Audit Committee – 13 January 2009

Partnership Governance

Summary of report

The council carries out its business in 'partnership' with many organisations and whilst the council has adopted a robust risk management approach which can also be applied to risk management within partnerships, it was identified through a partnership healthcheck that the council did not, whilst having some governance arrangements within partnerships, have an overriding set of protocols/guidelines for governance within it partnership arrangements.

This issue was considered by CMT and a corporate group was established to review partnership arrangements across the council. The Partnership Governance Group (PGG) were tasked with delivering partnership governance and appropriate documentation. It was anticipated that the outcome will deliver a comprehensive partnership register, partnership initiation documentation, a code of practice for partnerships and a partnership toolkit. A partnership protocol and toolkit has been developed which has now received CMT approval and is attached in **Appendix 1**. A partnership register has also been developed and is continually being revised and updated. The most recent partnership register is attached at **Appendix 2**. The management of risk forms an integral part of these documents and, where possible, partners will be encouraged to adopt the council's methodology.

In ensuring that procedures are put in place which allows the risks to be identified and managed within partnerships the council will have strengthened its position not only in ensuring that risks are managed but that the overall partnership governance arrangements are also well managed. The partnership register will give an overview of how this framework is being applied. It was agreed by CMT that for the foreseeable future the Assistant Director of Finance/Chief Finance Officer (together with the Corporate Risk and Insurance Manager) will be the custodian until a decision is taken where partnership governance will finally sit.

Background papers

SLT Report – 24.1.08/10.7.08/16.10.08
ZMMS Partnership healthcheck.

Recommendations

1. To note the contents of the report.
2. Endorse the partnership protocol and toolkit for use across all council services (**Appendix 1**).
3. Note the attached partnerships register (**Appendix 2**).
4. Consider whether Audit Committee would wish to review the governance arrangements for significant partnerships at future meetings.

Sponsoring Director

James Walsh – Assistant Director of Finance and
Chief Finance Officer

30 December 2008

Governance

Audit Committee's responsibility for risk management includes the following:

- Reviewing the mechanisms for the assessment and management of risk.
- Giving assurance about the process.
- Ensuring the council meets its statutory requirements, as stipulated within the Accounts and Audit Regulations 2006 as follows:
  - Regulation 4 (1) - The relevant body shall be responsible for ensuring that the body has a sound system of internal control which facilitates the effective exercise of the bodies functions and which includes arrangements for the management of risk.
  - Regulation 4 (2) - The relevant body shall conduct a review at least once a year of the effectiveness of its system of internal control and shall include a statement on internal control with any financial statements the body is required to publish. The outcome of the review is set out in the Annual Governance Statement (AGS) which is signed off by the Leader of the Council and the Chief Executive indicating that they are satisfied that there are robust arrangements in place for the management of risk.

The council is now moving through another period of change to meet government requirements including the move from CPA to CAA and the National Indicator Set (NIS) implications improvement agenda and the pace of change is rapid. Therefore it is essential that the underlying enabling and governance infrastructure is modern, effective, corporate and applied without exception. Effective partnerships are critical to the service improvement infrastructures and robust governance arrangements are essential in ensuring that all partners have a formal agreement on how they will deliver the required outcome from the partnership.

Risk Management and Performance Issues

The risks to the organisation of not having a robust approach to partnership management could be serious and far reaching especially in relation to large partnerships such as tPCT and the Walsall Partnership and could compromise improvement and investment agendas. Some of the potential consequences are detailed below:

- Partners may be unaware of their responsibilities or duties.
- Risks may not have been formally considered or addressed by the partners leading to a potential failure by the partners to meet partnership aims and objectives.
- Potential conflicts of interest may go unnoticed.

- Staff may be unaware of their duties, responsibilities or delegated powers/responsibilities leading to decisions being enacted which may be potentially ultra vires or against the council's finance and contractual procedure rules.
- Obligations may not be clear in the event of a legal challenge or dispute.
- Clarity of partnership arrangements e.g. resources, staff, accommodation, respective roles of the partner.
- The council has accountable body status and is therefore responsible for the financial governance arrangements and the monitoring thereof.
- Statutory obligations may be breached due to lack of agreements.
- Unproductive/ineffective partnerships may continue to exist giving rise to inefficient use of resources.

Effective partnerships are critical to service improvement infrastructures and robust performance management arrangements are essential in ensuring that all partners have a formal agreement on how the partnership is performing and delivering required outcomes and meeting agreed targets.

A number of risks to the organisation of not having a robust approach to performance management within the partnerships are detailed below:

- Standards of performance not set out.
- Targets/objectives are not met.
- Poor performance is not promptly identified or addressed.
- Service delivery becomes affected.
- The National Indicator Set (NIS measures) could be affected and other targets such as LAA targets and other performance indicators.
- The LAA is built from NIS and will be a central focus for our CAA. CAA will be massively weighted on partnership achievement and the strength of the partnership particularly with regard to the LAA targets. To have effective partnerships is essential to being assessed well under the new CAA regime.

Resource and legal considerations

Financial
Significant funding is involved in the delivery of services in partnership. It is anticipated that this approach will enable the council to better understand how it partners', the cost of partnering and provide clarity around the accountability for the management of pooled finance/funding. There may also be a resource issue to be considered when the decision has been taken on how and where this protocol and register will be managed in future.

People
The setting up of a short life task group has required a dedicated resource from certain areas across the council. The intention is that this group will now disband and the implementation of the protocol and development of the partnership register will become mainstreamed. This will likely have a resource implication and a decision will need to be made as to:
    a) Where partnership management should sit within the organisation.
    b) How and by whom it will be resourced.

<u>Legal</u>

None directly relating to this report but significant legal issues may arise where partnerships are not properly constituted and monitored. These issues are raised in the above sections and are dealt with directly within the protocol.

Embedding Partnership Governance arrangements

There will be some key challenges ahead in embedding the process throughout the organisation.
- Successfully identifying all significant partnerships across the organisation.
- Ensuring the protocols are adopted and used, and that directorates take ownership of assessing the work and success of the partnerships in which they are involved.
- Ensuring that the improvement plans resulting from reviews are fully implemented.

Consideration will also need to be given to how this work will continue to be developed in areas such as:
- Training for officers and members
- Development of web-based partnership database linking to other areas such as programme/project management and risk management.

This work will undoubtedly assist the council in the transition from the Comprehensive Performance Assessment (CPA) to the Comprehensive Area Assessment (CAA) by having a co-ordinated approach across all of these areas including benefits realisation, dependencies and value for money (VfM).

CMT have agreed that this protocol and toolkit will be applied with effect from 1 January 2009 and that the new Assistant Director Group (ADG) will have the overview of how this protocol is being implemented with their respective directorates.

The progress on this initiative is to be reported to CMT on a six monthly basis, where they may select an individual partnership for future review.

Equality implications

None arising directly from this report.

Consultation

Consultation has been undertaken with the following: Council officers and the Walsall Partnership, Zurich Municipal Management Services, other councils, such as, Sunderland, Dudley, Birmingham and officers attending the Midlands Risk Management Forum (MRMF).

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PARTNERSHIP PROTOCOL AND TOOLKIT

Version 0.13
November 2008

Paul Sheehan – Chief Executive

FOREWORD

This council has a long history of working in and developing partnerships both within and outside the borough. However, partnership working presents a number of challenges and it is important to recognise the support partnerships need for delivering shared outcomes. This document has therefore been developed to guide elected members and officers of the council when working with partnerships.

It allows our partners to see the key principles and quality standards that we are committing to, and how we are putting collaboration and co-operation at the heart of the council.

The promotion of effective partnerships with other organisations is the key to achieving our shared vision for Walsall and is demonstrated through our leadership and involvement in the Walsall Partnership.

Partnership is the key to Walsall's future success, as well as to that of the wider region in which we currently participate and support. Wherever possible we will use partnerships to achieve shared priority outcomes that create and sustain a better quality of life for all the people of Walsall.

CONTENTS

SECTION 1

INTRODUCTION AND CONTEXT

1. Introduction and context

1.1 'Partnerships' are playing an increasingly important role in the future of policy development and service delivery for the public sector. At a national level the government is increasingly seeking to promote joint working and over recent years there has been a significant increase in the use of 'partnerships' to deliver the Council's core business and contribute to the achievement of its priorities. The Council works and is encouraged to work in 'partnership' with other public bodies, the private sector, and the community and voluntary sector to deliver improvements in the quality of life in the borough including regeneration, health, education, social inclusion and equal opportunity.

However 'partnership' is a relatively new way of working for most organisations and presents challenges for all involved. The way in which the Council works and the relationships that are developed are critical. Partnership working presents a number of challenges and it is important to recognise the support partnerships need for delivering shared outcomes.

We need to adopt a way of working that will ensure consistency, and clearly shows the partnerships we are working with provide 'value for money' and 'added value'.

As part of this we are reviewing our current partnership arrangements and realigning resources to the partnerships that are of the most effective in delivering shared outcomes. The goal is better services for Walsall citizens.

This toolkit and governance framework has been developed based on best practice nationally which has been recognised by the Audit Commission.

1.2 It is important to understand that involvement in 'partnerships', however small or seemingly insignificant, usually carries legal, procurement, financial, personnel, reputation and service delivery risks and implications for the Council, and for partners, some of whom as small organisations may rely heavily on that 'partnership' to sustains it existence.

The purpose of this toolkit is to help the council work with its partners to identify if all the partnerships it is involved with have good system of governance. By governance we mean the processes, procedures and policies that deal with and address issues like accountability, probity and audit and other areas such as legal procurement, financial, personnel, reputation and service delivery risks and implications for the council and for partners, some of whom as small organisations may rely heavily on that 'partnership' to sustain its existence.

Excellent performance flows from good governance and all members of a partnership should conform to codes for the overall good of all involved. This toolkit aims to ensure that the Council adopts a flexible, efficient and robust approach to engaging with 'partnerships' and forms an important element of the Council's overall governance framework

The toolkit will ensure that for each partnership:

- The council is clear about its purpose and expected outcomes for the people of Walsall when entering into partnership;
- the council's own agreed priorities and objectives are being met;
- there is clarity about 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 for the partnership, are assessed and agreed;
- each partnership maintains a relevance to its agreed purpose during its lifespan and has in place an effective exit strategy;
- partnerships are properly empowered and their legal status understood;
- reviews are undertaken to evaluate success and further challenge progress and improve governance.

1.3 **Commissioning or Procurement of services, goods or works**

This guide and toolkit is not intended for use when it has been decided to appoint a service delivery partner or contractor. A service delivery partnership is where the Council is appointing a provider to deliver services, goods or works for the Council or on its behalf. The appointment of which is regained by law the undertaken by way of a procurement process. You must consult with Corporate Procurement in those circumstances as it is subject to the Councils procedure and processes, FCR's and EU procurement law.

N.B If you are intending to jointly work with other public bodies with a view to jointly commission or procure services, goods or works this guide applies and setting up the Partnership with the other body you are going to jointly work with. However, the actual joint commissioning/procurement whether the partners are working as one or one of the Partners acting as the Lead Commissioner or procurer on behalf of the other Partners is subject to the Council's procurement process, FCR's and EU procurement law. You must consult with Corporate Procurement in these circumstances.

1.4 **Who should use this Partnership Toolkit?**

Both officers and elected members of the council will have access to this toolkit with its partners and prospective partners ensuring that the procedures and guidance involved are understood, and the need for them accepted.

SECTION 2

DRIVERS AND INCENTIVES FOR WORKING IN PARTNERSHIP

2.   Drivers and Incentives for Partnerships

In recent years, the focus for many public, private, voluntary and community organisations has been on the opportunities afforded by collective working in using partnership and joint working arrangements. The Council recognises the benefits partnership working can bring in delivering significant improvements to the Borough and encourages the development of partnerships at a number of levels.

2.1   Indeed, many new funding sources can only be accessed by the demonstration of multi-partner approaches to action on a wide range of issues. If planned and developed properly, partnerships can bring many benefits to the delivery of services, as below.

- Better outcomes for customers, clients, communities, members, vulnerable people particularly with respect to multi dimensional issues, e.g. Community Safety;
- Economies of scale and reduction in duplication;
- Shared skills and knowledge;
- Different perspectives and experience and approaching problems from different angles;
- Effective use and allocation of resources;
- Data sharing and improved understanding;
- Improved local support;
- Awareness of priorities enabling the planning and direction of resources;
- Mobilising additional resources;
- Staff development to enhance performance;
- Greater understanding of partners' aims, objectives and barriers;
- Improved ability to network;
- Improved understanding of the issues facing each of the partners;
- Improved public perception, i.e. seamless approach;
- Better sharing and management of risk;
- Stronger voice / lobbying.;
- Improved Community Cohesion;
- A resilient community

2.2   **Comprehensive Performance Assessment (CPA)**

The CPA (Comprehensive Performance Assessment) has placed an increasing emphasis on the Council's partnership 'performance', as both community leader and service deliverer. In judging the quality and impact of the council's efforts to deliver improvements for the community assessment will be made of the council's leadership and influence in respect of local partnerships and other local agencies.

However, the Government White Paper Strong and Prosperous Communities has now led the Audit Commission to review the way in which councils will in the future be assessed and is now enacted!

2.3   **Comprehensive Area Assessment (CAA)**

The Corporate Assessment process will measure the Council's ability to engage with and lead communities, deliver community priorities in partnership with others and ensure continuous improvement. This has grown in importance as a driver for cross-boundary and cross organisation working and will reflect on the performance of the Council as a whole.

SECTION 3

DEFINITIONS

3.   Definitions

This section is designed to give an overview of what is meant by a 'partnership' and will help to define partnership types. There can be little doubt the terms "partnership", "partnering" and "partnership working" are some of the most overused and misunderstood concepts in local authorities. For this toolkit, the term partnership refers to:

> **An ongoing relationship between two or more independent legal bodies, organisations or individuals working together to achieve a common vision with clear aims and objectives**

It should be noted the selection of partners for the provision of services, goods or works must be underpinned by the Council's procurement process as well as the Council's Financial and Contract Rules except for the following circumstances.

- where the partnership is not being procured or commissioned
- where the Council is providing a grant (e.g. this would not apply where funding depends upon detailed specified requirements)
- joint working partnerships which are permitted, required or encouraged by law (e.g. joint committees, pooled budgets and Integrated Services with Health Trusts)

As this area can be complex and legal challenges can arise, the view of the Council's Corporate Procurement Team should be sought before any discussions are held with potential partners.

It is recognised that it is beneficial to work in partnership with private contractors in order to deliver improved services, works or goods and that forms of incentive can be incorporated into the contractual relationship. Often this is referred to as 'partnership working'. This covers the manner in which the client and contractor relate to each other and is about processes and behaviours which are in place once the procurement process to appoint the contractor has been completed. As such, elements of this toolkit may not be appropriate.

Areas not covered by this toolkit

Although a number of the issues raised within this toolkit are worth consideration, it is not expected that it be applied to:

- Groups where the Council has direct and sole control over budgets or decision making (e.g. citizens panel);
- Informal groups set up to discuss and consider specific topics (e.g. consultation focus groups);
- Appointments and / or financial commitments to outside bodies where the Council has no strategic or policy function (e.g. where Council provides grants and requires a place on the Board);
- Commercial partnerships set up by the council with a view to making a profit, which are subject to the Partnership Act 1890.

This guidance document is only concerned with arrangements where the Council is **'working with'** other parties towards a **'common vision'**. Broadly, the council is engaged in three types of partnership working:

1. Strategic

The lead strategic partnership is the Walsall Partnership. This partnership takes overall responsibility for the Sustainable Community Strategy and provides the executive direction for partnership working in the borough. The board is supported by a series of thematic partnerships responsible for key issues, including:

- Children and Young People
- Healthy Communities and Vulnerable Adults
- Safer Stronger Communities
- Economic Development and Enterprise

The prime purpose for these strategic partnerships is to:

- Implement the Local Area Agreement – the delivery plan of the Sustainable Community Strategy
- determine the key strategic objectives for improvement
- focus on the areas for added value from joint working and co-operation
- promote engagement with local communities
- review and evaluate achievements and prioritise future partnership actions

2. Operational

The council is committed to a wide variety of operational partnerships, ranging from legally constituted bodies to less formal networks. The diversity and range of partnerships working reflects the variety of circumstances, the type of partners and the tasks expected of the partnership. However, in general some of the principal reasons for these operational partnerships are:

- to plan the provision of services by one or more agency
- to pool resources to jointly commission services
- to attract additional resources for service provision
- to plan, monitor and review service delivery
- to undertake consultation and engagement with local people on service improvement
- to deliver specific projects

3. Neighbourhood

Similarly there is broad range of neighbourhood based partnerships.

- promoting the active involvement of local residents and/or community groups in local matters
- developing local area/community plans
- the management of local facilities or events

In Walsall the emphasis is on Local Neighbourhood Partnerships which are representative bodies which influence and guide mainstream services. In addition other local partnerships

Partnerships permitted, required or encouraged by law

In these circumstances there is no requirement to undertake a procurement exercise to select the partner – although on occasions it may be beneficial to do so.

- Formal Forums
- Joint Committees (Local Government Act 1972, s101)
- Management Committees
- Local Strategic Partnership (LSP)

Operational / Service Delivery Partnerships / Contractual Partnerships, e.g.:

In these circumstances the requirements of Financial and Contract Rules must be followed in selecting the partner(s) and take precedence over the principles of this guide.

Fuller explanations of these types of partnerships are detailed in **Appendix 1**.

Whilst there are differences in each of the above types of partnership, many of the issues in respect of partnering are very similar. If you are unsure if you are in a partnership agreement or would like advice on whether a new arrangement should be formally established as a partnership please contact the Legal team.

SECTION 4

SUCCESSFUL PARTNERSHIPS

4.   **<u>What should effective partnership achieve?</u>**

Through the Corporate Plan we have set out the core values which underpin the Council's commitment to partnership working. The council will:

- work in partnership with our communities
- promote teamwork as the primary way to achieve continuous improvement and innovation
- enter into partnerships with other agencies and authorities to secure the overall well-being of the borough and its communities
- identify and work with relevant others to reach shared goals
- support partnership working where it provides cost effective services
- develop and maintain partnerships that can achieve more by working with others than alone
- value partnerships as a means of broadening the representation and inclusion of all communities
- closer links between the council and local people, enabling our services to be more responsive and appropriate to local need
- a clear and measurable impact on improving the lives of our residents
- consistency between the overall direction of the council as set out in the Corporate Plan
- Though the CP doesn't include this text and the priorities and activities of individual partnerships
- the opportunity to share and pool resources across different bodies so we achieve common objectives in a more cost effective manner
- engagement with local people to promote innovation and creativity in the planning and provision of future services to address the borough's needs and aspirations
- improved communication and information sharing between the council and other agencies

Developing a successful partnership can make a real difference to the delivery of services to the citizens of Walsall. However, there are a number of simple guidelines that that can help achieve successful partnerships. A successful partnership relationship involves all of the elements attached in the diagram below: -

Agree a clear vision Strong leadership

Set objectives – where possible these objectives should be Specific, Measurable, Achievable, Realistic, Timebound. Effective and Resourced

Reporting – reporting the findings of any review etc is important to keep all partners informed of progress to maintain enthusiasm

Consultation

Elements of Successful Partnerships

and

Review

Reviewing – it is essential to review partnerships and their work on a regular basis

Think strategically and have a clear management structure – all partners should have an agreed strategy, aims, roles and responsibilities including dispute resolution procedure

Effective performance management – clear milestones, outcomes, performance indicators and delivery dates

Action Planning – to ensure that the partnership retains momentum it is important to have an agreed action plan or business plan

The involvement of service users / stakeholders at all of the above stages is essential to the effective delivery of the partnership.

SECTION 5

CHALLENGES OF PARTNERSHIPS

5**.**   **Challenges involved in partnering arrangements**

5.1   Partnerships set up incorrectly, poorly managed, or not fully understood can give rise to significant risks such as financial and legal issues which can be time consuming, costly and ineffective and raise public concerns about the Council's operations. The following outlines some of the challenges partnerships face, which need to be considered at the outset and subsequently addressed in an appropriate written partnership agreement. This document seeks to ensure that all types of partnerships are properly constituted and thereby reducing the inherent risks in partnership arrangements.
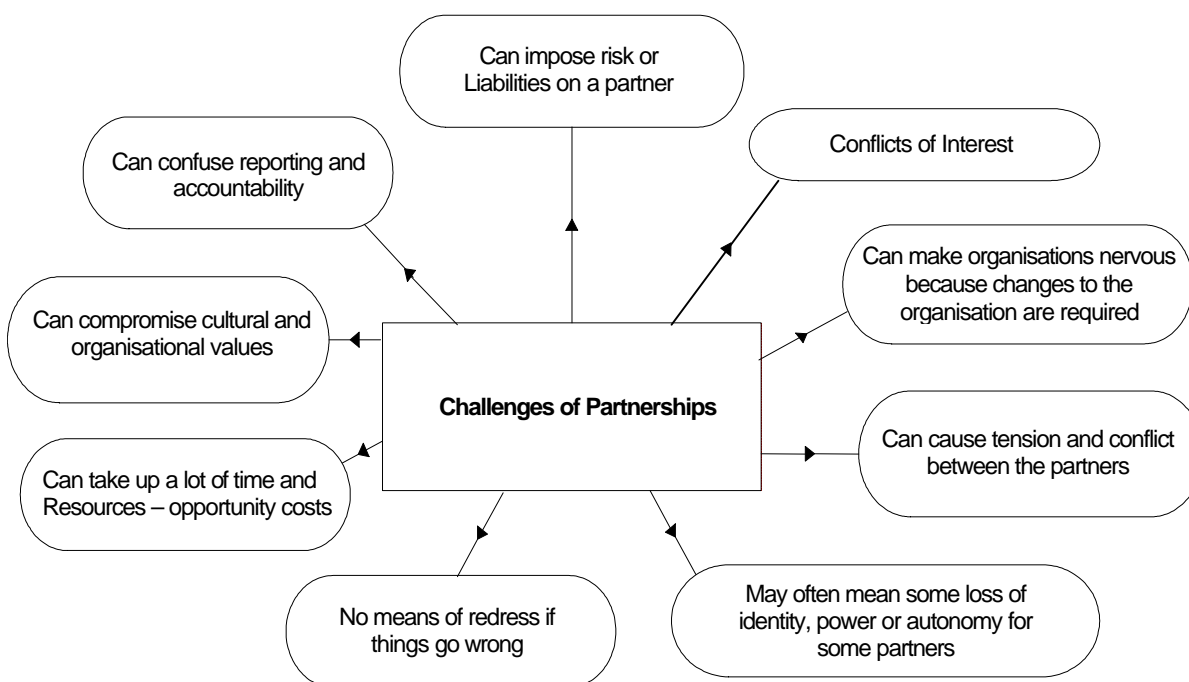
The relevant documentation to be used to assess and manage these issues are set out in the attached appendices to this document.

SECTION 6

ASSESSING THE NEED FOR A PARTNERSHIP AGREEMENT

6.   <u>When is a partnership agreement appropriate</u>

6.1   Partnership agreements are appropriate when they have the potential to deliver and demonstrate:

- **value for money** – when available resources are used economically, efficiently and effectively
- **'added value'** - achieving something more than the council could do by working alone
- **good governance** – they are consistent and well-managed. (This calls on the partnership to be 'fit for purpose').

A key feature of all partnerships is that all the parties involved agree to the need for the partnership in these terms.   Any other ways of working must be assessed to determine if a partnership arrangement is the most appropriate one. The outcomes and expectations of any partnership must always be considered against the legal framework in which the council has to operate. Put simply, is it within the council's powers to enter into such a collaboration.

6.2   When an issue, idea or need has been identified, it is important to thoroughly test the need for a partnership arrangement. A flowchart of the steps to follow in testing this need is shown below:

Assessing the Need for a Partnership Agreement
(where no procurement exercise required)

Is there an issue / need identified by Members / Officers? — **Yes**

Is this issue / need shared by other organisations? Are they suitable? — **No** → Explore other options to address issue / need — **Yes**

Does the potential 'added value' of the partnership outweigh the 'costs' of setting up the — **No** → Explore other options to address issue / need — **Yes**

Is there a clear purpose for the proposed partnership? — **No** → Reconsider the need for a new partnership — **Yes**

Have the key objectives of the proposed partnership been identified? — **No** → Develop and agree key objectives with the other organisation(s) — **Yes**

Ensure that, where possible, objectives are SMARTER (Specific, Measurable, Achievable, Relevant, Timebound, Effective and Resourced) — **Yes**

Do the proposed objectives fit with the Council's strategic priorities? — **No** → Reconsider the partnership objectives or reconsider Council involvement — **Yes**

Does the law allow the partnership to proceed? (Identify statutory powers of partners) — **No** → The partnership cannot be developed — **Yes**

Are there any groups or other partnerships undertaking similar work? (refer to Partnership Register) — **No** → There is a need to develop a new partnership arrangement. Consider how the Council will get involved (funding partner, accountable body etc) — **Yes**

Reconsider the need for a new partnership – no new partnership should be formed if existing partnerships cover aims and objectives

There is a need to develop a new partnership arrangement. Consider how the Council will get involved (funding partner, accountable body etc) → **Use this guidance document to develop partnership arrangements and agreements**

6.3   A checklist of issues to be considered in assessing the need for a partnership agreement is set out at **Appendix 2**.

6.4   Approval for entering into a partnership relationship should be agreed in principle with the Corporate Management Team (CMT), via the appropriate Executive Director's, or by Cabinet (refer to the Council's Constitution). This should be done before any commitments or changes in service delivery or operational arrangements (e.g. staffing moves etc.) are made. The partnership sign-off procedure is summarised within **Appendix 3(i)**.

6.5   Approval is given by the relevant Executive Director using the form contained at **Appendix 3(ii)**. At the Executive Director or head of service's discretion, a supplementary business case can be drafted using the template at **Appendix 3 (iii)** and associated guidance notes at **Appendix 3 (iv)**.

SECTION 7

ENTERING INTO A PARTNERSHIP AGREEMENT

7. Entering into a partnership agreement

ALL PARTNERSHIPS NEED A WRITTEN SIGNED MEMORANDUM OF UNDERSTANDING BETWEEN ALL PARTNERS

7.1 A Memorandum of Understanding is like a rule book or a guidebook. It should define how partners will work together, who will be responsible for what, who will report to whom, how services will be provided, how decisions will be made, how the funding will be shared etc. Any financial relationship with a partner must be fully documented and legally binding. The document will bind together all of the issues of concern including the financial arrangements, governance and exit strategy.

7.2 The template at **Appendix 6** (Memorandum of Understanding) shows the areas that would be expected to be covered by the Memorandum of Understanding. In addition, where a procurement exercise is required to select the partner then specific forms of contract developed for the purpose of partnership working should be considered. (Contact Legal Services for further information).

7.3 The resulting Memorandum of Understanding may comprise a short document or something more substantial, depending on the nature of the partnership and the complexity of the issues it raises.

7.4 The Memorandum of Understanding should be reviewed at least annually and amended where agreed and appropriate.

7.5 For all agreements, where the purchase or commissioning of services, works or goods is being sought, advice and guidance must be sought from Legal Services and Procurement Services (see contacts page at **Appendix 15**) at the earliest opportunity and all Agreements must be approved by Legal Services, Financial Services, Risk and Insurance Services, Human Resources and the relevant Executive Director. (**Appendix X** for template). Procurement to check that EU regulations have not been broken.

SECTION 8

MEMBERSHIP OF PARTNERSHIP BOARDS/MANAGEMENT COMMITTEES

8. Membership of Partnership Boards / Management Committees

The council's participation arrangements must be approved by CMT, Cabinet or, if required constitutionally, by full Council. The relevant Executive Director should be consulted on the creation of new partnerships to ensure continuity and cohesion and their views and comments taken on board. This includes local partnerships at constituency level.

Before entering into any partnership, the potential benefit of any council participation will be assessed by comparing the proposed objectives and intended outcomes of the partnership with:
- the council's (as set out in the Corporate Plan);
- the priorities of the WP (as set out in the Sustainable Community Strategy (SCS));
- other key partnership documents, eg the Local Area Arrangement

Any proposed partnership will also need to demonstrate:
- fitness for purpose;
- value for money;
- added value.

Taken together, this will make the business case for partnership entry.
The business case template needs to be completed by the head of service and can be found in **Appendix 3(iv)** If the head of service believes that a business case has been made, in principle agreement for entering into partnership can be progressed to Cabinet via the Corporate Management Team.

Partnership governance and working arrangements will need to be developed or reviewed alongside this process. In the case of a new partnership this will culminate in the production of a **Memorandum of Understanding (Appendix 6).** This is a document that makes clear the:

- aims and principles of the partnership;
- roles and accountabilities of each of the sectors represented on the partnership;
- procedures under which the partnership will operate including dispute resolution.

Appendix 6 contains information on arrangements that need to be considered when setting up a new partnership or joining an existing one.

A model Memorandum of Understanding that exhibits all the attributes of best practice is in **Appendix 6**. This can be altered to suit any circumstance, but no sections should be omitted.

The chief legal officer must advise on any Cabinet report or governance arrangements before they are finalised. If entry to a new or existing partnership is approved, the accountable head of service will nominate council officers for the partnership, including a link officer. The link officer's role and responsibilities will include:

- providing a point of contact between the council and the partnership;
- annually reviewing the partnership's governance arrangements and effectiveness, reporting to the head of service;
- reporting on an exception basis to the head of service if any significant issues arise between annual reports.

Cabinet or full Council will approve nominations for elected members and, if necessary, officer appointments on partnerships.

8.1   There are increasing numbers of local bodies that can impact on the lives of local people, and councillors can play an important role in communicating local views to key public and private agencies and in influencing decision making.

8.2   It is easy for big partnerships to allot decisions between powerful agencies and to forget the local public. Councillors play a vital community leadership and representational role in ensuring that local people, individually and collectively, are not left out of partnership arrangements. It is equally important to involve the service users at the earliest opportunity and at subsequent stages.

8.3   There are many types of cross-agency partnership arrangements at a neighbourhood level and councillors will need to represent local views and interests effectively to the relevant partnerships.

8.4   Importantly, a councillor might well be the only person on a partnership with democratic accountability and thus has a duty to be very careful about what public money is used for.

8.5   For an informed decision to be made as to whether it is appropriate for the Council (Members or Officers) to be involved in a partnership arrangement, the following information should be documented and considered:
- who the partners are;
- aims and objectives;
- how long the partnership is expected to last;
- the legal status of the partnership;
- risk management arrangements;
- what geographical area the partnership will cover;
- the decision making arrangements;
- the role description of its Members / officers (including duties expected);
- the regularity of meetings;
- whether the partnership covers the expenses of its members;
- if the Council is expected to contribute any funding or other resources;
- insurance arrangements;
- financial accountability arrangements;
- Conflicts of interest of partners;
- Dispute resolution; and
- proposed Exit Strategy.

The general roles of Members and Officers who are assigned to Partnerships is detailed at **Appendix 5**. More specific advice should be sought from Legal Services where deemed appropriate.

Officer Support for Members

8.6   It is important for the right level of support to be available for Members who are involved in partnerships on behalf of the Council.

8.7   The initial point of contact for a Member who requires any support in their partnership role is the relevant Executive Director.

8.8   Officer support for Members serving on Partnerships can come in three forms:

TRAINING	ADMINISTRATIVE SUPPORT	ADVICE & GUIDANCE
• Skills development • Advice and guidance on training needs and accountability issues* when working as part of a partnership.	• Updating Partnership Register • Circulating documentation • Writing up minutes and agendas • Organising meetings, venues etc (as appropriate per agreement)	• Specialist knowledge • Advice on legal, procurement and personal liabilities • Mentoring • Helping with the decision making • Information gathering

*In view of the potential for conflict regarding Members roles (i.e. for the Council as opposed to the Partnership) it is essential that Members are made aware of contact points for advice on this issue.

Partnership Register

8.9   The Corporate Risk and Project Office currently within Corporate Performance Management will hold an online Partnership Register which is maintained as a comprehensive live record of the Council's involvement in partnerships.

8.10 The purpose of the Register is:

- To allow the Council to monitor and evaluate its involvement in partnerships and identify potential risk and benefits;
- To be a valuable reference point when entering into new partnership initiatives;
- To reduce the risk of duplication;
- Ensure that appropriate reporting procedures are in place;
- To enable the Council to direct advice & guidance on training for Members and Officers.

SECTION 9

LEGAL MATTERS

Legal Powers

A Council can only undertake activities that it has been given a specific statutory power to undertake. Where Council's undertake activities which the law does not say that they can perform or the Council goes beyond what the law says that it can do this is potentially unlawful. Members and officers that work in Partnerships, must always ensure that at all times the Council has the statutory power to undertake an activity that it proposes to do. If it does not do so, there is a potential for a legal challenge either by a third party or by the District Auditor as regards the activity performed or any money that is being spent.

Generally, there are some residual statutory powers that Council's have to enable them to undertake activities that are for the wellbeing of the community that the Council represents, these derive from the Local Government Act 2000. Although these powers are general they are limited in that this power underpins the community strategy of the Council and generally anything that the Council does to promote the wellbeing of the community must be in accordance with its community strategy. Further the powers cannot be used to raise money or to do something that is already prohibited by law.

There are numerous legal powers that specifically enable Council's to carry out activities, these range from providing education services as well as social care services in addition to environmental and highways functions. Within those powers lies a general power to carry out an activity that is in support of an ancillary to those primary functions. If at any time, members or officers have concern with regard to the legal powers that the Council may be exercising or an absence of them, legal advice must be sought.

Structures

The structures that a partnership can take can take many forms. However, generally they can fall into 3 categories, a formal structure, informal structure or a hybrid of the two. The following are examples: -

Formal Structures

Private limited companies; these are corporate structures regulated by the Companies Act and are independent bodies. They require Directors as well as a Secretary and Shareholders or Members. The Shareholders or Members are in effect the owners of the company and the company itself is regulated by its memorandums and articles of association which are similar to the Council's Constitution in that they set out how the company regulates its activities and designates what it can undertake.

A company Director takes on a number of duties when agreeing to perform the role and although a Director's financial liability is limited to the amount stated in the Constitution, they can, on occasions take personal responsibility for the way they act. It is also possible that as a result of their actions, they may face criminal charges.

Limited companies are subject to a number of requirements under the Companies Legislation and have to report to Companies House, for example, by filing annual returns.

Formal partnerships:- Again a form of independent body which is regulated by the Partnership Acts. The purpose of a formal partnership is that two or more bodies formally agree to enter into a legally binding arrangement by which they have undertaken joint

activity with a view to profit. This form of structure is rare within Local Government and as such is not recommended. It is normally a commercial vehicle which the relevant partners all contribute with a view to making a joint commercial profit. Again the partners take a personal responsibility, however that personal responsibility goes beyond that of a limited company in that all partners are personally liable for the actions of a partnership, in other words, all parties are jointly and severably liable for all liabilities debts and actions of its partners.

Falling under the remit of a partnership, is a limited liability partnership, which is a fairly new form of partnership under legislation. It is similar to a formal partnership although its key difference is that although it shares many characteristics of a limited company, it is not subject to the formal disclosure requirements that companies have to comply with. Again this is an unusual form of partnership within the Local Government world.

Industrial and provident societies: - these fall within the remit of the registrar of friendly societies and again are formal structures. They are an alternative to the company structure but also retain independent legal status and also have the benefits of limited liability for its members. Industrial and provident societies cannot be registered as charities but they do have similar advantages.

A key requirement for an industrial and provident society is that it must be an industry, trade or business but it must also have a genuinely cooperative venture/ nature for the benefit of the community. This form of model is used in local government albeit generally it is not very common; it is frequently used in the area of leisure facilities.

Joint Committees:- These are a vehicle common to Local Government, they are in effect a combined committee of 2 or more Council's where Council's have delegated powers and authority for a committee (similar to the type of normal internal Council committee) to be set up with another public body for the purposes of carrying out an activity on behalf of both bodies.

Informal Structures

Generally, using its statutory power base of wellbeing powers, Council's can engage in informal joint working with other bodies. Often these bodies are not exercising a particular statutory function of the bodies concerned and are invariably often set up as a result of government initiatives and funding. Common examples of these types of arrangements are where a number of public bodies along with the voluntary sector agree to set up a joint working group for the purpose of addressing particular issues within the community where all parties have a concerned interest.

The key with this type of arrangement is that the body itself does not represent a formally constituted legal entity and does not have independent or corporate status and as such does not have the ability to make decisions on behalf of the bodies that it comprises of. It does not however make recommendations that arise out of this joint working to then be presented to the bodies concerned for decisions to be made by those bodies.

Not withstanding that these bodies do not have a separate identity or corporate status it is essential for good working practices that the joint working group has some form of constitution. Often this form of constitution can be called a Constitution, or sometimes it is known as a Memorandum of Understanding or Heads of Terms. The purpose of this

document is to formally regulate the way that the body interacts and effectively sets out the rules of engagement. The sort of things that the Constitution should contain would be how meetings are called, including when, how things are put on the agenda and who takes responsibility. If this arrangement is a result of a government initiative, there is frequently government guidance in relation to the initiative which sets out how the partners will work, this document should then be constituted into a document that aids the joint working.

Hybrid Structures

These situations occur when there is no actual independent formal corporate structure, however the bodies concerned are performing a statutory function or role. A recent example of this is the Children's Trust. This is a concept deriving out of the Children's Act and is specifically for joint working between a number of public bodies for the purposes of improving the wellbeing of children within the community. There is a statutory obligation placed upon numerous public bodies to engage in this joint working and although the Statute does not specifically set out the structure of this partnership or working body, it is a general requirement that some form of joint working is undertaken. The Government issued guidance in this area and designated these joint working groups as Children's Trusts. It is important to note that Children's Trusts are not Trusts in law. The title has been designated by Government guidance so as to give the joint working body an identity. Its function and role and activities are defined by the primary legislation.

Other form of structure

Charities and Trusts: - These are bodies that are separate in identity as well as being independent bodies. Frequently, their purpose is for the benefit of the community or a section of a community and they are heavily regulated by the Charities Commission as well as Statute. The most common occurrence of this type of structure is in relation to recreational facilities that are provided within towns. Frequently, these take the form of a piece of open land that has been provided by a wealthy benefactor (frequently from the Victorian period) and the purpose of this land is for it to be retained open as a recreational facility for a particular part of the community. The founding document is usually a Trust or Deed of Trust which regulates how that land can be used although the modern version is that the land is a registered charity with a scheme setting up how the charity is to operate. The normal position is that a Council is either appointed as the Corporate Trustee or individual Councillors are named as Trustees. Their role is to always act on behalf of the Trust at all times and not to confuse any other interests or duties that they owe to other bodies such as to the Council.

Key Roles and Responsibilities

The Cabinet

The Cabinet comprises of the Leader of the Council and Portfolio members. They have the responsibility of recommending the overall policy of the Council supervising the implementation of policies within service areas and making key decisions. Therefore, the Leader of the Council and Cabinet members represent the Council in partnerships where appropriate to represent the political leadership of the Authority. However, decisions affecting Council policy recommended by partnerships are still subject to the processes detailed in the Council's Constitution.

Council's Management Team

The Chief Executive and corporate board – Executive Directors are responsible for delivering the Corporate plan. As such, they normally represent the Council where issues affecting the overall planning and delivery of services are considered.   They are empowered to make decisions on the strategic use and deployment of Council and partnership resources within the overall policy frame work established by the authority as well as implementing Council policy and making operational decisions.

Assistant Directors

Assistant Directors are directly responsible for delivering the Council's priorities in terms of service provision. They attend a variety of partnerships to represent Council policy and oversee the provision of services or activities within the partnership's remit.

Council Officers

A large number of officers are involved more widely in partnership working, whether on local community planning; information sharing or service co-ordination. All officers are encouraged to positively support partnership working within the guidance set out within this strategy and the policy framework of the Council.

All Council representation on partnerships is subject to the protocol for partnership working.

Elected Members

The Council will formally approve the key nominations of Elected Members to outside bodies.

Members Role in Detail

Authority to become involved with a partnership

Any Member who is approached or wishes to become involved in a partnership should discuss the matter and the extent of their involvement with their group leader before accepting. The group leader may want to discuss the partnership and aspects of work with the Chief Executive and the relevant Director. The Member should only accept or become involved after receiving approval from their group leader and the approval of either the Chief Executive or the appropriate Director. It is the responsibility of the appropriate officer, while discussing the Member's involvement within the partnership, to determine what the Member's role is and if they are representing the Council.   The Member and the appropriate officer should also discuss and agree if any support and/or training is required. The appropriate officer will arrange any training if required.

Duties

Members must remember that if they act as a Trustee of a charitable partnership or body, then their first duty while acting as a Trustee is to the charity. However, Members working within a partnership remain members of the Council and are still bound by the associated legal requirements including the Code of Conduct for Members. Members are reminded they should never do anything as a Councillor that they could not justify to the public. Their conduct, and what the public believes about their conduct, will affect the reputation of the Council and of their party if they belong to one.

Members working/associated with a partnership continue to be bound by the Council's policies and procedures, standing orders and financial regulations. They should actively encourage the partnership to follow similar practices and procedures and must immediately report to their group leader or the Chief Executive if they feel that the partnership is not acting in a manner acceptable to the Council or in the public interest.

Prohibition on signing contracts

Members working for a partnership must not sign any contracts or legally binding documentation on behalf of the partnership of the Council. Members are reminded that only authorised officers have power to sign documents of this nature.

Prohibition on provision of financial technical or legal advice

Members should not provide financial, technical or legal advice to a partnership. They should satisfy themselves that such advice is available and is taken when necessary.

Conflicts of Interest

When working in a partnership a Member should immediately declare any conflicts of interest of potential conflicts of interest that he/she may have or that my be perceived and get the partnership to record them formally in the notes/minutes of a meeting. The Member should then agree formally with the partnership as to his/her involvement with matters associated with the declared interest. If the interest will inhibit the Member's reasonable contributions then the Member should not take part and should advise the group leader and the Chief Executive. Another Member should then be chosen to represent the Council.

Members must report any personal changes in circumstances that may create a new/perceived conflict of interest. Members must also discuss with the partnership any new issues of potential conflicts of interest of issues which impact on their role as a member of Walsall Council, as a result of changes to the aims/constitution/position of the partnership that could be contrary to the public or the Council's interest.

<u>Officers Role in Detail</u>

Officers must bear in mind that acceptance of a role as a Charitable Trustee, (even if accepted as part of your work for the Council) is a responsibility personal to you. There will be responsibilities to the Charity Commission that must be fulfilled and these will be further responsibilities if you are a Director of a charitable company.

Authority to become involved with a partnership

Any officer who is approached to become involved in a partnership should discuss the matter and the extent of their involvement with their appropriate manager before accepting. The manager may want to discuss the partnership and aspects of work with the head of service. The officer should only accept after receiving approval, in writing (or file note) from their manager.

It is the responsibility of the manager, while discussing the officer's involvement within the partnership, to be clear as to the officer's role and to decide if he/she if the most appropriate representative. Once the appropriate officer has been identified then the manager should inform the head of service and ascertain what, if any, additional support and training is required. The manager is responsible for arranging this training and support.

The head of service should inform their Director so that, if necessary, Directors can be informed of the new partnership activities.

Duties

Officers must remember that if they act as a Trustee of a charitable partnership or body, then their first duty while acting as a Trustee is to the charity. However, all officers when working within a partnership remain officers of the Council and are bound by their contract of employment, the Council's policies and procedures, standing orders and financial regulations. They should actively encourage the partnership to follow similar practices and procedures and must immediately report to their manager when they feel that the partnership is not acting in a manner acceptable to the Council or in the public interest.

Prohibition on signing contracts without legal advice

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

Provision of financial technical or legal advice

If an officer provides financial, technical, legal, procurement or other advice to a partnership, a written copy of the advice should be made and a copy provided to their manager.

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

Conflicts of interest

When working in a partnership an officer should immediately declare any conflicts of interest of potential conflicts of interest that they may have or that may be perceived and get the partnership to record them formally in the notes/minutes of a meeting. They should then agree formally with the partnership as to their involvement with matters associated with the declared interest.

Memorandum of Understanding. This is a document that makes clear the

- Aims and principles of the partnerships
- Roles and accountabilities of each of the sectors represented in the partnership
- Procedures under which the partnership will operate

A model Memorandum of Understanding that exhibits all the attributes of best practice is at **Appendix 6**. This can be changed to suit any circumstances but no sections should be omitted.

SECTION 10

FINANCIAL MATTERS

10. Financial Matters

There is a range of financial issues to consider when setting up a partnership and a number of them are covered below. A flowchart of the specific financial issues to be considered is shown at **Appendix 7**.

Finance

10.1 Generally, if no finance is directly involved then, in most circumstances, this section of the Guidance could be dispensed with, however, if there is the possibility of the "partnership" committing either Council funds or services then the implications of this must be considered, e.g.:

- Budget implications and formal approval to incur expenditure against the commitment.
- Where any finance is to be exchanged then it is essential, from the outset, that there is delegated authority to spend.
- The partnership will also need to establish what happens to overspends and underspends.

Accountable Body

10.2 Normally, where projects are funded by grants, the funding body requires that one of the partners takes on the role of Accountable Body (sometimes this is referred to as 'Host Authority'). The Accountable Body is responsible for the financial administration of the grant and any agreed deliverables / outputs. Accountable Body status can only be granted to an entity which has a "legal personality" for example, a company registered at Companies House, a local authority or health trust.

10.3 If the Council takes on the role of Accountable Body it "cash flows" (bankrolls) the projects pending receipt of the grant. This generates a small cost to the Council. More importantly, it represents a risk to the Council in the event of the project incurring costs which are not reclaimable from the grant funding body.

10.4 The use of carry forwards is required to be approved by the individual grant instruction body and/or be in full accordance with the grant instructing body instructions or have, prior to any carry forward being actioned, formal agreement from the cabinet of a carry forward which includes a statement of use.

10.5 The Accountable Body also implements the partnership's reasonable decisions. This means it will do things like securing and signing contracts or service level agreements and paying out funds. This involves:

- Administering and taking responsibility for the funding
- Providing resources (e.g. staff, facilities) to carry out the obligations of the partnership (Inc. procurement, finance, information systems support)
- Ensuring that the grant allocated is spent according to the agreed plan
- Establish and maintain effective systems for monitoring and auditing spend

10.6   In order to qualify as or be appointed an Accountable Body, the organisation must be:

- Nominated to act on behalf of the partnership
- A legal entity
- Capable of meeting legal obligations

10.7   An Accountable Body may either be the partnership itself (if it has formed a company limited by guarantee) or one of the members of the partnership acting on behalf of the rest of the partners

10.8   In principle, the Council will consider being the Accountable Body subject to a risk assessment of the responsibilities applying to being Accountable Body.

10.9   Before taking on the role of Accountable Body there must have been prior approval of Financial Services and Legal Services, and Cabinet where deemed appropriate.

Pooled Budget

10.10   A "pooled budget" is purely an amount of money placed in a common fund by each partner. However, where partnerships include a partner from a health trust then reference is sometimes made to two types of pooled budget:

- 'Parallel Budget' with discretely identifiable resources – where contributions made to the "pool" do not lose their identity to the funding partners, i.e. expenditure is separately accounted for against each individual contribution to the pool.

- Pooled Budget – where on pooling, all resources will lose their identity to the funding partner.

In most cases 'pooled budgets' tend to be of the macro type as referred to above.

10.11   From the outset agreement must be reached on each partner's contribution to the partnership as well as deciding who will administer the pooled budget.

Financial Reporting

10.12   It is essential that regular monitoring reports are produced as an aid to good financial management; your service accountant can assist in determining the frequency and style of reports and therefore consultation with him/her is essential. This is particularly important where the Council is the Accountable Body.

Procurement Procedures

10.13   As any funds from the Council are public money then the procurement framework of the partnership should be comparable to the Councils. The proposed arrangements must be agreed with the Council's Corporate Procurement Team. This means that where the Council is the Accountable Body or the Council is procuring/commissioning goods, services or works as part of its role in the

partnership, UK and EU procurement legislation and the Council's Financial and Contract Rules must be complied with (regardless of funding source).
VAT

10.14 VAT is a very complicated area and advice must be sought from the Council's VAT Officer. Without proper adherence to VAT legislation the "partnership" may find that its funding is less then expected, and if VAT rules are not followed this might mean that interest and penalties have to be paid. Again, seek advice from your service accountant.

Audit Requirements

10.15 From the outset, the "partnership" agreement must provide both Internal and external auditors with rights of access to documents. The wording for each agreement must be obtained from Legal Services.

Document Retention

10.16 It will need to be established who is going to be responsible for holding documents and for that party to be aware of the legal requirements of retaining documents for various statutory and grant body requirement periods. Seek advice from Financial Services, Legal Services, and from Corporate Performance Management (Customer Focus and Intelligence) who maintain a schedule of document retention guidelines.

Grants

10.17 Quite often, grants form the main funding for partnership arrangements and the terms and conditions of those grants, including document retention must be clear.

10.18 It is important, also, to consider who is to become the accountable body as referred to above and the possibility of mainstreaming the service should the service continue beyond the grant funding period (in such cases, there is the possibility that Members should be consulted in advance). It is also necessary to avoid the potential claw back of any grant monies. In this respect seek advice from your Finance Manager.

10.19 Allocation of grants must not infringe EU procurement legislation. Consult with Corporate Procurement and Legal.

Risk Assessment and risk management

As part of the business case evaluation a full risk assessment must be carried out in accordance with the council's risk management framework. For further information or guidance consult with Corporate Risk Management.

Risk management should not stop once an initial business case has been made. Good risk management is key to delivering a successful partnership. Stakeholders in the partnership should achieve a common understanding of:

- the potential risks associated with achieving partnership objectives;
- their relative seriousness;

- how they can be managed.

A designated member of the partnership board should be responsible for maintaining a partnership risk register. It should specify those responsible for managing the action plan to reduce individual risks. The partnership Memorandum of Understanding should mention the matter of shared risk assessment and risk management mechanisms. Other partnership documents need to identify in detail what systems are in place to monitor, review and evaluate risk and who is responsible for ensuring this is done.

The partnership board should ensure that effective risk assessment is undertaken in all key decision-making processes, and the partnership implements risk management plans to reduce identified risks, set clear deadlines and allocate responsible individuals for particular tasks.

Partnership working is often about accepting high risks and sharing risk as part of developing new ways of working. This needs to be balanced against the organisation's statutory acceptable levels of risk. Partnership working can often offer additional ways of reducing risk or eliminating elements of it.

As well as risk management plans there need to be business continuity plans covering what actions will be taken if risks are realised,
It is important to note that as part of risk management, insurance is one way of transferring the level of risks. Further advice and information can be obtained from the council's corporate risk and project manager.

Liability

10.20 Throughout the planning and implementation stages of the partnership, there must be thorough and comprehensive attention to the liability issues for the Council.

10.21 In the first instance legal advice must be sought. Considerations include:

- infringement of legislation by staff or members of the partnership
- if staff are paid from petty cash, this is a contravention of Inland Revenue regulations
- the Council need to be indemnified against any actions that a partner (or partnership) may make.
- Advice on liability matters can be sought from the Legal Services Team and the Corporate Risk and Project Manager.

Exit Strategy

10.22 Invariably, "partnership arrangements" are often set up as a result of Government initiatives, and funding is usually by way of a grant for say a number of years. Upon cessation of the grant Central Government often expects local authorities to mainstream these projects (if evaluation indicates successful outcomes) into its normal day to day business and the Council must be fully aware, therefore, of any potential funding shortfalls, loss of assets etc.

10.23 In addition to the above, a clear exit strategy needs to be in place for both the planned and unplanned cessation of a partnership arrangement. Seek appropriate advice from Legal Services, Financial Services and Human Resources (where there are employment matters to consider).

Budget Holder

10.24 In terms of accountability it is essential that a Budget Holder is appointed to the "partnership" with clearly defined duties and responsibilities.

SECTION 11

EMPLOYMENT AND SECONDMENT OF STAFF FOR THE PARTNERSHIP

11. Employment and Secondment of Staff for the Partnership

11.1 When employing staff both part-time and full-time, there are many issues which need to be handled carefully, it is therefore essential that human resources and development are consulted at the outset.

11.2 When a partnership (which is not a legal entity) 'employs' staff, one partner should act as the employer. This should be detailed in the Partnership Agreement. As the employer all of the employer's policies and procedures including any liabilities will fall to that body. Agreement should therefore be made if liabilities are to be shared.

11.3 Where the Council is to be the Employer then the Council's Human Resources Policies and Procedures must be followed (e.g. recruitment and selection).

11.4 The flowcharts at **Appendices 8** and **9** will help to ensure that the Partnership Agreement covers the appropriate issues linked to the employment and secondment of staff.

11.5 In the case of volunteers – consideration must be given regarding training and support needs as well as health & safety.

11.6 For employed staff and volunteer staff security checks with the Criminal Records Bureau must be carried out if working with children or vulnerable adults. Managers are asked to read the Council's policy on CRB checks.

Specific Issues relating to the Secondment of Staff

11.7 In the case of seconding staff to the partnership, a clear agreement must be drawn up between partner organisations. Secondment agreements can be complex and give rise to liabilities both before during and after the secondment – advice **must** be sought from Human Resources & Development in the first instance.

11.8 There are a number of issues to consider when seconding staff, as below:

- Pay   -   Training
- Equipment   -   Grievance procedures & cost of disputes
- Which Rules apply (Code of Conduct, Financial & Contract Rules etc.)
- Leave   -   Home working
- Appraisal   -   Personal development
- Insurance   -   Health & Safety
- Existing terms and conditions of employment

The flowchart at **Appendix 9** is designed to ensure these issues are considered properly, however this is a complex process, and all stages must involve your Personnel team – Human Resources & Development.

SECTION 12

INFORMATION SHARING

12. Information Sharing

12.1   Information is an asset of the Council and it is important that responsibility is assigned and appropriate controls are put in place. This section only applies to partnership arrangements which involve the sharing, storing or collecting of information.

12.2   Information is a corporate asset and it is important in partnership or contractual arrangements, that ownership of any information resources that may be shared is established, responsibility is properly assigned and appropriate controls are put in place. This section only applies to partnership arrangements which involve the sharing, storing or collecting of information.

12.3   The Corporate Performance Management Team (Customer Focus and Intelligence) provides guidance and advice on aspects of information governance such as:

- Legal Compliance - Data Protection Act, Freedom of Information Act, Copyright - software licensing, databases
- Information Standards - to facilitate sharing
- Records Management - creating an inventory, managing the lifecycle of records from creation to disposal
- Security - classification of information including risk management, business continuity

12.4   Advice on data security, information sharing and information governance can be obtained from Corporate Performance Management – Customer Focus and Intelligence team.

12.5   You must consult with the council's Corporate Performance Management Team on any matters relating to the establishment of information sharing arrangements.

12.6   What to consider when developing Information Sharing Protocols

- Working protocols will need to be specific to the particular operational requirements arising from the client group concerned and should be developed with the support of relevant professionals and representatives of the client group.

- The partnership may choose to develop the protocol themselves or to commission someone to draft the protocol for their comment.

- The person or group responsible for developing the protocol should consult with all partners and stakeholders with a view to the adoption of a common format and common or integrated procedures where appropriate.

- Reviewing protocols developed for the same user group elsewhere or for other user groups can shorten the development process, but should be done with a clear understanding of the local requirements and environment.

- A framework for identifying the operational circumstances which influence information exchange is presented in the flowchart at **Appendix 10**.

The following issues should also be considered:

- The purpose(s) for which information is to be shared and stored - remembering that the sharing or storage of any personal data to be considered in the context of data protection principles
- To whom, when and under what conditions the information/personal data will be disclosed
- Receiving and responding to subject access/freedom of information requests
- Mechanisms for transferring/receiving data between partners
- Legal and Professional codes of conduct that need to be taken into account (e.g. Caldicott, Freedom of Information, Data Protection etc.)
- Relevant corporate policies (e.g. records management, retention policies)

  - Disclosure of data
  - Request for data
  - Responding to requests
  - Transfer of data
  - Receiving data

  - Purpose of sharing/storing of data
  - Review procedures
  - Professional codes of conduct *(Ca Protection etc)*

The Council has a number of policies/guidance in relation to dealing with issues concerning information sharing, the protection of data, data retention etc.

It is strongly recommended that agreement is reached within the partnership about how, by when, and by whom data will be collected and retained.

SECTION 13

DATA QUALITY

13.   Data Quality

13.1   Good quality, reliable information is essential for sound decision making at every level of an organisation and is an underpinning element to strong performance management. It is vital that the performance information used to inform, manage and plan activities is accurate, reliable and comparable, both over time and with different authorities/service providers.

13.2   The council has a statutory responsibility to publish performance information and to provide assurance that the data is accurate. To achieve this, adequate arrangements for data quality must be in place.

13.3   In its simplest form, securing data quality involves:
- Identifying processes
- Applying set standards
- Assessing performance against standards
- Providing guidelines, templates and tools to enable and sustain improvement.

Aims of Data Quality in Partnerships

- The Partners are aware and understand the standards of data collection and collation required.
- To have an effective strategy in place to manage the quality of information within the Partnership.
- Everyone effectively manages their data to support the creation of a Partnership wide data quality culture.

13.4   The council has a data quality assurance policy which aims to sustain high levels of data quality in order to support accurate decision making within the council. This also applies to its partnership arrangements and where possible it attempts to encourage its partners to adopt the same corporate methodology.

However, where the partner already has data quality practices in place the council must satisfy itself that these practices are robust and meet the same criteria as the council's corporate methodology.

SECTION 14

PERFORMANCE MANAGEMENT

14. <u>Performance Management</u>

14.1 Effective performance management ensures delivery of an organisation's aims and objectives, and drives forward service improvements. Performance management provides the framework that turns ambitions into delivery. It also prompts action in response to actual performance to make outcomes better than they would otherwise be.

14.2 In its simplest form, performance management is about:
- Understanding the impact and outcomes of our activities
- Accurately collecting, recording, analysing and reporting measures which deliver those outcomes ensuring information is reliable, consistent and comparable
- Understanding what needs to be done to improve these outcomes
- Taking the necessary actions
- Checking and measuring that the actions lead to improvement
- Learning from what has or has not gone well and making changes where necessary

Aims of Performance Management in Partnerships

- The Partners are aware and understand their responsibilities in terms of collecting, collating and reporting performance data
- To have an effective strategy in place to review performance, drive improvement and identify and implement remedial corrective action as soon as required within the Partnership.
- Everyone effectively manages performance to ensure the Partnership's objectives are achieved.

14.3 The council has an established approach to performance management; the Corporate Integrated Planning and Performance Framework (CIPPF). The main objectives of the CIPPF are to set out how the council structures and manages its performance now and in the future and to ensure this approach facilitates the delivery of the council's vision, aims and objectives, and secures effective outcomes that benefit the citizens of Walsall. This also applies to its partnership arrangements and where possible it attempts to encourage its partners to adopt the same corporate methodology.

However, where the partner already has performance management practices in place the council must satisfy itself that these practices are robust and meet the same criteria as the council's corporate methodology.

14.4 From April 2009 a new national performance assessment framework, the Comprehensive Area Assessment (CAA) will be introduced. CAA will focus on the delivery of outcomes for local people and recognise the importance of effective local partnership working, the enhanced role of our Sustainable Community Strategy and Local Area Agreement and the important role all partner organisations have in leading and shaping the community we serve.

SECTION 15

RISK MANAGEMENT

15. <u>Risk management</u>

15.1 Risk management enables the Partnership to effectively manage strategic decision making, service planning and delivery to safeguard the well-being of its stakeholders and is crucial to the achievement of all its objectives.

15.2 Risk Management is a principle element of excellent corporate governance. The process involves identification, analysis, control and monitoring of risks and the maximisation of opportunities that can impact on the Partnership's aims and objectives. It is therefore important that robust risk management arrangements are in place.

Aims of Risk Management in Partnerships

- The Partners are aware and understand the nature and extent of the risks they face individually and in partnership working.
- To have an effective strategy in place to manage those risks within the Partnership.
- Everyone effectively manages risk to ensure the Partnership's objectives are achieved.

The council has an agreed risk management methodology which it uses to manage all aspects of risk across the council. This also applies to its partnership arrangements and where possible it encourages shared risk registers with its partner organisations or attempts to encourage its partners to adopt the same corporate methodology.

However, where the partner already has risk management practices in place the council must satisfy itself that these practices are robust and meet the same criteria as the council's corporate methodology

Please refer to **Appendix 11** for more detailed guidance in this area.

SECTION 16

REVIEW AND EVALUATION OF PARTNERSHIPS

16.1   All existing partnerships need to be reviewed at least on an annual basis to ensure the continuing relevance to the council's priorities. There are two aspects to this:

1   Review of the partnership itself; providing assurance that proper systems are in place and that its outcomes and performance can be monitored and evaluated.
2   The council must decide whether its requirements are being met and then provide assurance about the effectiveness of the partnership and the value of its own input.

16.2   The head of service will need to be satisfied as to the continuing business case for the partnership (see Section 6). and what options exist if a partnership is not achieving its short, medium and long-term goals.

16.3   It is the responsibility of heads of service to provide the Corporate Performance Management Team with a formal annual report (**Appendix 13 – Partnership Review Template**) on a partnership's effectiveness and fitness for purpose

16.4   Issues relating to performance of the partnership should be reported to appropriate Executive / Assistant Directors or heads of service using the normal management reporting processes. This exercise is not a substitute for the ongoing monitoring, evaluation, and the reporting responsibility of the partnership itself.

16.5   Partnerships are responsible for their governance arrangements but remember that the council also has a duty to ensure that adequate procedures and processes exist regarding the stewardship of public funds.

16.6   Once the individual reviews have been received from heads of service, the Corporate Performance Management Team will produce a summary report for the Corporate Management Team and Cabinet on the overall impact of the council's involvement in partnerships, and on any actions required. This will include recommendations on whether to continue partnership arrangements cease participation in them or seek changes to agreements.

16.7   At some point, partnerships arrangements, or the council's involvement in a partnership, will come to an end. This could be for several reasons:

- the partnership achieves all that it set out to do;
- the priorities of the council/Walsall Partnerships;
- on review, the partnership is not delivering the outputs and outcomes it was set out to do and a new approach needs to be explored;
- the partnership is replaced by another partnership or working arrangement;
- external funding sources/resources cease;
- on review, an adverse level of risk of continuing the partnership is identified;
- the legal framework upon which the partnership was founded, changes.

16.8 If leaving a partnership is considered necessary, the relevant head of service will seek Executive Director approval who will, in turn, consider CMT, Cabinet and Council involvement as necessary.

16.9 Within three months of the decision to leave a partnership, the head of service will complete the proforma in **Appendix 14 (Leaving a Partnership Pro-forma)** and submit it to the Corporate Performance Management Team to allow any learning points or best practice to be identified.

APPENDICES

Types of Partnerships

Partnerships permitted, required or encouraged by law

In these circumstances there is no requirement to undertake a procurement exercise to select the partner – although on occasions it may be beneficial to do so.

Formal Forums

These forums are a medium for open discussion and debate which play an important key role in the shaping and development of policies, strategies and service delivery.

Joint Committee

This type of partnership may be appropriate where two or more local authorities wish to undertake joint activities, e.g. to combine their resources to obtain economies of scale and greater commercial bargaining power.

Management Committee

A Management Committee is a steering group which works together to support the management of a particular project or organisation.

Management Committees generally do not have independent legal status and, therefore, each member will have to recognise what individual responsibilities and liabilities they could encounter (e.g. Sure Start Management Committees).

Local Strategic Partnership (LSP)

The aim of the LSP is to bring together the public, private, voluntary and community sectors to improve the delivery of public services and the quality of life for people at local level.

A Local Strategic Partnership is defined as a single body that:

- brings together at a local level different parts of the public sector as well as the appropriate/relevant private, business, community and voluntary sectors so that different initiatives and services support each other and work together;

- is a non-statutory, non-executive organisation;

- operates at a level which enables strategic decisions to be taken and is close enough to individual neighborhoods to allow actions to be determined at community level; and

- should be aligned with local authority boundaries.

Please note that LSPs are intended to help local service providers co-ordinate their actions. However, it is still the individual partners who will remain responsible and accountable for decisions on their own services and the use of their own resources.

Examples of legislation that have encouraged partnerships in local authorities include the Crime and Disorder Act 1998, the Health Act 1999 and the Local Government Act 2000.

Crime and Disorder Act 1998

This Act encourages partnerships between all local authorities and the police forces, as it places joint responsibility on these organisations to work together with other relevant organisations to develop strategies to reduce crime (e.g. Community Safety Partnership).

The Health Act 1999 and Local Government Act 2000

These Acts make it possible for health bodies and local authorities to enter into closer partnerships arrangements to facilitate more 'seamless' services and will enable the needs of service users to be met in a more holistic way, irrespective of which is the originating provider of the services they receive.

The types of arrangements that are encouraged or required by law include the following:

- pooled budgets (pooling together of money in a shared fund used for agreed services);
- lead commissioning (one agency takes on the function of commissioning the services which are delegated to it by other partners – as opposed to joint commissioning. **NB - Lead commissioning is subject to the EU procurement regime, which means the Lead Commissioner has to procure or commission in accordance with EU procurement Law. Advice from Corporate Procurement must be sought**); or
- integrated service provision (allows different professionals to work within one management structure). e.g. community health partnership

Operational / Service Delivery Partnerships

These Partnerships are mainly engaged in the delivery of operational and support services. They can involve the public, private and community / voluntary sector.

The selection of the partners must be in accordance with the Council's Financial and Contract Rules.

Useful checklists

Assessing the Need for a Partnership Arrangement - Checklist

This Appendix provides useful checklists to assist in developing successful partnerships. It is important to ensure that all steps shown on the checklists have been considered and acted upon, where appropriate.

Objectives / Planning / Initial Steps

The establishment of any partnership arrangement will require that all partners have clear shared objectives and are able to set a realistic plan and timetable, within a clear framework of responsibilities and accountability. The time taken to plan and set-up a partnership effectively should not be underestimated.

Question	Comments (sufficient in each case to show how each question has been considered)
Have you agreed what the shared vision and objectives are?	
If no procurement exercise is proposed to select the partner(s) have you agreed this with Corporate Procurement?	
How would the proposed partnership contribute towards the objectives identified in the Council's Vision?	
What legal powers will be used to create the partnership?	
What consultation has been undertaken with other relevant directorates and key stakeholders about the outcomes and high-level objectives that you want the partnership to deliver?	
Have the necessary Equalities Impacts Assessments been completed (refer to Equality Standards and Policies)? http://inside.walsall.gov.uk/eqia1-2.pdf	

Is there a clear, measurable plan, including appropriate timescales for delivering the partnership implementation plan?	
Have all partners agreed the implementation plan?	
Have you undertaken a risk assessment for the partnership plan?	
Are the proposed partners clear who is responsible for delivering the plan?	
Have you considered how the Partnership will be sustainable into the longer term? (if not fixed term)	
Has the relevant Executive Director agreed that CMT / Cabinet approval be sought? (see **Appendix 3(ii)**)	
Has authority been sought to implement the partnership, i.e. CMT / Cabinet approval?	
Are you intending to commission or procure services, works or goods?	Yes / No
If yes to the above question, consult with Corporate Procurement	

Inclusivity, Communication and Good Practice

Inclusivity should be about providing opportunities for stakeholders to contribute to the work of the partnership. Effective communication will concentrate on ensuring that the partnerships aims and outcomes are understood and publicised. The adoption of "Good Practice" will ensure that lessons learnt will be implemented by the partnership contributing to continuous improvement.

The Equality Impact Assessment form and guidance is at:
http:inside.walsall.gov.uk/equalities impact assessments

Question	Comments (sufficient in each case to show how each question has been considered)
What will be the impact of this partnership on the clients?	
What will the impact of this partnership be on stakeholders and other services?	It is recommended that an Equality Impact Assessment is undertaken at the start of engaging into a partnership.
Will there be resistance to this partnership. If so, what action will be taken to resolve issues?	
How can you actively involve all the partners you need to reflect different perspectives in the local community?	
How will you ensure you are aware of best practice examples relating to the proposed partnership?	
Have you obtained and considered specific good practice guides (national or professional bodies)?	

Governance, Accountability and Probity

If governance arrangements within partnerships are weak or not fully thought through, then the partner discharging the accountable body role, often the Council, will be at risk both in terms of financial responsibility, but also in respect of the Council's good reputation and standing.

Question	Comments (sufficient in each case to show how each question has been considered)
What form / model of governance best meets the needs of the partnership? (e.g. Joint C'tte)	
How will the partnership account to the Council for its activity?	
Will the proposal meet "best value" requirements?	
How will openness / transparency in governance be achieved?	
When and how will reviews be undertaken out on partnership activities?	
Is the partnership clear what it will do if poor performance is reported?	
How will users and other stakeholders be represented on the partnership?	
What will be the risk management arrangements? (including business continuity)	
Does the performance management process include clear milestones, outcomes and delivery dates?	
How will you account / report performance to your clients?	
What process will be set up to resolve disputes?	JPJ – add a question about Information Governance, sharing of information including arrangements for personal data

Are partners clear on the length of agreement and have an agreed exit strategy for the partnership?	
What formal monitoring and appraisal systems will be put in place?	
Is there a relationship of trust between the partners?	
How will finance matters be accounted for and how will this be linked to the perceived outcome of the partnership	

Signing off Procedure

The following flowchart shows the steps to be followed in obtaining approval for a new partnership:

```
┌─────────────────────────────────────────────┐
│ All Partnership Checklists (Appendix 2) should be │
│ considered, completed and retained.         │
└─────────────────────────────────────────────┘
                      │
                      ▼
┌─────────────────────────────────────────────┐
│ Lead Executive Director gives approval in principle to the │
│ partnership                                 │
└─────────────────────────────────────────────┘
                      │
                      ▼
┌─────────────────────────────────────────────┐
│ Seek comments or approval from key areas of the │
│ Council (see Sign Off Checklist, Appendix 3 (ii)) │
└─────────────────────────────────────────────┘
                      │
                      ▼
┌──────────────────┐  Yes  ┌─────────────────────────────┐
│ Legal Services / │◀──────│ Cross-check with Sign Off Checklist │
│ Financial Services / │   │ – are there any issues or recommendations made not │
│ Corporate Personnel │    │ followed?                   │
│ advise as needed │      └─────────────────────────────┘
└──────────────────┘                 │ No
         │                           ▼
         │            ┌─────────────────────────────┐
         └───────────▶│ Partnership prepares Partnership Agreement. │
                      │ (Standard Templates are held by Legal Services) │
                      └─────────────────────────────┘
                                     │
                                     ▼
┌──────────────────────────┐  Yes   ┌──────────────────┐
│ Agree arrangements with Legal │◀───│ Is the Council the │
│ Services and Financial   │       │ accountable body? │
│ Services.                │        └──────────────────┘
│ (the level of detail will depend │        │ No
│ upon the nature of the   │                ▼
│ partnership)             │        ┌──────────────────┐
└──────────────────────────┘        │ Executive Director takes │
         │                          │ report to CMT for approval │
         └─────────────────────────▶│ of partnership   │
                                    └──────────────────┘
                                             │
                                             ▼
┌──────────────────────────┐  Yes   ┌──────────────────┐
│ Cabinet approval sought  │◀───────│ Is this a Key Decision or │
└──────────────────────────┘        │ above £500k?     │
         │                          └──────────────────┘
         │                                   │ No
         │                                   ▼
         │                          ┌──────────────────┐
         └─────────────────────────▶│ Partnership is added to │
                                    │ Partnerships Register │
                                    └──────────────────┘
                                             │
                                             ▼
                                    ┌──────────────────┐
                                    │ Partnership subject to │
                                    │ annual review (Appendix │
                                    │ 13)              │
                                    └──────────────────┘
```

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Partnership Sign Off - Checklist
(to be attached to the Record of Delegated Decision sheet)

This checklist should document who has been consulted during the process of setting up or reviewing a partnership. The Executive Director who will be signing off the Partnership Agreement will then refer to this and identify what advice/guidance has been sought throughout the process, and whether that advice/guidance had been followed.

The Partnership Agreement should provide evidence that the recommendations have been taken into account – if there is no evidence then reasons should be sought prior to finally signing off the agreement.

Contact / Service	Key Areas for Consultation	Name and position of advising officer and advice provided
Portfolio Holder	- Policy	
Legal Services (written approval is required)	- Legal powers - Terms of Agreement - Information Management / Sharing	
Financial Services (written approval is required)	- Funding - Accounting - Financial liabilities - VAT	
Corporate Procurement	- EU Directive / CPR compliance - Procurement process	
Corporate Risk Management	- Risk Management - Project Management	
Insurance Team	- Insurance	
Corporate ICT	- Fit with ICT Strategy - Hardware compatibility - Software compatibility - Security	
Emergency Planning Team	- business continuity	
Human Resources & Development	- Terms and Conditions - HR policies / procedures	

Corporate Performance Management	- Contribution to Strategic Objectives (strategic fit) - Measurement of Outcomes - Information governance/sharing	
Other (please specify)		

Prepared by:

Name _____ **Post:** _____ **Date :** _____

I am satisfied that the Partnership, as proposed, should proceed.

Executive Director : _____ **Date :** _____

Business Case Template

Name of the partnership:

This is concerned with (tick appropriate box):

setting up a new partnership		joining a partnership		reviewing a partnership	

If the partnership is STATUTORY tick the box

Reasons for the partnership	
Key questions	**Evidence and evaluation**
1. What are the keys aims and objectives of the partnership?	
2. How do these fit with the strategic outcomes of the: (a) Council Plan? (b) Community Strategy? (c) Local Area Agreement?	
3. To whom is the partnership accountable?	
4. What is the role of the council?	
5. Which organisations make up the partnership?	
6. Are there any key players **not** in the partnership that should be? If yes, which ones?	
7. Is there anyone else who could achieve the same outcomes?	
Other options considered	
1. What other working arrangements have you considered?	
2. Why were these rejected?	
Benefits of the partnership	
1. How is the partnership offering **value for money**?	
2. Give specific examples of how the partnership is delivering **added value**	
3. Attach the SMART outcomes and targets of the partnership	
Risks and opportunities	
1. Attach the completed **risk assessment** for the partnership	
Key questions	**Evidence and evaluation**
2. Attach the completed **Equality Impact Needs Assessment (EINA)** for the partnership	

3. Is there the potential for reputation damage to the council if it leaves the partnership or doesn't join up? If yes, what is the risk and how can it be managed?	
4. If the council leaves the partnership or doesn't join, will any funding be lost to the borough? If yes, please give details	

Costs and timescales	
1. What resources is the council providing 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? (l) advice? (m) communication tools? (n) other? **[Answer all fields with details]**	
2. When is funding for the partnership due to end?	
3. What is its intended lifespan?	
4. What is the exit strategy?	

MY OVERALL EVALUATION IS THAT THE BUSINESS CASE HAS / HAS NOT * BEEN MADE FOR SETTING UP / JOINING / CONTINUING * A PARTNERSHIP WORKING ARRANGEMENT.

Completed by:_____
Date:_____

Job title:_____

Tel. No.:_____
Email:_____

* Delete as appropriate

Guidance Note on Completing the Business Case Template

Nature of business case

1   This is concerned with:• setting up a partnership;
- joining an existing partnership;
- reviewing an existing partnership.
2   Name of the partnership
3   Is the partnership statutory?

Resources

*Resources*1 What resources is the council providing 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;
l.   advice;
m.   communication tools;
n.   other?

Answer all points with details.

Funding

1   When is funding for the partnership due to end?
2   If the council leaves the partnership will any funding be lost to the borough?
3   If yes, please give details.

Assessment of 'fit' with the council and key policies

1   How does the partnership contribute to the:
- Corporate Plan, including the council's vision and priorities
- JPJ – Sustainable Community Strategy
- Local Area Agreement

Partnership – key information

Strategy

1   List the agreed/proposed objectives, SMART outcomes and targets?
2   What is the intended lifespan?
3   What is the exit strategy?

Membership

1   Which organisations make up the partnership?
2   Are there any key players not in the partnership?
3   If yes, which ones?

Leadership and engagement

1   Who is the partnership accountable to?
2   What is the role of the council?

Risk management and equality impact assessment

1   Attach the completed risk assessment
2   Attach the completed equality impact assessment

Other considerations for existing partnerships

Reputation

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

Authorisation

Business case must be authorised by head of service – details must include:
- Name
- Date
- Job title
- Contact telephone number
- Contact email address

Excellence and efficiency

Excellence, economy, efficiency and effectiveness

1   Give specific examples of how the partnership delivers:
    a. value for money;
    b. 'added value'.

Responsibilities of Walsall Council Members and Officers involved in Partnerships.

- Follow the procedures outlined in this Partnerships Toolkit in the reviewing and development of partnership initiatives;

- Ensure that partnership details are up to date and accurate on the Council's Partnership Register (held by the Project Management Office within Corporate Performance Management);

- The Council representative(s) may need to reflect the views of the Council as a whole and not restrict themselves only to their own areas of interest;

- Comply with agreed reporting procedures (Refer to **Appendix 5 (ii)** of this toolkit);

- Be fully aware of the Council's procedures before any decisions are made (what authorisation is required and who needs to be consulted?);

- Where applicable – relay information to relevant directorates / services – always ask who needs to know?;

- Representatives should attend as many meetings as possible (demonstrate level of commitment);

- Make sure that substitutes are fully briefed prior to attending any meetings;

- When reporting back (Refer to **Appendix 5 (ii)** of this toolkit), look outside the normal sphere – ensure that relevant directorates / services are informed; and

- Regular reviewing of the partnership, training etc is essential for continued effective working (using this toolkit as reference).

Involvement and Reporting Back to the Council

This table suggests what level of involvement is appropriate for different partnership types. It also suggests the reporting procedure needed for democratic accountability and effective monitoring of partnerships within the Council. Reporting procedures will be agreed with the relevant lead Executive Director. For advice or guidance on this matter then please see **Appendix 15** for contact details.

	Partnerships Permitted, Required or Encouraged By Law				**Operational / Service Delivery Partnerships**
	Formal Forum	**Management Committees**	**Joint Committees**	**Local Strategic Partnership**	
Council involvement	Member or Officer	Member and Officer (if requested)		Member and Officer	Officer (and Member if appropriate)
Reporting back to Walsall Council	Only if policy issues arise	Only if fundamental policy or performance issues arise		Cabinet, and Policy and Coordination Review Committee	Only if fundamental performance issues arise

A MODEL MEMORANDUM OF UNDERSTANDING

A memorandum of Understanding must address the following headings since this model combines all the attributes of best practice.

Aims and objectives of the partnership

List the aims and objectives of the partnership here.
    Good practice would be a separate paragraph with a short explanatory sentence for each aim and objective.

Partnership principles

The following list should be included under this sub-heading.
    Good practice would be an explanatory sentence following each bullet point. This list is not exhaustive.

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;
- Mutual trust and respect;
- Openness and transparency;
- Effective communication and accountability;
- Shared ownership of resources, where appropriate;
- Combined expertise;
- Creative and innovative solutions to problems;
- Identification and sharing of best practice, based on mutual learning;
- Removal of barriers to equality of access and opportunity;
- Clear purpose, clarity of expectations and agreed targets for action;
- Effective decision-making;
- Shared mechanism 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 (the purpose of the partnership) here.
    Good practice would be a separate paragraph with a short explanatory sentence for each Term of Reference.

Roles and Responsibilities

List the roles and responsibilities of each of the constituent members of the partnership here. It may be appropriate to talk more generally about what the voluntary and community sector, the business sector and the public sector

members each bring to the partnership as groups, and the areas of the partnership activity that they will be responsible for delivering.

Membership and terms of office (including any special provisions for council members/officers)

List information like:

- The number of representatives from organisations in the public, private and the voluntary and community sectors, which are actively involved in the area (equal representation is not a requirement) and why they were chosen;
- A list of the constituent members and the number of representatives they have on the partnership;
- Who chairs and vice-chairs the partnership;
- How often the membership is reviewed and any time limits that an individual representative can serve on the partnership;
- How the membership of the partnership reflects the characteristics and aspirations of the area/people it has been set up to serve.

Equalities and inclusion

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 Equalities Impact Assessments on its functions, policies and services. This should take place no later than six months for the larger significant partnerships and 12 months for smaller partnerships.

Accountability

A statement about how and to whom the partnership is accountable and what that accountability includes.

A statement on the constituent members' accountability to each other including any expectations of behaviour.

Meetings

A short statement/sentence on:

- The minimum number of meetings in a period;
- Posting of meetings – including if open or closed;
- 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;
- Replacement of meetings and any protocols to be followed;
- Declarations of Interest and protocols on withdrawal from meetings.

This list is not exhaustive.

Disrepute and conflict resolution

A statement on behaviour that could reasonably be expected to bring a partnership into disrepute. A short list could include:

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 on the systems and procedures that exist to resolve issues of conflict or dispute within the partnership such as the Chairman of the partnership board having a casting vote in the event of a tied vote.

Secretariat

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

Termination of partnership involvement

A short statement on written notification to the Chair and secretariat of the intention to leave the partnership. Also state any notice period required or any exceptions.

Review and alteration to the memorandum of understanding

A short statement on how often the Memorandum of Understanding shall be reviewed and protocols for changing/amending it.

Finance Flowchart (1)

Will any finance be exchanged or committed within the proposed partnership? — **Yes**

Seek advice from Financial Services ← **No** — Has the Partnership been delegated authority to spend funding?

Consult with CP ← **No** — Has advice been sought regarding procurement procedures? — **Yes**

State how one-off payments will be authorised and recorded ← **No** — Will the Partnership have a pooled budget? — **Yes**

Agree / secure how partners will contribute to the Partnership

Make provision for transferring Council funds ← **No** — Will the Council administer the pooled budget? — **Yes**

Seek advice from Financial Services to set up accounts codes / decide how funds are to be accessed

Decide who will be the Accountable Body ← **No** — Will the Council be the Accountable Body? — **Yes**

This MUST be agreed by Financial Services and Legal Services, and Cabinet where appropriate

Seek advice from Financial Services and Legal Services where appropriate ← **No** — Has the Partnership sought advice regarding VAT and Corporation Tax?

Yes

Will the Partnership hold any fixed assets either new or transferred, or any pooled funds?

Continued Overleaf

Finance Flowchart (2)

Will the Partnership hold any fixed assets either new or transferred, or any pooled funds?

No   Yes

Document how assets will be registered / ownership, valued and disposed of. Also consider exit strategy

Have Internal and External Audit requirements been considered?

Must consider Audit requirements   No

Yes

Has a full risk assessment been undertaken (including insurance arrangements)?

Undertake risk assessment   No

Yes

Where appropriate, consult with Financial Services regarding risk management. Develop exit strategy.

Where the Council is the Accountable Body, Partnerships are expected to adopt the Council's Financial and Contracts Rules where appropriate, or an equivalent version approved by Legal Services and Financial Services.

Note : Documentary evidence (letters, memos, emails etc) should be held for all occasions whereby advice is sought / received.

Employment Flowchart (1)

Will the Partnership require staff employed (If seconded, also see Secondment Flowchart)

No

End

Yes

Seek advice from Human Resources on TUPE and liability issues as well as employment models

Establish who will be the employer and who will be running the payroll. Decide how each partner will contribute to the potential costs

Is the Partnership a legal entity?

No

Yes

Seek advice from Human Resources regarding contracts, Trade Union consultation etc

Has it been agreed how the cost of staff will be covered?

No

Yes

Consider how inflation can affect staff costs (pay rises)

If staff are to be employed funding needs to be secured

No

Have all partner contributions been secured / guaranteed?

Yes

Will Council staff be undertaking the recruitment process?

No

Your Personnel Service needs to be satisfied with the proposed recruitment procedure

Yes

Liaise with Human Resources

Continued overleaf

Employment Flowchart (2)

Continued from
previous page

Liaise with Human Resources

Your Personnel Service
needs to be satisfied with
the proposed HR advice ←── No ── Will the Council be providing
HR advice?

Yes

Review Personnel Guidance

Have suitable premises been
identified?

No

Yes

Agree prior to appointing
staff and review budget
implications ──→ Ensure cost of premises has
been accounted for?

Consider staff retention
issues with Partnership ←── No ── If the partnership has a limited
life, has staff retention been
considered?

Yes

Record any financial incentives
within the staff costings

Has the Partnership considered what will
happen to staff when the Partnership
dissolves?

No

Yes

Agree and include these
in any exit strategy

Document findings in any exit
strategy / contract of
employment

Secondment Flowchart

Has it been decided which organisation will line manage seconded staff on a day to day basis?

No → This needs deciding on at an early stage

Yes

Has point of contact been agreed in both 'Parent' and 'Host' organisation?

No → Identify who point of contact will be

Yes

Has the Partnership agreed how the seconded staff will work in accordance with 'Parent' organisation's terms and conditions? (Identify who will pay redundancy costs etc on dissolution)

No

Yes

A clear agreement must be drawn up between partner organisations

Is the 'Host' organisation fully aware of seconded staff's Terms and Conditions?

No

Yes

If 'Parent' Terms & Conditions are to be used the 'Host' must agree in advance.

Will Codes of Conduct and other employee polices need clarification?

No

Yes

'Host' and 'Parent' organisations agree Codes of Conduct

Has it been agreed how disciplinary issues and staff grievance procedures will be addressed?
Seek advice from Human Resources.

No

Yes

This is highly sensitive – advice must be sought from Human Resources

Has a robust appraisal system been considered for seconded staff?

No

Yes

Identify who will appraise staff and with what procedure

Document findings in protocol to manage and review the arrangements
(Include exit strategy)

Information Sharing – Initial Procedures (1)
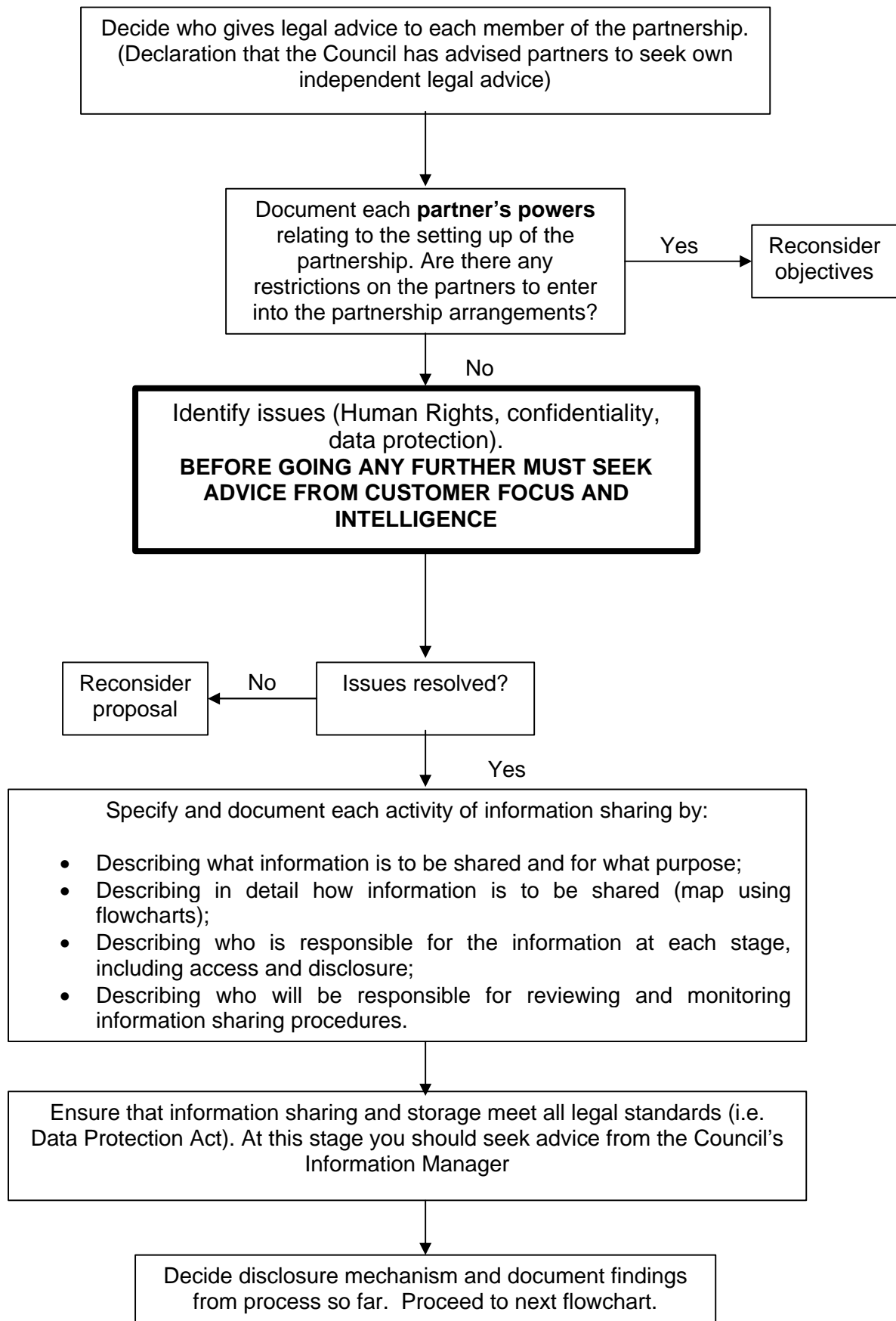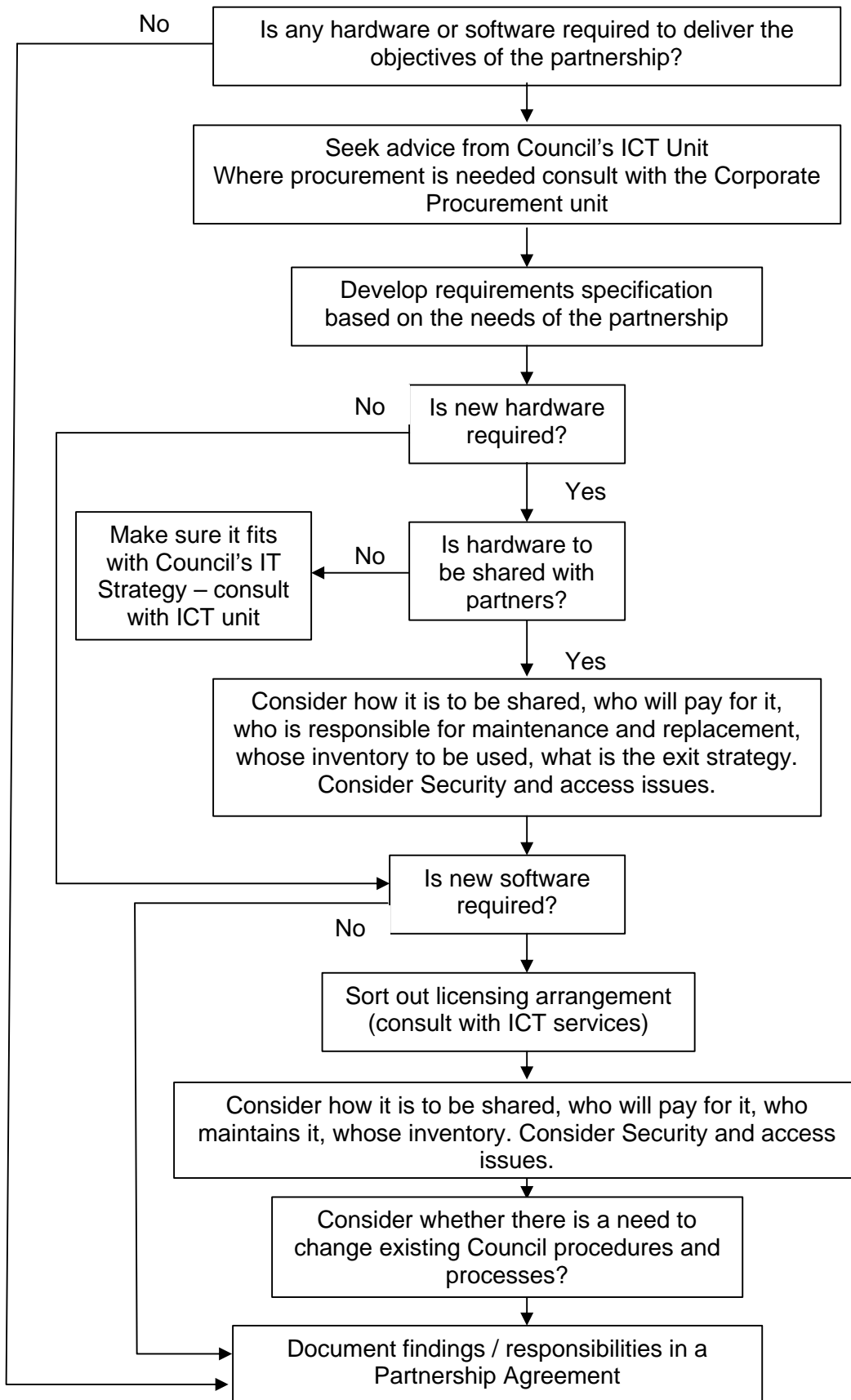**(only applies to partnerships who will be sharing or storing information)**

Decide who gives legal advice to each member of the partnership.
(Declaration that the Council has advised partners to seek own
independent legal advice)

Document each **partner's powers** relating to the setting up of the partnership. Are there any restrictions on the partners to enter into the partnership arrangements?

Yes → Reconsider objectives

No

Identify issues (Human Rights, confidentiality, data protection).
BEFORE GOING ANY FURTHER MUST SEEK ADVICE FROM CUSTOMER FOCUS AND INTELLIGENCE

Issues resolved?

No → Reconsider proposal

Yes

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 (map using flowcharts);
- Describing who is responsible for the information at each stage, including access and disclosure;
- Describing who will be responsible for reviewing and monitoring information sharing procedures.

Ensure that information sharing and storage meet all legal standards (i.e. Data Protection Act). At this stage you should seek advice from the Council's Information Manager

Decide disclosure mechanism and document findings from process so far. Proceed to next flowchart.

Information Protocol – Hardware and Software (2)

No → Is any hardware or software required to deliver the objectives of the partnership?

↓

Seek advice from Council's ICT Unit
Where procurement is needed consult with the Corporate Procurement unit

↓

Develop requirements specification based on the needs of the partnership

↓

No ← Is new hardware required?

↓ Yes

Make sure it fits with Council's IT Strategy – consult with ICT unit ← No — Is hardware to be shared with partners?

↓ Yes

Consider how it is to be shared, who will pay for it, who is responsible for maintenance and replacement, whose inventory to be used, what is the exit strategy. Consider Security and access issues.

↓

Is new software required?

No →

↓

Sort out licensing arrangement (consult with ICT services)

↓

Consider how it is to be shared, who will pay for it, who maintains it, whose inventory. Consider Security and access issues.

↓

Consider whether there is a need to change existing Council procedures and processes?

↓

Document findings / responsibilities in a Partnership Agreement

RISK MANAGEMENT GUIDELINES

STEP 1 and 2   Risk Identification and Analysis

Risk is the threat that an event or action will adversely affect an organisation's ability to achieve its objectives and successfully execute its strategies.

All risks to the delivery of the service should be identified and assessed using the adopted corporate methodology. The building blocks are an aide-memoir to risk identification.
See examples 1a, 1b, 2a and 2b.

STEP 3   Prioritising the Risk

Having identified the risks you should then assess and agree as a group or as a team dependent upon the nature of the assessment the impact and likelihood of the risks you have identified occurring. This process is detailed below (example 3):-.

a) You must assess the level of risk assuming <u>no controls are in place</u>. First consider the <u>impact</u> or <u>severity</u> the risk would place on the ability of the service to achieve its objectives and decide if this is catastrophic/critical/marginal/negligible (assign a level of 4, 3, 2, or 1).

b) Next assess the <u>likelihood</u>. Ask how likely the risk is over say the next 12 months or over the life of the project. The likelihood should be ranked as very high/high/significant/low/very low/almost impossible (assign a level of 6, 5, 4, 3, 2, or 1). This score will enable you to plot your risks on the risk matrix and to determine where risks are to be managed through identification of the risk appetite or the tolerance to risk of the service (example 3). This will determine which risks are to be managed and the risks which the service has agreed it can tolerate or are considered to be adequately managed.

**STEP 4   Risk Management Action Plan (RMAP)**

Having assessed and prioritised the risk, you should then ensure that adequate control measures are in place for those risks that are to be managed. A risk management action plan should be completed for each of these risks (example 4).

STEP 5

A copy of the risk register and a copy of the completed risk management action plan(s) should be logged with the corporate risk and project manager. It should be clearly identified what type of risk the assessment relates to i.e. service, team, directorate project/partnership etc (example 5).

Step 1- Identification
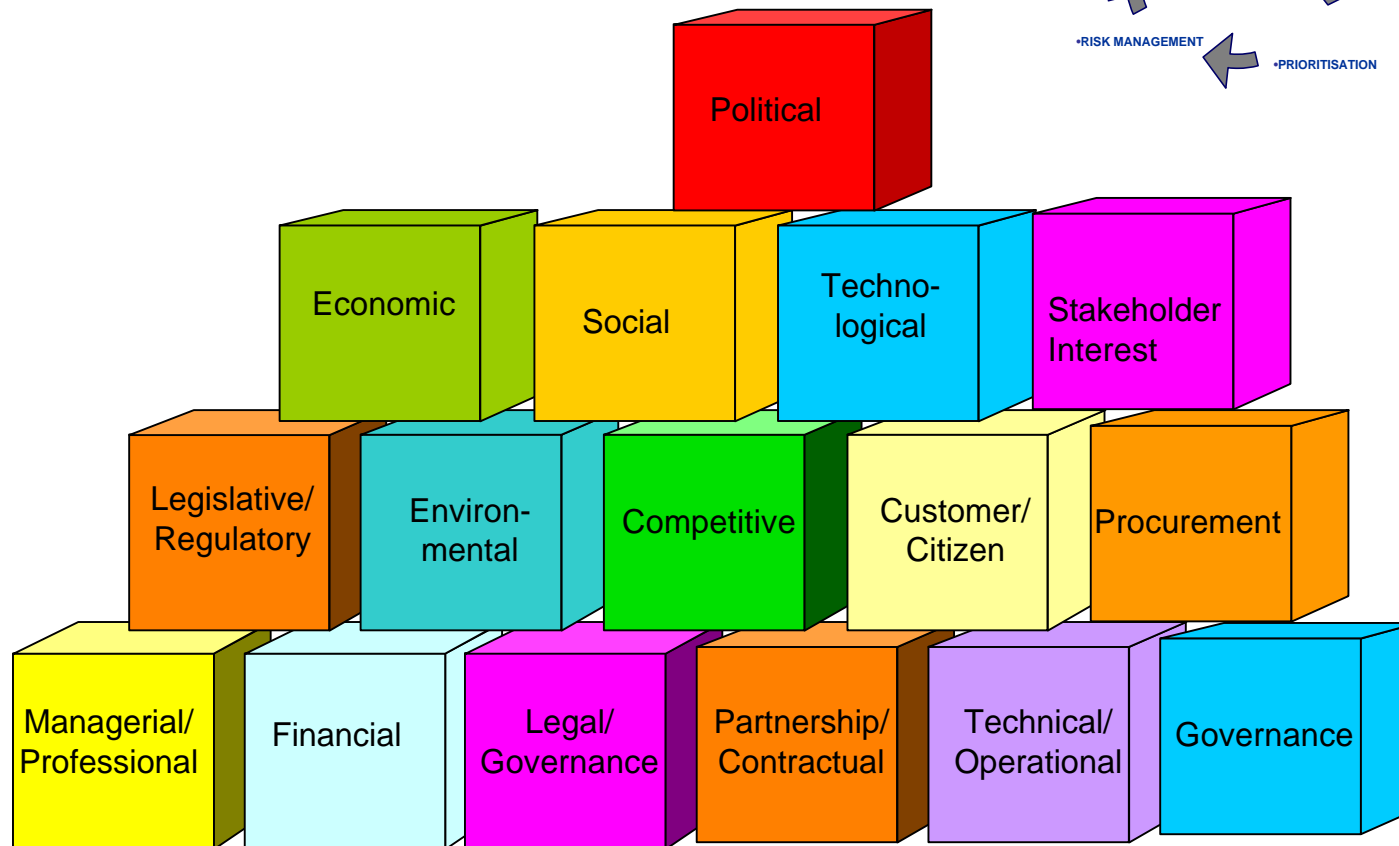
Risk areas to consider

This list is meant only as an aide-memoire and is not exhaustive

Risk: **Political**

Definition   Associated with the failure to deliver either local or central government policy or meet the local administration's manifest commitment Failure to deliver Central Government Policy or local identified priorities

Examples   New political arrangements. Political personalities, Political make-up. Ceding of control. Conflict of other Council policies/strategies. Expectations of Members. Maintenance of Comprehensive Performance Assessment rating. Compliance with other Government targets. Regional influences. Reputational damage. Failure to deliver Central Government Policy or local identified priorities. Ceding / dilution of control with the involvement of more partners. Conflict with the policies / strategies of individual partner organisations. Different political structures may cause inconsistencies between partners. Political leadership changes leading to conflicts within the organisation. Change in local authority functions. CPA Inspection or equivalent cause partners to focus on their own priorities. Changes to Government Funding may affect delivery. Lack of clarity over executive powers and the role of scrutiny. Lack of consistent Member attention / understanding across all partners. Managing expectations of Members. Risk of reputational damage

Risk: **Economic**

Definition   Affecting the ability of the council to meet its financial commitments. These include internal budgetary pressures, the failure to purchase adequate insurance cover, external macro level economic changes or consequences proposed investment decisions

Examples   Cost of living, changes in interest rates, inflation, poverty indicators

Risk: **Social**

Definition   Relating to the effects of changes in demographic, residential or socio-economic trends on the council's ability to meet its objectives

Examples   Staff levels from available workforce, ageing population, health statistics

Risk: **Technological**

Definition   Associated with the capacity of the Council to deal with the pace/scale of technological change, or its ability to use technology to address changing demands. They may also include the consequences of internal technological failures on the council's ability to deliver its objectives

Examples   E-Gov. agenda, IT infrastructure, staff/client needs, security standards.

Risk: **Environmental**

Definition   Those relating to the environmental consequences of progressing the partnerships objectives

Examples   Land use, recycling, pollution. Management of environmental risks and legislative compliance. Waste management. Energy efficiency

Risk: **Professional/Managerial**

Definition   Associated with the particular nature of each profession, internal protocols and managerial abilities.
             Those associated with the particular nature of the skills/profession; and roles and responsibilities of the partners, including Business/Service Continuity Planning

Examples   Staff restructure, key personalities, internal capacity. Developing and sharing common facilities. Termination agreement. Personnel issues. Employment of staff. Staff secondment issues. TUPE redundancy. Day-to-day management responsibilities. Failure to clearly identify "the employer" within the partnership. The innovative nature of partnership activity is unacceptable or misunderstood within services. Failure to address the HR organisational implications, including the cost of pensions. Non-availability of skills internally to support partnership activity. Inability to 'carry' staff (and unions) with the changes. Unable to put in place new recruitment / reward / career structures. Inability to identify and rollout appropriate training programme in a timely manner. Lack of clarity, accuracy and completeness of employment records and salary details etc in relation to transferees. Differing HR sections with own policies and procedures that leads to confusion around which policy or procedure to follow. Operating two similar but not identical conditions of employment – impact on morale of staff that are undertaking similar work but are on different terms and conditions. Staff are unable to adapt to new roles, responsibilities and the culture of the partnership. Staff are

seconded and it is subsequently deemed that there was in fact a transfer of undertaking. Lack of clarity over responsibility for staff performance, discipline etc. Divergent recruitment practise resulting in challenge to appointments and dismissals

Risk: **Financial**

Definition   Associated with financial planning and control
Those affecting the ability to meet financial commitments or liabilities and affecting financial accountability, planning, control

Examples   Budget overspends, level of council tax, level of reserves. Overall costs. Implementation costs. Maintenance costs. External funding. Ability to meet/upgrade costs. Budget approval. Contribution of Members. Accountable body status. Pooled funds. Books of account. Responsibility for project funds. Bank accounts/cheques. Maintenance of financial records. VAT problems. Failure to nominate a suitable "accountable body", or partner resistance to undertaking this role. Failure to establish clear protocol for treatment of operating surpluses / losses arising from partnership activity. Failing to identify a legal entity for contracting / accounting purposes. Failure to establish clear lines of accountability. Failure to effectively manage pooled / alighted funds; clear demarcation as to which partner provides which funds, and what for. Differences in partners' VAT status. Failure to harmonise accounting / financial regulations between partner organisations. Failure to agree adequate audit arrangements (internal & external audit). Responsibility for insurance not clearly defined in terms of assets, and third party / liability cover in respect of partnership activities. Ownership of partnership assets unclear; likewise responsibility to maintain. Failure to identify "lifetime costs" and to allocate responsibility for them – e.g. maintenance costs may prevail beyond the life of the partnership. Clear policy for treatment of assets / liabilities in the event of the partnership winding up (voluntary or otherwise)

Risk: **Legal/ Legislative**

Definition   Those relating to possible breaches of legislation. Associated with current or potential changes in national or European law

Examples   Client brings legal challenge. General legal requirements. Data Protection Act. Freedom of Information. Disability Discrimination Act. Liabilities, Warranties, Health and Safety requirements. Equality and diversity and legislative compliance. Legal constraints (e.g. Data Protection Act) prevent or delay joining-up and partnership working .Conflict over intellectual property rights in respect of partnership activity. Changes to the services required as a result of new laws or regulations or changes in

existing laws or regulations. Failure of partner to comply with relevant laws and regulations (including in relation to telecommunications, health and safety, data protection and human rights) or the partner causing the Council to be in breach of any law or regulation. TUPE challenge to secondment arrangements between the partnership. Failure to ensure compliance with Data Protection Act. Failure to establish compliance with Freedom of Information Act. Failure to ensure compliance with the Disability Discrimination Act. Failure to establish compliance with equality / diversity legislation. Commissioning or procurement of services, goods or works. Human rights, appliance or non-appliance of TUPE regulations

Risk: **Physical**

Definition   Related to fire, security, accident prevention and health and safety

Examples   Offices in poor state of repair, use of eqpt. Risk assessments re building conditions, workplace regulations, fire safety regulations, water hygiene/quality, mechanical systems, electrical systems, energy management. Ownership of property and responsibilities. Asset management and ownership. Provision of office accommodation and equipment. Intellectual property rights. Termination strategy and liabilities

Risk: **Partnership/Contractual**

Definition   Associated with failure of contractors and partnership arrangements to deliver services or products to the agreed cost and specification.
Those associated with the liability of all to meet the conditions of the Partnership Agreement. To draw up effective Contract Agreement. Those associated with the failure of contractors to deliver services or products

Examples   Contractor fails to deliver, partnership agencies do not have common goals. Partnership Agreement. Contract specification. Procurement strategy. Roles and responsibilities. Indemnities. Exit strategy. Contract management and monitoring

Risk: **Competitive**

Definition   Affecting the competitiveness of the service (in terms of cost or quality) and/or its ability to deliver best value

Examples   Fail to win quality accreditation, position in tables.

Risk: **Customer/Citizen**

Definition   Associated with failure to meet the current and changing needs and expectations of customers and citizens

Examples   Managing expectations, extent of consultation

Risk: **Governance**

Definition   Are the principles of good Corporate Governance transparent to all stakeholders e.g. Openness and Inclusivity; Integrity; Accountability

Examples   Reporting framework/structure. Roles and responsibilities. Reporting procedures. Audit protocols. Confidentiality issues. Dispute resolution procedures

Risk: **Stakeholder Interest**

Definition   Failure to meet the current and changing needs of stakeholders

Examples   Expectations. Liaison/communication with stakeholders. Community Cohesion issues. Failure to engage each partner authority in a mutually beneficial relationship. Failure to develop partnership focus on customer services. Partners fail to deliver on individual responsibilities. Over / under reliance on one partners involvement. Failure to collaborate on key technology decisions. Failure to identify / emulate / share / benchmark with good practice. Level / scope of delegated powers vary across partnership that leads to conflict. Significant differences in organisational cultures across partnership are underestimated. Inadequate integrated arrangements to respond to a major incident. The reputation and image of one of the partners is affected by actions of the other partners. Mismatch in understanding / conflict of risks between partners. Failure to define a detailed and on-going communication strategy. Failure to involve all key stakeholders. Lack of trust within the partnership

Risk: **Technical/Operational**

Definition   The capacity of the organisations to jointly deal with the technological requirements of the Partnership. The reliance of each jointly on the integrity of hardware and software, including Disaster Recovery/Planning

Examples   Capacity to deliver service. Resource implications. Future-proofing. Interfacing with other systems. Security/integrity. Additional infrastructure requirements. Not being aware of levels

of demand leads to inappropriate levels of service delivery. Inadequate baseline calculations leading to discrepancies when comparing to actual and/or future deliverables. Inability to measure savings and quality outcomes leading to poor partnership management. Not ensuring a common partnership delivery/timetable with stakeholders leading to problems in communication and expectations. No appropriate penalties, rewards established for partnership deliverables. Impact on existing contracts not considered sufficiently. Different starting points for the parties involved in the partnership causes operational difficulties. Different expectation levels and required outcomes for the parties involved in the partnership. Pressure from partners to deliver 'quick wins' could be at the expense of longer term gains Failing to establish and then abide by service level agreements. Failing to meet continuous improvement targets. Failure to establish service ownership/management of information. Lack of co-ordination and structure to handle partnership based projects (in addition to own projects). Inadequate management resources to implement strategy. Assets owned/managed by the partnership are damaged by fire, flood or by a third party (accident, vandalism etc). Assets owned/managed by the partnership cause damage or physical injury to a third party. Failure to involve professional assistance and expertise, eg: legal, finance, procurement, risk at the risk stage. Contract/partnership management role not sufficiently defined. Failure to apply an effective health and safety management monitoring system in respect of partnership activity. Partnership service may be subject to two separate inspectorates that could lead to differing or conflicting standards or requirements. Inadequate accountability arrangements for training targets. Data sharing, access to data, data protection issues not properly evaluated. Failure to future-proof technology procured/ developed by the partnership. Failure to develop and maintain working interfaces with the systems of partners. Failure to establish effective security/integrity of partnership systems. Licensing considerations – software etc. e.g. who is licensed to use the software.

Risk: **Communication**

Definition | Those associated with failures of the Partnership to communicate effectively either between themselves or stakeholders. This would include failure of members of the Partnership to have a common understanding of the Partnerships Aims and Objectives

Examples | Information sharing protocols. Reporting lines. Advice giving and decision making processes. Document management. Media coverage / local press.

Risk: **Procurement**

Definition

Examples   Partnership does not exist as an entity and cannot enter into contracts. There is no agreed criteria for selecting preferred suppliers. Inability to deliver a quick win to demonstrate benefits. Insufficient market appetite/competition. Lack of flexibility in partnership contracts. Difficulties in conducting procurement in accordance with the regulatory and policy frameworks of all partners

RISK IDENTIFICATION

MONITORING RISK ANALYSIS

RISK MANAGEMENT PRIORITISATION

Step 2: analysis
sample risk scenario

Vulnerability	Trigger	Consequence
The Council has no excess capacity for strategic issues, eg best value reviews and large projects. Resources are already over-stretched on operations and there is heavy reliance on a few key individuals (the 'usual suspects') to take strategic issues forward	Desire exists to take on new initiatives but resources (including key staff) not available for a high profile project	• Strategies and projects not developed or delivered • Council doesn't move forward • Staff frustrated • Staff under pressure leading to stress and absenteeism • Key staff leave • Day-to-day jobs don't get done • Failure to deliver objectives • Council criticised • Adverse publicity

TYPE: SERVICE   DIRECTORATE   CORPORATE   TEAM   PROJECT   PLAN   PARTNERSHIPS

Risk Assessment

Summary of Risk: _____

Date of Assessment: _____

IDENTIFYING THE RISK				
Ref	**Risk**	**Consequence**	**Assessment of Risk**	
	(ie: Threat to the organisation)		**I** **1 - 4**	**L** **1 - 6**

Rating Scores: Impact Catastrophic = 4   Critical = 3   Marginal = 2   Negligible = 1

Likelihood Very High = 6   High = 5   Significant = 4   Low = 3   Very Low = 2   Almost impossible = 1

Likelihood o	6	6	12	18	24
	5	5	10	15	20
	4	4	8	12	16
	3	3	6	9	12
	2	2	4	6	8
	1	1	2	3	4
		1	2	3	4

Impact

Likelihood

6	Very High
5	High
4	Significant
3	Low
2	Very Low
1	Almost impossible

Impact

4	Catastrophic
3	Critical
2	Marginal
1	Negligible

15 - 24 = Extreme risk: Immediate action required, Executive Director/Assistant Director/Head of Service and/or Corporate Risk and Project Manager must be involved.

4 – 12 = Moderate to High risk: Manage by **specific** monitoring or response procedures. Executive Director/Chief Officer attention needed and management responsibility specified and reported to Corporate Risk and Project Manager.

1 – 3 = Low risk: Manage by **routine** procedures, unlikely to need specific or significant application of resources.

Management Action Plan (MAP)

Risk Group:	Date plan produced:

Likelihood					
6					
5					
4					
3					
2					
1					
	1	2	3	4	
		Impact			

Owned by:

Risk Number	Current Risk Score	Target Risk Score	Description

Action/controls already in place	Adequacy of action/control to address risk	Required management action/control	Responsibility for action		Critical success factors & KPIs	Review frequency	Key dates
			ED	GM			

NAME OF DIRECTORATE/TEAM/SERVICE/PROJECT/PARTNERSHIPS:

RISK REGISTER AS AT MONTH/YEAR
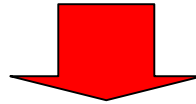
No.	Description of Risk	Lead Officer		**MARCH 2004** Risk rating	Score priority	Risk rating	Score priority	Risk rating	Score priority	Risk rating	Score priority	OVERVIEW Trend	Current Status	Target
1				15	H								R	
2				10	M								A	
3				12	M								G	
4				9	M							NR		
5				9	M							⇔		
6				12	M							⇩		
7				3	L							⇧		
8				3	L							RM	☑	

I = IMPACT
L = LIKELIHOOD
R = RISK RATING
NR = NEW RISK
RM = RISK MANAGED

H = HIGH
M = MEDIUM
L = LOW

EQUALITY ISSUES

This guide has been produced to help in carrying out robust and integrated Equality Impact Assessments of policies, strategies, functions or services. It contains question and answers plus a section on definitions.

What is an Equality Impact Assessment? (EqIA)
An Equality Impact Assessment (EqIA) is a tool aimed at improving the quality of activities undertaken by Council. The equalities agenda is all about service improvement. EqIAs are an opportunity to promote inclusive and fair service delivery. They identify where users may be unfairly discriminated against, or where particular sections of a community are not benefiting from a particular service.

Q. What is the purpose of an EqIA?
EqIAs offer an opportunity for you to think carefully about the impact of their work on local people and other members of staff. You can then take action that will promote equality for all. EqIAs are a tool to help make sure that equality is placed at the centre of all Council activities.

Before completing the EqIA form:

o   Are you familiar with EqIAs@
See the Equality Impact Assessment Guidance (EqIA1) at;
www.walsall.gov.uk/equality impact assessment

o   Download a copy of the EqIA form (EqIA3) to your computer from:
o   www.walsall.gov.uk/equality impact assessments

1. **Initial Screening**
Undertake an initial screening for all new and revised partnerships, policies, strategies, procedures and functions. This stage, which must be completed at the earliest opportunity, will determine whether it is necessary to carry out a full EqIA.

• List the aims, outcomes and beneficiaries of the activity.
• Identify the existing information you have. Use internal and external data, including quantative (e.g. statistics) and qualitative (e.g. consultation comments).

• Answer the key questions:
o   Does the activity have the potential to cause adverse impact or discriminate against different groups in the community?
o   Does the activity make a positive contribution to equalities?

Guidance Notes in Completing the Partnership Review Template

Governance and finance

Formal status

1   Is there clarity on the legal status of the partnership?
2   Is there an agreed Memorandum of Understanding or constitution, which sets out a clear purpose and clarity of expectation of the partnership members?

Composition

1   Is the partnership realistically sized and resourced?
2   Does it contain the right mix of skills and knowledge to get the work done?

Auditing and scrutiny arrangements

1   Are internal auditing arrangements for the partnership clear?
2   And are there agreed rights of audit access for each constituent member?
3   Does the partnership have any external review or monitoring mechanisms?

Finances and resources

1   Where does accountability lie for managing the spending of funds?
2   Are financial monitoring arrangements robust, clear and understood?
3   Have procedures for managing and monitoring pooled budgets and resources been developed?
4   Is there clarity over ownership and responsibilities?
5.   Can it enter into contracts?

Risk assessment and management

1   Are systems in place to assess and manage partnership risk?
2   Are business continuity plans in place?

Conduct and behaviour

1   Is there an agreed Code of Conduct for partners that is signed by all members and enforced by the Chair?
[see BSP/LAA Governance Handbook]
Governance and finance continued

Staffing

1   Are roles, responsibilities and expected behaviours clear and agreed?
2   Are there opportunities for training partnership staff and members, including:
   - appraisal and approval procedures?
   - equality and diversity?
   - Code of Conduct?

Equality and diversity

1   Has the partnership carried out an Equality Impact Assessment (EINA) on the way that it functions, on its policies and on what it delivers?
2   If no, is there an action plan to do so within the next 6–12 months?

Communication

1   Is the partnership communicating well with its partner agencies, stakeholders and communities?
Performance and delivery

Accountability

1   Does the partnership have an officer accountable for monitoring its performance?

Outcome-focused planning and performance management

1   Does the partnership have a credible evidence-base to inform its objectives, outcome-focussed planning and SMART targets?
2   Are there action plans in place to deliver these?
3   Do partners share information so that they can effectively:
   - monitor performance, and
   - appraise options?
4   And are sufficient joint mechanisms in place for effective monitoring/ appraisal?
5   Are findings and recommendations owned and acted upon?
6   Are arrangements in place to tackle issues of non-performance?

Partnership review template

Whether you are setting up a partnership, joining or reviewing an existing one, the issues that need to be considered for partnership effectiveness will be the same. This guidance is to be used by:
- the head of service as a checklist when setting up or reviewing the appropriateness of joining an existing partnership
- the link officer carrying out a partnership review

This guidance should also be made available to the partnership officer responsible for monitoring a partnership's governance, performance and effectiveness.

Completing the template should provide assurance that appropriate standards are being met.

Appendix 13 (i) contains guidance notes in completing this template.

Name of
partnership:_____

**Head of
service:**_____

**Link
officer:**_____

Governance and finance		
Formal status		
1. Is there clarity on the **legal status** of the partnership? 2. Is there an agreed **Memorandum of Understanding** or constitution, which sets out a clear purpose and clarity of expectation of the partnership members?		
Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively
Evidence 1. 2. **Actions needed** .		

Composition		
1. Is the partnership realistically sized and resourced? 2. Does it contain the right mix of **skills and knowledge** to get the work done?		
Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively
Evidence 1.		

2.

Actions needed

Auditing and scrutiny arrangements
1.   Are internal auditing arrangements for the partnership clear?
2.   And are there agreed rights of audit access for each constituent member?
3.   Does the partnership have any external review or monitoring mechanisms?

Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively

Evidence
1.
2.
3.
Actions needed

Finances and resources
1.   Where does accountability lie for managing the spending of funds?
2.   Are financial monitoring arrangements robust, clear and understood?
3. Have procedures for managing and monitoring pooled budgets and resources been developed?
4. Is there clarity over ownership and responsibilities?

Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively

Evidence
1.
2.
3.
4.

Actions needed

Risk assessment & management
1.   Are systems in place to assess and manage partnership risk?
2. Are business continuity plans in place?

Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively

Evidence
1.
2.

Actions needed

Conduct and behaviour
1. Is there an agreed Code of Conduct for partners that is signed by all members and enforced by the Chair? [see BB **Governance Handbook**]

Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively
Evidence 1. **Actions needed**		

Staffing

1. Are roles and responsibilities and expected behaviours clear and agreed?
2. Are there opportunities for training partnership staff and members, including:
    a. appraisal and approval procedures?
    b. equality and diversity?
    c. Code of Conduct?

Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively
Evidence 1. 2a. 2b. 2c. **Actions needed**		

Equality and diversity

1. Has the partnership carried out an **Equality Impact Needs Assessment (EINA)** on the way that it functions, on its policies and on what it delivers?
2. If no, an action plan needs to be drawn up to do so within the next 6 months

Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively
Evidence 1. **Actions needed**		

Communication

1. Is the partnership communicating well with its partner agencies, stakeholders and communities?

Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively
Evidence 1. **Actions needed**		

Performance and Delivery

Accountability

1. Does the partnership have an officer accountable for monitoring its performance?		
Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively

Evidence
1.

Actions needed

Outcome-focused planning and performance management		

1. Does the partnership have a credible evidence-base to inform its objectives, outcome-focused planning and SMART targets?
2. Are there action plans in place to deliver these?
3. Do partners share information so that they can effectively:
    a. monitor performance, and
    b. appraise options?
4. And are sufficient joint mechanisms in place for effective monitoring and appraisal?
5. Are findings and recommendations owned and acted upon?
6. Are arrangements in place to tackle issues of non-performance?

Assessment	[insert self-assessment]	1. NO – action required, 2. YES – but could be improved, 3. YES- working effectively

Evidence
1.
2.
3a.
3b.
4a.
4b.
5.
6.

Actions needed

GLOSSARY AND ABBREVIATIONS USED

Completed by:_____

Date:_____

Job title:_____

Organisation:_____

Tel No.:_____

Email:_____

Leaving a partnership Pro-forma

The **link officer** needs to complete this form within three months of the council's decision to end its working arrangement with a partnership. It should be submitted to the strategic director of Adults & Communities and the head of Scrutiny.

ISSUE	COMMENTS
1. **Name of partnership**	
2. **When was the formal decision taken to end the council's working arrangement?**	
3. **From what date will / did active involvement end?**	
4. **Why was involvement ended?**	
5. **If failure to deliver was identified, was this a result of system failures?**	
5a. **If yes, what were they?**	
6. **Will the partnership continue without council involvement?**	
7. **Is the council looking to develop other working arrangements to succeed the partnership?**	
7a. **If yes, what are they?**	
8. **State up to 3 things that the partnership achieved**	
9. **State up to 3 examples of best practice exhibited by the partnership**	
10. **State up to 3 things that the partnership could have done better**	

Completed by:_____

Date:_____

Job title:_____

Tel. No._____

Email:_____

Contacts for Advice and Information re Partnerships

Contacts for Financial / Accountable Body Issues:

Vicky Buckley, Head of Corporate Finance ☎2349

Contacts for Legal / Member Issues:

Tony Cox, Head of Law (contentious) ☎ 4822
Stuart Portman, Head of Law (non-contentious) ☎ 4821

Contacts for HR Issues:

Paul Smith, Head of Human Resources ☎ 5600

Contacts for Personnel Issues:

For advice and guidance relating to partnership employment issues please contact your Directorate Personnel Officer and/or a legal contact (see above)

Contact for Risk Management & Insurance Issues:

Ann Johnson, Corporate Risk & Project Manager ☎ 2912

Contact for Partnership Register:

TBA – At present: Pam Cox ☎ 2978

Contact for Procurement Issues:

Lawrence Brazier, Head of Procurement ☎ 0990

Contact for Internal Control:

David Blacker, Chief Internal Auditor ☎ 2831

Contacts for VAT Issues:

Robert Page, Senior Accountant ☎ 2963

Contacts for Consultation advice:

John Pryce-Jones, Corporate Performance Manager (customer focus & intelligence) ☎ 2077

Contact for Data Security / Records Management / Information Sharing Issues:

Ann Galbraith, Principal Performance Officer (I & R) ☎ 3585

Contact for Data Quality and Performance Management:

Andy Field, Principal Performance and Information Officer ☎ 2857

Contact for Equalities and Diversity Issues:

Julie Ball, Head of Neighbourhood Partnerships & Programmes ☎ 4706

Contact for Business Continuity Issues:

Alan Boyd, Emergency Planning Manager ☎ 2831

REGISTER OF PARTNERSHIPS

LEAD DIRECTORATE	NAME OF PARTNERSHIP	LEAD PARTNER ORGANISATION	COUNCIL (ACCOUNTABLE BODY) Y/N	PURPOSE	MEMBER REPRESENTATIVE	OFFICER REPRESENTATIVE	PARTNERS	APPROX ANNUAL FUNDING (£)	HOW BEING FUNDED	DURATION (i.e. years) plus inception date	DATE OF LAST PARTNERSHIP RISK REVIEW	REVIEW DATE
	Association of Black Country Authorities		N	To provide a forum for discussion of matters of commont interest to member authorities. To provide a means of co-ordination in respect of joint action and working between member authorities. To consult and liaise with other bodies on behalf of the joint interests of member authorities. To represent the collective views of member authorities. To provide a governance route for professional officer groupings working on joint basis.	Councillor O'Hare	Paul Sheehan	Dudley MBC; Sandwell MBC; Wolverhampton CC	N/A	N/A	Start July 2008	N/A	N/A
Regeneration												
	New Deal: New Horizons	Walsall Council		10 year Government Office funded programme to regenerate the areas of Bloxwich, Blakenalll and parts of Leamore (2001 - 2011).	Council Representative - Councillor Les Beeley. Board Director - Councillor Ian Robertson.	Paul Rowlands - Chief Executive	NHS Walsall, Walsall Housing Group, West Midlands Police, Walsall Children's Services - Serco, Walsall Community and Voluntary Sector Forum, Local Business Forum, Chamber of Commerce, Youth Council	£5.5 million	CLG	10 years	Undertaken annually as part of our Delivery Plan - date of last review - 31.3.08	31.03.09
	Walsall Regeneration Company (WRC) Board	WRC	N	To promote and deliver the regeneration of the WRC area including Walsall town centre, the A34/canal corridor, and the Darlaston Strategic Development Area	Cllr O'Hare, Cllr Oliver, Cllr I Shires	Tim Johnson	Advantage West Midlands, English Partnerships, Government Office, Primary Care Trust	£10 million	WMBC, AWM, EP	Ongoing - 2004	Unsure	
	Strategic Regeneration Framework (SRF) Board	WHG	Y	To promote and deliver the Strategic Regeneration Framework in the priority areas of Bentley, Willenhall, Moxley, Brownhills and Goscote (Cabinet will be asked to add Darlaston to the priority list in June). Chaired by Mike Tichford and in addition to the officers above, includes Carole Wildman, Elaine Weston and Ali Hayward from whg and David Lockwood and Neil Hollyhead	None, although Project Reference Groups exist in each of the areas to oversee delivery of the regeneration programmes and include ward councillors, local stakeholders and other community representatives	Mike Tichford, Steve Lewis, Paul Nicholson, Sue Byard, Steve Law	Housing Corporation	£3 million	WMBC, Regional Housing Board, WHG	ongoing - started June 2006	None undertaken	Dec-08
	Walsall Borough Strategic Partnership	Walsall MBC	Y	We are the Local Strategic Partnership and bring together other lead partners within the borough to agree and formulate the Sustainable Community Strategy and Local Area Agreement and actions flowing therefrom.	Cllr J O'Hare (Board Chair)	Clive Wright (WBSP Director)	Board, Executive Committee	£250000 Council contribution; £750k Support Team; £6m WNF	Mainstream / Area Based Grant	Established October 2001	Not yet completed	Risk assessment toolkit currently being developed

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	Black Country Consortium / Ltd	Walsall MBC	Y	The Black Country Consortium, the sub-regional partnership for Dudley, Sandwell, Walsall and Wolverhampton, is the forum for the strategic co-ordination of public, private and voluntary sector partners. As the leading strategic co-ordinating body it intends to set radical new aspirations leading to the renaissance of the Black Country urban sub-region over the next 30 years.	Leader and Deputy Leader	Clive Wright (WBSP Director), Chief Executive, Executive Director - Regeneration, Assistant Director - Regeneration, Head of Strategic Regeneration	Dudley Metropolitan Borough Council, Sandwell Council, Walsall Council, Wolverhampton City Council, Black Country Business Link and the Black Country Learning and Skills Council	£337,000	Mix of budgets from the council with small LABGI contribution		Ongoing (through the Chief Executives of the four councils)	Unsure (but during 08/09 financial year)
	Environment Forum	Walsall Borough Strategic Partnership	Y	To improve the local environment, improve the quality of life for residents and encourage residents to take responsibility for their local environment contributing to the global effort to tackle Climate Change.	Cllr R Walker	Simon Tranter - Regeneration Manager - Environment	Environment Agency, Wildlife Trust, Groundwork Black Country, BCC, British Waterways, Walsall Friends of the Earth, Accord Housing, WBSP, Walsall Voluntary Action	20,000	LAA	ongoing - started April 2006	None undertaken	Dec-08
	Black Country Partnership for Care	Dudley MBC	N	To act as a voice for Social Care and Health Sector to and provide leadership to en sure an adequate skilled and qualified workforce.	N/A	Julian Mellor	Sandwell MBC, Wolverhampton CC, Independent sector social care organisations, LSC, training providers, Skills for Care.	£250,000 (from various sourdces)	From contributions from partner organisations, external funding via LSC and Skills for Care and income generation.	6 years - formed in 2002	Aug-08	Annual: August 2009
Regeneration & Supported Housing												
	VIEW (Visionary Investment Enhancing Walsall) Board	WHG		Aims to co-ordinate the allocation of VAT Shelter funding, released from LSVT process in 2004/5. Board's priorities are aligned to the Strategic Regeneration Framework and support the commissioning and delivery of major projects identified through the programme.	Cllr Andrew, Cllr Robertson	Tim Johnson, Sue Byard						

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	Partnership for Walsall Enterprise and Regeneration	Walsall Council	Y	PoWR is the partnership leading the economic development and enterprise agenda for Walsall. Membership is made up of Walasll's key strategic and delivery partners from the public, voluntary and private sectors who are focused on supporting the agenda of *'Walsall - A town for Enterprise'*	Cllr Andrew	Andrew Rumble	Walsall Regeneration Company, Walsall Housing Group, BC Consortium, Advantage West Midlands, Education Walsall, Learning & Skills Council, Jobcentre Plus, The Vine Trust, Steps to Work, Walsall Endeavours, Breathing Space, University fo Wolverhampton, Walsall College, Walsall Education Business Partnership, Street Star Academy, WLLA, New Deal for Communities, Walsall PCT, Black Country Chamber of Commerce, Business Link West Midlands, Walsall Football Club, St Thomas More School, Aaina Women's Group, St Paul's The Crossing, Black Country Investment, Accord Housing, Walsall Training Providers Network, Business in the COMMUNITY, prospects	£90,000	Area Based Grant	Apr-08	Not yet completed	Dec-10
Neighbourhoods												
*	Safer Walsall Borough Partnership Board	Walsall Council	Y	The Safer Stronger Communities Partnership Board has been formed to give strategic direction to deliver the vision for a safer, stronger Walsall to work by and between agencies to support Safer Stronger Communities	C & P Portfolio holder; CS Portfolio holder	Executive Director - Neighbourhoods, Partnership Director - Neighbourhoods, Chief Executive New Deal (Regen)	Police (H1 & H2), Walsall tPCT, Fire, Probation, SHG, BCC of Commerce, Environment Forum, SERCO	N/A	N/A	2 years	N/A	N/A
*	Tension Monitoring Group	Walsall Council	Y	Oversee and monitor intel to ensure early warning of tension within Borough.	NIL	Executive Director - Neighbourhoods, Partnership Director - Neighbourhoods	Police, Serco, WHG, Probation	N/A	N/A	1 year	N/A	N/A
*	Alcohol Steering Group	Police	Y	Co-ordinate development of cross cutting borough wide strategy to address harm caused by Alcohol.	NIL	Partnership Director - Neighbourhoods	Police, tPCT, DV Forum	N/A	N/A	4 years	N/A	N/A
*	Joint Partnership & Performance Group	Walsall Council	Y	1. Cordinate i compilation of strategic assessment, ii Community consultation, iii compilation of community safety plan. 2. Monitor performance against set targets.	NIL	Partnership Director - Neighbourhoods	Police , Probation, WHG, Fire, YOS	N/A	N/A	1 year	N/A	N/A

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*	Drugs Joint Commissioning Group	Walsall Council & tPCT	Y	To commission and oversee delivery of drugs services across the borough.	NIL	Partnership Director - Neighbourhoods	Police, Probation, tPCT	N/A	N/A	4 years	N/A	N/A
*	Domestic Violence Steering Group	Walsall Council	Y	Co-ordinate delivery of DV Service across the borough.	NIL	Partnership Director - Neighbourhoods	Police, WHG, Walsall PCT, Probation, DV Forum	N/A	N/A	4 years	N/A	N/A
*	Community Safety Action Group	Walsall Council	Y	To identify key crime and disorder concerns in local neighbourhood area and address problems via collective efforts.	Local ward councillors	Partnership Director - Neighbourhoods	Police, WHG, Fire, Serco, local residents	N/A	N/A	1 year	N/A	N/A
*	CSIG/Joint Tasking & Co-ordinating	Walsall Council	Y	Co-ordinate and deliver collective response to address key issues in target areas associated with safety, security and environment.	NIL	Partnership Director - Neighbourhoods, Head of Public Protection	Police, tPCT, Fire, WHG, YOS, Probation	N/A	N/A	3 years	N/A	N/A
* Delivery group structure currently under review. New structure likely to be in place by Sept 2008. No group requires funding to meet, however, some hold budgets and are responsible for resource allocation. Also to note that a number of the groups have been running for a period of time but have changed name and focus during that period. This register should be revisited at the end of Q2 update.												
	West Midlands Conurbation Resilience Forum	West Midlands Police		The West Midlands Conurbation Local Resilience Forum (WMC RF) sits at the apex of local civil protection arrangements within the West Midlands Conurbation. Its overall purpose is to ensure that there is an appropriate level of preparedness to enable an effective multi-agency response to emergency incidents, which may have a significant impact on the communities of the West Midlands Conurbation	Not Applicable	Keith Stone - Assistant Director for the Built Environment	West Midlands Police, West Midlands Fire Service, GOWM, South Staffordshire Water, Dudley MBC, RAF, Sandwell MBC, Red Cross, Coventry CC, University Hospital (Birmingham), West Midlands Ambulance Service, Wolverhampton CC, Environment Agency, British Transport Police, Highways Agency, Primary Care Trust, Health Protection Agency, Birmingham CC	£7,661	EP Budget	Ongoing	Nil	
	Black Country Waste Management Forum - Chief Officer Group	None - meeting chaired on a rota basis		Sustainable waste management forms an important component of the vision for the renaissance of the Black Country. The Black Country, by working together, will by 2020 achieve regional self sufficiency in municipal waste management and commit to landfill only those wastes that cannot, through the adoption of best practice, be reused, recycled or recovered as energy.	Not Applicable	Keith Stone - Assistant Director for the Built Environment	Sandwell MBC, Wolverhampton CC, Dudley MBC	Nil	N/A	Start 2001 - ongoing	N/A	N/A

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	Safer and Stronger Communities Pillar Executive Group	Walsall Council	Y	The Pillar Executive Group (PEG) is an executive committee of the Safer and Stronger Communities Board with the aim of ensuring an appropriate scrutiny of proposed activity and use of resources in delivering the outcomes identified in the Local Area Agreement in the Safer and Stronger Communities pillar.	None	Julie Ball - Head of Neighbourhood Partnerships and Programmes, Keith Stone - Assistant Director Built Environment, Kate Goodall - Executive Officer Neighbourhoods, Nozmul Hussain - Directcor SWBP, Laura Terry - Walsall Partnership	West Midlands Police, West Midlands Fire Service, Probation Service, Walsall Voluntary Action, Primary Care Trust, Environment Forum	tbc for 2008/09	ABG, LAA	2008/09 - 2001/11	15-May-08	Mar-09
	Walsall European Programmes Performance Board	Walsall Council	Y	The purpose of the Walsall European Programme Performance Board is to provide a strategic steer by: - evaluating submissions from organisations for European grant funding, - To approve all European grants, - To oversee the performance of the European Funds used across the Borough where the Council is the Accountable Body, - And monitor compliance once the grant has been made, - to maximise funding opportuntiies using a partnership approach	None	Tim Johnson - Executive Director (Chair), Julie Ball - Head of Neighbourhood Partnerships and Programmes, Alison Jarrett - Head of Finance, Mark Lavender - Head of Economic Development, Alison Fisher - Programme Manager	Black Country Learning and Skills Council and PCT representing Walsall Partnership	£2M	EU - ESF, ERDF	2004 - 2008	28-Feb-08	Sep-08

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	LNP Senior Support Officers Forum	Walsall Council	n/a	The overall aim of the Senior Support Officers Forum is to bring together senior staff supporting LNPs with members of the LNP team to review progress in implementing the Council's approach to neighbourhood engagement and service delivery.	None	Julie Ball - Head of Neighbourhood Partnerships and Programmes, Karen Adderley - Project Manager Children's Services, Carol Boughton - Head of Prevention and Locality Services, Sue Grainger - Head of Libraries and Culture, Steve Lewis - Head of Regeneration, Steve Pretty - Head of Engineering and Transportation, Steph Simcox, Head of Finance, Paul Smith Head of HRD, Keith Stone - Assistant Director Built Environment, Judith Sunley - Head of Public Protection	None	N/A	N/A	N/A	Review due in Sept	Every 12 months
	Black Country Arts Partnership	Walsall Council Leisure Culture and Lifelong Learning - Creative Development Team	Yes Walsall 50% Wolverhampton 50%	Local authority arts officer group formed 2000 to maximise joint working and share resources.	None.	Maxwell Bailey	Wolverhampton City Council, Dudley MBC, Sandwell MBC	130,000	ACE, WM BC LA's ESF HUB tPCT's BC Tourism	1 year annual since 2000	None	None
	Black Country Arts and Disability Partnership	Walsall Council Leisure Culture and Lifelong Learning - Creative Development Team	Y	Arts and disability group formed 2006 to maximise joint working and share resources.	None	Maxwell Bailey	Wolverhampton City Council, Black Country Touring, Arena Theatre Wolverhampton, Multistory Sandwell	40,000	ESF, ACE, WM	1 year annual since 2006	None	None
	WM Regional Arts and Health Network	Walsall Council Leisure Culture and Lifelong Learning - Creative Development Team	Y	WM regional arts and health partnership group formed 2006 to provide maximise joint working and share resources.	None	Maxwell Bailey	Arts Council - WM, WM Strategic Health Authority; NHS - WM, Black Country Arts Partnership, Staffs University, Creativityteam, WM Regional Las Arts and Culture Service providers, WM Regional Health service providers	82,000	ACE, WM BCAP Staffs University	1 year annual since 2006	None	None

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	Leaps and Bounds	Dudley MBC	N	Excluded, Looked after and disadvantaged young people's training and professional development performance project culminating in performances at Birmingham Hippodrome	None	Glen Buglass	Walsall, Dudley and Sandwell LA's	£1,000,000 +	Walsall, Dudley, Sandwell LA's BC Connexion	2009	None	None
	Green Bridge	Walsall Council	N	Walsall and Sandwell - green space and regeneration project. Aiming to develop a green space route/connection between Walsall and Sandwell		Glen Buglass	Sandwell MBC					
	Black Country As Urban Park	Black Country Consortium	N	BCC led visioning for the Black Country development plan		Glen Buglass	Walsall, Dudley and Sandwell LA's, RDA's					
C&YP												
	Children's Trust	Walsall Council CYP	Y	The purpose of the Walsall Children's Trust is to ensure improved outcomes for all children and young people and to support their families and carers. The Partnership promotes the integration of governance, strategy, processes and delivery of services that meet the diverse needs of children and young people	None	DCS, Ads	tPCT, Education Walsall, Police, Head Teachers, LSC, Probation	£350 million bugdet controlled. Childrens Trust Support team c.£250k	Childrens Fund & Childrens Directorate, tPCT and Education Walsall	3 years	Review of partnership April 2008	
	Walsall Safeguarding Children Board	Walsall Council		The Board is responsible for the 'Stay Safe' outcome in the Government guidance "Every Child Matters" Change for children. www.everychildmatters.gov.uk/ This sets out what matters to children. They want to: Be healthy, Stay safe, Enjoy and achieve, Make positive contributions and Achieve economic well-being. The aims of the Stay Safe outcome are that children and young people are: Safe from accident injury and death; Safe from bullying and discrimination; Safe from crime and anti-social behaviour in and out of school; Cared for, have security and stability. The Board is responsible for achieving these aims in a variety of settings and ensuring people work together effectively to safeguard and promote the welfare of children and young people. Further information is available at www.wlscb.org.uk	None	Director of Children's Services, Assistant Director of Children's Services, Head of Safeguarding, Assistant Director - Supported Housing, Assistant Director - Adult Services, Managing Director SEN & Inclusion (Education), Solicitor (LA Legal Services), Principal Youth Officer, Head of Youth Offending Service, Service Manager - Sports Development	West Midlands Police, Health (tPCT, Hospitals, CAMHS), Probation Service, CAFCASS, T3 (Young People's Substance Misuse Service), Connexions, Voluntary Sector, Supported Housing (LA), Sports & Leisure (LA),Quality and Performance (LA), Legal Services (LA), Young People, Fire Service, Safer Walsall Borough Partnership, Children's Services: Youth Offending Service, Youth Service, Education & Early Years, Social Care, Walsall College, Domestic Violence Forum.					
SC&I												

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	Learning Disabilities Partnership Board	Walsall Council	Y	To improve the quality of lives for people with learning disabilities, their families and carers.	Cllr T Oliver (Chair)	Alison Davies - Mencap, Ann Thomas - Walcat, Mary Thorley - Walsall Carers, Andrew Moult, Pam Johnson - Mencap, Rosemary Robbins - Prospects, Sabrina Sharma - Diamond Direct, Tim Luker - Prospects, Terry Mingay - Walsall PCT, Wendy Davey - Lifeways, Sue Wood - Steps to Work, Mark Chaplin, Phil Wythe, Ian Staples, Lesley Stokes, Tim Challans - WMBC	Walsall tPCT, Mencap, Steps to Work, Walcat, Walsall Carers, Prospects, Diamond Direct, Lifeways			Inception Date 2001		
	Healthy Communities and Vulnerable Adults Pillar Executive Group (HCVA)	Walsall Council	Y	The Pillar Executive Group will ensure that all programmes of work are in line with the Sustainable Community Strategy, the Local Area Agreement and the identified Strategic Outcomes of their respective Pillar.	None	Accountable officer group for the SCVA Pillar of the LAA, Dave Martin - Chair, Sarah Smith Vice Chair (Manor Hospital), Karen Riley, Steph Simcox, Nicky Cooper (tPCT), Terry Mingay (tPCT), Stella Forsedyke (tPCT), Dr Sam Ramaiah (tPCT)	Walsall tPCT, Walsall Manor Hospital			Inception Date 2001		

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	Health Inequalities Partnership Board	tPCT	No - tPCT	The Pillar Executive Group will scrutinise programmes of work to ensure they are in line with the Community Strategy, the Local Area Agreement and the identified Strategic Outcomes of their respective Pillar.	None identified	Dr Sam Ramaiah, Nicky Cooper (Walsall tPCT) , Jo Galloway, Catherine Humphreys, Sue Hill (Walsall NHS Trust), Tim Ferguson, Mark Chaplin, Ian Jones, Narinder Singh Chumber, Dave Martin, Mandy Winwood, Tim Challans (WMBC), Mr Kirpal Kaliroy (South Area Rep), Mrs Flo Smith (North Area Rep), Bob Williams (West Area Rep)	Dr N.S. Sahota (Kingfisher Practice), Dr A Benjamin (Little London Surgery), Ian Willetts (Jerome Chambers), Angie Bradley-Davies (Jerome Chambers, Carole da Costa (Children & Co), Mrs M Woodcock, Bruce Gilbert (Police), Aisha Khan (Aaina Asian Women's Group), Sue Wedgwood (Serco/Edu Walsall), Carol Reilly (Newcross Hosp.), Harginder Singh, Paul Rowlands (Walsall New Deal), Clive Wright (WBSP_, Prof. Bryan Stoten, Mary Staples, Peter Roberts (Aldridge South & Streetly LNP), Ken Worley (Blakenhall Bloxwich Rep), John Ree (Pelsall & Rushall rep), Frank Foster (Pheasey & Paddock Rep), Rupy Pandaal (Willenhall Rep), Cllr M Nazir (Palfrey & Pleck Rep), Sandra Borland (Darlaston Rep),			Inception Date 2001		
	Older People Partnership Board	Walsall Council	Y	The Pillar Executive Group will scrutinise programmes of work to ensure they are in line with the Community Strategy, the Local Area Agreement and the identified Strategic Outcomes of their respective Pillar.	None	Fred Bell (Chair), Dr A Peters, Mervin Ricketts, Tracey Pedley, Mary Thorley, Andrew Cross, Carol Mason, Dr R Brooks, Rosie Musson, Councillor A Paul, Barbara Bird, Trish Skitt, Debbie Niemann, Peter Arch, Anet Baker, Jo Galloway, Debbie Shaw, Maggie Williams, Maureen Clark	Walsall tPCT			Inception Date 2001		

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	Mental Health Partnership Board	tPCT	N	To contribute to improvement of the life experience and opportunities of People with Mental Health problems in Walsall	None identified	Yes from both tPCT, Council and voluntary sector	Service Users Empowerment, West Midlands Police, SCI, Black Sisters (Vol Sec), Rethink, Caldmore Housing, Dorothy Pattison			Inception Date 2001		
	Physical and Sensory Impairment Partnership Board	Walsall Council	Y	1. The Pillar Executive Group will scrutinise programmes of work to ensure they are in line with the Community Strategy, the Local Area Agreement and the identified Strategic Outcomes of their respective Pillar. 2. Advise the Pillar Executive Group on strategic and operational issues. 3. Facilitate the relevant work programmes within their respective Pillar and ensure that these are reaching their agreed milestones. 4. Ensure that Performance Management of these work programmes, both in terms of outcomes and expenditure, are robust.	None	Cllr B McCracken, Julie Metcalf, Debbie Parks, Roy Cadman,	Andrew Moult, Amanda Humphreys, Fidez Corpus, Craig Perry, Sue Fox, Carol Jones, Joni Kelly, Ken Whittingham, Lesley Dews, Maggie Williams, Mark Ashbourne, Mary Thorley, Monzur Miah, Stephen Craddock, Trish Skitt, Carol Thompson, Steve Mellor, Malcolm Barton			Inception Date 2001		