



Partnerships and Collaboration Policy

Version 3



Partnerships and Collaboration Policy

Bristol City Council,

Policy, Strategy and Communications

September 2026

Version 3

Summary

A guide to working well with others outside of the council.

Key Words

Partnerships, collaborations, networks, forums, Memorandum of Understanding, Service Level Agreement, memberships, funding consortia, resource sharing, shared goals, governance, oversight, assurance.

This policy applies to all elected members and all officers of the council.

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1 Introduction

In this policy we set out what we mean by partnerships and collaboration; which partnerships and collaborations are covered by this policy and which are not; and set out how to register and undertake good governance for any partnerships and collaborations.

What is this policy for?

This policy is designed to guide you when working with others outside the organisation. It will ensure that whatever type of collaboration you undertake you have the right governance and processes in place to make the most of the collaboration or partnership and that you can provide the council with appropriate assurance.

For many activities you undertake through networks or other collaborations only a light-touch approach is required, whereas for more formal or statutory partnerships a more rigorous standard is set. This policy will help you achieve the appropriate level of assurance and compliance for the collaboration you are involved in.

Please note: This policy is not a guide for having meetings or attending events run by other organisations or other ad-hoc activities, or for personal membership of networks or professional bodies. This policy is for collaborations or partnerships with a lifespan, commitments from all parties, agreements of how to reach common decisions or positioning, and memberships and subscriptions to networks.

The term 'partnerships' is used in a variety of ways. To help us navigate this sometimes-confusing landscape, this policy sets out what's in scope and what's not in scope for this policy and defines the way we are using the terms for the purposes of this policy.

What are partnerships?

We work with others in many ways. We often use the terms 'partners' and 'partnerships' as shorthand for a range of collaborative activities. **This use of the term 'partners' and 'partnerships' is quite distinct from the legal definition of a partnership. Legal partnerships are outside of the scope of this policy.** Further information about this is set out below.

What is covered by this policy?

The scope of this policy is defined as 'collaborations' and 'partnerships':

Collaborations, as set out in this policy, cover a whole range of joint activities, from memberships of other organisations, such as the council's membership of the Local Government Association, to arrangements to work in cooperation with individuals or organisations, contributing complementary skills or resources, to achieve a shared goal, such as our involvement with Core Cities. The many ways in which we collaborate with others include, but are not confined to, networks, projects, task groups, forums, memberships, and one-off events.

Partnerships, as described in this policy, are formal associations between the council and one or more individuals or organisations to jointly pursue specific objectives, involving shared responsibilities, resources, and risks. All partners within a formal partnership are jointly responsible for the partnership's goals. Partnerships offer benefits such as shared responsibilities, diversified skills, and potentially greater access to capital and resource. However, they also come with challenges like shared decision-making and potential conflicts between partners.

Sometimes there is a statutory requirement for councils to enter into certain partnership agreements in order to improve the relationship with other organisations (i.e. the voluntary sector) and ensure that certain essential services are provided in local areas. Partnership working can also be an effective means of driving value for money and meeting shared challenges brought about by limited resources across the public and third sectors at a time of increasing demands on services.

What is not covered by this policy?

As set out above, there are a range of legally defined partnerships and contractual agreements which are outside the scope of this policy.

It is worth noting that in law 'partnerships' has a specific meaning and requires defined formal arrangements. In the eyes of the law, a partnership exists when two or more persons conduct business together for a variety of reasons. Persons in such a position are partners, even if they are not aware of that fact. The legal status of a partnership is that of an unincorporated association. Unlike a company it does not have a separate legal personality. **These types of partnerships are not covered by this policy as they are usually regulated by specific legislation or separate contractual arrangements.**

Types of partnerships or agreements which fall outside of the scope of this policy are the following:

- Contractual arrangements made by the council with third parties to deliver a service on behalf of the council but where the council and the service provider have no shared objectives.
- Corporate agreements in the form of Ltd or Plc companies or LLP and formal partnership agreements which are governed by the Companies Act 2006, the Partnership Act 1890 or the Limited Liability Act 2000.

2 The council's approach to working in partnership and collaboration

Bristol City Council can only achieve its Corporate Strategy 2025-2030 priorities by working as One City with a wide range of organisations across sectoral boundaries. This One City approach is central to the council's priority to work well with partners across Bristol and beyond. Being collaborative is also one of the council's five key values and working in partnership reflects this value.

As we continue to address our budget challenges and work closely with others, it is vital that we consider carefully which collaborations and partnerships we join. This policy will help you to make informed decisions about when – and when not – to join a new a partnership or collaboration, and when to end existing partnerships and collaborations.

The law requires the council to work in some partnerships but mostly we choose to work this way because many challenges can only be addressed by organisations working together to achieve goals that none could reach alone. As the elected city government, the council has a particular role to play in bringing partners together and framing the agenda for action.

This collaborative approach will sometimes lead us to formal partnership arrangements. At other times, collaboration will lead us to working with others informally or through networks. These types of collaboration would fall under the remit of this policy. If in any doubt, please seek clarity from the Policy, Strategy and Public Affairs team or Legal Services.

3 Purpose of this policy

For partnerships and collaborations to be effective, they need **clarity on impact and outcomes, good governance** and **pro-active, skilled management**. This policy provides a framework that ensures these vital ingredients are in place.

This document covers:

- Who the policy applies to.
- Defining the type of collaboration or partnership.
- Responsibilities of council representatives when working with others.
- Deciding if a formal partnership is appropriate.
- Agreeing roles within a partnership.
- Working in a partnership.
- Ending a partnership.

This policy is mandatory and failing to comply with its requirements could result in non-compliant partnerships being terminated.

4 Who this policy applies to

This policy applies to all elected members and all officers of the council who represent the council within a collaboration or partnership, or who are involved in discussions about the creation of a new collaboration or partnership.

5 Defining your relationship with another organisation

As there are many ways of working with others it's important to recognise the type of partnership or collaboration you have.

To constitute a formal partnership, the following criteria apply:

- It is a formal arrangement between the council and at least one other organisation.
- It has agreed clear goals and objectives that have been defined by the partners and that can best be achieved by joint action and/or by combining resources, powers or expertise. In the case of statutory partnerships, the framework for the partnership's goals will be set by the relevant legislation.
- It has a written agreement (other than a contract) that defines the purpose, remit, goals and objectives of the partnership and the arrangements for governing it.
- It has explicit mechanisms for reaching decisions on matters within the partnership's remit.
- The partners are equally accountable for reaching the partnership's goals, even if one partner co-ordinates activity or hosts staff/budgets.
- It has clear arrangements for managing risks associated with the partnership's work, with risks being appropriately shared rather than left with one partner.
- It has dedicated resources for delivering the partnership's work, which may include programme budgets and directly appointed or seconded staff.

A partnership *may* have a distinct legal personality, but this is not always the case.

A partnership is different from:

- Other less formal types of joint working
- A *contractual* arrangement in which the council commissions another organisation to carry out an activity on its behalf on a contractual basis; or
- The council *grant funding* a voluntary organisation, either on a core funding basis or to carry out a specific programme of activities.

Other forms of joint working or collaboration include:

Memberships – Memberships are useful tools to connect people and encourage collaboration around a particular interest, industry or activity. Common types of memberships include trade, professional or voluntary associations, clubs and political parties.

Service Level Agreement (SLA) or Memorandums of Understanding (MOU)

These can be agreed where two or more organisations collaborate to deliver services effectively and to reduce duplications.

Networks – Networks provide opportunities for groups to connect through events, either in person or virtually to share knowledge and experiences.

Forums – Forums are discussion boards where people can ask questions and discuss topics of mutual interest. They are particularly useful for gathering opinions on a particular subject.

Resources sharing and various forms of working arrangements –

Individuals coming together to explore potential future work or wider strategic plans for an area to deliver a one off programme (i.e. an event or a festival) or developing a project.

Funding bid consortium – A group of organisations convene to collectively bid for funding (e.g. from national government or another international body) and commit to delivering the project together if the funding application is successful. The finance team can provide support for grant applications.

See Toolkit for examples of collaborations.

6 Approval, registration and governance

All types of partnerships and collaborations require a level of consideration, and for formal partnerships there is greater rigour and scrutiny required. Therefore, prior to entering into any arrangement that might impact the council, especially with regard to reputational, financial, resource, risk or policy implications, the council's [decision making pathway](#) must be followed as appropriate, whether the arrangement is a formal partnership or not. This applies both to the decision to join a partnership or other arrangement, and to any decisions made within the context of a partnership or other arrangement (unless specific delegated powers have been approved).

When entering any new relationship of this type you should obtain approval or sign off as appropriate by a manager (with the correct powers under the council's Schemes of Delegation) or through the Decision Pathway and keep a record of the decision, whether this is by email or a formal meeting minute from the appropriate forum.

[Schemes of Delegation](#) explain who can take which decisions on behalf of the council. They come from the council's constitution which explains how the council works. In the Constitution, powers are delegated to the Chief Executive, the Executive Directors, and 'statutory and proper officers' like the Directors for Finance and Legal. These individuals then delegate many of their powers to other Officers in the Officer Schemes of Delegation.

Some partnerships, which require a significant level of resource or impact two or more wards in the city, may meet the Key Decision criteria and will require Policy Committee approval. For further advice, please contact your directorate's Executive Support Manager.

Please note that some high-level Strategic Partnerships possess formal decision-making abilities. These are enshrined in the council's constitution and any new partnerships of this nature must be discussed with the Democratic Engagement service in the first instance.

6.1 Registering your collaboration or partnership

Until the end of the Financial Year 2026/2027 all formal partnerships must be registered on the 'Partnerships Register', which is held by the Executive Office. You must send any new or updated registrations to your directorate's Executive Support Manager. [SW1.1] If a partnership is not compliant with the policy, [SW2.1] there will be a six-month grace period for any issues to be remediated to achieve compliance. After this six-month grace period if the partnership is still not compliant, this will be escalated to the relevant EDM [SW3.1] (s) to ensure there is a plan to either achieve compliance or to exit the partnership.

Any collaboration which falls outside of the 'formal' partnership definition does not need to be placed on the central register, though the advice and guidance in this policy must still be followed. It is up to service managers to ensure good overall compliance with the policy.

The Partnerships Register will be retired by the end of the Financial Year 2026/2027 at the latest. However, the decision to retire the Partnerships Register may be revisited at the discretion of the Executive Director for Resources.

Any partnership entered into after this point should still follow the provisions set out in this policy. Council officers responsible for each formal partnership will remain responsible for reviewing relevant partnerships, and recording and escalating any updates.

6.2 Subscriptions and membership fees

You should not normally incur any discretionary subscription or membership fee costs as part of joining networks or other forums, as the council has limited resources and typically only pays for these when there is a statutory or regulatory need to do so. If you believe there is a valid business case for incurring a discretionary subscription or membership fee cost, this must be agreed through your EDM before any commitment is made. Any spending must be contained within your service's existing budget envelope. If you are not the budget manager for the service, you must engage the budget manager in the decision-making process.

6.3 Record-keeping

Keep records of actions or other relevant information, to ensure the council is clear of its role within the arrangement and there is ongoing oversight into the relationship.

6.4 Terms of Reference

Some collaborations may need to be documented using Terms of Reference (TOR). This may be necessary when agreeing to make financial contributions, though TORs may exist for collaborations in which the council does not make a financial contribution. Check The Source or contact Legal Services for guidance on the development of TORs. Ensure approval is obtained and include terms to review the arrangement at least every three years.

6.5 Memorandums of Understanding

You may want to draft a Memorandum of Understanding (MOU) which sets out how you will work with partners within a project or other activity. Contact Legal Services for guidance on the development of MOUs, ensure approval and include terms to review the arrangement at least every three years.

In the 'Toolkit' section of this policy you will find a draft partnership agreement that can be used as a basis for developing an MOU or TOR.

6.6 Goals, objectives and performance reporting

Formal partnerships must document their goals and objectives within the Partnership's governance arrangements, including any necessary formal approval through the council's Decision Pathway for signing up to these objectives. Outcomes must be clearly defined so that progress towards them can be well managed, and success or failure clearly recognised.

It is good practice for formal partnerships to record their progress against these goals and objectives, including progress on outcomes, and report this at least annually within the council's governance structure. The requirement, frequency and forum for this reporting should be determined when seeking initial approval to form the partnership. Governance forums will typically include Divisional Management Team, Executive Director Meeting(s) and/or Corporate Leadership Board. It may also include a Policy Committee, Full Council and/or Scrutiny Commissions.

Collaborations or other partnership working, which fall outside the definition of 'formal partnership' must ensure goals, objectives and reporting are considered within the decision-making process. The extent of what is required will typically depend on the scale and purpose of the collaboration and be proportionate to this.

6.7 Risk and insurance

It is important to consider from the outset any potential risks that may incur from working in partnership. For example, it is possible that imbalances of powers and access to resources or funding amongst partners might exist that will need to be recognised and addressed from the outset. All partnerships, networks and collaborations should be managed in line with the council's Risk Management and Assurance Policy, which may require consideration for your Service or Directorate Risk Register. Please ensure this is considered and appropriate risk management is placed around your collaboration to mitigate threats and maximise opportunities.

Potential areas of consideration might include:

- Have the Terms of Reference been agreed, and the council's/other participants' responsibilities been clearly defined?
- Financial arrangements: Is there any transfer of funding by the council?
- Are there financial statements and accounts to be issued?
- Have all the council's policies and relevant pieces of legislation been properly considered (i.e., data protection, confidentiality, freedom of information, equality and diversity, etc)?
- Is the council the lead authority/organisation?
- Is a risk assessment being carried out and if yes how often is it monitored?
- Have potential liabilities been defined and appropriately covered?
- Have monitoring and reporting arrangements been made?

You should also consider whether the arrangement may affect the council's insurance policies or require bespoke cover. Please speak to a member of the Insurance Team to clarify this as required.

6.8 Information Governance

In any partnership or collaboration, it is important to consider Information Governance and how this partnership may impact on the council, its responsibilities in regard to Data Protection and its Information Security. You may need to consider whether a non-disclosure agreement is required. Before entering any partnership agreement, consideration needs to be given to our responsibilities under the Data Protection Act 2018, such as:

- Will we be sharing any data with the partner organisation? (Particularly to note if it is an organisation abroad and whether and how GDPR rules apply)
- Do we have a Data Sharing Agreement in place?
- Does a Privacy Impact Assessment need to be conducted?
- Has this sharing been added to your Record of Processing Activities?

Consideration also needs to be given to maintaining an appropriate level of Information Security within this partnership:

- What Information Security considerations are required for this partnership?
- Are we accessing the partner organisation's infrastructure?
- Are we intending for them to access the council's infrastructure?

In any partnership where data is to be shared, this must be done in an ethical and transparent manner.

Once teams have answered the above questions, they should seek advice from both Data Protection and Information Security before entering into any partnership. There are help pages on the Source from the Information Governance Service, or the relevant team can be contacted.

Data.Protection@Bristol.gov.uk

Information.Security@Bristol.gov.uk

6.9 ICT Requirements

You must consider any IT requirements. These may range from operational, such as sharing access to a Teams or SharePoint site, to strategic decisions such as wider sharing of office space, networking infrastructure, or major Line of Business Systems. Depending on the type and scale of collaboration, significant costs may apply, and it is important that these are understood and included within any Decision Pathway approvals committing to the partnership or collaboration. These costs must be borne by the Division, Department or Team instigating the partnership or collaboration, or shared with partners within a formal partnership.

You must take these issues into account and ensure you are complying with the council's ICT, Information Governance and Information Security policies before joining a new partnership, or as any existing partnership develops. Please contact your Digital, Data and Technology Business Partner for further assistance.

7 Determining if a formal partnership is appropriate

There are four key questions that need to be addressed before the council can consider setting up or participating in a new formal partnership arrangement:

- 1.** Does the aim of the proposed partnership directly contribute to delivering statutory or regulatory obligations, or one or more of the council's commitments and priorities set out in its Corporate Strategy 2025-2030 or the One City Plan?
- 2.** Is a partnership the best way to address the issue effectively?
- 3.** Does the council have the required legal powers or permission to set up or participate in the proposed partnership?
- 4.** Are sound governance arrangements in place or planned to manage the partnership? These must include (but are not limited to) risk management and performance management.
- 5.** Can the work required to support the partnership be fully met by the impacted service's current 'core' capacity with no additional resource required (this includes all support services), or appropriate additional capacity has been agreed/secured to support this partnership?

Unless the answer to all five of these partnership questions is 'yes', the council is very unlikely to join or set up a new partnership unless required to do so by law. If the answer to these five questions is 'yes' **the council's usual decision-making pathways should be followed – see section 6.**

In Appendix 1 you can find detailed information and a checklist/form to decide that a partnership is the right approach.

SECTIONS 8 and 9 only apply to formal partnerships.

8 Running or participating in a formal partnership

Successful partnerships rely on skilled management, a clear way of assessing impact, and good governance.

8.1 Management

Skilled leadership enables all partners to contribute to the best of their ability, ensures the partnership is well governed and keeps the focus on achieving shared goals. Choosing the right person to chair the partnership is critical to success. For example, the Chair needs to have personal credibility with other members (or the ability to achieve it quickly) as well as skills in managing meetings and ensuring business is done effectively.

Good working relationships between the individuals who represent the partners are also essential. One of the key causes of ineffective partnership working is poor relationships between individuals involved in the partnership. If the partnership has significant responsibilities, there may be a case for investing in development of the partnership's team.

Alongside good personal relationships between key participants, partners also need a strong shared understanding of the different roles, responsibilities, and ways of working of the partners involved. If the partners already work together regularly this may already exist but if not, it needs to be addressed early in the partnership's life to prevent difficulties down the line. Partners may have very different cultures and approaches to decision making and may operate in different regulatory environments. Quite how different partners are may not become apparent until the partnership is operational. Partners also need to understand the constraints within which each operates, including financial constraints, policy frameworks and the legal responsibilities and duties of each partner (where these apply).

8.2 Equity and inclusion for formal partnerships

Ensure that the partnership has an open and transparent approach to recruiting and appointing board members.

The Public Sector Equality Duty (PSED) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.

Responsibility for this duty cannot be delegated to partnerships or external organisations that are carrying out functions on its behalf. This means that

council decision makers need to be made aware of any issues arising through our partnership work which may potentially have a negative impact on people because of their protected characteristics.

We also need to think about how our partnership work promotes the council's equality and inclusion objectives. Please refer to our Equity and Inclusion Policy and Strategic Framework 2023 – 2027.

8.3 Assessing impact for formal partnerships

As is stated in Section 6, once the partnership is up and running, it is good practice that arrangements are in place for monitoring and reporting progress towards the partnership's stated goals. Suitable milestones may be needed for long-term goals. All partners should be equally accountable for the achievement of all goals, or if this is not possible there should be agreement on which partner is accountable for each.

The partnership's work will usually contribute directly to one of the council's agreed priorities set out in its Corporate Strategy 2025-2030. This might not always be the case for statutory partnerships. Where this is the case, it is essential that the partnership either uses relevant measures from the council's Corporate Strategy, Business Plan or Performance Framework, or that it generates data that can feed into them. Ensure that you contact the Insight, Performance and Intelligence Team when establishing appropriate measures and Key Performance Indicators.

It is good practice to work out how best to identify and capture learning from the partnership's work so this can be used to inform future stages of the partnership's work and the council's wider partnership activities – a mechanism to do this should be incorporated into the structure early on.

8.4 Good governance for formal partnerships

The partnership's governance arrangements must be finalised and appropriately signed off before the partnership starts its substantive work. The processes set out in the governance arrangements must be followed.

Once the partnership is up and running, it is important to keep the right balance between the partnership's accountability to its constituent members and its shared agenda and goals. When things go wrong in a partnership it is often because the partnership leans too far in one of these directions and neglects the other.

Partnership working can be challenging, and it is helpful to have a mechanism in place for dealing with any problems or difficulties that may arise between the partners. This does not have to be a complex procedure: the culture and leadership of the partnership will be as important as its formal arrangements in enabling the partnership to tackle these kinds of difficulties. However, it is

important to think about this before any issues arise as agreeing a mechanism for resolving difficulties can be tricky once they have already happened.

You must consider in the set up and development of a partnership the resourcing impacts. Do you have the right people, technology, and funding to run or participate in the partnership?

Similarly, it is important to think in advance about the partnership's arrangements for handling potentially difficult external issues. Media issues, for example, can develop quickly and need urgent handling, so a clear protocol should be established from the outset. Advice on this is available from the External Communications service.



9 Ending a formal partnership

As partnerships are often the best way of tackling a complex, deeply rooted challenge, some will need to exist in the long term. However, there are reasons why a partnership might come to an end including:

- It is a statutory partnership and is no longer legally required (although partners might decide to continue the arrangement on a voluntary basis).
- The partnership's goals have been achieved. Partnerships should have specific goals so the starting assumption should be that once those are achieved, the partnership should come to an end. There may be a case for it to develop new goals and continue in place, but this should not be taken for granted.
- The partnership is not achieving its goals and does not have a realistic prospect of doing so. This might be because the goals were over-ambitious or because the working relationships between the partners are proving challenging.

When a partnership comes to an end, partners should follow the arrangements for dissolving it in the partnership agreement/terms of reference.

When establishing a new partnership arrangement, it is essential that a clear exit strategy is in place to reduce risks for the council and partners.

The council representative should ensure that any assets and liabilities are managed in line with the original agreement. They should ensure key learning points from the partnership's work are recorded and shared with relevant colleagues: this is just as important if the partnership has been successful as if it has faced problems. A report detailing lessons learned/outcomes achieved should be submitted as part of the dissolving arrangements.

10 Responsibilities of council representatives

Effective collaborations and partnerships need partners and colleagues who can understand each other's points of view and take account of their different roles, responsibilities, powers, resources and cultures. To succeed, partnerships need to identify common goals and work towards them - sometimes, that will involve negotiation and compromise. However, whenever an officer or an elected member is representing the council on a partnership or other form of collaboration, their first responsibility remains to the council and its agreed strategies, policies and goals.

If there is, or appears to be, a conflict emerging between a collaboration or partnership's plans or approach and the council's policies or plans, the council representative should raise this with the collaboration or partnership and seek advice from their line manager and other relevant council officers without delay and before any plans are agreed.

If their involvement in a collaboration or partnership raises, or could be seen to raise, any personal conflict of interest for an elected member or council officer, they should follow the council's existing policy on declaring and managing conflicts of interest – as detailed in the Employee and Member Codes of Conduct.

If more than one council member or officer is involved in the same partnership, one person should be identified as the lead contact for that partnership. This individual is responsible for ensuring this policy is followed and is accountable to it.

Every partnership arrangement that the council enters in should have a lead officer (normally a post, rather than a post-holder) who maintains overall responsibility for the arrangements and ensuring that this policy is being followed. If a lead officer leaves the authority, the new lead officer (permanent or interim) must be identified, and arrangements covered as part of the departing officer's handover.

11 Useful contacts

- Strategic Intelligence and Performance
- Legal
- Policy and Public Affairs
- External Communications
- Democratic Engagement
- Executive Office
- IT
- Finance
- International affairs

12 Toolkit

Appendix 1 – Creating a partnership checklist/form

The following checklist will help you understand if creating a partnership is the right approach for your needs. The flow chart in Appendix 2 summarises the steps to take depending on your answers to the checklist.



The importance of focusing the council's constrained finances and resources on priorities applies as much in partnerships as in any other part of the council's work. The Corporate Strategy 2025-2030 provides a clear framework of commitments and priorities, and all proposed new partnerships should contribute clearly to achieving one or more of the goals set out in the strategy.

By extension, if your partnership is being established to fulfil the requirements of another council strategy, policy or plan which has been formally approved since the adoption of the Corporate Strategy 2025-2030, it is also likely to be a valid reason to form a partnership. In these cases, you should double-check against the Corporate Strategy to assure yourself that the alignment is still clear and that there hasn't been dilution and 'mission creep'.

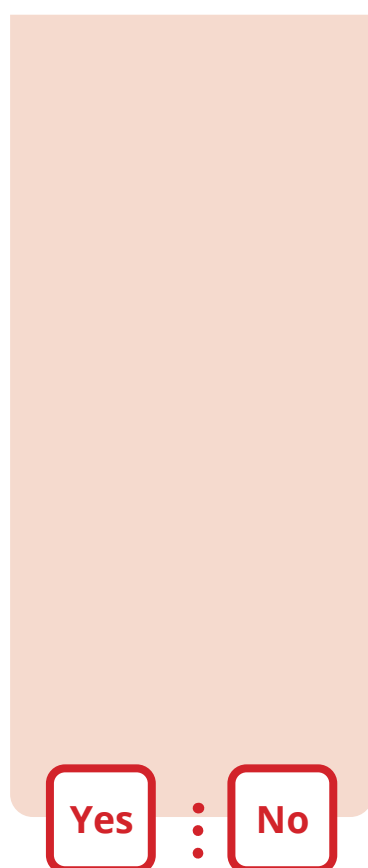
The council must meet its statutory and regulatory obligations, so these are also valid criteria for working in partnership.

Whilst the One City Plan is not owned by the council, it is a key delivery partner and has agreed to align to its aims. Therefore, fulfilling the aims set out in the One City Plan document is also a valid reason to consider partnership working.

Many of the council's strategic commitments and priorities relate to complex challenges on which the council needs to work with others in the city, so partnerships will often be the right course of action. However, there are risks and transaction costs to working in partnership and it can be a slower approach than single organisations working alone. Because of this it is important to establish if the benefits of a partnership approach will outweigh these costs or if a simpler arrangement could achieve the same outcomes.

The potential benefits of a partnership include:

- Being able to take approaches that are rooted in the big issues that face the city and its citizens rather than being limited to the roles or agendas of individual organisations.



- Harnessing diverse ways of thinking to develop creative but practical solutions to complex problems.
- Developing and implementing multi-partner strategies to achieve long-term changes that single agencies could not deliver on their own.
- Being able to co-ordinate the work of different agencies and/or offer joined up services.
- Creating and/or sustaining a sense of common purpose in tackling the issues facing the city
- Creating and/or sustaining constructive working relationships between key organisations within the city and the region.
- Having a clear framework for working with other organisations (which a less formal approach might not provide)
- Being able to manage some of the risks associated with complex projects more effectively (although partnerships have their own risks too)

A proposed partnership does not have to deliver all of these types of benefits, but it must be able to at least deliver some of them, to be worth serious consideration.



Any partnership must work within the confines of the law and within the constraints set on all councils. There are a variety of local government statutes that allow councils to enter into various agreements. The Localism Act 2011 gives local authorities in England and Wales a General Power of Competence (GPC) and allows them to do anything an individual can do, unless prohibited by law and subject to public law principles. Generally, the council has the power to set up or enter into a partnership where through this mean it is trying to deliver value for money and sustain its community. Addressing the following from the outset may help to reduce concerns: transparency and accountability; documented decisions; the purpose and the strategy.

If in doubt about the legality of setting up an agreement, advice from legal services should be sought.

Although the council has wide-ranging powers to advance the wellbeing of the area, these powers are, of course, limited. In particular, the council cannot set up a partnership to do something that would otherwise be unlawful for it to do. E.g., a partnership to pilot Universal Basic Income cannot undermine current benefit rules.

Answering partnership question 4:

Are sound governance arrangements in place or planned to manage the partnership?

The key thing to remember is that a partnership should further our aims and our actions within it (and its own actions) should be in keeping with our existing strategies, policies, and plans. A partnership cannot be an excuse for our policies (for example around Risk Management and Assurance, Equality and Inclusion, Communications, Consultation and Engagement etc.) not to apply.

To safeguard the council's interests (and those of other intended partners) it is essential to develop a governance framework for a proposed partnership **before it begins work**. This would usually take the form of draft terms of reference or partnership agreement that should cover:

- Aims, objectives and structure of the partnership, including its proposed legal structure and the powers that enable the council to participate in it. It should be clear if one of the partners has a lead role and which of the proposed members will act as the accountable body for financial, accounting and human resources purposes.
- Proposed membership and remit. It should be clear what powers, if any, the proposed partnership would have either to take decisions that would bind the council or to commit council resources, including staff time and revenue or capital expenditure. If the proposed partnership would have such powers, the legal basis for this needs to be set out, together with an explanation of how the partnership's way of working will ensure the council's financial and other regulations will be appropriately applied.
- A framework for the conduct of business including how the partnership will be chaired; the basis on which decisions will be made, recorded, and reported back; limits on the partnership's ability to make decisions; ownership of any intellectual property created by the partnership; the arrangements for dissolving the partnership and for reviewing/revising the terms of reference/partnership agreement.
- Intended goals, success criteria and milestones, and where possible arrangements of reporting on progress and impact.
- Clear arrangements for funding the partnership's work, for managing proposed resources including budgets and appointed or seconded staff, for ownership of any assets and liabilities, for financial reporting and for audit.
- Arrangements for identifying and managing risks associated with the proposed partnership. If appropriate, these risks should be incorporated into the council's corporate risk management documentation.
- Protocols for data security and data sharing that comply with all relevant legal requirements, together with clarity about who would be

Yes

No



the data controller(s) and data processor(s) for any data connected with the partnership.

- Arrangements for managing the partnership's reputation and external communications, particularly with regard to any press or media comment, that safeguard the council's reputation and comply with relevant standards e.g., digital accessibility standards.
- If appropriate, business continuity plans.
- How the partnership will manage issues such as modern slavery, fraud, corruption or whistleblowing on which some or all partners may have statutory responsibilities and/or their own policies. There may be a number of satisfactory ways to manage these intersecting responsibilities, but they need to be considered from the outset. An important part of the process is to understand the kind of organisation we are entering into partnership with and at the outset conduct an analysis of all the possible risks. Frequent monitoring and reporting on the arrangements may help minimise the risks. The council's own whistleblowing procedure and anti-fraud, bribery and corruption strategy and policy can be used when entering into collaborative arrangements.

It is not essential (and may not be possible) to have detailed arrangements agreed between prospective partners before the partnership is approved. However, a framework of agreement between all the proposed partners needs to be in place covering all these points before the council can make a decision on whether to set up or participate in the proposed partnership and must be included in documentation taken through the council's decision-making pathway.

A proportionate approach should be taken to the amount of detail needed within the final terms of reference/partnership agreement, taking into account the scale of work, resources and the strategic, financial, operational and reputational risks involved.

Before entering a partnership consider the resource implications within your own 'core' team, and for any other teams across the council. You need to agree in advance how the partnership will be resourced and funded. Make sure you contact all teams which are impacted by the partnership and have agreements in place prior to the beginning of the partnership.

You must also consider IT requirements. If there is the need for additional or shared IT with other partners, contact the IT team and put arrangements in place in advance.

Other factors to consider

Before proposing a new partnership there are a number of other important factors that the council needs to consider including:

- Any appropriate due diligence about proposed partners, especially organisations with which the council has not worked before.
- Whether the partnership will be undertaking with statutory responsibilities and, if so, what assurance will be in place that these are being discharged appropriately?
- How the proposed partnership will contribute to key corporate policies e.g. on equality and inclusion or on integration.

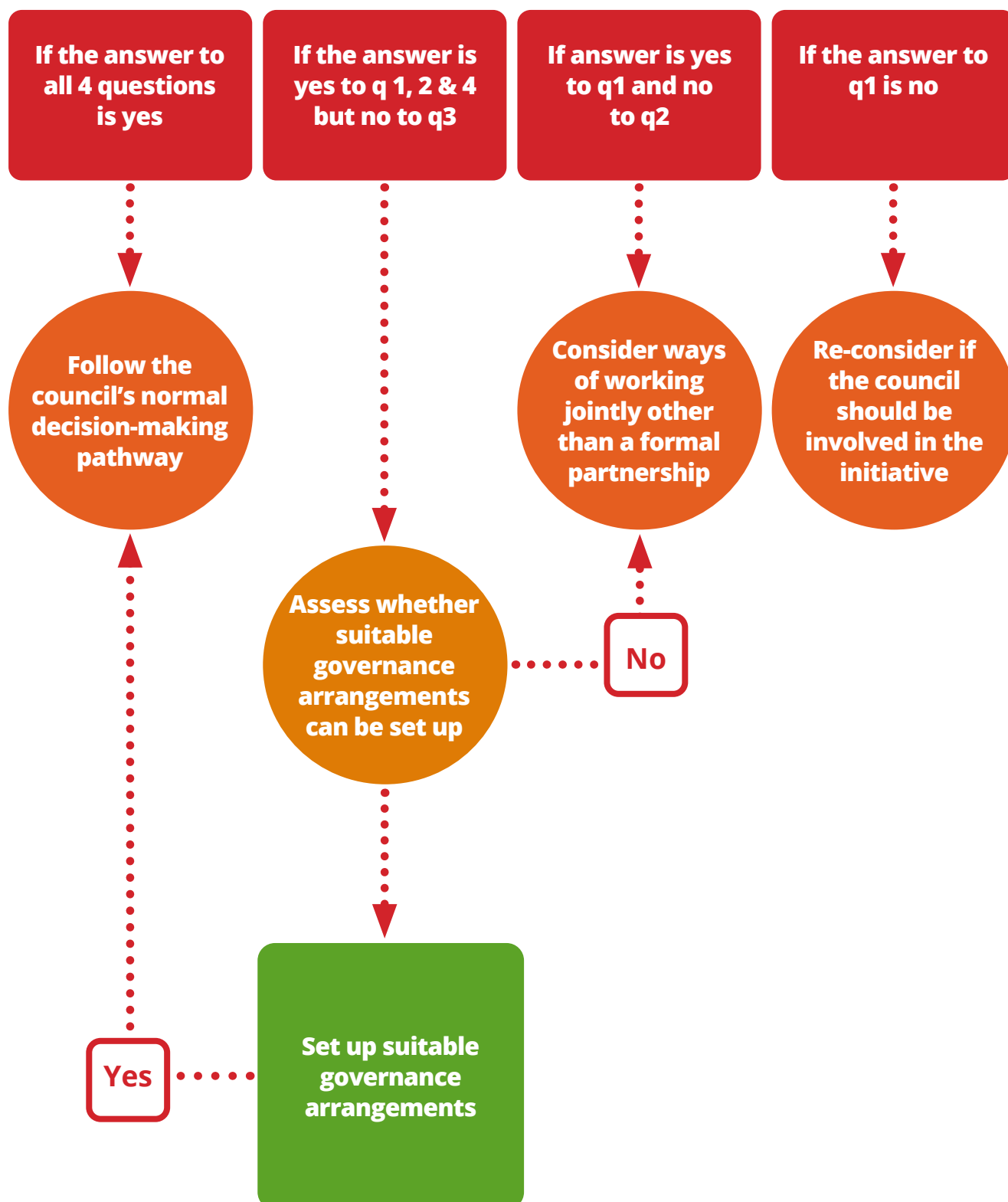
Have all criteria been satisfactorily addressed?

If the answer to one or more of these four questions is 'no' the next steps are as follows:

- If the answer to questions 1, 2 and 4 is 'yes' but suitable governance arrangements are not in place (question 3), the feasibility and opportunity costs of putting suitable governance arrangements in place needs to be assessed. If suitable governance arrangements can be put in place, they should be. The council's decision-making pathway should then be followed. If suitable governance arrangements cannot be put in place, consider other approaches to joint working.
- If the answer to question 1 is 'no', re-consider if the council should be involved in this initiative.
- If the answer to question 1 is 'yes' and the answer to question 2 is 'no', consider other forms of joint working.

The flow chart in Appendix 2 summarises the steps to take.

Appendix 2 – A flow chart setting out next steps after completing partnership questions 1 – 4



Appendix 3 – Examples of different types of collaboration

Memberships: Local Government Association

The Local Government Association (LGA) is the national membership body for local authorities. The council pays an annual subscription fee to the LGA.

This membership brings a range of benefits including the opportunity to influence the LGA's work through membership of boards, commissions and advisory groups, access to support and advice for councillors through our political group office and access to legal advice, opinions and guidance on complex issues. The council has benefitted from this in the form of finance, people, housing and corporate peer reviews in recent years.

As a member, Bristol is able to inform LGA decision making. Through the membership, officers can participate in officer level networks for information sharing and responding. Membership of the LGA also provides access to a regional association via South West Councils. This is an additional voluntary and independent body, run and supported by its member councils.

Process: A membership normally requires a corporate decision to be made. Please speak to your Head of Service, Director and then follow through to secure agreement from your EDM.

Networks: Eurocities

Eurocities is a network of European cities with over 200 cities among their membership, from within and outside the European Union.

The activities of this large network cut across a broad range of themes and foster change through advocacy and projects, while their membership offers extensive networking opportunities, activities, events, training and campaigns.

Bristol is an active member of the Eurocities network, and benefits from the knowledge, links and opportunities it provides, helping us deliver strategic priorities areas for the council and city partners.

Process: A network partnership requires a corporate decision to be made. Please speak to your Head of Service, Director and then follow through to secure agreement from your EDM. Agreement should also be secured via a Policy Committee Chair Briefing.

Forums: The Bristol Clean Streets Forum

The Bristol Clean Streets Forum brings together volunteers and community activists, council officers, councillors, the police and Bristol Waste to work together to improve the street scene and waste management in Bristol.

Meeting quarterly, the forum provides a platform for volunteers and activists to share their insights and to highlight opportunities for service improvement. The forum has agreed overarching aims and objectives that guide its activities.

Process: Establishing a forum requires a corporate decision to be made. Please speak to your Head of Service, Director and then follow through to secure agreement from your EDM. Agreement should also be secured via a Policy Committee Chair Briefing. Joining an already established forum requires agreement of your Head of Service and Director.

Partnerships: Bristol Civic University Agreement

Bristol Civic University Agreement commits the University of Bristol, University of the West of England, City of Bristol College, Bristol City Council, and the City Office to working in partnership in accordance with guiding Principles, to leverage our combined resources and networks for the benefit of Bristol.

The partnership aims to deliver positive benefits to the city of Bristol including new jobs, apprenticeships, research collaborations and educational opportunities. It provides a strong foundation for each organisation to work more closely together, to deliver against the priorities of the region.

Process: When seeking to establish or join a formal partnership, complete the checklist at Appendix 1 and speak to your DLT support manager.

Appendix 4 – Draft formal partnership* agreement

***This agreement template is only for partnerships as defined within Bristol City Council's Partnerships and Collaborations Policy.**

Not for use for contractual arrangements made by the council with third parties to deliver a service on behalf of the council but where the council and the service provider have no shared objectives.

Not for use for corporate agreements in the form of Ltd or Plc companies or LLP and formal partnership agreements which are governed by the Companies Act 2006, the Partnership Act 1890 or the Limited Liability Act 2000.

[Your Organization/Company Name] [Your Address] [City, Postal Code] [Date]

Partnership Agreement

Between

Bristol City Council [Address] [City, Postal Code]
(Hereinafter referred to as "the council")

and

[External Partner's Name/ organisation] [Address] [City, Postal Code]
(Hereinafter referred to as "the Partner")

Introduction

This Partnership Agreement (the "Agreement") is entered into between the council and the Partner to outline the terms and conditions of collaboration and partnership in pursuing shared goals and objectives related to [briefly describe the nature of the partnership, e.g., community development, environmental conservation, infrastructure projects, etc.] within the Bristol area.

Purpose and Objectives

The parties shall collaborate to achieve the following objectives:

[Clearly outline the specific objectives, outcomes or goals of the partnership and how it links to partners strategic objectives]

Roles and Responsibilities

4.1 Responsibilities of the council:

[List the key responsibilities and contributions that the council will undertake in the partnership.]

4.2 Responsibilities of the Partner:

[List the key responsibilities and contributions that the Partner will undertake in the partnership.]

Duration of the Agreement

This Agreement shall become effective on [start date] and shall remain in force for a period of [duration of the agreement], unless terminated earlier by mutual written agreement or due to a breach of terms. Agreements will be reviewed on an annual basis to ensure the partnership are delivering against the purpose and objectives.

Resources and Contributions

Both parties shall make available the necessary resources, expertise, and funding to fulfil their respective responsibilities as outlined in this Agreement.

[list the specific details of the resources and contributions agreed upon - subject to the availability of funds and resources.]

Governance and Decision-Making

The partnership shall be governed by [articulate governance arrangements] consisting of [which representatives' representatives.]

[Outline of governance arrangements – meeting/reporting rhythm (e.g. monthly, quarterly) and what they will achieve (e.g. review progress, make decisions, and address any challenges that may arise) and how major decision will be made (e.g. vote, mutual consent)]

Communication and Reporting

Both parties shall maintain open and transparent communication throughout the partnership. Regular progress reports may be submitted by both parties to [who is accountable for the partnership (e.g. aforementioned governance, policy committee member, senior responsible officer), highlighting achievements, challenges, and any necessary adjustments to the objectives or activities.

Intellectual Property Rights

Any intellectual property created or developed jointly during the partnership shall be mutually agreed upon by the parties in writing. Both parties shall respect each other's intellectual property rights and seek permission for any use beyond the scope of this partnership.

Confidentiality

Both parties shall treat all confidential information shared during the course of the partnership with the utmost confidentiality and shall not disclose such information to any third party without prior written consent.

Termination

This Agreement may be terminated by either party by giving [number of days, e.g., 30 days] written notice to the other party. In the event of termination, both parties shall cooperate in concluding ongoing activities and shall make reasonable efforts to minimize any adverse impact.

Amendment

Any amendments or modifications to this Agreement shall be made in writing and signed by authorized representatives of both parties.

In witness whereof, the parties have caused this Agreement to be duly executed as of the date first above written.

[Signature and Title of council Representative] [Signature and Title of Partner Representative]

For Bristol City Council For [External Partner's Name]

** before the end of the Financial Year 2027/2028 all new partnerships must be registered on the partnership register. Please contact your directorate's Executive Support Manager to access the register.