

Brentwood Borough Council

Partnership Policy

Aims, Scope and Key Drivers

AIMS:

This policy and associated procedures are introduced to provide a framework for officers who are engaged in, giving consideration to engagement in, or withdrawing from partnership activities.

Brentwood Borough Council recognises that the quality and cost effectiveness of services can be significantly improved when organisations work well together.

Working as a partnership is integral to the way that Brentwood Borough Council and many of our partners operate and seeks to achieve their ambitions. Collaboration with other agencies and the public is fundamental to Brentwood Borough Council's approach to achieving the shared priorities and outcomes desired by not only our partners and ourselves, but importantly the public of Brentwood.

This policy is one of inclusion. We aim to ensure that partnership working is supportive of the diverse communities within Brentwood and will continue to support those with protected characteristics as identified in the Equality Act 2010.

The public expect that the Council will work within the very best partnerships, delivering positive outcomes that they value, in the most cost effective way possible. Supporting our staff to achieve this, Brentwood Borough Council's Partnership Policy sets out the Council's broad approach to working in partnership and details how this important means of delivering services will be managed.

In principle, Brentwood Borough Council will actively seek to work in partnership and make positive contributions where:-

- It has statutory obligations to be a member of the partnership;
- It is considered that partnership working will provide a more efficient or effective way of achieving its aim of supporting our residents and businesses, or will deliver the commitments contained within the Council's Corporate Plan , more appropriately than would be possible by simply working alone;
- Partnership working will potentially increase opportunities for accessing or saving money or resources in line with the above, thus ensuring best value delivery for residents or businesses of Brentwood.

Whilst the benefits of working in partnership are overwhelmingly positive, there are risks which must be fully considered and mitigated against.

This Policy seeks to ensure that Brentwood Borough Council are able to recognise the full range of partnerships in which we have become engaged, and be satisfied that they are:-

- Properly risk assessed and suitably managed;
- Formally approved and registered on the Council's Partnerships Register;
- Monitored and reviewed on at least an annual basis in order that a focus on delivery can be maintained;
- Have clear aims, objectives and outcomes;
- Have clear terms of reference;
- Where appropriate, operate an information sharing protocol which partners have responsibility to adhere to;
- Have clear governance arrangements in place to ensure accountability;
- Establish a clear understanding between partners regarding their individual and collective responsibility and liability for the actions of the partnership;
- Operating effectively in adding value to our efforts to achieve our priorities and as appropriate supporting the delivery of partnership priorities, or discharging our statutory responsibilities;
- Providing Brentwood Borough Council, our partners and the public good value for money in relation to the level of investment being made;
- Delivering positive outcomes for the people of Brentwood.

Brentwood Borough Council's view is that the partnerships it enters into should add significant value. As such, where it is considered that the costs of being involved in a partnership outweigh, or are likely to outweigh the benefits gained, then Brentwood Borough Council may challenge and potentially discontinue support for those partnership arrangements.

This policy sets out the formal processes that will support Brentwood Borough Council in consistently, professionally and objectively making sound decisions when it considers whether to establish or enter into a partnership and reviews whether it should continue to support a partnership arrangement. It also aims to provide staff with clarity about the Council's approach to partnership working and help enable them to understand their personal responsibilities when developing or working in the partnership arena.

SCOPE:

The word partnership can mean different things to different people. To make partnerships work effectively, they need to be differentiated from other joint arrangements such as funding regimes, contractual arrangements and informal relationships or networks.

As such Brentwood Borough Council defines a partnership in relation to this policy as a joint working arrangement where two or more partners:

- Are otherwise independent bodies;
- Agree to co-operate to achieve a common goal, which supports the delivery of at least one Council priority or target;
- Create a new organisational structure or process to achieve a goal, separate from their own organisations; and
- Plan and implement a jointly agreed programme of work which may often result in joint staffing, shared use of resources or information and a perception that some element of risk and reward is also shared.

Independent bodies' would normally mean that partners are separate entities in a legal sense.

Partnership is a concept that is difficult to define precisely. A distinction can be made between establishing a formal partnership such as 'Multi-agency Licensing Group' and an informal way of working involving partners such as a localised 'Keep Safe' initiative.

This policy is primarily concerned with defining the arrangements for managing formal partnerships.

Such arrangements will identify key responsibilities / accountabilities or liabilities that would be shared with members, formally recorded within a Terms of Reference or a Partnership Agreement.

It is also recognised that if Brentwood Borough Council leaves a partnership it does not automatically imply that the partnership itself should cease. It is felt to be good practice for a Terms of Reference to indicate how each individual organisations can leave a partnership.

Brentwood Borough Council also acknowledges that the 3rd sector (voluntary and community sector organisations) can be a key partner and play a prominent role in supporting our local communities.

An initial **Equality Impact Assessment** should be completed for those partnerships that could impact on service delivery or our residents to ensure that the Council continues its commitment to the Public Sector Equality Duty.

Legal

Brentwood Borough Council needs to ensure that any decision making in relation to partnership working is properly authorised and made by the relevant constituent bodies forming the particular partnership through agreed governance arrangements as partnerships are not usually separate legal entities. In the absence of Council officers having the delegated authority to take decisions on behalf of the Council, such matters have to be reported back to the Council or their Committee for decision. It is important for good governance that such decisions are 'scrutinised and challenged effectively'.

KEY DRIVERS:

The Council has a statutory responsibility for the delivery of certain services and a specific legal responsibility for working in certain statutory partnerships (i.e. Community Safety Partnerships).

Partnership working offers opportunities to deliver services in more efficient and effective ways and the Council's emphasis on providing value for money services that deliver positive outcomes for communities within Brentwood means that consideration about whether services could be delivered better, or more efficiently collaboratively with partners should be regularly explored by officers.

Financial Implications

Through collaborative working arrangements, Brentwood Borough Council aims to work with its partners to deliver effective, value for money, quality services to the residents of Brentwood.

Financial pressures will increase on all partner agencies in future years and may lead to requests being made to the Council to enter into partnerships and share resources to address issues that may not be of sufficient priority to the Council and these will be carefully considered.

Within any partnership arrangement there will be some resource implication for Brentwood Borough Council. This could be a financial commitment, officer support or other in kind support for the partnership. These costs will need to be identified before any formal decisions are agreed.

Before entering into any financial arrangements with external bodies, guidance will be sought from the Finance Director (Section 151 Officer) and the relevant account officer with regard to procurement or other related financial matters. Agreements/or arrangements entered into must not have an adverse effect on the services provided by the Council.

Data retention

Partnership procedures will involve a sharing of information through formal meetings. As such, there are a wide range of potential outcomes with regard to final disposal of information, and whilst many will involve Brentwood Borough Council, some may involve partner agencies. More detail is contained within the documented procedures which accompany this Council's Partnership Policy.

The above may involve the creation of further records such as meeting minutes, action records and it would not be practicable to detail the retention periods for the whole spectrum. Under normal circumstances, all partnership information will be held for a period of 36 months, after the partnership arrangement has ceased. All records should therefore be retained, reviewed and disposed of in line with the Council's Data Retention Policies.

Publicising Partnership working

The Policy seeks to formally record the benefit of formal collaborative working to meet the priorities of Brentwood Borough Council, its partners and to deliver value for money and quality services to local communities, through the Partnership Register and through a rolling audit process. By publicising our partnership working the Council can provide the public with information about the partnerships that the Council is involved in, a dedicated webpage listing the Council's Partnership arrangements together with a Partnership Register which will give a brief description of each partnership, its aims and objectives and the partners involved.

Partnership Policy - Procedure details

Joining, recording, monitoring and withdrawing from Partnerships

Approval of a Brentwood Borough Partnership

Where a Brentwood Borough Partnership is considered as 'operational' then the decision in relation to approval will be made by elected members at the relevant Committee (unless delegated authority is given) in order to ensure proper governance.

In all other cases the Council's formal engagement will be subject to the approval by Head of Paid Service for Service Level Partnerships.

Key controls have been established which must be in place before authorisation is given to the engagement in a Brentwood Borough Partnership. In every such case it must be possible to:

- Recognise the statutory context in which the proposed partnership is to be established;
- Identify the objectives the proposed partnership is designed to achieve/fulfil;
- Demonstrate how such objectives will support the Council's corporate vision and priorities as set out in the Council's Corporate Plan;
- Identify and assess all known risks associated with the proposed partnership and the extent to which those risks affect the viability of the proposals;
- Identify and assess through a robust project appraisal process the viability of the proposals in terms of resources, staffing and expertise;
- Identify and assess the contractual, legal and financial frameworks of the proposed partnership and to ensure that those arrangements comply with the Council's financial regulations and Contract Standing Orders;
- Identify and agree with other partners the roles and responsibilities of each of the other partners involved in the proposals and the lines of accountability from the proposed partnership to Brentwood Borough Council, and to other partners;
- Be satisfied that other partners have carried out similar assessments for their own purposes, so far as practicable, of the matters referred to in above;
- Ensure that the proposed partnership and its operation will not affect adversely any of the services provided by or for Brentwood Borough Council.

For further guidance refer to the Partnership checklist.

Documentation in support of this will be captured on the Council's Partnership Register and related business case reports.

All Brentwood Borough Council Partnerships will be subject to routine monitoring and scrutiny by the Council. This will be at least annually, regardless of whether the Authority was the decision-making body or not.

APPROVAL OF A SERVICE LEVEL PARTNERSHIP

A Head of Service can give approval for joining service level partnerships subject to adherence to the Council's Constitution, Standing Orders, Delegated Powers and Budgetary responsibility.

However, if any of the following criteria apply, then such a service level partnership approval request must be escalated to the Head of Service/Elected Members for sanction.

- All partnerships where personal information is to be shared;
- All partnerships where there is a requirement for financial investment in budget/cash terms;
- All partnerships where there is a requirement for 'in-kind' or human resource investment of above £5K;
- All partnerships where linkage with Council objectives/priorities is felt to be in question or is limited;
- Any partnership where for any other reason it is felt appropriate that a more formal or structured decision-making process be used by the Officers prior to any decision being taken.

The decision-making process will be broadly proportionate to the level of perceived risk and benefit and involved support from specialist staff as appropriate.

A standardised **Terms of Reference/Partnership Agreement** template has been developed to assist officers when establishing partnership arrangements.

CONDITIONAL PARTNERSHIP SUPPORT

It is recognised that the development of some partnerships can be a dynamic process and that some form of organisational support may be needed and appropriate at an early stage in order that staff with some expertise and experience in this area can potentially influence and help shape the further improvement and development of a particular partnership.

To delay engagement with a partnership under development may hinder its progression and as a consequence the effective delivery of services to the public. Therefore, under some circumstances, decision-makers are able to grant 'conditional support' to engage in the development of a partnership prior to being required to make a formal or long-term decision.

Conditional support will only be granted for a period up to 3 months at a time. This is to encourage the registering of prospective partnerships at the earliest point in time and provide managers and partnership workers sufficient opportunity to influence the creation of high quality partnerships which are well constructed and thought through prior to formal approval being granted.

DECLINING PARTNERSHIP INVOLVEMENT

Where potential difficulties or risks from partnership working are clear from an early stage, an early decision to decline involvement may be prudent. Such cases would include:-

- Partnership with any organisations promoting tobacco, gambling, drugs or alcohol consumption for instance;
- Partnerships where the support from Brentwood Borough Council cannot be readily or easily discontinued;
- Partnerships that would involve the Council in unbudgeted revenue costs, particularly on an on-going basis;
- Partnerships which involve potentially sensitive associations with companies already in contractual arrangements with the Council, which could be construed by competitors as preferential treatment;
- Partnerships with conditions attached that interfere with the Council's operational independence on how the Council's resources are used;
- Partnerships of unclear or unqualified benefits to core Council activities and the delivery of our key aims and objectives;

If the Council is requested to formally join partnerships where it is clear that it is against the interests of Brentwood Borough Council or the public of Brentwood, requests are registered on the Council's Partnerships Database and a recommendation made that they not be approved.

This decision will be taken by the appropriate person or body depending on the nature of the partnership and communicated sensitively to the interested parties at the earliest opportunity.

RECORDING A PARTNERSHIP

All partnerships that meet the Council's definition are recorded on the Council's Partnership Register by the relevant service manager. The Register, which is monitored by the Council's Partnership, Leisure and Funding Manager, will be reviewed on an annual basis. The responsibility for entries on to the Register lies with the service directly involved in the partnership.

This Register records information to support the assessment of risk to the Council in joining an identified partnership and establish the level at which the Council will / will not be engaged.

The information recorded on the database includes:

- Partnership name;
- Membership details;
- Aims and objectives of partnership;
- Linkage to Council priority(ies);
- Accountability;

- Brentwood Borough Council lead;
- Whether engagement is a statutory obligation;
- Terms of reference availability;
- Frequency of meeting forum;
- Budget;
- Collaborative working arrangements;
- Risk to organisation;
- Governance for Information exchange;
- Equality & Diversity considerations;
- Funding Arrangements

As part of the Council's Partnerships Register and the responses to key questions contained within it, risks to Brentwood Borough Council in relation to engagement in partnership working will be identified and detailed. This unified view, will be updated annually as part of the monitoring arrangements.

If appropriate, such risks will be escalated to the Council's Corporate Risk Register where remedial action will be taken or supported.

MONITORING AND SCRUTINY OF A PARTNERSHIP

Decision makers and partnership staff have a responsibility to ensure that the work of approved partnerships is properly monitored and to ensure that all partnership arrangements are formally reviewed on an annual basis, at which point a decision will be made about the continuance of Brentwood Borough Council's involvement.

A **self assessment reference tool** has been designed to assist officers when reviewing and assessing the effectiveness of the partnership.

Monitoring and evaluation mechanisms will be pre-agreed by partners as appropriate, and these should always be proportionate to the level of the partnership and the risks or benefits involved.

Documented Terms of Reference for a partnership, key responsibilities, accountabilities and liabilities of each agency should be recorded and maintained.

For Brentwood Borough partnerships, formal scrutiny will principally be undertaken through the work of the Audit, Scrutiny and Transformation Committee. For local level partnerships, scrutiny will be undertaken through the work of individual members, with activities recorded and documented on the Council's Partnership Register.

The Council's Partnership, Leisure and Funding Manager will monitor all partnerships across the Council and report, where appropriate, in relation to compliance with policy. This may necessitate some level of exception reporting where updates, monitoring or formal reviews have not been undertaken as required.

Service Managers will maintain an overview of the partnerships that operate within their service areas of responsibility and provide support for their effective monitoring and improvement.

An annual performance assessment of the benefit and value provided by the partnership to the work of Brentwood Borough Council and the delivery of services to the public will be conducted and recorded, as appropriate by the Service Manager directly involved with that partnership.

At the conclusion of the assessment the lead member of staff for the partnership will be required to make a recommendation to the decision-maker to either:-

- continue to support engagement in the partnership (approval);
- continue to support engagement in the partnership with a view to improving the partnership working (conditional approval); or
- critically review the partnership with a view to considering Brentwood Borough Council's disengagement from it.

COMMUNICATION

When a partnership is being set up there needs to be clear expectations between partners about the values and behaviours that are expected within the partnership.

Partnership working will be clearly recognised within the Council's Corporate Plan and given the public facing nature of collaborative working, it will be appropriate for specific communication advice and guidance to be sought by partners from professionals within their collective organisations.

Within the Terms of Reference for each partnership arrangement, a pre-identified and agreed agency will take the lead for communication activity within the partnership to ensure that there is a collaborative approach that will ensure consistency of message, accuracy and commitment to the partnership's values and behaviours.

WITHDRAWING FROM OR ENDING A PARTNERSHIP

Partnership arrangements inevitably may come to an end due to a number of reasons including:

- Achievement of objectives;
- Change in Council or partner priorities;
- Partnership replaced by alternative working arrangements;
- External funding sources/resources cease;
- After review, the Partnership is deemed to be not delivering the outputs and outcomes it was set up to do and new approaches need to be explored;
- After review, an unacceptable level of risk in continuing the Partnership is identified;
- The legal framework upon which the Partnership was founded changes.

The decision whether Brentwood Borough Council's involvement in a Partnership ceases will be made on a case by case basis, to recognise the full range of circumstances involved. The decision to withdraw will be made at the same level at which approval was given to engage.

In circumstances where withdrawn from local or low level partnerships is difficult due to political or reputational reasons, decisions regarding withdrawal will be escalated to the elected Members for consideration and decision.

It is acknowledged that Brentwood Borough Council leaving a Partnership does not automatically imply that the partnership itself should cease. Terms of Reference for each partnership will indicate how each individual organisation can leave a partnership and actions which might be necessary in such eventualities.

Where Brentwood Borough Council does decide to leave a Partnership, the reason for departure will be documented on the Council's Partnership Register.