement would not be a partnership. This is not the case as Norwich City Council is represented on the trust's decision making board, so this **is a partnership**.



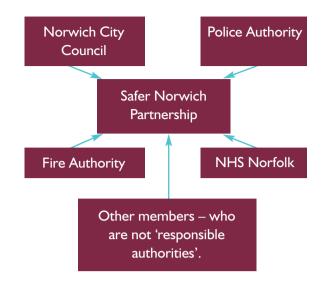


Norwich City Council and organisation 'x' are two independent bodies.

They may have agreed to work collectively to achieve an objective. They have a contractual arrangement. It is not a PFI. A contractual arrangement entered into by the council is not a partnership, except where the arrangements create a separate decision-making structure.

The partnership agreement requires a pooled fund and a partnership board to manage the pooled budget. The partnership board is a separate decision-making structure. Therefore, this **is a partnership**.

**Example 6: A statutory partnership** 



The 1998 Crime and Disorder Act require 'responsible authorities' to audit crime and produce a crime and disorder reduction strategy. They achieve this through the Safer Norwich Partnership.

The Safer Norwich Partnership is made up of a number of independent bodies. They work collectively to achieve objectives. It is not a contractual arrangement or grant arrangement. Therefore, Safer Norwich Partnership **is a partnership.** 

# Example 7: Arms' length management organisations (ALMOs)

While Norwich City Council does not

currently have any ALMOs, the following description is included for completeness of definition.

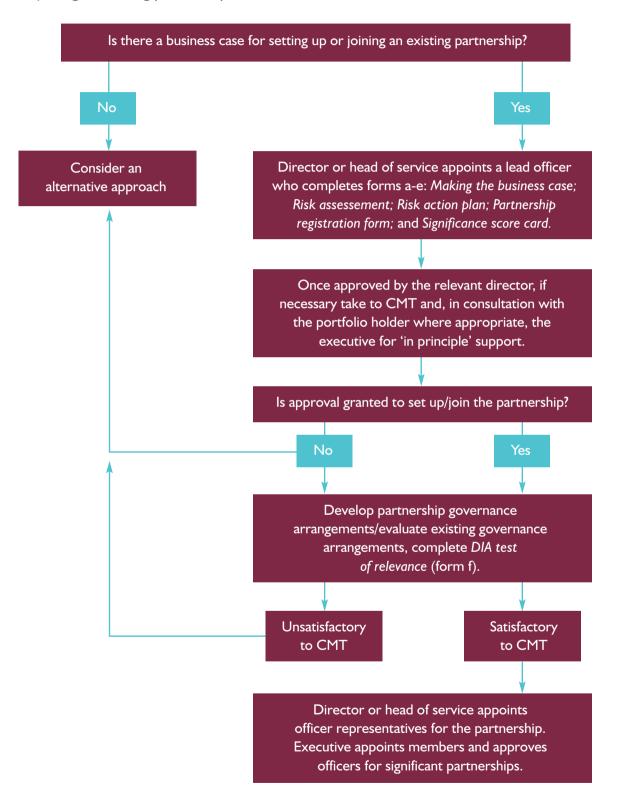


ALMOs are companies that are wholly owned by the council. No other body is a member. Each company does not therefore involve two or more independent bodies.

Thus, ALMOs are not partnerships.

### 2. Partnership setup flowchart

The following flowchart sets out the process for setting up a new partnership or joining an existing partnership.



### 3. Form a: Making the business case

MAKING THE BUSINESS CAS	SE
NATURE OF THE BUSINESS CASE	
Is the proposal to: • Set up a new partnership • Join an existing partnership	Yes No
Name of the partnership	
Is the partnership statutory?	
ASSESSMENT OF 'FIT' WITH THE CO	OUNCIL AND KEY POLICIES
How does the partnership contribute to the: • corporate plan • sustainable community strategy • local area agreement	
PARTNERSHIP – KEY INFORMATION	
Strategy	
List the agreed/proposed objectives, SMART outcomes and targets	
What is the intended lifespan?	
What is the exit strategy?	
Membership	
Which organisations make up the partnership?	
Are there any key players not in the partnership?	
If yes, which ones?	
Leadership and engagement	
Who is the partnership accountable to?	
What is the role of the council?	
Risk management	
Complete and attach forms b and c	
EXCELLENCE AND EFFICIENCY	
Give specific examples of how the partners	hip delivers:
a) Value for money b) Added value	

### RESOURCES

What resources is the council provid	ling in terms of:
a) Finance	
b) Staff	
c) Accommodation	
d) Legal	
e) IT	
f) Administration	
g) Training	
h) Insurance	
i) Recruitment	
j) Payroll	
k) Health and safety	
I) Advice	
m) Communication tools	
n) Others	

### ANSWER ALL POINTS WITH DETAILS

### Funding

When is funding for the partnership due to end?

If the council leaves the partnership will any funding be lost to the city?

If yes, please give details.

### OTHER CONSIDERATIONS FOR EXISTING PARTNERSHIPS

### Reputation

Is there the potential for reputation damage to the council if it leaves the partnership? If yes, what is the risk and how can it be managed? Completed by Date

# 4. Risk assessment and management tools

It is advised that the risk management strategy (reference 2) is read before undertaking a risk assessment.

Using the *Risk assessment* (form b) all risks – strategic and operational – should be identified based on the headings on the form. The risks to the partnership of not having in place robust governance arrangements should also be included.

Any current control measures need to be recorded then using the matrix below, the likelihood and impact of the risk needs to be assessed to arrive at a risk rating. By multiplying the two factors, a risk rating of **low** (green), **medium** (amber), **high** (orange) or **very high** (red) can be set (table 1).

			Impac	ct/consequences (	(1-7)	
		Insignificant (1)	Minor (2)	Moderate (3)	Major (5)	Catastrophic (7)
Likelihood/ probability (1-5)	Very high (5)	5	10	15	25	35
elihod bility	Likely (4)	4	8	12	20	28
Like robal	Possible(3)	3	6	9	15	21
д	Unlikely (2)	2	4	6	10	14
	Rare (1)	I.	2	3	5	7

To give consistency in the way in which risks are quantified across the council, table 2 gives an indication of the possible levels of severity.

The risk assessment will contain all risks that require treatment. There are four general approaches to treating risk (table 3). These are as follows:

- avoid the risk do not undertake the activity that is likely to trigger the risk
- reduce the risk control the likelihood of the risk occurring or controlling the impact of the consequences if the risk does occur

- transfer the risk either totally or in part eg through insurance or contract
- accept the risk the ability to take effective action against some risks may be limited or the cost of taking action may be disproportionate to the potential benefits gained.

A cost benefit analysis of each treatment option should be used to provide the basis for selecting the best option to manage each risk identified. A *Risk action plan* (form c) is required for all risks where the approach taken is to reduce the risk.

	Level of risk	Level of concern	Consequences	Action required	Risk treatment option available
	Very high 6 -35	Very concerned	Disastrous impact	Comprehensive action is required immediately	Avoid/Reduce/Transfer
	High 8 – 15	Concerned	Severe impact	Action is required within 3 months	Avoid/Reduce/Transfer
	Medium 5 – 7	Uneasy	Medium impact	Managed via contingency plans. Action plans to be developed within 6 months	Avoid/Reduce/Transfer Accept – but using a contingency plan
)	Low I – 4	Content	Relatively light impact	Council is prepared to accept this risk	Reduce – if cost effective Accept

Table I

Impact	Service Delivery	Partnership Effectiveness	Human	Financial	Project	Political	Reputation
7 Catastrophic (risk assessment)	Disruption of more than one core	Partnership would not be able to	Death	Financial impact greater than £500k	Project failure	Very significant political damage	National and international
5 Highly significance (score card)	than 14 days	Chell and				period	publicity
5 Major (risk assessment)	Disruption of core services	Partnership would be unable to meet	Life threatening injuries	Financial impact of up to £500k	Project significantly	Major political damage over	Regional or local media coverage
4 Major (score card)	up to 17 days				budget	sevel al weeks	
3 Moderate	Disruption of core services up to 7 days	Partnership effectiveness would be affected long term and objectives would need to be reviewed	Major non life threatening injuries	Financial impact of up to £100k	Project overruns or over budget affecting service delivery	Modest political impact for a short period of time	Local media coverage
2 Minor	Disruption of services up to 3 days	Partnership effectiveness would be affected short term but would still be able to meet its objectives	Minor injuries	Financial impact of up to £50k	Project overruns or over budget	Political impact could be appropriately managed	Media enquiries
l Insignificant	Disruption of services up to 24 hours	Partnership effectiveness would be relatively unaffected	Slight injury	Financial impact of up to £25k	Minimal affect on budget or overrun	Minimal or no political impact	Minimal or no media interest
	-	-					

# NB This table is a guide only and will not cover all situations

### Table 2 – severity levels

RISH	RISK ASSESSMENT							
Name	Name of partnership							
Risk no.	Description of risk (inc. consequences	How is this risk currently being	How would you rate t with controls in place?	How would you rate the risk with controls in place?	e risk	Who is responsible	Risk treatment	Comments
	of the risk)	mitigateo:	Likelihood	Impact	Risk rating	tor this measure?	попдо	
Significant Einance	Significant risk areas to consider:   Finance  Human Resources	i <b>der:</b> <ul> <li>Legal</li> <li>Environmental</li> </ul>	ĕ ŭ □ □	<ul> <li>Political</li> <li>Economical</li> </ul>		<ul> <li>Social</li> <li>Technological</li> </ul>		<ul> <li>Partnership</li> <li>Reputational</li> </ul>

### 4.1 Form b: Risk assessment

Rick	What further measures	Estimated Cost	Who will action	Target date	What is the to	What is the target risk rating once these	ng once these
OU	can be implemented to		this measure?		additional cor	additional controls are implemented?	ig once urese
	reduce this risk?				Likelihood	Impact	Risk rating
ounci	Councils assessing officer		Contact details		D	Date assessed	

### 4.2 Form c: Risk action plan

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### 5. Form d – Partnership registration form

PARTNERSHIP REGISTRATIC	ON FORM
Partnership name	
Key objective/purpose of partnership	
Type of partnership	
Strategic alliance – Formal forums, joint	committees or LSPs Yes No
Statutory – Required or covered by law	
Not-for-Profit – Charities, trusts, compa	anies limited by guarantee 🦳 Yes 📃 No
Other – please specify	Yes No
Partnership significance category and sc	ore: insignificant/minor/moderate/major/highly significant
Norwich City Council's lead officer and	directorate
List all council officer and elected memb	per representatives
their role and level of responsibility (eg	
Which areas of the corporate plan does	this partnership contribute towards?
Strong and prosperous city	Yes No
Safe and healthy neighbourhoods	Yes No
Opportunities for all	Yes No
Aiming for excellence	Yes No
Which areas of the sustainable communit	ty strategy does this partnership contribute towards?
Economic growth and enterprise	Yes No
Environmental excellence	Yes No
Culture and creativity	Yes No
Safe and strong communities Health and well-being	Yes No
Learning and personal development	Yes No
Partners (please list)	
raithers (please list)	
Lead authority/partner	
Lead authority/partner	
Lood officers tales have sumbles and en-	sil (whome Nemwich City Council is not the load poutnow)
Lead officer, telephone number and em	ail (where Norwich City Council is not the lead partner)
Data poutnouskie kerren	
Date partnership began	
Length of time partnership is expected t	
Completed by	Date completed

### 6. Criteria for significance

When completing the score card reference should be made to the following documents:

- Question I corporate priorities 2008/09 (reference 3)
- Question 5 example severity levels (page 22)
- Question 6 key strategic risks (reference 4).

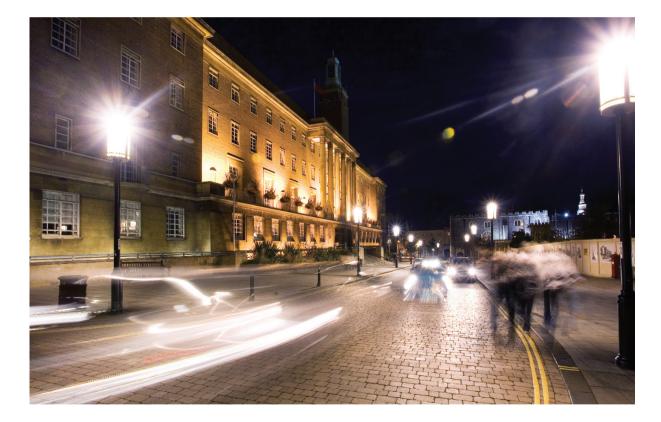
The impact scores give the following significance category:

I-20	Insignificant
21-40	Minor significance
41-60	Moderate significance
61-80	Major significance
81-100	Highly significant

The significance score and category must be recorded on the *Partnership registration form* (form d).

The toolkit uses the term 'significant' partnership to refer to partnership arrangements which have scored 81 and above on the score card. There are only certain sections in the toolkit which are essential to complete for 'non significant' partnerships but the complete toolkit is good practice for **all** partnerships and essential for 'significant' partnerships.

However, depending on the partnership arrangement and the information provided to the partnerships manager, lead officers of any partnership may be asked to complete further elements of the toolkit.



	Description	Insignificant (Score I)	Minor significance (Score 2)	Moderate significance (Score 3)	Major significance (Score 4)	Highly significant (Score 5)	Score
-	To what extent does the partnership contribute to the achievement of priorities in the corporate plan, sustainable community strategy (SCS) or LAA?	Not linked to any departmental or corporate priorities	Indirect links to successful achievement of a departmental priority	Essential to successful achievement of a departmental priority	Indirect links to successful achievement of 1+ priorities in the corporate plan, SCS or LAA	Essential to successful achievement of 1+ priorities in the corporate plan, SCS or LAA	
7	The partnership takes decisions on behalf of or which are binding on the council	The partnership does not take decisions on behalf of the council (eg, it only discusses issues/shares best practice)	The partnership does not take decisions on behalf of the council but council reps feed back to officers with decision making authority who consider its recommendations	The partnership does not take decisions on behalf of the council but representatives with decision-making authority attend the partnership and consider recommendations	The partnership does not take decisions on behalf of the council but representatives with decision-making authority attend and agree to be bound by its decisions	The partnership has decision making responsibilities directly delegated to it from the council	
m	Is the council required to set up the partnership by law or in order to receive additional funding/meet a requirement of the assessment regime, eg CAA or statutory guidance?	Not required by law or for funding	Indirect links to succesful achievement of funding or achievement in CAA	Limited links to successful achievement of funding or achievement in CAA	Direct links to successful achievement of funding or achievement in CAA	The council is required to participate in this partnership by law or to receive specific funding	
4	The council directly contributes money or resources (including officer time) to the partnership and/or resource, or money is directed through the council's accounts	< £10K (per annum)	£10K to £50K (per annum)	£50K to £75K (per annum)	£75K to £100K (per annum)	> £100K (per annum)	
Ъ	What are the consequences of partnership failure for the council (financial/political/reputational)?	Consequences are of insignificance	Consequences are of minor significance	Consequences are of moderate significance	Consequences are of major significance	Consequences are of high significance	
<b>v</b>	Does the partnership contribute to the management of risks identified on corporate or departmental risk registers?	The partnership does not contribute to the management of high priority departmental or corporate risks	The partnership indirectly contributes to the management of high priority departmental risks	The partnership directly contributes to the management of high priority departmental risks	The partnership indirectly contributes to the management of a high priority corporate risk	The partnership directly contributes to the management of a high priority corporate risk	
Total	al						
lmp	Impact score ('total' divided by 30 multiplied by 100)	tiplied by 100)					
Õ	Completed by:			Date:			

### 6.1 Form e: Significance score card

SIGNIFICANCE SCORE CARD

Name of partnership

# 7. Equality and diversity impact assessments (DIAs)

Before completing any of the following forms, the Diversity impact assessment guidance (reference 5) should be read.

### 7.1 Form f: Test for relevance

TEST FOR RELEV	A	NCE																
Name of the function/	polio	cy:																
Date relevance test co	ondu	cted	•															
Please tick as appropri	iate																	
Is the policy or functio	n																	
New?																		
Revised? Existing?																		
-		501			070		20											
Can the delivery of this policy or		EQU	Jal		STR	ANI												
function help the		Race	1	G	ende	er	Di	sabil	ity		Age		Sex	kual		Re	eligio	n/
council deliver the following equality											-		ori	enta	tion	be	elief	
duties?																		
I. Promoting																		
equality of																		
opportunity																		
2. Eliminating discrimination																		
3. Preventing																		
harassment																		
4. Promoting good																		
relations																		
5. Encouraging participation in																		
public life																		
No. of relevant	н	Μ	L	Н	Μ	L	Н	Μ	L	Н	Μ	L	Н	Μ	L	Н	Μ	L
elements per strand																		
Total:	Н						Μ						L					

### **Priority Level:**

### **High Relevance**

The policy or function is relevant to 4 or 5 elements of the general equality duty. **Action Required:** Complete a full diversity impact assessment during year one.

### **Medium Relevance**

The policy or function is relevant to 2 or 3 elements of the general equality duty. **Action Required:** Complete an initial screening and/or a full impact assessment by year two.

### Low Relevance

The policy or function is relevant to 0 or 1 elements of the general equality duty. **Action required:** Complete an initial screening by year three.

### **Partnership name:**

Name and contact details of relevant assessor:

Comments or recommendations:

### 7.2 Form g: Initial screening and assessment

INITIAL SCREEN	INITIAL SCREENING AND ASSESSMENT				
I. Title of policy, funct	ion or project				
2. What are the aims a	and objectives?				
3. Who are the key sta	akeholders?				
4. What evidence has	been used for this initia	l screening?			
Eg, complaints/place survey	results				
	L Dec . L .				
5. Do different groups	have different needs in Yes	No	Not known		
Age	les	INO	NOT KHOWH		
Disability					
Gender					
Racial group					
Religion or belief					
Sexual orientation					
Please elaborate:					
Yes					
No	No				
Not known (is this due	e to a lack of data?)				
	e to a fact of data:				

6. Is there an opportunity to promote equality of opportunity or good relations amongst different groups?				
	Yes	No	Not known	
Age				
Disability				
Gender				
Racial group				
Religion or belief				
Sexual orientation				
Please elaborate:				
Yes				
No				
Not known (is this due to a lack of data?)				

7. Have any concerns been highlighted by stakeholders (eg complaints or consultations)?				
	Yes	No	Not known	
Age				
Disability				
Gender				
Racial group				
Religion or belief				
Sexual orientation				
Please elaborate:				
Yes				
No (are stakeholders involved in the design of services?)				
Not known (do stakeh	Not known (do stakeholders have an opportunity to give feedback about services?)			

8. Is there any evidence	that different groups co	uld potentially be or are af	fected adversely by the policy?
	Yes	No	Not known
Age			
Disability			
Gender			
Racial group			
Religion or belief			
Sexual orientation			
Please elaborate:			
Yes			
No			
Not known (is this due	e to a lack of data? Shou	ld more be gathered?)	
9 On the basis of this a	assessment should then	e be a full impact assessr	nent carried out?
Yes	No		
Please elaborate:			
Thease chaporate.			
Name of manager leading	g the review:		
Job title:			
Date:			

### 7.3 Form h: Full impact assessment

· · • · • · · · · · · · · · · · · · · ·				
FULL IMPACT ASSESSMENT				
I. Title of policy, functi	on or project			
2. What are the aims a	nd objectives?			
2 W/be are the law ste	kebeldem?			
3. Who are the key sta	kenolders:			
4. What new evidence	and data has been use	d for this full assessment?		
5. What direct consultation has been undertaken and what are the results?				
Target group	Consulted group	Consultation method	Key results	
Age				
Disability				
Gender				
Racial group				

Target group	Consulted group	Consultation method	Key results
Age			
Disability			
Gender			
Racial group			
Religion or belief			
Sexual orientation			

	Key finding	Action planned	When by
Age			
Disability			
Gender			
Racial group			
Religion or belief			
Sexual orientation			

### 7. Have you identified any training needs?

8. Have you identified any unavoidable adverse impact which cannot be mitigated?

### 9. Please clarify how you intend to monitor the policy and any actions committed to in the future

	Action	Review date
Age		
Disability		
Gender		
Racial group		
Religion or belief		
Sexual orientation		

### Name of manager leading the review:

Job title:
Date:



### 8. Partnership governance framework

### Aims and objectives of the partnership

List the aims and objectives of the partnership.

### **Partnership principles**

It is considered best practice for partnerships to clearly state any guiding principles. An example of partnership principles is provided below.

The members agree to work together actively to achieve the aims of the partnership, on the basis of:

- visible commitment and 'ownership' by the various member organisations and individual representatives to the work of the partnership
- clear purpose, clarity of expectations and agreed targets for action
- mutual trust and respect
- openness and transparency
- identification and sharing of best practice, based on mutual learning
- effective decision making
- effective communication and accountability
- shared ownership of resources, where appropriate
- combined expertise
- creative and innovative solutions to problems
- removal of barriers to equality of access and opportunity
- shared mechanisms for risk management, monitoring evaluation, reviewing and reporting on performance, progress and success
- allowing each constituent member unobstructed access to the audit records of the partnership, on request.

### **Terms of reference**

List the terms of reference of the partnership, which should include the elements below.

### **Roles and responsibilities**

List the roles and responsibilities of each of the constituent members of the partnership. It may also be appropriate to address more generally what the voluntary and community sector, the business sector and the public sector members bring to the partnership as groups.

### Membership and terms of office

List information such as:

- the number of representatives from organisations in the public, private and the voluntary and community sectors that are actively involved (equal representation is not a requirement) and why they were selected
- a list of the constituent members and the number of representatives they have on the partnership
- details of the chair and vice-chair of the partnership
- arrangements for review of the membership and any time limits that an individual representative can serve on the partnership
- evidence that the membership of the partnership reflects the characteristics and aspirations of the area and/or people it has been set up to serve.

### **Equalities and inclusion**

Provide a statement on how the partnership will operate and actively value the benefits of diversity and ensure fair treatment and equality of opportunity. This includes representation and participation on the partnership. Also provide a statement on how and when the partnership will carry out DIAs on the partnership activity. In the case of new partnerships this should take place no later than six months after the partnership has started for the 'significant' partnerships and 12 months for smaller partnerships.

### Accountability

Include a statement about:

- how and to whom the partnership is accountable and what that accountability includes
- partnership members' accountability to each other, including any expectations of behaviour.

### **Financial arrangements**

Provide a statement setting out the financial arrangements of the partnership and liabilities.

### **Meetings**

Details in this section could state:

- the minimum number of meetings held annually
- notification of meetings including whether these are open or closed to the public
- convening of extraordinary meetings
- responsibility for the setting of meetings, agendas, working papers, minutes, etc
- venues why and how they are chosen
- · acceptability of meeting times
- representation and quorum
- expectation of behaviour in meetings
- replacements at meetings and any protocols to be followed
- declarations of interest and protocols on withdrawal from meetings.

### Disrepute and conflict resolution

Provide a statement on behaviour that could reasonably be expected to bring a partnership into disrepute. An example is given below:

### Members of the partnership:

- must not use their position improperly, confer on, or secure for themselves or any other person, an advantage or disadvantage
- must ensure that activities are not undertaken for political purposes
- must not unduly influence any person in the paid employment of any of the partner agencies.

A statement should also be included on the systems and procedures that exist to resolve issues of conflict within the partnership.

### Information sharing protocol

Working protocols must be specific to the particular operational requirements of any partnership and should be developed with the support of relevant professionals and representatives.

An information sharing protocol should address:

- disclosure of data
- request for data
- respond to requests
- transfer of data
- receiving data
- purpose of sharing/storing data
- review protocol procedures
- professional codes of conduct.

It is good practice to specify and document each activity of information sharing by:

- describing what information is to be shared and for what purpose
- describing in detail how information is to be shared (flowcharts can be useful here)
- stating who is responsible for the information at each stage including access and disclosure, and who will be responsible for reviewing and monitoring information sharing procedures.

Protocols developed for information sharing do not have any legal standing but are helpful in setting out good practice within a partnership and building common understanding and trust.

### Secretariat

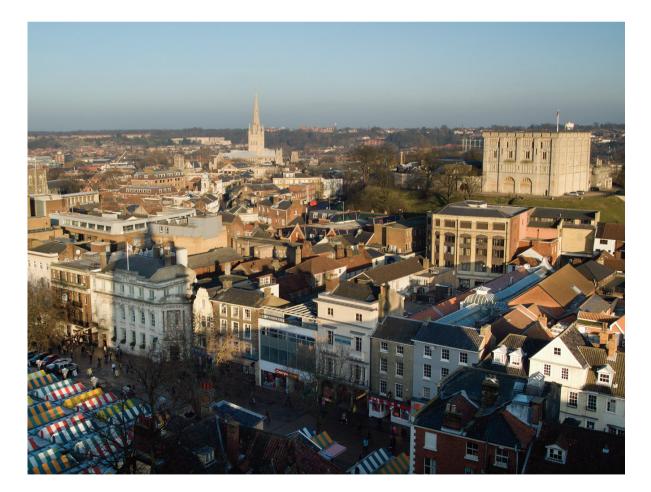
Include a short statement on which constituent member(s) will provide the secretariat function.

### **Termination of partnership involvement**

Provide a short statement setting out what notification is required when partners intend to leave the partnership (eg written statement to the chair and secretariat). Also state any notice period required for any exceptions.

# Review and alteration to the governance framework

Include a short statement that sets out frequency and method for reviewing the governance framework, including protocols for amending it.



### 9. Form j: Partnership assessment form

PARTNERSHIP ASSESSMENT FORM			
CLEAR SHARED PRIORITIES			
What is the partnership's purpose?			
Is the purpose clear and achievable?			
<ul> <li>How do the partnership's aims and outcomes contribute towards achieving the:</li> <li>corporate plan</li> <li>sustainable community strategy</li> <li>local area agreement</li> </ul>			
What is the predicted timescale for the partnership meeting its purpose?			
What are the expected outcomes for the council from its involvement in the partnership?			
What alternative options were considered to achieve this purpose other than to go into partnership?			

### THE RIGHT MEMBERS APPOINTED TO THE PARTNERSHIP

Who are the key members of the partnership?	
How are the members of the partnership selected?	
Who is the lead partner in the partnership?	
How often is membership of the partnership reviewed and by whom?	
Are there any gaps in membership?	
Who represents the council on the partnership and how were they selected?	
How are service users and communities involved with the work of the partnership?	

### CLEARLY DEFINED ROLES AND RESPONSIBILITIES

What is the role of the council representative(s) on the partnership?
What is the role of any other support in the form of staff provided to the partnership?
What is the council representative's liability with regards to the partnership?
How are individual partner's roles and responsibilities within the partnership agreed and defined?

IDENTIFICATION AND USE OF RESOURCES
What financial resources does the council provide to the
partnership?
What material resource such as property etc does the council provide to the partnership?
What assets in the form of people does the council provide to the partnership?
What resources do other partners provide to the partnership?
How does the partnership demonstrate it is providing best value for money?
GOOD PERFORMANCE MANAGEMENT
How does the partnership measure, monitor and evaluate its performance?
What financial monitoring systems are in place in the partnership, and who manages them?
How does the council monitor and evaluate its involvement in the partnership in relation to its own priorities?
How often is the council's engagement in the partnership reviewed?
EFFECTIVE COMMUNICATION
What is the partnership's decision making process?
How are details of key decisions made by the partnership recorded?
How does the partnership communicate with its stakeholders and wider community?
How is information about this partnership shared within the council?
How can elected members, officers and the wider community communicate with the partnership?
community communicate with the partnership?
community communicate with the partnership? RISKS AND AGREED EXIT STRATEGY
community communicate with the partnership? RISKS AND AGREED EXIT STRATEGY How are conflicts of interest resolved?
community communicate with the partnership? RISKS AND AGREED EXIT STRATEGY How are conflicts of interest resolved? What is the council's liability with regards to the partnership? If working in partnership is no longer appropriate what is the
community communicate with the partnership? RISKS AND AGREED EXIT STRATEGY How are conflicts of interest resolved? What is the council's liability with regards to the partnership? If working in partnership is no longer appropriate what is the council's exit strategy? What are the implications for leaving the partnership in terms
community communicate with the partnership? <b>RISKS AND AGREED EXIT STRATEGY</b> How are conflicts of interest resolved? What is the council's liability with regards to the partnership? If working in partnership is no longer appropriate what is the council's exit strategy? What are the implications for leaving the partnership in terms of finance, resource, legal and publicity? At what level does the decision to exit the partnership need

### IO. Form k: Partnerships exit form

PARTNERSHIPS EXIT FORM	
Partnership name	
Date the formal decision was made to end the council's working arrangement	
From what date will/did active involvement end?	
Why was involvement ended?	
If failure to deliver was identified, was this a result of system failures? Yes No	
If yes, what were they?	
State up to three things that the partnership achieved	
State up to three examples of best practice exhibited by the partnership	
State up to three things that the partnership could have done better	
Completed by Date	

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### **Appendix 2**

### Protocols for elected members and officers working with outside bodies

### I. Protocol for elected members

### Introduction

This protocol should be read and followed when working as part of a partnership, either directly representing the council, in an advisory capacity or as part of an interest group.

Any issues in this protocol which are not clear or require clarification should be discussed with the monitoring officer, political group leader, the chief executive and/or the appropriate director.

Elected members should ensure that all partnerships they are involved with have a clear governance framework similar to that in section 8 of this toolkit.

### 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 risks and liabilities.

All new partnerships will set out within the business case the need for council representation by elected members and/or officers. In the first instance officers will be identified by the head of service through the relevant director, and where appropriate, CMT will make proposals to executive for elected members. However, where the partnership is classified as 'significant' executive will approve nominations for officers made by CMT and confirm elected member representation. Legal indemnity will not cover any representative sitting on a partnership who has not had the appropriate approval from CMT or executive.

# 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. The group leader may want to discuss the partnership and aspects of work with the chief executive. The elected member should only accept or become involved after receiving formal approval from executive.

The relevant lead officer for the partnership should support the elected member in understanding their role and participation in the partnership. The elected member and CMT also need to inform the partnerships manager of the elected member's involvement.

### **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. Elected members are reminded that 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. Advice is available on these issues and may be taken when necessary. They must ensure that the partnership arranges indemnity insurance as appropriate, details of which should be provided to the council's insurance officer.

Professional or trustee indemnity insurance will not always be appropriate. The cost of such insurance could be prohibitive for smaller groups with only a small income and no employees. In this case, a risk assessment should be carried out to ensure that financial systems are in place to prevent financial or legal difficulties.

### General

Elected members must report any change in personal circumstances which may create a new or perceived conflict of interest. Elected members must also discuss with the partnership any new issues concerning potential conflicts of interest, or issues which impact on their role as an elected member for Norwich City Council - changes to the aims, constitution or position of the partnership that could be contrary to the public or the council's interest. Elected members may need to declare their involvement in the partnership on the register of interests. If in doubt, advice should be sought from the monitoring officer.

Elected members must also remember that if they act as a trustee of a charitable partnership or body, their first duty is to the charity. However elected members must also remember that, when working within a partnership, they remain elected members of Norwich City Council and are still bound by the relevant codes of conduct in the city council's constitution. They should actively encourage the partnership to follow similar practices and procedures and must immediately report to their group leader and the chief executive if they feel that the partnership is not acting in a manner acceptable to the council or in the public interest.



### 2. Protocol for officers

### Introduction

This protocol should be read and followed when working as part of a partnership, either directly representing the council, in an advisory capacity or as part of an interest group.

Any issues in this protocol which are not clear or require clarification should be discussed with your line manager or with the monitoring officer before any involvement with outside bodies is accepted.

### Personal responsibility of officers

Officers must bear in mind that acceptance of a role as a charity trustee or company director (even if accepted as part of your work for the council) is a personal responsibility. There will be responsibilities to the Charity Commission, and under company law, which must be fulfilled.

### Protocol

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

# Authority to become involved with a partnership

Any officer who is approached or wishes to become involved in a partnership should discuss the matter and extent of their involvement with their line manager. The manager may want to discuss the partnership with their head of service or with the monitoring officer before any involvement with outside bodies is accepted, if the officer is unsure about potential liabilities. The officer must receive approval, in writing, from their line manager (but sanctioned by the director) before accepting any position on the partnership. All appointments to 'significant' partnerships will require CMT and executive approval.

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

# Notification to directors, legal and finance

Following appointment of an officer to a partnership, there will be an ongoing requirement for the officer to ensure that the director is aware of the council's involvement in that partnership and also to inform the partnerships manager.

Officers may need to declare their involvement in the partnership on the register of interests and seek advice from the monitoring officer.

# Prohibition on signing contracts without legal advice

Officers working for a partnership must not sign any contracts or legally binding documentation on behalf of the partnership unless written confirmation of legal advice confirming acceptability is provided.

# Provision of financial, technical or legal advice

An officer can only provide financial, technical, legal or other advice to a partnership via the appropriate qualified council officer, eg head of legal services. A written copy of the advice should be made and a copy provided to their line manager. Failure to follow this process could result in indemnity to the individual being null and void. 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 this should be made clear to the partnership when the advice is given and a written note provided. A copy of this should be provided to the line manager.

Should it be clear to the officer that actions of the partnership contravene the advice given or require scrutiny, then it is the responsibility of the officer to raise this both within the management structure of the partnership and with the monitoring officer at Norwich City Council.

It is the responsibility of the head of finance, when they are informed of the establishment of the 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 commitment made to the partnership to provide financial advice and support must be made after approval from the financial controller.

### General

Council officers must report any changes in personal circumstances which may create a new or perceived conflict of interest. If in doubt, advice should be sought from the monitoring officer.

Council officers must also remember that, if they act as a trustee of a charitable partnership or body, their first duty is to the charity and regard must always be given to whether there is a conflict of interests. However, when working within a partnership, they remain officers of Norwich City Council and are still bound by the relevant codes of conduct in the city council's constitution. They should actively encourage the partnership to follow similar practices and procedures and must immediately report to their manager and if necessary the monitoring officer if they feel that the partnership is not acting in a manner acceptable to the council or in the public interest.

### **Appendix 3**

### **Partnership checklist**

NEW PARTNERSHIPS		
Is the working arrangement a partnership under the definition?	Yes	🗌 No
Has a business case (form a) been completed?	Yes	🗌 No
Have all risks been appropriately addressed using the <i>Risk assessment</i> and <i>Risk action plan</i> ? (forms b and c)	Yes	□ No
Has a Partnership registration form (form d) been completed?	Yes	🗌 No
Has a Significance score card (form e) been completed?		🗌 No
Has approval been granted by the director or where applicable CMT and/or executive to form or join the partnership?	Yes	☐ No

If the answer to all of the above is YES then the lead officer can proceed with joining the partnership.

NEWLY FORMED PARTNERSHIPS		
Are governance arrangements in place?	Yes	🗌 No
If necessary, has a DIA test for relevance been carried and out for the functions and policies and a timetable put in place?	Yes	🗌 No
Has the council's anti fraud strategy and whistleblowing policy been shared with all partners?	Yes	🗌 No

### EXISTING PARTNERSHIPS

The annual review of partnerships will require the lead officer to carry out the following (some elements may not be applicable):

- Review and update the Significance score card (form e)
- Review, evaluate and update the existing Risk assessment (form b) and Risk action plan (form c)
- Review and update the Partnership assessment form (form j)
- Review and update the partnership governance arrangements
- Review the timetable for DIAs

All of the above should be sent to the partnerships manager.

### References

For officers the Corporate governance framework and toolkit for working in partnerships together with the partnerships register (reference 1) can be located electronically on e-grapevine under 'work aids', 'policies and procedures' then 'partnership working'.

All other reference documents and the template forms from the toolkit can also be located electronically on e-grapevine under 'work aids', 'policies and procedures', 'partnership working' then 'template forms and supporting documents'.

For elected members the Corporate governance framework and tookit for working in partnerships can be located electronically on 'E-Cllr' under 'information' then 'partnership working'.

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