

[Home](#) > [Your Council](#) > [The Council](#) > [Council constitution and plans](#) > [Part 5g Partnership governance framework](#)

Part 5g - Partnership governance framework

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1. Introduction

1.1. This Partnership Governance Framework, sits alongside the Council's Code of Governance and sets out the principles of good governance (for partnerships) and what arrangements it has in place to ensure that the partnership conducts its business in accordance with the law and proper standards. In the same way that the Council's Code of Governance seeks to ensure that public money is safeguarded, properly accounted for and used economically, efficiently and effectively, this framework will do the same for any significant partnership.

1.2. Working in partnership can bring a wide range of benefits, but also produces particular risks and governance issues. To protect the interests both of the council and the residents of the borough, it is therefore important that the Council knows what its 'significant' partnerships are and their purpose is understood.

1.3. The Council's Code of Corporate Governance sets out six principles behind the Council's approach to corporate governance. These principles should also support its work with partners and this framework is based on these principles.

1.4. The purpose of this framework is to provide a holistic approach to the governance arrangements and to set out:

- the steps which the Council will take before entering into a significant partnership;
- the minimum governance requirements each significant partnership must have;
- how the Council will support the governance of each significant partnership; and
- how the Council monitors and reviews its involvement with each significant partnership.

2. Good governance in partnerships

2.1 This framework recognises that there is great variety in the scale and nature of the council's partnerships, but provides a standardised approach by which accountability can be strengthened, risks managed and opportunities sought within a safe framework.

2.2 Partnerships vary in size, service area, membership and function, funding, legal status and structure. They may be affected by the same pressures and challenges as the council. These include external factors such as funding reduction, national changes in policy and legislative changes, or internal factors such as reducing staff resource, service level reviews and organisational restructures. Partnerships can provide an effective way of meeting these challenges but also carry risks because working across organisational boundaries and cultures can add complexity and ambiguity and reduce accountability.

2.3 It is vitally important that prior to entering any partnership, both the benefits and risks are identified and planned for and that such

partnerships are reviewed to ensure they remain the most effective way of achieving the desired aim.

3. Partnership definition

3.1 In defining a partnership, there is the broad definition of partnerships used by the Audit Commission and CIPFA: ‘An agreement between two or more independent bodies to work collectively to achieve an objective, normally excluding the familiar relationships between client and contractor or employer and staff.’ They may create new structures of processes to achieve their goal, may plan and implement a jointly agreed project or service; may jointly provide or share staff or resources and may agree to share risks and rewards. This Framework looks at ‘significant’ partnerships which need to be formed and have a set form of governance.

3.2 In determining what is a significant partnership, the first consideration must be whether or not the establishment of a partnership is mandatory (statutory) or discretionary. Mandatory or statutory partnerships may be covered by more regulation, with fewer options in terms of structure or governance, but must still be carefully managed.

3.3 Where the partnership is discretionary (voluntary) it is important to assess whether a partnership is necessary or whether the same objective could be achieved more efficiently and effectively by the council working alone, or through some other mechanism.

3.4 To help make that assessment the following should be considered:

- Can the objectives, outcomes and benefits of the partnership be clearly expressed and linked to council strategies and priorities?
- Will the benefits of the partnership outweigh the costs when compared to other arrangements, including issues such as co-ordination of activity and resources?
- What is the resource impact and who will meet the costs of delivery, and of strategic and operational management?
- Can the partnership provide ongoing and robust compliance with statutory and regulatory requirements?

3.5 To be considered ‘significant’ partnerships should have one or both of the following:

- **Financial responsibility** – Based on a threshold for the Council’s annual contribution of £100,000, excluding staffing costs; and/or
- **Strategic and statutory importance** – the partnership being critical to the delivery of key council objectives and statutory obligations, or is a fundamental component of council priorities and functions and the council’s reputation could be damaged by the partnership’s failure to deliver.

3.6 In determining a significant partnership, it is advised that a risk assessment be undertaken based on this Framework. The categories of significant partnerships would cover typically ‘statutory’, ‘joint company’, ‘grant funding’ or ‘joint delivery’.

3.7 The following relationships or groups are **not** considered to be significant partnerships:

- Employer and staff relationship
- A partnership set up to consider short term topics (ie task and finish groups)
- If the council has direct and sole control over budgets and decision-making, including in such circumstances Council led groups with external representation which are sometimes classed as ‘partnerships’
- The relationship between the council and a wholly owned subsidiary company (as a different governance framework covers this)
- organisations where the Council gives a grant
- A supplier of a contract (except in instances of joint delivery of services where there is a management agent in place).

4. Partnership principles

4.1 The following key principles should be considered when establishing a significant partnership which meets the criteria – not all will necessarily apply to every partnership, but their relevance should be considered and a proportionate approach applied (these principles should also be applied by way of good practice to partnerships which are not classed as significant).

a) **Purpose, structure and membership** – partners should formally agree the partnership’s structure, purpose and aims, activities,

roles and responsibilities, membership, regulatory framework, dispute resolution and timeframe for operation.

b) **Accountability and decision making** – partnerships should account for their actions through reporting, meetings, oversight and scrutiny of performance and regulatory compliance. There should be open and transparent processes such as records of delegated authority and decisions taken and effective scrutiny.

c) **Monitoring and review** – regular review and evaluation of membership, policies, performance and risk.

d) **Financial management** – to ensure the partnership is well resourced to deliver its aims and objectives and the responsibility for financial decisions is clear.

e) **Meetings** – operate efficiently, are well chaired and are of sufficient frequency to facilitate business

f) Exit arrangements – that a strategy or plan is in place to outline the process for exiting the partnership and how any assets or liabilities will be dealt with.

5. Partnership register

5.1 The officer Corporate Leadership Team will recommend partnerships for inclusion on the register of significant partnerships, following consideration of nominations from the relevant Director who has corporate responsibility for the partnership. This will ensure that the strategic fit between the partnership and the council's objectives and priorities is maintained, strengthens lines of accountability and improves collective oversight. Draft terms of reference/ partnership agreements and governance documents should be reviewed by Assistant Chief Executive (Governance), with support from the Head of Legal, as required before submission to the Corporate Leadership Team.

5.2 Approval for establishing, and resourcing significant partnerships will be subject to the appropriate council decision making processes in accordance with the Council's constitution.

6. Responsibilities

6.1 All employees involved in partnership working should be aware of their responsibilities for partnership governance as shown in the table below.

6.2 When working with partnerships members and officers must be aware of their responsibilities under the council's code of governance and the member and employee codes of conduct. These codes apply whether directly representing the council, acting in an advisory capacity, or as part of an interest group. Members and officers should help to ensure that the principles for good governance set out in this framework are agreed, adopted and adhered to by the partnerships they are involved in.

6.3 The partnership will need to clearly define the roles of representatives of the partnership and provide appropriate support and training so that representatives perform effectively.

6.4 The Council will make sure that its representatives are clear about their role on the partnership and provide support and training to its representatives.

Role	Responsibility
<i>Executive</i>	<ul style="list-style-type: none"><i>considering and approving all Significant Partnerships which meet the criteria of a key decision for the council.</i>
<i>Leader of the Council</i>	<ul style="list-style-type: none"><i>leading the council's work on improving corporate governance</i>
<i>Members</i>	<ul style="list-style-type: none"><i>when representing the council on a partnership, promoting good governance in line with the council's Partnership Governance Framework</i>

<i>Audit Committee</i>	<ul style="list-style-type: none"> • <i>monitoring the effectiveness of the Partnership Governance Framework as part of the Council's Code of Governance and the Annual Governance Statement</i>
<i>Corporate Leadership Team</i>	<ul style="list-style-type: none"> • <i>ensuring effective implementation, monitoring and review of the Council's Partnership Governance Framework</i>
<i>Director</i>	<ul style="list-style-type: none"> • <i>ensuring that arrangements for good governance of partnerships within their directorate are implemented in line with the Partnership Governance Framework</i> • <i>signing non-key significant partnerships in line with the definition in this framework, after consultation with the relevant Cabinet Member and the officer Corporate Leadership Team, in evidence of satisfaction with documented governance arrangements</i>
<i>Head of Audit and Risk</i>	<ul style="list-style-type: none"> • <i>auditing on a rotational basis as part of the Internal Audit Plan, the significant partnerships in the Council's Partnership Governance Framework, in line with the requirement of the Framework or the requirements of the agreement which they were formed under.</i>
<i>Head of Service</i>	<ul style="list-style-type: none"> • <i>supporting the Directors in ensuring that arrangements for good governance of partnerships within their service are implemented in line with the Partnership Governance Framework</i> • <i>likely to be the key point of contact between the Council and a partnership and contribute corporately to the Council's knowledge of partnerships</i>
<i>Good Governance Group (Chaired by the Assistant Chief Executive (Governance))</i>	<ul style="list-style-type: none"> • <i>regularly reviewing the Partnership Governance Framework</i> • <i>co-ordinates and reviews the evaluation of partnerships and provides guidance and recommends the officer Corporate Leadership Team accordingly</i>

7. Monitoring and review

7.1 The Assistant Chief Executive (Governance) has overall leadership responsibility for ensuring the effectiveness of partnership governance arrangements and working with the Strategy, Policy and Research Manager will maintain a Register of Significant Partnerships that includes the category of partnership, date of establishment, terms of reference, council representative(s) on the partnership, review date, risk assessment and identified link officer.

7.2 The Head of Audit and Risk will as part of the Council's annual Internal Audit Plan, review on a rotational basis the effectiveness of the arrangements for the significant partnerships on the register and these will be reported within the Annual Governance Statement.

7.3 Directors should ensure that a proportionate approach, based on the principles within this framework, is established for approving and reviewing the value and operation of non-significant partnerships within their corporate areas of responsibility.

7.4 Each partnership is also encouraged to review its own governance arrangements.

8. Guidance

8.1 The officer Good Governance Group will maintain guidance notes and model documents for prospective partnerships as required.

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