



# **CONSTITUTION**

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## DARLINGTON PARTNERSHIP CONSTITUTION

### PARTNERSHIP STATEMENT OF PURPOSE

- 1.1 To guide the development and implementation of the Sustainable Community Strategy for the Borough that sets out a shared vision for the future of the area improving the quality of life of those who live, visit or work in Darlington.
- 1.2 To work in partnership with key stakeholders from the public, private, voluntary and community sectors to coordinate services and ensure they meet the needs of the citizens of Darlington
- 1.3 To develop, implement and evaluate the Local Area Agreement (LAA) through the Themed Groups of the Partnership and so deliver the overall vision of the Sustainable Community Strategy.
- 1.4 To embody all the functions of a Local Strategic Partnership as envisaged by primary legislation and supporting guidance.

### PARTNERSHIP KEY TASKS

- 2.1 The key tasks of Darlington Partnership are:
  - To produce and develop in consultation with the community and other stakeholders a Sustainable Community Strategy;
  - To coordinate the actions, service delivery and resources of the public, private, voluntary and community sectors through more effective planning and budgeting that improve services and address local priorities;
  - Facilitate the strategic alignment and integration of plans, partnerships and initiatives within the Borough;
  - Work with and support statutory bodies in improving public services to meet identified community need and aspirations;
  - To embrace existing mechanisms and structures to actively involve the key organisations from the public, private, community and voluntary sectors in all activities of the Darlington Partnership;
  - To monitor manage and evaluate performance through a performance management framework;
  - To ensure the interests of the Borough are represented and promoted at a sub regional, regional and National level;
  - To work with Darlington Borough Council and other public service organisations to develop and implement the Local Area Agreement for the improvement of services reflecting national and local priorities;
  - To engage the public in Partnership activities and decision making processes, which affect their communities;
  - To promote and include sustainability within all social, economic and environmental initiatives;
  - To develop and implement operational structures that promote effective and efficient working arrangements that reduce bureaucratic procedures;

- 2.2 In implementing these tasks Darlington Partnership are committed to the principles of equality and will at all times seek to value cultural diversity, respect community identity and work towards reducing inequality and social exclusion.

## **KEY PARTNERSHIP CHARACTERISTICS**

- 3.1 A member of Darlington Partnership is defined as a member of the Partnership Board, Themed Groups, Sub-Groups and working groups. Members of the Darlington Partnership will:
- Focus on the Borough of Darlington and the needs of its citizens, particularly those who are marginalised or disadvantaged.
  - Understand and promote the priorities contained within the Sustainable Community Strategy and Local Area Agreement – ‘One Darlington : Perfectly Placed’.
  - Work positively and collaboratively to improve economic, social and environmental well-being, thereby improving the quality of life for its citizens.
  - Endeavour to eliminate deprivation and economic disparity and welcome and embrace diversity.
  - Value and respect the contribution of all partners
  - Speak with the authority and support of their organisation.
  - Influence the decision making processes of their own organisations to commit resources, adjust priorities and deliver changes to service delivery to meet the Partnerships overall vision.
  - Be open, transparent and honest.
  - Provide a safe, supportive environment that encourages people to participate and contribute.
  - Ensure that communication within the partnership is clear and understandable.
  - Be accessible.
  - Champion the area of Darlington by recognising and building on the strengths.
  - Be flexible in achieving our aims
  - Be accountable for performance as specified in the SCS and LAA

## **PARTNERSHIP STRUCTURE**

- 4.1 Darlington Partnership will be managed by a Partnership Board supported by Themed Groups. This is represented graphically at Appendix A.

## **PARTNERSHIP BOARD MEMBERSHIP**

- 5.1. Darlington Partnership Board membership will be representative of the public, private, voluntary and community sectors and will have equitable representation across sectors with additional elected member involvement.
- 5.2. In addition agencies with a statutory duty-to-cooperate will be invited onto the Board or work through the Themed Groups and secretariat as agreed by the Board.
- 5.3. The Chair and Vice Chair of the Partnership will be elected biennially at the Partnership Annual General Meeting (AGM) and will become the Chair and Vice chair of Darlington Partnership Board. Should the position of Chair or Vice Chair become vacant prior to the AGM then the Partnership Board will appoint an interim Chair or Vice Chair within two months of the positions becoming vacant.
- 5.4. Employees working within the Partnership are bound by the policies and procedures of their employing organisation e.g. codes of conduct, anti fraud and corruption, information governance

## **PARTNERSHIP BOARD ROLES AND REMIT**

- 6.1 The Partnership Board will manage the Partnership and will carry ultimate responsibility for the Partnership's strategy development, overall purpose, aims and principles.
- 6.2 The Partnership Board will establish a policy framework for the Sustainable Community Strategy in collaboration with Themed Groups.
- 6.3 The Partnership Board will establish a performance management framework to monitor the delivery of locally agreed targets and priorities encapsulated within the Sustainable Community Strategy and Local Area Agreement.
- 6.4 The Partnership Board will develop, monitor and evaluate Partnership funding streams relevant to the LAA and the secretariat's running costs.
- 6.5 The Partnership Board will coordinate consultation exercises on behalf of its partners to ensure that effective internal communications between partners and external communications with the wider community are established and maintained.
- 6.6 The Partnership Board will liaise with external agencies and will promote the needs of the Borough.
- 6.7 The Partnership Board may establish time limited sub-groups and working parties when appropriate and may co-opt members to them.
- 6.8 The Partnership Board will exercise its functions within the context of the following statement of principles:
  - I. Board members must recognise that they do not enter a separate legal entity by being a part of the LSP and their decisions must be taken as delegates of their organisation. This is to avoid the risk of the LSP making decisions that cannot be enacted;

- II. Board members shall agree that they are entering into partnership arrangements and will participate in developing the work of the Board based on mutual trust.
- III. Board members shall adopt a policy of mutual openness about information and intentions of individual organisations relevant to the remit of the Board.
- IV. Members acknowledge that the Board provides a strategic forum for coordinating, planning and agreeing interventions to improve Darlington.
- V. Board members recognise that in the operation of the Board's work each will need to take account of any particular challenges faced by individual partners.
- VI. Board members recognise that in exercising its functions, the Board shall have regard to the policies and guidance which apply to each of the individual partners.
- VII. Board members shall adhere to and develop their work based on the vision statement approved by the Board.
- VIII. Where decisions of the Board require ratification by other bodies the relevant Board member shall seek such ratification in advance of any meeting of the Board or promptly following the Boards recommendations. (See 11.8)

#### **DARLINGTON ASSEMBLY**

- 7.1 Darlington Assembly will aim to meet twice each year to report on progress of the Sustainable Community Strategy to an invited audience of representatives from all sectors of the borough. The LSP will agree if the Assembly will also be used for strategic consultations and other discussions.

#### **EXECUTIVE GROUP**

- 8.1 The Executive Group of the Board will undertake to:
  - Ensure that the Themed Groups are addressing the priorities of the Sustainable Community Strategy – “One Darlington : Perfectly Placed”
  - Strategically manage the Local Area Agreement and ensure that progress is being made against targets
  - Provide a forum for Themed Group chairs to discuss issues of cross-cutting importance
  - To scrutinise policies and strategies prior to presenting them at a full LSP
  - To agree priorities for the Partnership and secretariat
  - To agree the agenda for the LSP
 This will include:
  - Challenge SCS targets set by Theme Groups (narrow the gap/top quartile in longer term);
  - Challenge LAA targets set by Theme Groups and agencies;
  - Influence the plans of other public sector organisations (by aligning Planning and Budgetary cycles);
  - Identify for the Board the size of the ‘investment pot’ (including from other organisations);
  - Identify for the Board the criteria for the Area Based Grants review;
  - •Recommend to the Board a ‘bidding’ process to plug gaps in the SCS on the basis of where investment can secure the biggest gains. On completion of the bidding process monitor the medium term change programme (with appropriate programme and performance management).

- 8.2 The Executive Group will comprise:
- Leader of Darlington Borough Council – Chair
  - Chair and Vice-Chair, Darlington Partnership
  - 5 x Themed Group Chairs
  - Chief Executive, Darlington Borough Council
  - Executive Director, Darlington CVS

The Chief Executive of Darlington Partnership and Assistant Chief Executive of Darlington Borough Council will be in attendance.

- 8.3 To exercise its functions within the context of the principles contained in 6.8.

## **THEMED GROUPS**

9.1 The Darlington Partnership will deliver “One Darlington : Perfectly Placed” through five Themed Groups which will comprise.

- Prosperous Darlington
- Making Darlington Safer (the CDRP)
- Health and Well Being Partnership
- Children’s Trust (Aspiring Darlington)
- Greener Darlington

A high level Culture Network will ensure that Culture is addressed as a major cross-cutting issue. A discussion group drawn from across the community will analyse the One Darlington priority and make recommendations to Themed Groups.

9.2 Membership will be representative of the work of the Themed Groups and will be subject to review on an annual basis to ensure that it is responsive to developing agenda and to encompass organisational requirements arising from any new legislation. Membership lists will be submitted to the Partnership Board to be endorsed.

9.3 The Partnership Board will nominate a Chair and Vice Chair biennially or within two months of becoming vacant for each themed Group. This should be staggered so that no more than half of the Themed Group Chairs are elected each year to give continuity and stability to the Partnership.

9.4 The Chair of a Themed Group will be a member of Darlington Partnership Board and Executive Group. The Vice Chair will support the Chair in the conduct of his/her duties and will attend the Partnership Board in their absence.

## **THEMED GROUP ROLE AND REMIT**

10.1 Themed Groups will direct, monitor and develop strategy and performance within their policy area in line with the Sustainable Community Strategy.

10.2 Each Themed Group will develop its own terms of reference, taking account of its unique statutory and other duties.

10.3 The Themed Groups will have the power to act on behalf of the Partnership within the remit laid down and agreed by the Partnership encapsulated by the Sustainable Community Strategy.

10.4 Each Themed Group will ensure the delivery of the Local Area Agreement by establishing, developing and implementing action plans for policy themes identified within the Sustainable Community Strategy. Each action plan will include:

- An assessment of the immediate and future needs with regard to the policy theme.
- A programme of specific actions, tasks and responsibilities.
- Key performance targets and milestones
- The allocation of specific responsibilities against each action and associated target.
- The preparation of external bids for external funding to support the implementation of the action plans.

- 10.5 Themed Groups will develop a robust collection, monitoring, and evaluation performance framework. They will report progress against action plans at least six monthly to the full LSP.
- 10.6 The Themed Groups will co-ordinate the work of their Priority Groups against the Sustainable Community Strategy and Local Area Agreement targets and objectives and will keep the full Partnership apprised of progress.
- 10.7 To exercise their functions within the context of the principles contained in 6.8.
- 10.8 The Chair of each Themed Group will ensure that it is acting within its authority as defined by the Partnership Board and Executive Group. The Chair will represent the work of the Themed Group at the full Board as well as the Executive Group. This will include lobbying for resources to meet priorities defined in the sustainable community strategy and local area agreement. The Chair will set agendas for Themed Group meetings on advice from their lead officer.
- 10.9 Lead Officers will ensure all elements of administration in relation the running of a Themed Group are organised efficiently. This will include the calling of meetings, production of minutes and reports and clear reporting on performance management of the priorities and indicators in their area of responsibility. The Lead Officer is also responsible for ensuring communication across Themed Groups takes place and that priorities of a cross-cutting nature are being addressed. The Lead Officer is also responsible for ensuring that the project, financial and performance management of the LAA is conducted within the agreed processes of Darlington Partnership, Darlington Borough Council (the accountable body of the LSP) and, when appropriate, the demands of other partners especially in relation to resource management.

## **PARTNERSHIP OPERATIONAL ARRANGEMENTS**

### **11.1 Agendas and meeting papers**

**Agenda.** - Each member of a group may send to their secretariat items that they wish to include in the agenda. The items for inclusion on each agenda will be agreed with the relevant Chair.

**Papers.** - Darlington Partnership papers will normally be circulated seven days in advance of a meeting.

**Minutes - Board** Minutes of Board meetings will be taken by the Partnership Secretariat and once agreed by the Chair of the Partnership Board will be circulated to Partnership Board members.

**Minutes - Themed Groups** The designated support officer will take minutes of meetings and circulate to all of their Themed Group members. In an effort to ensure good communication within the Partnership, a bullet point list of topics discussed will be forwarded to the Partnership Secretariat for publication by the Partnership.

A bullet point list of topics discussed at the meetings will be produced by the secretariat for publication by the Partnership. Information will also be included in the Community Partnerships briefing.

### **11.2 Attendance at meetings**

Members will endeavour to attend all meetings of their Partnership Groups.

If members are unable to attend a meeting then they should send their apologies.

Partnership members may be represented by named substitutes from the member organisation in their absence. The substitute may speak and vote on behalf of the member.

Organisations are to withdraw membership of the Partnership where three consecutive meetings are missed, other than in exceptional circumstances.

A record of attendance will be maintained at each meeting.

### **11.3 Accountable Body**

Darlington Borough Council will act as the accountable body for financial matters on behalf of the Partnership. All accounting arrangements will be made under the supervision of the Director of Corporate Services and DBC Internal Audit procedures.

### **11.4 Conduct at meetings**

Meetings will be conducted in line with normal good practice for debate. Remarks will be directed through the Chair. All members will be given a reasonable opportunity for their views to be heard. Any remarks should relate to issues and not to individuals.

### **11.5 Constitutional Amendments**

This Constitution may be changed or amended by a resolution passed by two-thirds majority of Partnership Board members present and that are entitled to vote at a meeting. Notification of proposed amendments will be provided to the Board 10 days before the meeting.

#### 11.6 **Conflict of Interest**

A conflict of interest can arise when a member of the Partnership may gain or be perceived to gain financially, commercially or personally as a result of Partnership business.

#### 11.7 **Declaration of Interest**

If any Partnership member has a personal or financial interest whether direct or indirect, in any matter under consideration by the Partnership, the member will declare that interest verbally at the meeting, or if a confidential matter to the Chair

Any declaration of interest will be recorded in the Minutes of the meeting.

When accepting membership of the Board each member must complete a Register of Interests, which will be kept by the Secretariat and be open to inspection by any member of the Darlington Partnership. In the spirit of openness, interests should be declared where appropriate. Those declaring an interest may be asked to leave the room and will take no part in the discussion, decisions or the voting. However, the Board if appropriate can invite the interested party to provide factual information before the discussion begins. As a minimum the Register must be updated on an annual basis.

#### 11.8 **Decision making and voting**

**Decision Making.** Members of Darlington Partnership and Themed Groups take decisions in the context of the powers delegated from partner organisations – members of Darlington Partnership act as representatives of their organisation not as independent directors or trustees and as such must ensure that LSP decisions are consistent with the policies of their organisation.

Where possible the Partnership and sub groups will reach decisions by consensus. Should a consensus not be reached a vote may be called and the decision carried by the majority of those present and voting at the meeting. The Chair of the Partnership will have the casting vote.

All decisions relating to commissioning and allocation of resources must be ratified by the relevant accountable body for that funding as well as the full LSP having first been approved by the Executive Group.

**Named Substitute.** Partnership members may be represented by named substitutes from the member organisation in their absence. The substitute may speak and vote on behalf of the member.

The Partnership and sub groups will consider motions, which are moved and seconded, and a vote will be taken.

**Quorum.** For Partnership meetings to be quorate at least one third of the current members must be present.

**Urgent Decisions.** If an urgent decision is required which cannot wait until the next meeting then a special meeting can be arranged. If this is not practicable then the Chair in discussion with Chief Executive of Darlington Partnership and the Vice Chair, may take a decision. The decision must be reported to the next scheduled meeting of the appropriate group.

#### 11.9 **Dissolution of the Partnership**

The Darlington Partnership may dissolve if it determines it necessary or advisable to do so by calling a meeting of the Partnership Board giving 21 days notice. The Partnership would be dissolved if such a proposal were supported by a two-thirds majority of those present and voting at the meeting.

Dissolution may also occur if the Secretary of State gives direction to this effect.

#### 11.10 **Financial Year**

For accounting purposes the Darlington Partnership financial year will correspond to that of the Borough Council and will therefore commence on April 1<sup>st</sup> each year and end on March 31<sup>st</sup> the following year.

#### 11.11 **Freedom of Information Act**

The Freedom of Information Act gives everyone the right to access information that is held by public authorities. Darlington Borough Council has developed guidance to help staff comply with the act. Darlington Partnership works within this policy when giving out information to partners and the public.

#### 11.12 **Legal Status**

Darlington Partnership is not a legal entity but is established pursuant to the Local Government Act 2000 and subsequent Government guidance with other bodies to achieve its objectives. It is not the accountable body for any grant or funding regime.

This constitution does not change, replace, substitute or amend in any way the statutory duties or other responsibilities of partners. It does not change, replace, substitute or amend in any way partner's' own management or accountability frameworks nor does it prevent any individual partner from pursuing their own individual actions.

#### 11.13 **Meetings**

##### **i) (AGM) Annual General Meeting**

The Partnership will convene an Annual General Meeting (AGM) usually in July each year to tell the wider partnership about past activity, current issues and future plans. The AGM will usually be a half-day event and cover: -

- Updates on financial and performance management
- Updates on recent partnership activity
- Share and celebrate good practice
- Debate key issues for the Borough
- Refresh Partnership membership
- Elect the Partnership Board Chair and Vice Chair on a biennial basis

The AGM is open to all partners who represent a community of interest in the public, private, community or voluntary sector in Darlington.

**ii) Extraordinary Meeting**

Any ten voting Members of a Partnership group can convene special meetings of their group with the approval of their Chair/Vice Chair – in which case at least seven working days notice must be given prior to the meeting. It should be noted that for a Partnership meeting to be quorate at least one third of the current members of the group must be present.

**iii) Events and Conferences**

The Partnership will endeavour to hold two assemblies and other themed conferences each year as well as other events to develop future plans and address cross cutting issues. The conferences will not have any formal decision making powers but a report and action plan based on the results of the conference will be produced and ratified by the Partnership Board.

The assemblies and conferences will usually be half-day events and provide an opportunity to: -

- Share and celebrate good practice
- Debate key issues for the Borough
- Provide an opportunity to improve Partnership communication and working relationships
- Address areas for improvement, new legislation or policy development identified via the Partnerships performance management assessments

Themed conferences will be open to all partners who represent a community of interest in the public, private, community or voluntary sector in Darlington.

**iv) Frequency of Meetings**

The Partnership Board should meet on a two-monthly basis and the normal duration will be no more than 2 hours.

Themed Groups should meet no less than quarterly. Additional meetings may be called as and when required.

**v) Public Attendance**

The public may not attend meetings of the Partnership Board.

Papers for Partnership Board meetings will be available to members of the public and the press. An appropriate charge may be made for copying of papers.

**vi) Quorum**

For Partnership meetings to be quorate at least one third of the group's current members must be present.

The membership information below provided universal requirements for member of the Partnership however details of requirements pertinent to specific groups are shown in the relevant sections of the constitution.

Darlington Partnership membership will be representative of the public, private, voluntary and community sectors in the Borough of Darlington. A member of Darlington Partnership is defined as a member of the Partnership Board, Themed Groups and Sub-Groups.

Membership will be representative of the work of the Partnership and will be subject to review on an annual basis to ensure that it is responsive to developing agenda and to encompass organisational requirements arising from any new legislation. Membership lists of the Themed Group will be submitted to the Partnership Board to be endorsed.

Organisations, groups and businesses who are members of the Partnership Board and Themed Groups will nominate representatives who can operate at a strategic level and meet the key characteristics expected of partnership members shown in key characteristics at 3.1 above. If a nominated individual changes employer or loses an honorary position, then subject to them being separately co-opted as a member, their attendance at Partnership meetings will cease. In any event the member organisation will be asked to nominate a replacement.

Partnership Board and Themed Group members may be represented by named substitutes from the member organisation in their absence. The substitute may speak and vote on behalf of the member.

New member organisations may be nominated and considered at any Partnership meeting and will be admitted subject to a simple majority of those present with the proviso that membership limits are not exceeded.

The Board will agree which members are a part of the LSP because of the position held and which are elected or invited to join to represent a particular sector or interest.

Should the Partnership consider the need to review the membership of an individual representative or organisation, the member will have the right to be heard. Expulsion from the Partnership for good and sufficient reason must be supported by a two-thirds majority of those present and voting at the meeting.

Partnership Members may withdraw their membership at any time. Member organisations are to withdraw membership of the Partnership where three consecutive meetings are missed, other than in exceptional circumstances.

#### 11.15 **Partnership Management**

The management and secretariat function of the Darlington Partnership will be the responsibility of the Chief Executive of Darlington Partnership.

#### 11.16 **Performance Management**

The Partnership Board will establish a performance management framework to monitor the delivery of nationally and locally agreed targets and priorities which are encapsulated within the Sustainable Community Strategy.

The Partnership will manage performance using a performance management framework that meets accreditation standards.

Themed Groups will develop and implement a performance management framework on behalf of their Priority Groups.

#### 11.17 **Training and Induction**

The Partnership will ensure that appropriate training and induction processes are in place to enable members of the Partnership to effectively undertake their roles and duties in relation to the Partnership.

#### 11.18 **Internal Audit**

To carry out their duties effectively, Internal Audit staff from partner organisations shall have access at all reasonable times to:

- all assets, documents, accounts, property, vouchers, records, correspondence and other information and data from partner organisations which are necessary for the proper performance of their duties;
- any partner organisation or agency employee, to obtain information, explanations and assurance deemed necessary to form an opinion on the adequacy of systems and/or controls.

All Officers and Members of the partner organisations will render every assistance to internal auditors in the conduct of their business.

#### 11.19 **Disclaimer for Minutes of Partnership Meetings**

Minutes of the meetings of the Partnership will make it clear that they do not express the views of individual partners.

#### 11.20 **Equality Impact Statement**

The Partnership will assess their performance in addressing the needs of the community that is consistent with the Darlington Borough Council Equality Standard.

The Partnership will take into account the needs of the range of disadvantaged groups in the area and where appropriate equalities impact assessments can be used, along with all other tools available to ensure that the SCS reflects and the LAA meets local needs.

The Partnership should be especially mindful of the expectations made by the Commission for Equality and Human Rights with regard to disability, age, gender, religion or belief, sexual orientation or race. It states:

“It is unlawful for a public authority exercising a function of a public nature to perform any act which constitutes discrimination. This applies to all the legal grounds for discrimination.

Organisations in the public sector are expected to lead the way in carrying out their functions with demonstrable respect for equality and human rights. In the delivery of services, and in the devising of policies and procedures, public authorities have a crucial role to play in promoting the values and practices of a fair and democratic society.”

The Partnership will conduct an annual equality impact assessment of its performance in addressing the needs of disadvantaged or isolated groups in Darlington.

#### 11.21 **Criminal Records Bureau (CRB) Compliance**

The partnership will ensure that all members and officers comply to CRB requirements at a level agreed at the partnership's inception. Evidence of compliance will be expected as a prerequisite of involvement with the partnership and will be held by the partnership's lead officer.

#### 11.22 **Press Statements**

A communications strategy will be agreed by the partnership to include protocols around making public statements to the press and broadcast media on behalf of the partnership whether by members, officers or funders.

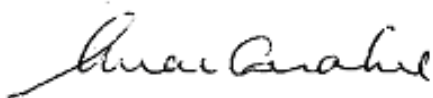
#### 11.23 **Records and Document Management**

All records and documents relating to the partnership will be held by the lead officer and are available for inspection or audit by any partner within a reasonable timescale. The partnership will comply with Data Protection and Freedom of Information Policies for public bodies.

#### 11.24 **Risk Management & Partnership Health Check**

The Partnership Board and Themed Groups will undertake an annual assessment of risk and health check using the procedures described in the Partnership Toolkit managed by DBC's Internal Audit Section. The Chief Executive of Darlington Partnership will oversee this and make a full report in September of each year to the Partnership Board and DBC Cabinet (accountable body) or as required by the Audit Commission.

This is the Constitution of the Darlington  
Partnership adopted on  
2008.



Alasdair MacConachie OBE  
Chair  
Darlington Partnership

**APPENDIX A – DARLINGTON PARTNERSHIP STRUCTURE**

