

**Kent County Council
Swale Borough Council, Maidstone Borough Council
and Tunbridge Wells Borough Council
Strategic Partnership**

MEMORANDUM OF UNDERSTANDING

1 PURPOSE OF THIS MEMORANDUM OF UNDERSTANDING

- 1.1 The purpose of this Memorandum of Understanding (referred to in the remainder of this document as the Memorandum) is to:
- i. Record the intent to establish a strategic partnership, currently referred to as the MKIP Strategic Partnership, between the signatories. This Memorandum is explicitly not intended to be a legally binding agreement;
 - ii. Establish the way that the partner signatories to the Memorandum will work together to promote the effective planning and delivery of Public Sector services;
- 1.2 For the avoidance of doubt nothing that is done by any of the parties in pursuance of this Memorandum and/or of the Partnership shall be of any legal effect or bring into existence formal legal relations or obligations unless and until those matters are formally agreed in a written document that is signed by the parties and specifically expressed to be legally binding. It is anticipated that these agreements will be made in respect of individual projects.
- 1.3 The Partners to the Memorandum are as defined in Appendix 1 which may change from time to time.
- 1.4 Partners will not be obliged to undertake participation or expenditure without that being agreed by them as individual Partners. In other words an individual partner can choose not to opt in to a specific initiative.

2 PARTNERSHIP OBJECTIVES

- 2.1 To enable the Partners to work together to develop and maintain Strategic Partnership services and projects in the most efficient, effective, economical and sustainable manner.
- 2.2 To maximise value from Strategic Services for the benefit of all Partners.
- 2.3 To promote the development and use of Strategic Services in collaboration with other public sector bodies, including but not restricted to, statutory agencies, Non-Governmental Organisations (NGO's), and voluntary organisations.
- 2.4 To develop a long-term vision and influence the long-term planning for Strategic Service delivery.

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3 GOVERNANCE

3.1 Governance arrangements are in place to support this memorandum. This comprises elected members and Chief Executives or their representatives forming the MKIP Management Board.

4 KEY PRINCIPLES

4.1 The Partners, individually and collectively, have agreed the following key principles to guide the activities of the Partnership:

4.2 All Partners will have one equal share in the partnership which means one vote.

4.3 All significant new initiatives and changes in working practices that impact on the way services are delivered shall be openly discussed with the Partners to the Memorandum.

4.4 Signatories to this memorandum agree to work together in a spirit of mutual trust, support and respect, and to ensure that when difficulties or differences of opinion arise they are addressed quickly, honestly and openly.

4.5 Actions and decisions to be taken by the Partnership should take into account what is fair and equitable for each Partner.

4.6 The Partnership will explore the development of joint initiatives, with or without third party involvement.

4.7 Joint initiatives take two forms:

- i. it may be a statement of agreed actions/principles to be carried out by each partner with its own staff or funding
- ii. it may be a legally binding arrangement whereby any party takes actions on behalf of all of the other partners and provides funding or other resources. This kind of initiative will be the subject of a separate legally binding agreement.

4.8 All Strategic projects will be accompanied by a full business case that includes financial and staffing resources and how they will be shared

4.9 All Strategic projects will be approved via the agreed MKIP decision making process

4.10 Strategic Projects are defined as ;

- i. Projects that will provide long term solutions for all partners

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- ii. Projects that are replicable across the wider region
 - iii. Projects that will enable fundamental redesign for public services in Kent
- 5 The Partners agree to provide and share information necessary to monitor and measure the effectiveness of the Services. This information, particularly financial information, will be shared under an open book approach.

6 WITHDRAWAL FROM THE PARTNERSHIP

- 6.1 A Partner may withdraw from the Partnership at any time but this will not affect its liability with any specific legally binding agreements. Nevertheless it is expected that Partners will not withdraw from the Partnership without a full discussion of their reasons for this at the MKIP Partnership Board.

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IN WITNESS of which the following sign this Memorandum
SIGNED on behalf of (Partner)
by {Name})
in the presence of:-)
Date:)

SIGNED on behalf of {Partner})
by {Name})
in the presence of:-)
Date:)

SIGNED on behalf of (Partner)
by {Name})
in the presence of:-)
Date:)

SIGNED on behalf of (Partner)
by {Name})
in the presence of:-)
Date:)

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APPENDICES

Appendix 1 – The Partners

Swale Borough Council
Maidstone Borough Council
Tunbridge Wells Borough Council
Kent County Council

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Appendix 2 – MKIP ICT Organisational Model

