

Isle of Wight Council  
**PARTNERSHIP  
FRAMEWORK**  
March 2023

DRAFT

# 1 Document Information

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<b>Contents</b>	<b>Page</b>
Document Information	2
1. Introduction	4
2. What is a Partnership	4
3. Partnership Definition	4
4. Features of a Partnership	4
5. Significant Partnerships	5
6. How to Enter into a Partnership	6
Putting arrangements in place	7
7. What needs to be done when a partnership is in place	7
Register	7
Performance Management	7
Effective Delivery Planning	7
Risk Management	7
8. Equalities	7
9. Auditing and Scrutiny Arrangements	8
10. Resources	8
11. Information Sharing	8
12. Reviewing Partnerships	8
13. Roles of Councillors and Staff	8
Appendix 1 – Points to consider when setting up a Partnership	10
Appendix 2 – Partnership Registration Form	12

## 1. Introduction

This protocol establishes minimum standards of governance and management to be followed by partnerships to satisfy the council that the partnerships are being well run and are delivering benefit to the authority.

The protocol will outline key requirements in initiating, approving, setting up, operating, reviewing, and exiting partnership arrangements.

## 2. What is a partnership?

The word partnership is used with increasing frequency across all sectors. It can mean different things to different groups. A partnership can be described as a group of stakeholders brought together from a range of organisations, to be responsible for tackling challenges, and exploiting opportunities in which they have a shared interest.

A partnership can be described as a joint working arrangement where the partners:

- Are otherwise independent bodies.
- Agree to co-operate to achieve common goals or outcomes.
- Create a new organisational structure or process to achieve these outcomes.
- Plan and implement a jointly agreed programme, often with joint staff or resources.
- Share relevant information, and pool risks and rewards.

## 3. For the purposes of this protocol, a partnership is defined as:

An arrangement involving the council and one or more other organisations, from any sector, who share the responsibility for agreeing and then delivering a set of actions and outcomes that improve the economic and/or social environmental well-being of people living in, working in, or visiting the Isle of Wight. *An example being the Isle of Wight Community Safety Partnership.*

## 4. Features of Partnerships

Although partnerships vary widely in the exact form they take, they usually share several basic features:

- A common purpose of the organisations
- Defined roles and relationships of those involved
- A range of organisations working together
- A lead agency
- A good understanding of the work of the other bodies in the partnership and other partnerships
- A constitution and/or clear terms of reference
- Be resourced in some way

- A commitment to share information needed to review value for money and performance
- A protocol for dispute resolution

## 5. The Isle of Wight Council would not define as a partnership:

An arrangement made by the council with a third party to deliver one or more services on its behalf. This is a contract for services. The Council is defined as the procurer/commissioner of the service and the third party as the contracted provider of that service. *An example might be Isle Help which is a commissioned service.*

Networks, forums, or groups of elected Councillors and/or officers from local authorities and others who come together to discuss forthcoming issues, policy, and strategy. *For example: The Council is part of a local authority bench marking group which formulates better practice to improve service delivery.*

External bodies that are single organisations but in which councils may be invited to take part.

The council's protocol is designed to support engagement in all partnerships meeting this definition. It is recognised that the council is engaged with a range of partnerships, but which may not all carry the same level of risk. For this reason, the level of governance and management processes applied to each partnership will vary.

## 6. Significant Partnership

A significant partnership is one that is substantial in terms of the amount of money and other resource involved; its impact upon the community and/or the level or nature of service delivery concerned and in line with the financial regulations and the council's Constitution.

The council has several methods of establishing bodies for decision-making or formal engagement with other local authorities, partners, officer representatives and members of the public. These bodies may be set up for a specific purpose or to promote more generally the economic, social, or environmental well-being of the Island. Joint arrangements with other local authorities may be established to exercise Executive and/or non-Executive functions. The establishment of "joint committees" that exercise Executive powers requires the agreement of the Leader. The establishment of joint committees that exercise non-Executive powers of the council requires the approval of Full Council.

If any person on behalf of the council is unsure what authority is required to enter into a partnership or to ensure they have adequate decision-making powers when attending on behalf the council, then they should seek advice from the monitoring officer and or Legal Services.

Significant partnerships that are not acting as a formal joint committee are likely to require councillor or senior officer approval. The exact decision maker will depend on what the nature of the functions the partnership is performing, the level of funding commitment or significance to the community. The most significant decisions are likely to require the leaders, cabinet, full council, or committee approval.

The leader and or the Cabinet can delegate authority to represent and make decisions on behalf of the authority - including those relating to partnerships - to specific councillors or council staff. These will be set out in a leader's decision record, by cabinet approval or are set out in the scheme of delegation that forms part of the council's Constitution. Where functions are delegated, the Cabinet remains accountable for them to the council.

The Chief Executive, Councillors or other properly authorised individual will represent the council on partnerships and external bodies, in accordance with the cabinet/committee approval or their authority under the council's scheme of delegation.

The Monitoring Officer is responsible for promoting and maintaining the same high standards of conduct and proper governance arrangements in partnerships.

The Section 151 Officer must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory. In conjunction with the Monitoring Officer, they must also consider the overall corporate governance arrangements and legal issues when arranging contracts with external bodies and ensure that the risks have been fully appraised before agreements are entered into with external bodies.

Directors and Senior Managers are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

The s151 officer should be consulted for advice.

## 7. How to enter into a Partnership

Before entering any partnership, it is necessary to consider its ability to contribute effectively to the partnership as well as mindful of the resource implications of entering into any partnership, particularly for staff, finance and operational assets, and existing commitments. The objectives of the partnership must also be in line with the council's corporate priorities, so as to assist in the successful delivery of the Council's [corporate plan](#).

No partnership should be entered into that requires an unbudgeted financial commitment from the council, without seeking appropriate approval first.

### Putting arrangements in place

- Any partnership that the Council enters, must be clear on its purpose, outcomes and outputs it is to deliver.
- The partnership must have an officer accountable for monitoring its performance.
- There must be robust and proportionate performance management arrangements in place for the partnership to succeed.
- Performance reporting takes place in agreed time frames and to an agreed body and/or partners.
- The partnership has a sound evidence base to inform its objective, planning, and target setting.
- Objectives and outcomes to be delivered are formally reviewed and evaluated annually through an agreed process.

- All partners can be clear on the outcomes being delivered by the partnership and the links to their own business or corporate plan priorities.
- Each partner will ensure that their actions are embedded into organisational plans to ensure delivery and accountability.
- Agreed action plans are reviewed and refreshed annually by all partners.
- Action plans are supported by a risk register which is reviewed in agreed time frames and maintained by partners.
- Partners share information to enable effective performance monitoring and option appraisal.
- Data sharing is to comply with data protection regulations; data quality and transparency requirements to ensure accountability.
- Information is provided in formats that meet partner requirements.
- Findings are owned and acted upon.
- There are clear channels and processes in place to ensure accountability.
- Arrangements are in place to tackle issues of non and/or poor performance, and dispute.
- All partners can evaluate at any time the added value of being a member of the partnership and the performance and outcomes being achieved by it.

Points to consider when Setting-up a partnership, see [Appendix 1](#)

## 8. What needs to be done when a partnership is in place?

### Register

The Council will maintain a database of all partnerships it is involved in. This will be held by the Organisational Intelligence Team and refreshed annually.

Any new partnerships should complete the **Partnership Registration Form** see [Appendix 2](#).

### Performance Management

The Council will ensure that agreed partnership involvement, activity and outcomes are managed in accordance with the [Isle of Wight Council Performance Management Framework](#).

### Effective delivery planning

To deliver shared objectives and targets, effective delivery plans must be in place. For example, action plans may be developed for specific objectives or working groups. All action plans must be SMART (specific, measurable, achievable / agreed, realistic / results focused and timely) with resources (people and funding) clearly allocated.

Effective planning work will identify areas of duplication, waste, and areas for shared working.

### Risk Management

The risk exposure for each partnership will be assessed to help to determine the level of risk monitoring a partnership will need to undertake. Prior to entering into a partnership, the risks associated to the council should be assessed to ensure the level of exposure is acceptable and managed in accordance with the [Isle of Wight Council's Risk Management Framework](#).

In a partnership environment, risks should be assessed and managed both from the perspective of the partnership and of each partner.

In line with the partnership's governance approach, high risks or risks causing concern should be reported to the partnership board. Risk should be a standing agenda item at partnership board.

### **Equalities**

Any partnership arrangement entered into must meet any statutory requirements outlined in equalities legislation and as necessary equality impact assessments undertaken in relation to the functions and activities of the partnership.

### **Auditing and Scrutiny Arrangements**

The auditing and scrutiny arrangement for a partnership should be clear and set out as to where responsibility for these functions lies. This is particularly important if a partnership manages or allocates resources of its partners through any pooled or alignment arrangements. These arrangements should be clearly referenced in any partnership agreement or terms of reference agreed.

### **Resources**

Before entering into any partnership, it is necessary to consider the ability to contribute effectively to the partnership. No partnership should be entered into where it is considered the requirements cannot fully and effectively be met to contribute successfully. A full assessment of the resource implications should be undertaken, particularly for staff, finance and operational assets, existing commitments, and corporate priorities when taking decisions on new partnerships and extending existing partnerships.

### **Information Sharing**

Any partnership arrangement that involves the sharing of data between two separate organisations (ie separate data controllers) that may contain personal details will be required to have appropriate arrangements in place that govern how that information will be processed in accordance with data protection legislation requirements. This will normally require a data sharing agreement to be agreed which sets out the purpose of the data sharing, cover what happens to the data at each stage, set standards and help all the parties involved in sharing to be clear about their roles and responsibilities. Any such data sharing arrangements should be notified to the Corporate Information Unit.



## 9. Reviewing Partnerships

Checking the viability and validity of continuing with any partnership must be reviewed on a regular basis as part of the ongoing service planning process.

The review process will either approve the continuation of the council's involvement in the partnership or propose that the council withdraws.

## 10. Roles of Councillors and Staff

The council will be represented on any agreed partnership by specified Councillors or council staff. Each partnership that the council is represented on will be allocated a sponsor (eg: Head of Service, Strategic Manager), although they may personally not be the representative on the partnership, they will be responsible for ensuring the delivery of this protocol in respect of the relevant partnership.

Any specified staff member or Councillor attending approved partnerships will represent only the council and no other organisation, unless by specific agreement of the Chief Executive (for staff) or the Leader in consultation with the Chief Executive (for Councillors). All respective codes of conduct must be adhered to, always.

The terms of reference for any council representative will include requirements for them to:

- Act on behalf of the council within specific parameters.
- Ensure activities are coordinated across the council to meet the council's commitment to the partnership.
- Seek agreement from the corporate management team/head of service or, if the Constitution requires it, the Council, for any new resources not already agreed or budgeted for.
- Representation on any partnership does not permit any staff or Councillor to commit the council to use resources not contained within approved budgets nor to act as a public spokesperson for the council.

Legal Services can provide any necessary advice and guidance to its representatives on partnerships regarding potential liabilities for them and the council, and on their responsibilities and accountabilities.

## Appendix 1

# Points to consider when Setting-up a Partnership

### General

- Does the council have the legal power to enter the partnership arrangement?
- Is there any law or other provision that prevents the council from entering the partnership arrangement?

### Written Agreement / Governing Document

All partnerships that the council participates in must have a written agreement or governing document in place. It is necessary to have such a document to ensure that there is a shared understanding amongst partners about the purpose, aims and objectives of the partnership and accountability. It is important to appreciate that there is no single form of document that will be appropriate for all kinds of partnerships.

- Will the agreement take the form of a legally binding document or have the status of a statement of intent, memorandum of understanding or protocol?
- The main components of the agreement should:
  - Make the status of the partnership clear.
  - Include the terms of reference of the partnership
  - Define how the partners will work together; and
  - Set out the responsibilities of each of the partners.
- Other factors for consideration for inclusion in the agreement:
  - What powers will the partnership have?
  - Constitution of the partnership:
    - What Council representation in the partnership will be required / is appropriate?
    - Staff representation?
    - Councillor representation?
    - Identification of substitute representatives?
    - How will the other partners be represented?
    - How will the partnership make decisions?
    - Partnership board format and make up
    - How will it make decisions? E.g., by simple majority vote, casting vote by chair?
    - Identity of Chair, secretary etc?
    - Frequency of meetings?
    - Quorum?
    - Recording and distribution of minutes.
  - Financial arrangements?
  - Risk Management arrangements?
  - How / when will the work of the partnership be reviewed?

- What mechanism will be used for dispute resolution?
- What provision is there to enable the Council to exit the partnership (in relation to both a planned and unplanned exit)?
- Have the potential liabilities of the partnership and the Council (if any) been identified?
- Is a mechanism to deal with complaints necessary?
- Is there a need for an information sharing protocol?
- Has equalities legislation been considered?
- What provisions will be included to enable review/variation of the agreement itself over time?

This list is not exhaustive. The content of the agreement will depend upon the status of the agreement itself and the partnership in question. Further, not all of the considerations listed above will be relevant to all types of partnership.

### **Delegated Powers**

Will the persons representing the Council need delegated authority to take decisions on behalf of the Council? Do such people have the necessary delegated powers?

**Legal Services should be contacted for advice in relation to all legal issues.**

## Appendix 2

### ISLE OF WIGHT COUNCIL - PARTNERSHIP REGISTRATION FORM

This form needs to be completed for all partnerships that the Council is involved in.

Once completed the form should be sent to [organisational.intellogence@iow.gov.uk](mailto:organisational.intellogence@iow.gov.uk) where it will be logged on the council's partnerships register. A copy of this form should also be kept by your department.

#### SECTION 1 – DETAILS OF PERSON COMPLETING THE REGISTRATION FORM.

<b>Name:</b>	
<b>Title:</b>	
<b>Directorate:</b>	
<b>Extension :</b>	
<b>Role in the partnership: (E.g., representative, chair, sponsor or manager)</b>	

#### SECTION 2 – DETAILS OF THE PARTNERSHIP

<b>Name of Partnership:</b>	
<b>Role of the Council:</b>	
<b>Representatives- Councillors - how many and who: Council Staff - how many and who:</b>	
<b>Purpose of the Partnership – supporting which Corporate Plan Outcome?</b>	
<b>Is there a formal framework for entering the Partnership?</b>	
<b>Is the purpose and expected outcomes outlined and fully understood?</b>	
<b>How is performance, value for money, outcomes, outputs, and financial incentives measured?</b>	

<b>Is provision made for the scrutiny of the partnership?</b>	
<b>Are all partner organisations expected to provide information to the Council to enable Members to conduct a full review if required?</b>	
<b>Type of Partnership (Direct Service Delivery Partnership / Statutory Partnership / Informal Partnership)</b>	
<b>List other partners and Name of Organisation Leading the Partnership</b>	
<p><b>Resources committed to the partnership.</b></p> <p><b>Financial</b> <i>(how much and in what form e.g., grant, diversion of existing budgets etc)</i></p> <p><b>Officer resource</b> <i>(Who and estimate time)</i></p> <p><b>Other</b> <i>(including in kind such as administrative support, office accommodation, postage, photocopying, printing or equipment such as computers)</i></p>	

**SECTION 3 – RISK ASSESSMENT**

<b>Does the Partnership have a risk register? If not, please state why</b>	
<b>Who is responsible for managing risk for the partnership?</b>	

**Signed**.....

**Date**.....