



Northamptonshire County Council

Partnership Protocol

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SECTION 1 - Introduction To And Purpose of the Partnership Protocol Framework

Northamptonshire County Council has highlighted the need for a corporate protocol on partnership working. This protocol is the first step in setting out a framework for partnership working that will assist Councillors and officers when considering our engagement in partnership arrangements.

The County Council is fully committed to partnership working because we recognise the strength and value of effective partnerships in contributing to the improvement of the well-being of the County's communities. The council encourages partnership working wherever appropriate. This protocols framework is designed to provide guidance for staff about how we will engage and behave in partnership working. This protocol reflects our core values and behaviours.

This protocol identifies:

- How the Council defines a partnership;
- Why the Council enters and engages in partnerships;
- Definition of a partnership and what constitutes a significant partnership; and
- Tools for identifying, managing and supporting partnerships arrangements, including good governance.

The protocol is supported by a partnership checklist which includes a series of points to consider before entering a new partnership. There is also an overarching policy statement that summarises the main points of the partnership protocol.

As a Council we recognise:

- There are issues to be addressed in Northamptonshire which require resolution and which we can not, and should not, undertake on our own. We need, therefore to work positively and constructively in partnership with other organisations;
- That this county has three tiers of local government, with a diversity of partner authorities and other local bodies. We have overlapping roles and responsibilities and we need to establish greater clarity regarding our approach to these roles and responsibilities for the benefit of our communities;
- We need to establish clearly the difference between legal bodies, informal partnership arrangements and contractual agreements;
- Our communities would like to have greater clarity on who is responsible for what services and support arrangements and who is accountable for delivering them. Similarly we need to clarify these issues with our partners; and
- Partners would like us to be clearer, as a Council, about what it means to work in partnership with the Council and how we will mutually hold one another to account.



SECTION 2 - The Benefits Of Working In Partnership

Partnerships should, ultimately, improve the quality of services being provided to Northamptonshire citizens. They should enable organisations to achieve outcomes for communities that individual agencies could not achieve alone. There are a number of ways they can help to do this, including:

- improving service delivery through **better coordination** especially where services are provided by a range of organisations;
- tackling **complex and county-wide issues**;
- facilitating and increasing **community engagement** through improved information, consultation and participation;
- through community engagement helping to ensure that services are developed in **alignment with customers' needs**;
- stimulating **more creative approaches** to problems by bringing together people with different backgrounds, skills and assumptions, and sharing risks and rewards more widely;
- wielding **greater influence** than individual partners could achieve, thus enhancing the impact on other parties;
- tackling complex **cross-cutting issues**;
- reducing waste and/or duplication, pooling resources (e.g. buildings, information) and improving **economies of scale**;
- gaining access to **new resources**;
- meeting **statutory or structural requirements**; and
- providing **opportunities for** learning from people in different organisations and with different perspectives.



SECTION 3 - Definition Of A Partnership

A partnership is 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

Northamptonshire County Council defines a partnership 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** which improve the economic and/or social environmental well-being of people living in, working in, or visiting Northamptonshire.
- *For example: local authorities working together to reduce the environmental and financial impact of domestic and commercial waste. This is defined as a partnership because the local authorities involved are working together to agree aims and objectives and also sharing the tasks which will deliver on those aims and objectives.*

Northamptonshire County Council does 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 to deliver a meals on wheels service in the county with a local provider.

- Forums or groups of elected members 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 an local authority bench marking group which is formulate better practice to improve service delivery.



- Contractual arrangements that include partnership arrangements and partnership arrangements that include contractual arrangements:

For example: The Health Care Act flexibilities or 's75 agreements'

(a) What Constitutes A Significant Partnership

Northamptonshire County Council has a large number of partnership arrangements. However, they do not all carry the same level of significance.

Northamptonshire County Council defines a significant partnership as being one that:

- Develops policy and manages resources which have an impact on the ability of the Council and other public sector organisations to deliver statutory services or duties. *For example: The Children and Young People's Partnership arrangements.*
- Assists the Council and partners to identify and deliver high level strategic priorities for the County. *For example the Public Service Board is responsible for the county-wide Sustainable Community Strategy.*
- Assists the Council to meet a particular service. directorate or corporate outcome, and without which engaging in partnership the Council would risk significant reputational damage.



SECTION 4 - Tools for Identifying And Managing Partnerships

Partnership working can be very rewarding and deliver outstanding results for communities, however it can also be difficult and is generally resource intensive, especially in the early stages. Therefore the Council should consider other options before taking the decision to enter into a new partnership. These could include:

- using an existing partnership to deliver the objective – this will almost certainly deliver results more quickly and effectively because the partnership is already established, even if it requires some adjustment to existing scope and membership of the partnership.
- Consulting others on proposals but ensuring that one agency retains responsibility for decisions and actions.
- Contractual arrangements, if different benefits are to be produced for different partners.

(a) Legal Status

It is important to understand the distinction between what many normally refer to as partnership working and a formally constituted legal partnership. This protocol talks about the former although in many cases they will contain aspects that are legally binding. It is also important to ensure that the Council has the legal power to enter into the partnership.

The status of any partnership should be clear. An “agreement” may well be required to define how partners will work together, who will be responsible for what, what the reporting arrangement are, how services will be provided, how decisions will be made, how the funding will be shared, what are the exit strategies etc.. The length and status of this document will vary between partnerships. It may be that some parts of the agreement will have the status of a protocol or memorandum of understanding while other parts are legally binding.

The different roles that the Council can play in partnerships need to be understood. Which role it plays can have a significant impact on the responsibilities and liabilities of the Council. Early advice from Legal and Democratic Services should be sought to ensure this is clear.

Legal and Democratic Services may need to be involved in the development of the partnership (in particular regarding legal powers, legal structure and to help identify and consider legal liabilities) and must be involved in the drawing up of any legally binding agreements.

The responsibilities of all partners should be clarified and be in the agreement. These can include health and safety, community safety, race equality, or other



statutory responsibilities. While the partnership may not be bound by statutory duties in these areas, the Council must ensure that it fulfils its statutory duties in its work through the partnership.

Representation of the Council on the partnership should be made clear. If it is a significant partnership then it is likely to require Councillor and officer representation. Others may only require officer representation. Substitute representatives should also be identified as required.

(b) Risk Management

Risks should be understood and evaluated at all stages of partnership development. In considering risks, these could be viewed in two timeframes:

- At the point of deciding whether to enter into a partnership, the risks to the Council should be considered using the Council's risk management approach. These should form part of any documentation that is used to support the development of a partnership, and the mitigation plans should be clearly understood by all involved.
- When the decision to enter into a partnership has been made, if the Council is the lead body the Council will ensure that the governance arrangements of the partnership include effective management of risk. As the lead agency the Council will ensure that the risks associated with the partnership working are recorded with service plans or associated documents. If the Council is not the lead agency, the representatives should seek to ensure that minimum standards of risk management are in place, and that the representatives understand the level of risk attached to the County Council's involvement.

(c) Roles and accountability

- The Council will be represented on any agreed partnership by specified councillors or officers. Each partnership that the Council is represented on will be allocated a sponsoring officer who (usually a Head of Service) , 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 officers or Members attending approved partnerships will represent only the Council and no other organisation, unless by specific agreement of the Chief Executive (for officers) or the Leader in consultation with the Chief Executive (for Members). They shall abide by their respective Council Codes of Conduct at all times.
- 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 co-ordinated across the Council to meet the Council's commitments to the partnership
- Seek agreement with Corporate Management Team/Head of Service or, if the Constitution requires it, the Council, for any new resources not already agreed or budgeted
- Representation on any partnership does not permit any officer or Member to commit the Council to use of resources not contained within approved budgets nor to act as a public spokesman for the Council.
- The Assistant Chief Executive Policy and Partnership/ appropriate director will, from time to time, review the appropriateness of representation on Partnerships to ensure that the Council is represented by the right people at any given time, matching skills with needs.
- The 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.

(d) Resources

- Before entering into any partnership the Council will give consideration to its ability to contribute effectively to the partnership. The Council will not enter into any new partnership where it considers it cannot fully and effectively contribute to its success. The Council will be mindful of the resource implications, particularly for staff, finance and operational assets, existing commitments, and its corporate priorities in taking decisions on new partnerships and in extending existing partnerships.
- The Council will maintain a database, through the Head of Policy, of all partnerships it is involved in. This will allow Members, staff and public to be directed to organisations appropriate to their individual needs, to facilitate mutual activity and also to minimise duplication.
- The appropriate Assistant Chief Executive or Director will evaluate each partnership to assess the risks and rewards to the Council and local communities, including legal issues, insurance, implications arising from the Council's Constitution, issues of partnership procurement and whether the benefits from the partnership are likely to justify the costs involved in membership.



- The appropriate Assistant Chief Executive or Director will ensure that agreed partnership involvement, activity and outcomes are contained within the Council's performance management systems, ensuring in turn that the continuing effectiveness of specific partnerships is properly, consistently and corporately monitored and reviewed.

(e) Information Sharing

- The Council's Data Protection Policy will apply where Council business is concerned.
- The Council will normally seek to secure an Information Sharing Protocol within a partnership and between partnership organisations. This should be consistent with the Partnership Sharing Statement agreed through the Northamptonshire Partnership.

(f) Succession Planning

- In entering into any partnership the Council will consider, together with other partners, the lifespan of the partnership and the need to regularly review the purposes and membership of any partnership to ensure it stays focussed on its purpose and remains relevant. The Council will also wish to regularly review the pertinence of partnership membership against its corporate outcomes, particularly to ensure best use of scarce resources.
- It is inevitable that some schemes/initiatives/ programmes will need to be sustained. In these circumstances, it is essential that partnerships have succession strategies in place in advance to address such circumstances. It is likely that different partners may be needed for different stages of any scheme/initiative/ programmes.
- Many partnerships will reach a point where their purpose is complete, where alternative arrangements are needed, or where the need for a partnership is redundant. The Council will seek to ensure that succession strategies are in place or developed for such eventualities.
- The Council will also develop exit strategies for situations where it wishes to withdraw from a partnership for corporate and strategic reasons.

(g) Communication In A Partnership Setting

The Council requires all partnerships to develop a Partnership Communications Agreement with the lead communications contacts of all partners. This agreement should address branding, marketing and media issues and helps services identify which brand to use when working in partnership. Advice from Communication Team can be sought to assist with this.



The agreement is written on the following principles:

- Unless agreed with the communications leads of all partners, press releases and press contact must be done through an agreed communications contact at one of the partners' respective communications teams.
- Where possible the Council should be visually recognised in all partnerships.
- The creation of partnership logos and partnership branding should be avoided and only created in exceptional situations. Creation of partnership logos is not beneficial to the customer as it masks who the main players of the partnership are.

All partners should have a role in communicating and implementing partnership plans. Good communication of decisions and actions is required for the partnership to succeed. It should also be clear what information is available to whom and when through the life of the partnership.

The Council will endeavour to ensure that any consultation programmes and publicity exercises for the Council, its partnerships and its partners are co-ordinated as effectively as possible.

It is important to recognise the council's investment within partnership working. Public satisfaction surveys indicate that residents are not always sure about where the council spends their money. This lack of awareness can be compounded by partnerships within which the council is invisible.

The Council is committed to ensuring that when it communicates, (either directly or through partnerships) this communication is appropriate, professional and done in a way that represents value for money.



SECTION 5 – Partnership Toolkit

(a) Partnership Protocol Policy Statement

A partnership protocol policy statement is detailed in Annex 1. For our potential partners this policy statement sets out circumstances in which the Council will say “yes” or “no” to partnerships.

(b) Partnership Protocol Checklist - Gaining Approval for new partnerships

- To ensure consistency, the Head of Service/ Director/ Assistant Chief Executive involved will evaluate the Council’s proposed membership of a partnership using the Partnership Checklist (Annex 2). If judged to be a significant partnership the Corporate Management Team (CMT) will be approached for formal approval. For other partnerships approval is delegated to the Assistant Chief Executive or Director.
- Where a representative on a partnership needs authority beyond the existing Council Constitution or Scheme of Delegation to take part in decision-making, a report will need to be submitted to the Council for its consideration.
- The council representative(s) should report on partnership achievement against targets/ outcomes. Officer representatives will report to Corporate Management Team (CMT) annually.
- The Council will seek to ensure that the partnerships of which it is a member undertake an annual review or self-assessment of their effectiveness.