TOOL 12

Framework for developing a partnership agreement

1. Establish the purpose of the agreement (see Joint working agreements, NCVO, 2006) (discussion with lead partner)

2. You may wish to check at this stage how trustee boards will be involved. Are they sufficiently represented on the partnership board? Will they be involved from the beginning in creating the agreement(s)? Or will they be presented with a finished document for approval?

3. You may need to support the partnership in carrying out a risk assessment (see Undertaking a risk assessment on page 27) before deciding what type of agreement is needed and how formal it needs to be. (face-to-face with all partners together)

4. If appropriate make some initial modifications to a specimen agreement on behalf of the collaboration, so that it starts to look relevant (for example, inserting names where appropriate, deleting questions that clearly don’t apply) (desk-top research and provision of resources)

5. Circulate a first draft (you may want to include options to choose from; for example more/less formal and detailed specimens) (email to partners)

6. Go through each section, discussing and amending as needed (face-to-face with all partners together). This process may be relatively straightforward but often throws up issues that may need further exploration, for example, how will potential competition be managed (for bidding partners)? Will partners be able to bid independently as well as through the consortium? And if so, what should the communication protocols be? Should partners be informed before or after the event, if at all?

7. Undertake further amendments following this meeting, and circulate a second draft to partners, who may want to circulate more widely (all trustees for each organisation should agree the document before it is signed off). Following this the partnership should be in a position to sign off the agreement or MOU.

NB It’s possible that the collaboration may need more than one agreement to cover different eventualities, especially in relation to collaborating for commissioned work.