

**GOVERNANCE AND AUDIT COMMITTEE
29 SEPTEMBER 2009**

**PARTNERSHIP GOVERNANCE
(Assistant Chief Executive)**

1 PURPOSE OF DECISION

- 1.1 The growing national agenda around partnership working along with locally driven service improvements means that an ever increasing proportion of the Council's service delivery is carried out in close collaboration with partners. With a large number of such arrangements in place it is important for the Council to ensure that the partnerships are put on the proper footing and have sound governance. The Council's Corporate Governance Working Group, chaired by the Borough Solicitor, has developed a number of new tools and procedures to support this purpose. This briefing explains what has been put in place to improve the governance arrangements and to reduce the risks to the Council that are inherent in these partnerships.

2 RECOMMENDATION(S)

- 2.1 **That Governance and Audit Committee notes the new procedures that have been put in place for improving governance within partnerships.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 The Governance and Audit Committee is yet to receive a briefing on the progress made in improving governance arrangements within partnerships.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None

5 SUPPORTING INFORMATION

- 5.1 The government's vision for local government envisages that Councils will enter into a variety of collaborative arrangements with other organisations in the public, private and voluntary sectors. There is no "blueprint" covering the full range of collaborative arrangements which can be entered into and therefore guidance is required as to the measures which should be put in place to ensure that any proposed partnership is placed on a proper footing. In particular, it is important that the legal and financial basis of a partnership is set out and understood by all the participating organisations. Some partnerships may have a legal status and be legally binding whereas other arrangements may have no formal legal status and will not be legally binding. Some partnerships may involve a sharing of resources between the participating bodies, others will not.

- 5.2 The Council's Corporate Governance Working Group, chaired by the Borough Solicitor, has developed a range of documents and tools to support Council officers responsible for setting up, managing or contributing to significant partnerships, the details of which are set out in the paragraphs below.
- 5.3 The Council's Partnership Governance Framework and Toolkit (http://boris.bracknell-forest.gov.uk/partnership_governance_framework_and_toolkit.pdf) was published in October 2008 and sets out the overview of the governance arrangements that should be in place for all significant partnership of which the Council is a member. The framework covers:
- Council authority to enter into a partnership
 - Business case for entering into a partnership
 - Financial accounting and auditing arrangements
 - Appointment of Members/Officers
 - Review and evaluation of Council involvement
 - Termination/conclusion of partnerships
 - Simple checklists for reviews, insurance considerations and memorandums of understanding
- 5.4 One of the requirements of the Council's Partnership Governance Framework and Toolkit is to keep a register of significant partnerships that the Council is a member of. The first version of the register was published in March 2009 (<http://www.bracknell-forest.gov.uk/bfp-register.pdf>). This Register identifies all those partnerships to which the Toolkit will apply and is held and maintained by Democratic Services. The following details for each Significant Partnership are recorded:
- The name of the Partnership
 - The identity of other partners
 - The primary purpose of the Partnership
 - The date of formation of the Partnership
 - The name and contact details of the Partnership Link Officer
- 5.5 The register also includes the broad criteria for which partnerships should be included on the register, and so to which partnerships the toolkit will apply. Partnerships which provide a pure networking function or which are contracts with those providing goods and services are not included. As a guide, Significant Partnerships are defined as those which do one or more of the following:
- Those that make policy decisions affecting the Borough/Region
 - Those that have responsibility for budgets
 - Those that involve a significant amount of Council Officer/Members time - in the region of 1 to 2 days per month
- 5.6 Each of the partnerships identified on the Significant Partnerships Register are required to undertake an annual self assessment. A self assessment tool for this purpose was published in April 2009 (<http://www.bracknell-forest.gov.uk/bfp-self-assessment-toolkit.pdf>), and self assessments have already been carried out for partnerships including the Crime and Disorder Reduction Partnership, Berkshire Chief Executives and the BFP Communications Working Group. The intention is that all significant partnerships will have carried out their first self assessment by March 2010. The self assessment covers legal status, composition, delivery/performance, finance/resources, risk management, conduct/behaviour, equalities/diversity, audit/scrutiny and communications.

- 5.7 The final tool produced to support officers involved in significant partnerships is a set of suggested standard words to be included in terms of reference (<http://www.bracknell-forest.gov.uk/bfp-terms-of-reference-standard-wording.pdf>). This standard wording (published in July 2009) helps to ensure that the terms of reference for each partnership are fit for purpose, but also helps to reduce duplication of effort around agreeing wording to cover common areas of governance such as code of conduct, decision making, counter fraud and dispute resolution.
- 5.8 The role of Overview and Scrutiny (O&S) is another key element in ensuring that the Council's partnerships have good governance arrangements and are working well. The O&S Commission has set up a number of new working arrangements to meet the legal requirements of the Local Government and Public Involvement in Health Act 2007 and the BFP Governance Protocol, including a newly formed Partnership O&S Group and reporting links between the relevant O&S Panels and the theme partnerships.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 Nothing to add to this report.

Borough Treasurer

- 6.2 There are no additional financial implications arising from the recommendation in this report.

Equalities Impact Assessment

- 6.3 Not applicable.

Strategic Risk Management Issues

- 6.4 Ensuring good governance within the Council's significant partnerships helps to mitigate the risks (legal, reputational and commercial) that are inherent in complex joint working arrangements.

Other Officers

- 6.5 None.

7 CONSULTATION

Principal Groups Consulted

- 7.1 None.

Method of Consultation

- 7.2 None.

Representations Received

- 7.3 None.

Background Papers

None.

Contact for further information

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