

Access to Nature - Guidance Note 4

Working in Partnership

1 Introduction

If the successful delivery of your project is dependent on one or more of your partners, you will need to enter into a partnership agreement(s) with them. Natural England will need to approve the agreement(s) before we can award a grant.

Examples of situations when you may need to enter into a partnership agreement include projects where:

- A partner will employ and manage a member of the project staff
- A partner has security of tenure over a site where long lasting capital works will take place
- A partner will provide a service that is an integral part of the project

This guidance is intended to provide general advice to partnerships intending to seek funding under the Scheme. As partnership arrangements will need to be specific to the particular projects we cannot provide definitive guidance.

The onus is on you, as the lead organisation, to make sure that the proposed partner(s) is allowed by its constitution to legally enter into a partnership with you and can do the work you will be expecting them to deliver.

The amount of detail needed in the partnership agreement depends on the extent to which you are dependant on the other partners to deliver the project. Natural England does not have a template partnership agreement.

Once signed the agreement must be a formal written document that ensures you can meet all the terms and conditions of the grant on time and within budget.

We recommend that partnerships seek their own legal advice before entering a partnership agreement and to assist with drafting the appropriate documentation.

2 Minimum Requirements

Where a partnership is applying for grant funding, Natural England requires to see the following:

- A formal written agreement between the partner(s).
- The agreement has to identify the lead organisation with overall control of the project and the grant.

- The agreement has to define the purpose of the partnership and describe how any potential conflicts of interest or misunderstandings should be resolved and include the right of the lead organisation to terminate the agreement if for any reason the grant is suspended or terminated.
- The agreement has to explain the responsibilities of the lead organisation and those of the other partners.
- The agreement has to refer to the terms and conditions of grant and state that they will take precedence over the terms and conditions in the agreement in the event of any conflict. The terms and conditions of grant must be attached as a schedule to the agreement.
- Declaration: all the partners need to sign the agreement after it has been approved by Natural England.

3 What we would expect the Agreement to include

In addition to those matters outlined above, we have set out below some of the more general provisions that Natural England would expect to see in a partnership agreement:

- Details of the Parties to the agreement.
- Purpose of the agreement: a brief description of the project. The project application should be attached as another schedule to the agreement.
- Roles and responsibilities: who is delivering what and by when.
- Ownership of the asset(s): details of the nature of the asset that the partnership will build or refurbish and whether there is to be any transfer of the asset.
- Financial contributions: the agreement should detail what payments will be made to partners for services provided, how often payment will be made and what the method of payment will be. It is recommended that the agreement includes a statement that the lead organisation is responsible for all funds received and that it will not be liable to make payments to a partner until it has received grant payments.
- Branding and publicity: needs to be in line with the grant terms and conditions.
- Communications: how often the project will be discussed by the partnership and by what methods. Also the agreement should identify who is responsible for promoting the project through the media and handling inquiries.
- Dispute resolution: include a process for resolving disagreements.
- Record keeping/monitoring and evaluation/progress reports: what records will be kept and by whom. The lead organisation is required to provide regular progress reports to us so it needs to ensure that the partner organisations provide the relevant information when it is needed.
- Policies and procedures: include all that are required by law or relevant to the project e.g. health and safety, equal opportunities and the protection of children, young people and vulnerable adults.
- Duration of the agreement: how long the agreement will last and how it can be terminated or extended as necessary.

- Sustainability: clarity on how the partnership will continue to support the long-term viability of the project within and beyond the length of the agreement.
- Any other project specific issues.

4 Submission of the Partnership Agreement

Please provide a copy of your partnership agreement when you submit your Stage 2 application.

We will review and may need you to make some changes to the agreement. In most cases we are likely to require these changes to be made before a decision can be reached on your application.

