

NORTH LINCOLNSHIRE COUNCIL

AUDIT COMMITTEE

PARTNERSHIP PROTOCOL AND JOINT WORKING FRAMEWORK

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 The Partnership Protocol sets out the necessary arrangements involved in establishing, maintaining and exiting a partnership or joint working agreement.
- 1.2 The Partnership Protocol ensures that joint working happens in an efficient and accountable manner, focussed on achieving good outcomes for residents.

2. BACKGROUND INFORMATION

- 2.1 The council has operated a Partnership Protocol for many years. This provides a framework for the setting up, operating, or disbanding a partnership or joint working arrangements. The protocol ensures that partnerships are focussed on collectively improving outcomes or progressing shared priorities and that they have the necessary governance structures in place to work most effectively.
- 2.2 The Partnership Protocol contained within this report (see appendix 1) represents a streamlined version of the former documents. This simplifies the process whilst ensuring that all partnerships where the council acts as the lead operate with the most robust governance standards. This ensures value for money and a continued focus on delivering the best outcomes for local residents.
- 2.3 The Audit Committee are required to have oversight of partnership arrangements as part of its democratic oversight of risk and assurance that the Code of Governance is robust.

3. OPTIONS FOR CONSIDERATION

- 3.1 To agree and approve the Partnership Protocol and Joint Working Framework and Guidance, circulating to Partnership leads as appropriate.

3.2 To alter or not approve the Partnership Protocol and Joint Working Framework and Guidance.

4. ANALYSIS OF OPTIONS

4.1 The Partnership Protocol has operated successfully for many years, resulting in the excellent history of joint working between the council and its partners, on behalf of residents.

4.2 The revised protocol reflects current practice and based upon feedback, simplifies and streamlines the processes. It is considered that the updated version better balances the governance safeguards with a more responsive, flexible document, freeing up time to focus on improving services.

4.3 Not approving the Protocol could lead to partnerships running at a sub-optimal level.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 There are no additional resource implications associated with this report. Adoption of the Protocol would help to ensure value for money.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The report assists with delivery of the requirements of the Council's Code of Governance and aligns with the Council Plan's priorities and outcomes.

6.2 Crime and Disorder matters and Equalities issues under the Equalities Act 2010 have been considered and are not thought to be relevant to consideration of this report.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An Integrated Impact Assessment is not required for this report.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 The revision of the Protocol is based upon best practice guidance and feedback from internal discussions.

9. RECOMMENDATIONS

- 9.1 That the Audit Committee agree and approve the Partnership Protocol and Joint Working Framework and Guidance, circulating to Partnership leads as appropriate.

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Background Papers used in the preparation of this report –

**North
Lincolnshire
Council**

www.northlincs.gov.uk

**Partnership Protocol
&
Joint Working Framework
and Guidance**

Reviewed March 2020

INTRODUCTION

1. What are partnerships and joint working arrangements and why do we have them?

The council has a long history of joint working arrangements and leading partnerships with other organisations both in and outside North Lincolnshire. Achieving the very best for our residents cannot be done by the council working alone.

Partnerships and joint working arrangements can bring significant benefits. Properly governed, they can be an effective response to the complex issues. As a responsible organisation, the council is risk aware and balances risk and opportunity through its governance arrangements. Strong and effective partnerships can make a significant contribution to the effective delivery of the council's vision, strategic priorities and agreed outcomes and each partnership should be able to demonstrate their effectiveness as part of the governance arrangements.

Outcomes for North Lincolnshire

Safe	Well	Prosperous	Connected
<ul style="list-style-type: none">• Safer roads• Safer people• Safer communities• Safer environments• Safer spaces	<ul style="list-style-type: none">• Cleaner and greener spaces• Good health and wellbeing• Quality housing• Vibrant leisure and culture• Improved quality of life	<ul style="list-style-type: none">• More jobs, better paid jobs• Improved skills• Excellent education• Thriving businesses• Accessible childcare	<ul style="list-style-type: none">• Accessible transport• Flourishing communities• Superfast digital connectivity• Better roads and rail• Strong sense of pride and belonging
			

Bringing people and organisations together can bring the council many benefits, such as:

- Greater ability to tackle complex issues with a rational and holistic approach.
- Joining up of services may improve delivery to service users/stakeholders.
- Greater understanding of the bigger picture.
- Pooling of ideas, skills and resources means less duplication of effort, greater access to information and knowledge, and increased creativity and innovation.
- Improved credibility and authority through links with various partner organisations.
- Better coordination of policy and developing a deeper understanding of the work of other organisations.
- Reducing costs and helping to provide value for tax payer's money.
- Helping to pool risk and rewards.

2. Definition of Partnership

A partnership is usually thought of as ***a group of stakeholders who come together from a range of organisations, to be responsible for tackling challenges or exploiting opportunities in which they have a shared interest.***

However, partnerships can mean different things to different groups. Generally speaking, a partnership is a joint working arrangement where the stakeholders:

- Are otherwise independent bodies,
- Co-operate to achieve a common goal or shared objectives,
- Create new structures or processes to achieve objectives,
- Plan and implement a jointly agreed programme (often with jointly provided resources),
- Share information and pool risks and rewards.

For the purposes of this protocol, partnerships that are defined as 'significant' are included in its scope as an arrangement involving the council and one or more organisations from any sector, who share responsibility for agreeing and then delivering a set of actions and outcomes that contribute to the delivery of the council's priorities and agreed outcomes.

A 'significant' partnership is defined as having one or more of the following criteria:

- There is a statutory duty on the council for the partnership
- The partnership contributes to the Council's Policy Framework
- The partnership is a major contributor towards achieving strategic outcomes
- The Council has a lead/accountable body role and the partnership has annual expenditure of over £350k
- The Council contributes more than £350k in resources to the partnership

The following partnership or collaborative arrangements would not fall within the scope of the protocol:

- A group where the Council has direct and sole control over budgets and decision-making,
- An arrangement made by the council with a third party to deliver services on its behalf. An example would be The Baths Hall
- A professional network or group of councillors or officers who come together to discuss professional practice, policy and strategy.
- A stakeholder engagement group which brings together organisations and individuals to shape and improve local services.
- A group, board or regular meeting that has its own governance and support arrangements, for example, a Local Enterprise Partnership or forms part of the Council's Constitutional arrangements, for example Health and Wellbeing Board.
- External bodies that are single organisations but in which the council may be invited to take part, for example, a Water Management Board which requests councillors to sit on its Board.
- A legal partnership, governed by contracts, to deliver services (for example, Shared Services arrangements)

3. New Partnerships

The most important aspect of successful partnership or joint working is to be clear:

- That the goals and outcomes are defined and agreed by all sides,
- That a partnership or joint working arrangement is the best way to achieve the desired outcomes,
- That partnership or joint arrangements are in line with the council's policies, procedures and legal obligations,
- There are no other partnerships or joint working arrangements already delivering the same or similar objectives,

The council's participation in all new partnership arrangements will (subject to certain exceptions, such as a statutory requirement) be required to be signed off, in accordance with schemes of delegation following a Partnership Checklist (see appendix 2) being completed.

As part of this assessment, a partnership can be approved if it demonstrates **added value**, in other words when more can be achieved through partnership or joint working than the sum of what individual organisations can achieve on their own. Joint working can bring a host of risks that need to be formally weighed against the potential outcomes.

There are four stages to setting up, maintaining, and exiting a partnership.

1. Completing the Partnership Checklist (appendix 2), setting out proposed Partnership's rationale, resource implications, aims and objectives.
2. Agreeing governance arrangements. When approved, the new Partnership should draft and agree a Memorandum of Understanding which establishes how it will operate, how it will formulate and deliver its actions, and a number of other practical considerations including risk management, accountability, etc.
3. Regular review. Each partnership should review its operation every two years, considering if the partnership is delivering on its goals.
4. Exiting the arrangement. All partnerships (with the exception of statutory partnerships) should regularly consider termination arrangements, when objectives are met or if the partnership or joint working arrangement is no longer fit for purpose

Establishing a new partnership is done via completing the Partnership Checklist at Appendix 2. All partnerships should complete an annual review, as directed by the prompts contained at Appendix 5. Appendices 3 and 4 can also assist with establishing governance arrangements for a new partnership.

4. Current Partnerships

The following partnerships are defined as 'significant' and therefore fall within the scope of the protocol:

- Community Safety Partnership
- North Lincolnshire Safeguarding Adults Board
- North Lincolnshire Children's Multi-Agency Resilience & Safeguarding board
- Corporate Parenting Board
- The Multi-Agency Looked After Partnership
- The Youth Offending Management Board
- The Education Standards Board

- The SEND Standards Board
- Schools Forum
- Integrated Commissioning and Quality Executive
- Integrated Adults Partnership
- Integrated Children's Trust
- The Strategic Flood Board
- The Towns Fund Board

These partnerships have their own agreed governance arrangements in accordance with the principles contained within this Protocol and the documentation included at Appendices 3-5.

In addition, the Council appoints representation on other 'external' bodies where the nature of the relationship is one of "influence", co-operating, enabling or facilitating improved relationships and shared outcomes. Some examples of these 'outside bodies' appointments include:

- Humber Police and Crime Panel
- Humber Bridge Board
- Humberside Fire Authority
- A number of drainage boards and Water Management Boards.

Typically, these Outside Bodies are hosted by external organisations and have their own governance arrangements.

5. Conduct and Behaviour

It is expected that all members of Partnerships should operate in accordance with the Nolan Principles of Public Life:

- Accountability,
- Honesty,
- Integrity,
- Objectivity,
- Selflessness,
- Openness,
- Leadership.

In addition, any elected members representing North Lincolnshire Council remain bound by the Members' Code of Conduct and all council representatives should abide with the council's agreed values and behaviours.

6. Review of Arrangements

These arrangements shall be reviewed every two years, and, where appropriate, shall be reported to the Audit Committee.

Appendix 1 – Current Key Strategic Partnerships

The council has established a number of key strategic partnerships in recent years, and have given them responsibility for delivering the aims and outcomes from the Council Plan as described on page 2. A list of these partnerships and a short description of their role is included below.

Representatives from the council also sit on various external partnerships, such as the Local Enterprise Partnerships, or as outside appointments on a host of external groups and Boards.

i. The North Lincolnshire Safer Neighbourhoods Partnership

The Safer Neighbourhoods Partnership acts as the statutory Community Safety Partnership. The Partnership's role is to provide a link between agencies and work together to reduce crime and disorder. We co-ordinate multi agency crime reduction projects and plans in response to community concerns. We support work to reduce domestic abuse; we also operate an antisocial behaviour team and manage the process to identify and work with offenders and victims.

ii. Safeguarding Adults Board

The role of the North Lincolnshire Safeguarding Adults Board is to assure itself that local safeguarding arrangements and partners act to help and protect adults at risk within North Lincolnshire.

The Board aims to promote awareness and understanding of abuse and neglect amongst service users, carers, professionals, care providers and the wider community and works to generate community interest and engagement to ensure that 'safeguarding is everyone's responsibility'

The three core duties of the Board are to:

- Publish a Strategic Plan for each financial year that sets how it will meet its main objective and what the members will do to achieve this
- Publish an Annual Report detailing what the Board has done during the year to achieve its main objective and implement its Strategic Plan, and what each member has done to implement the strategy
- Conduct any Safeguarding Adults Reviews.

iii. Children's Multi-Agency Resilience and Safeguarding (MARS) Arrangements

The MARS is a statutory group made up of North Lincolnshire Council, North Lincolnshire CCG and Humberside Police, which plays a key role in safeguarding and promoting the welfare of children, young people, and families, which lead to improved outcomes and experiences.

iv. Corporate Parenting Board

The Corporate Parenting Board brings together a number of statutory partners whose role is to ensure that children in care and care leavers achieve great outcomes, so that:

- Children in care feel safe and are safe
- Children in care enjoy good health and emotional wellbeing
- Children in care recognise and achieve their potential

v. Multi-Agency Looked After Partnership

This Partnership works closely with the Corporate Parenting Board and others to develop and deliver the Joint Looked After Children Partnership Strategy. This involves engaging with, and listening to, the children involved and the people who care for them.

vi. Youth Offending Management Board

The Youth Offending Management Board is made up of statutory partners who contribute resources financially, and in kind, towards delivery of youth justice services.

The Board oversees strategic management, funding arrangements, partnership working and access to partner agency services. The Board receives quarterly management reports and monitors staffing arrangements, generic workforce issues, and specific projects. The Board also oversees action plans, policies, procedures and partnership protocols.

vii. Education Standards Board

The Education Standards Board was established in October 2013. It recognises that the accountability for overall education standards and outcomes (including for the most vulnerable) is owned collectively, and not by any single organisation or agency.

The role of the Education Standards Board is to provide the local framework for accountability for education standards and quality in North Lincolnshire.

viii. SEND Standards Board

The SEND Standards Board was established in November 2016. It is the main governance forum in North Lincolnshire for recognising and acting upon the collective accountability amongst partners and agencies for supporting children and young people with special educational needs and / or disabilities to achieve outstanding outcomes. The SEND Standards Board ensures a clear line of sight for holders of statutory responsibilities on the duties of the local area for children and young people aged 0-25 years with SEND

ix. Schools Forum

The Schools Forum takes decisions on a range of issues relating to the funding of schools. It has 21 members, including headteachers, governors and non school representatives.

x. Integrated Commissioning and Quality Executive

The Integrated Commissioning and Quality Executive plays a key role, alongside Clinical Commissioning Group partners, in overseeing effective joint commissioning, closer integration of services, the management of pooled budgets, and ensuring services are delivered to the highest standards.

xi. Integrated Adults Partnership

The Integrated Adults Partnership is a developing partnership, focused on the wellbeing of adults, including frail and elderly people, established as the local element of the work of the sub-regional Health and Care Partnership.

xii. Integrated Children's Trust

The Integrated Children's Trust plays a similar role as the Integrated Adults Partnership (xi. above) but, naturally, focussed on promoting the health, care and wellbeing of the children and young people of North Lincolnshire.

xiii. Strategic Flood Board

This group brings together a number of professional organisations, including the local authority, to lead on flood, drainage and water management issues, in order to reduce risk to the local area.

xiv. The Towns Fund Board

The Town Fund Board ("the Board") is the group set up to address growth constraints and to deliver long term economic and productivity growth in Scunthorpe and wider North Lincolnshire through:

- Urban regeneration, planning and land use
- Skills and enterprise infrastructure
- Connectivity

The Towns Fund provides an opportunity for Scunthorpe to agree a Town Deal with government and benefit from significant investment for growth.

Appendix 2 - Partnership Checklist (set up and review)

Name of Partnership:

Checklist completed by:

Date:

<p>Definition of a partnership For the purpose of this assessment a partnership is defined as being: An agreement between two or more independent bodies to work collectively to achieve an objective. A significant partnership meets one or more criteria of a 'significant partnership' as described in Paragraph 2 of this document.</p>	
Check	Comment
Partnership – Key Information	
What is the partnership intended to deliver with regard to the Councils key outcomes: Safe, Well, Prosperous and Connected?	
If the partnership is a statutory requirement, please confirm that the associated statutory guidance has been complied with (please specify)	
What is the partnerships intended lifespan?	
What is the partnership intended to achieve – does it have clear, documented and agreed aims, objectives, targets and outcomes?	
Is it clear what the role of Elected Members (if any) is in relation to the Partnership? (e.g. Board Membership/Portfolio Holder accountability)	
What organisations are represented on the partnership?	
Who chairs the partnership?	
Who is the Partnership Nominated Officer?	
The Council's Local Code of Governance and how they relate to partnerships (as laid out in Appendix 3 of the protocol) have been considered when determining the partnership's arrangements	
Are there clear partnership rules of engagement?	
Have the risks in relation to the partnership been considered?	
Is there an agreed Exit Strategy for the partnership and for the Council?	

Resource Implications	
How is the Council resourcing its participation?	
Are there other sources of funding available?	
Are there future budget implications?	
Other Considerations	
What are the arrangements for monitoring, reporting, review and to whom and when?	
Are there clear arrangements for communications about the partnership within the Council (Officers and Members) and other stakeholders?	
Does this partnership link to other partnerships? If so, how?	
Have health and safety, data protection, equalities, insurance, emergency planning, and business continuity been considered and requirements specified?	
Does the partnership require support from legal, Democratic Services or finance teams?	
Are the partnership's decisions legally binding on the Council?	
Have the risks in relation to the partnership been assessed and how are they monitored?	High/Medium/Low
Corporate sign-off:	
Have the partnership's governance arrangements been approved in line with the Council's decision making processes?	

Appendix 3 - Conduct of business

Meetings

Effective meetings are essential to successful partnership working, not least due to their role in decision-making, and should be supported by effective protocols to facilitate the conduct of business.

1.0 The Chair

The Chair's primary role is to lead the meeting, ensuring discussions and decisions address the agenda and are followed up, and that all attendees have an opportunity to contribute. The Chair can arrange for new items or issues arising to be included in future meetings.

1.1 Secretariat

Any need for a secretariat and resources to operate it should be identified when a partnership is established. Responsibilities would include arranging and giving notice of meetings, preparing minutes, as well as coordinating and issuing agendas and papers.

1.2 Frequency

Frequency of meetings of boards, groups and other bodies should be set according to their roles and responsibilities and should be reviewed to ensure they continue to meet partnership needs. Needs of attendees should be taken into consideration when planning a venue, date and time to ensure that the arrangements are suitable for all attendees. The policy on extraordinary meetings should set out in what circumstances they can be convened and the process for requesting them.

1.3 Agendas, papers and minutes

Agendas should be set for all meetings giving the date, time and place of the meeting and items to be discussed. Any related papers should be sent with the agenda to support productive and informed discussion and decisions. Minutes should be a true record of key relevant responses to items but do not need to record all discussion. All key decisions and agreed actions should be recorded, including action required, responsibility and timescales. Draft minutes should be circulated with the next meeting's agenda for agreement over completeness and accuracy.

1.4 Representation and quorum rules

Partners should nominate a deputy if the principal representative cannot attend a meeting. Deputies may be given the decision-making powers of the original member, but in practice may not have full freedom to make decisions for their organisation. For executive bodies the number of attendees that must be present for meetings to be quorate should be formally agreed. For non-executive bodies no quorum is necessary as

decisions are made by agreement. Voting arrangements should be defined and recorded depending on the nature of the partnership (executive or non-executive) ranging from consensus to a formal majority voting system with provision for a casting vote.

1.5 Declarations of interest and withdrawal from meetings

Partnership members should have regard to the highest standards of behaviour in the conduct of public business and should declare any personal or prejudicial interests they may have (as defined by the Council's Code of Conduct) on matters under discussion. Agendas should include an opportunity for partners to declare any personal, prejudicial, financial or other material interests in any agenda item that may preclude them from participating in discussions or decisions relating to that matter, or require them to withdraw from meetings while the item is discussed.

Appendix 4 - The Council's governance principles and how they are expected to be applied within partnerships

A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.

- Values are agreed for partnerships at the outset and that they are clearly understood and communicated.
- There is a clear commitment to recognise and represent the values of participating organisations
- Compliance with these values is monitored
- There is clarity over partners' statutory duties (if any)
- Leaders and staff associated with the partnerships are fully committed to their effective operation.

B. Ensuring openness and comprehensive stakeholder engagement

- The legislative and governance arrangements underpinning different sectors are taken into account. For example, local authorities have local political leadership, in the NHS board membership is made up of officers and non-executive directors, and charities will have trustees (often dedicated volunteers).
- There is high level agreement between partners concerning the value of and intention towards partnership working and collaboration.
- The importance of trust recognised at all levels and its role in supporting change.
- All members of the partnerships ensure that different cultures within partnership organisations are understood and respected.
- Partners understand how the governance arrangements in each partner operate, and there are mechanisms to address issues which may arise due to these differences to be resolved.
- Effective communications are developed and maintained.
- Effective stakeholder engagement is maintained.

C. Defining outcomes in terms of sustainable benefits, as set out in the council's "Safe, Well, Prosperous, Connected" outcomes

- There is a shared vision and there are clearly defined outcomes that have been agreed upon by all partners and are supported by stakeholders
- The vision is communicated appropriately
- Appropriate measures of success are agreed by the partners
- Partnerships can demonstrate how working in partnership adds value
- The benefits of the partnerships have been clearly mapped out

D. Determining the interventions necessary to optimise the achievement of the intended outcomes

- Partnerships have a clear strategy on what is to be delivered and how this is to be done
- Partner roles and responsibilities are agreed and understood
- There is clarity over who has the responsibility to make decisions
- Consideration is given to the best way to evaluate the effectiveness of joint activities in achieving goals

E. Developing the entity's capacity, including the capability of its leadership and the individuals within it

- Partnerships have strong, effective and collaborative leadership
- Appropriate support is provided to members of partnerships so that they clearly understand their roles and responsibilities, and are able to scrutinise and challenge effectively
- The impact of differences in employment terms and conditions is considered
- Partnership leaders have the ability to work across organisational boundaries
- Those in partnerships are clear about the delegations to make decisions
- The levels of delegation of control over services/spending is matched between partnership organisations
- Any strategic and operational management gaps between organisational boundaries are properly managed

F. Managing risks and performance through robust internal control and strong public financial management

- Partnerships are only entered into after an appraisal of the various options been undertaken and there is a sound business case.
- When considering outsourcing a service an effective due diligence process is undertaken
- Partnerships are reviewed regularly to see how effectively they are working
- Contracts with private sector providers include appropriate break clauses that would enable renegotiation if circumstances change
- Funding arrangements are clearly specified
- Appropriate systems in place so that expenditure against milestones and deliverables can be properly managed
- Those involved in partnerships between different sectors understand the different finance systems, terminology and performance measures used by the other sector
- Risks associated with partnerships identified and managed
- Partnerships have risk sharing agreements
- Partnerships are subject to the Council's Scrutiny arrangements

G. Implementing good practices in transparency, reporting, and audit to

deliver effective accountability

- Partnerships report on their performance on a regular basis and in a public setting
- Partnerships are referred to in the Council's annual governance statement

Appendix 5 Areas to be considered for bi-annual reviews of partnership arrangements

A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

- Has an atmosphere of mutual trust between the key players been maintained?
- Have any problems arisen as a result of different cultures? How have they been resolved?
- Are members and officers personally committed to the initiative?

B. Ensuring openness and comprehensive stakeholder engagement

- Has effective communication been maintained at all levels?

C. Defining outcomes in terms of sustainable economic, social, and environmental benefits

- Have the intended outcome/benefits/vision for the “Place” been realised?
- Where benefits have not been realised, how will this be resolved?

D. Determining the interventions necessary to optimise the achievement of the intended outcomes

- Have the arrangements to evaluate the success of the partnership worked effectively?

E. Developing the entity’s capacity, including the capability of its leadership and the individuals within it

- Is there still clear and robust leadership which focuses on outcomes?
- Has organisational efficiency been maintained?
- Do members of the partnership receive effective support?
- Is the structure sufficiently flexible? Will it accommodate changes in the partners’ circumstances?

F. Managing risks and performance through robust internal control and strong public financial management

- Were the estimated savings on which the plans are based ‘realistic’?
- Have any unexpected problems materialised? How were they dealt with?

G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability

- Have you produced an annual report?