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Partnership Agreement
between
Department for Communities and
Sport Northern Ireland

PARTNERSHIP AGREEMENT
Department for Communities and Sport Northern Ireland

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Introduction

1. The Partnership Agreement

- 1.1 This document sets out the partnership arrangements between **Sport Northern Ireland** (Sport NI) and the **Department for Communities** (the Department). In particular, it explains the overall governance framework within which Sport NI operates, including the framework through which the necessary assurances are provided to stakeholders. Roles/responsibilities of partners within the overall governance framework are also outlined.
- 1.2 The partnership is based on a mutual understanding of strategic aims and objectives; clear accountability; and a recognition of the distinct roles each party contributes. Underpinning the arrangements are the principles set out in the NI Code of Good Practice ***‘Partnerships between Departments and Arm’s-Length Bodies’*** which should be read in conjunction with this document. The principles which are laid out the Code are:

LEADERSHIP
<i>Partnerships work well when Departments and Arm’s Length Bodies demonstrate good leadership to achieve a shared vision and effective delivery of public services. Strong leadership will provide inspiration, instil confidence and trust and empower their respective teams to deliver good outcomes for citizens.</i>
PURPOSE
<i>Partnerships work well when the purpose, objectives and roles of Arm’s Length Bodies and the sponsor department are clear, mutually understood and reviewed on a regular basis. There needs to be absolute clarity about lines of accountability and responsibility between departments and Arm’s Length Bodies. In exercising statutory functions Arm’s Length Bodies need to have clarity about how their purpose and objectives align with those of departments.</i>

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ASSURANCE
<i>Partnerships work well when departments adopt a proportionate approach to assurance, based on Arm's Length Bodies' purpose and a mutual understanding of risk. Arm's Length Bodies should have robust governance arrangements in place and in turn departments should give Arm's Length Bodies the autonomy to deliver effectively. Management information should be what is needed to enable departments and Arm's Length Bodies to provide assurance and assess performance.</i>
VALUE
<i>Partnerships work well when departments and Arm's Length Bodies share knowledge, skills and experience in order to enhance their impact and delivery. Arm's Length Bodies are able to contribute to policy making and departmental priorities. There is a focus on innovation, and on how departments and Arm's Length Bodies work together to deliver the most effective policies and services for its customers.</i>
ENGAGEMENT
<i>Partnerships work well when relationships between departments and Arm's Length Bodies are open, honest, constructive and based on trust. There is mutual understanding about each other's objectives and clear expectations about the terms of engagement.</i>

A full copy of the NI Code can be found at Annex 8.

1.3 This document should also be read in conjunction with guidance on proportionate autonomy which provides an outline of the principles and characteristics for proportionate autonomy (See DAO (DoF) 06/19). Guidance on proportionate autonomy has been considered in determining the extent of engagement and assurance to be established between Sport NI and the Department and this is reflected in this agreement.

1.4 The Department and Sport NI are committed to:

- Working together within distinct roles and responsibilities;
- Maintaining focus on successful delivery of Programme for Government outcomes and Ministerial priorities (see also paras 2.6 and 2.7);
- Maintaining open and honest communication and dialogue;
- Keeping each other informed of any issues and concerns, and of emerging areas of risk;

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- Supporting and challenging each other on developing policy and delivery [when developing policy this may cut across more than one department];
- Seeking to resolve issues quickly and constructively; and
- Acting at all times in the public interest and in line with the values of integrity, honesty, objectivity and impartiality.

- 1.5 The effectiveness of the partnership and the associated Engagement Plan will be reviewed each year by the Department and Sport NI in order to assess whether the partnership is operating as intended and to identify any emerging issues/opportunities for enhancement. This can be carried out as part of existing governance arrangements. The Partnership Agreement document itself will be reviewed formally¹ at least once every three years to ensure it remains fit for purpose and up-to-date in terms of current governance frameworks. The formal review will be proportionate to Sport NI size and overall responsibilities and will be published on the Department's and Sport NI websites as soon as practicable following completion. Either party to the Partnership Agreement may request an amendment or update to it at any time.
- 1.6 A copy of this agreement has been placed² in the Assembly Library and is available on the Department and Sport NI websites.

¹ Review will be initiated by the relevant DfC Sponsor team taking account of direction/guidance from DoF and DfC Governance.

² DfC sponsor team to arrange placing in Assembly Library.

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Sport NI Establishment and Purpose

2. Statutory Purpose and Strategic Objectives

- 2.1 Sport NI is an executive non-departmental public body (NDPB) sponsored by the Department for Communities. Sport NI was established on December 31st 1973 under the provisions of The Recreation and Youth Service (Northern Ireland) Order 1973, as the Sports Council for Northern Ireland (as amended) with its main objective being the furtherance of sport and physical recreation. This was replaced by The Recreation and Youth Service (Northern Ireland) Order 1986. For national accounts purposes Sport NI is classified to the *central government sector*.
- 2.2 Sport NI is designated in the National Lottery Act 1993, as amended by the National Lottery Act 1998, as the body responsible for the distribution of lottery proceeds for sport in Northern Ireland.
- 2.3 Sport NI's statutory functions, defined by the Recreation and Youth Service (Northern Ireland) Order 1986 are as follows:
- On matters relating to sport and physical recreation, to advise the Department and other Government departments, Education Authority (EA), District Councils and other bodies interested in sport and physical recreation;
 - To encourage the provision of facilities for and participation in sport and physical recreation; and
 - To assist in the provision of administrative services, equipment, coaching and instruction by bodies providing facilities for sport or recreational activities or organising such activities;
 - To assist in the organising or supporting of, or participating in, international or other events, by bodies providing facilities for sport or physical recreation or organising such activities; and
 - To assist bodies providing supportive services in connection with sport and physical recreation.

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2.4 Sport NI's principal duties, defined by the Recreation and Youth Service (Northern Ireland) Order 1986 are as follows:

- The Department may give such directions as to the performance of the functions of the Sports Council as appear to the Department to be expedient. The Department may direct Sport NI to carry out those functions and the direction may specify how the functions are to be carried out. Sport NI shall comply with any direction given to it by the Department, relating to the exercise of its functions.
- Provide the Department with such information as it may require for the purpose of making grants towards Sport NI expenditure;
- Keep in such a form as the Department may direct, accounts of all monies received and all monies paid out by it;
- Prepare and submit to the Comptroller and Auditor General for Northern Ireland ("C&AG") a statement of accounts before such a date and in such a form as the Department, with the approval of DoF may direct and shall before that date send a copy thereof to the Department; and
- Prepare and transmit to the Department an annual report on the exercise of its functions, a copy of which shall be laid before the Assembly.

2.5 Sport NI's principal powers, defined by the Recreation and Youth Service (Northern Ireland) Order 1986 are as follows:

- With the approval of the Department, receive donations and make charges for its services;
- With the approval of the Department, organise, or assist in the organisation of, conferences, courses of training, sport and physical recreation;
- With the approval of the Department, provide and manage, or assist in the provision and management of centres for sport and physical recreation;
- With the approval of the Department, print, publish and disseminate information relating to sport and physical recreation;
- With the approval of the Department, visit other parts of the United Kingdom and other countries;
- With the approval of the Department co-operate with other bodies in the exercise or pursuit of its functions; and

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- With the approval of the Department, carry out, or assist or co-operate with other persons in carrying out, research into and studies concerning matters relating to sport and physical recreation.
- 2.6 The Minister for the Department for Communities is answerable to the Assembly for the overall performance and delivery of both the Department and Sport NI.
- 2.7 The Executive's outcome-based approach to delivery recognises the importance of arm's length bodies and departments working collaboratively and together in a joined up approach to improve overall outcomes and results.
- 2.8 To that end there is strategic alignment between the aims, objectives and expected outcomes and results of Sport NI and the Department.
- 2.9 The strategic aims of Sport NI are those agreed with the Department and approved by the DfC Minister in Sport NI's Corporate Plan and Business Plan, aligned with the Department's aims and the Programme for Government. Annual engagement will take place as set out in the annual Engagement Plan (see Annex 2).

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Sport NI Governance Arrangements

3. Organisational Status

- 3.1 Sport NI is a legal entity in its own right, employing its own staff and operating at arm's-length from the Department. As a legal entity it must comply with all associated legislation including legislation relating to its employer status.

4. Governance Framework

- 4.1 Sport NI has an established Corporate Governance Framework which reflects all relevant good practice guidance. The framework includes the governance structures established within Sport NI and the internal control and risk management arrangements in place. This includes its Board and Committee Structure. The Department is satisfied with the framework.
- 4.2 An account of this is included in Sport NI's annual Governance Statement together with the Sport NI Board's assessment of its compliance with the extant Corporate Governance Code of Good Practice (NI). Any departure from the Corporate Governance Code must be explained in the Governance Statement. The extant Corporate Governance Code of Good Practice (NI) is available on the DoF website.
- 4.3 Sport NI is required to follow the principles, rules, guidance and advice in *Managing Public Money Northern Ireland*. A list of other applicable guidance and instructions which Sport NI is required to follow is set out in Annex 6. Good governance should also include positive stakeholder engagement, the building of positive relationships and a listening and learning culture.

5. Sport NI Board

- 5.1 Sport NI is led by a Board, non-executive members of which are appointed by the Minister for the Department for Communities. The appointment process for non-

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executive Board members complies with the Code of Practice on Public Appointments for Northern Ireland.

- 5.2 As Public Appointees Board members are office holders rather than employees and they are not subject to employee terms and conditions. Board appraisal arrangements are set out in paras 16.1 and 16.2, and matters for consideration in dealing with concerns/complaints in respect of Board members are provided in Annex 5.
- 5.3 The Board's operating framework and terms of reference provides further detail on roles and responsibilities and should align closely with this Partnership Agreement.
- 5.4 The purpose of the Sport NI Board is to provide effective leadership and strategic direction to the organisation and to ensure that the policies and priorities set by the Minister for the Department for Communities are implemented. It is responsible for ensuring that the organisation has effective and proportionate governance arrangements in place and an internal control framework which allow risks to be effectively identified and managed. The Board will set the culture and values of the organisation, and set the tone for the organisation's engagement with stakeholders and customers.
- 5.5 The Board is responsible for holding the Chief Executive to account for the management of the organisation and the delivery of agreed plans and outcomes. The Board should also however support the Chief Executive as appropriate in the exercise of their duties.
- 5.6 Board members act solely in the interests of Sport NI and must not use the Board as a platform to champion their own interests or pursue personal agendas. They occupy a position of trust and their standards of action and behaviour must be exemplary and in line with the seven principles of public life (Nolan principles). Sport NI has a Board Code of Conduct and there are mechanisms in place to deal with any Board disputes/conflicts to ensure they do not become wider issues

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that impact on the effectiveness of the Board. A Board Register of Interests is maintained, kept up to date and is publically available to help provide transparency and promote public confidence in Sport NI.

- 5.7 Communication and relationships within the Board are underpinned by a spirit of trust and professional respect. The Board recognises that using consensus to avoid conflict or encouraging members to consistently express similar views or consider only a few alternative views does not encourage constructive debate and does not give rise to an effective Board dynamic.
- 5.8 It is for the Board to decide what information it needs, and in what format, for its meetings/effective operation. If the Board is not confident that it is being fully informed about the organisation this will be addressed by the Chair of the Board as the Board cannot be effective with out-of-date or only partial knowledge.
- 5.9 In order to fulfil their duties, Board members must undertake initial training, and regular ongoing training and development. Review of Board skills and development will be a key part of the annual review of Board effectiveness.

6. Audit and Risk Assurance Committee

- 6.1 A further important aspect of Sport NI's governance framework is its Audit and Risk Assurance Committee, established in line with the extant Audit and Risk Assurance Committee Handbook (NI).
- 6.2 The Audit and Risk Assurance Committee's purpose/role is to support the Accounting Officer and Board on governance issues. In line with the handbook the Audit and Risk Assurance Committees focuses on:
- Assurance arrangements over governance; financial reporting; annual reports and accounts, including the Governance Statement; and
 - Ensuring there is an adequate and effective risk management and assurance framework in place.

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6.3 Sport NI and the Department have agreed arrangements in respect of the Sport NI Audit and Risk Assurance Committee which include:

- Attendance by departmental representatives in an observer capacity at Sport NI's Audit and Risk Assurance Committee meetings;
- Access to Sport NI Audit and Risk Assurance Committee papers and minutes; and
- Provision of any input required from Sport NI's Audit and Risk Assurance Committee to the departmental Audit and Risk Assurance Committee.

6.4 Full compliance with the Audit and Risk Assurance Committee Handbook (NI) is an essential requirement. In the event of significant non-compliance with the handbook's five good practice principles (or other non-compliance) discussion will be required with the Department and a full explanation provided in the annual Governance Statement.

6.5 The extant Audit and Risk Assurance Committee Handbook (NI) is available on the DoF website.

7. Sport NI Chair

7.1 The Chair is responsible for setting the agenda and managing the Board to enable collaborative and robust discussion of issues. The Chair's role is to develop and motivate the Board and ensure effective relationships in order that the Board can work collaboratively to reach a consensus on decisions. To achieve this, he or she should ensure:

- The Board has an appropriate balance of skills appropriate to its business;
- Board members are fully briefed on terms of appointment, duties, rights and responsibilities;
- Board members receive and maintain appropriate training;
- The Minister is advised of Sport NI's needs when board vacancies arise;
- There is a Board Terms of Reference in place setting out the roles and responsibilities of the Board in line with relevant guidance; and

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- There is a code of practice for Board members in place, consistent with relevant guidance.

7.2 The role also requires the establishment of an effective working relationship with the Chief Executive that is simultaneously collaborative and challenging. It is important that the Chair and Chief Executive act in accordance with legislation, their distinct roles and responsibilities as laid out in Managing Public Money NI and their appointment letters.

7.3 The Chair has a presence in the organisation and cultivates external relationships which provide useful links for the organisation while being mindful of overstepping boundaries and becoming too involved in day to day operations or executive activities.

8. Sport NI Chief Executive

8.1 The role of the Sport NI Chief Executive is to run Sport NI's business. The Chief Executive is responsible for all executive management matters affecting the organisation and for leadership of the executive management team and staff.

8.2 The Chief Executive is designated as Sport NI's Accounting Officer by the departmental Accounting Officer (see section 12). As Accounting Officer they are responsible for safeguarding the public funds in their charge and ensuring they are applied only to the purposes for which they were voted and more generally for efficient and economical administration.

8.3 The Chief Executive is accountable to the Board for Sport NI's performance and delivery of outcomes and targets and is responsible for implementing the decisions of the Board and its Committees. They maintain a dialogue with the Chair on the important strategic issues facing the organisation and for proposing Board agendas to the Chair to reflect these. They ensure effective communication with stakeholders and communication on this to the Board. They also ensure that

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the Chair is alerted to forthcoming complex, contentious or sensitive issues, including risks affecting the organisation.

- 8.4 The Chief Executive acts as a role model to other executives by exhibiting open support for the Chair and Board members and the contribution they make. The Chair and Chief Executive have agreed how they will work together in practice, understanding and respecting each other's role, including the Chief Executive's responsibility as Accounting Officer.
- 8.5 Further detail on the role and responsibilities of the Chief Executive as Accounting Officer are laid out in Managing Public Money NI and their Accounting Officer appointment letter.

The Chief Executive's role as Principal Officer for Ombudsman Cases

- 8.6 The Chief Executive is the Principal Officer for handling cases involving the NI Public Sector Ombudsman. They shall advise the departmental Accounting Officer of any complaints about Sport NI accepted by the Ombudsman for investigation, and about the proposed response to any subsequent recommendations from the Ombudsman.

The Chief Executive's responsibilities for staffing matters

- 8.7 The Chief Executive is responsible for the day-to-day management of Sport NI's staff, and for determining the staffing structure to meet operational needs and to carry out its statutory functions. In doing this the Chief Executive will have regard to the principles of economy, efficiency and effectiveness, the need for forward planning within the parameters of any running cost limits or efficiency measures that may be set by the Department.
- 8.8 Subject to any specific conditions set by the Department and to sufficient budget cover being available to ensure that the creation of any additional posts does not incur forward commitments which will exceed the ability to pay for them, the

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Chief Executive has the authority to re-grade/create staff or create posts below Executive Leadership Team (Grade 7) level. At Grade 7 level and above Departmental approval is required to create or to re-grade posts. In creating and re-grading posts the Chief Executive will ensure consistency with established employment practice and legislation.

- 8.9 The Chief Executive is responsible for employee and industrial relations within Sport NI. The Chief Executive is committed to fostering good employee and industrial relations as an important aid to achievement of Sport NI objectives and will ensure effective communication and consultation with all staff and their recognised trade union representatives.

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Role of the Department for Communities

9. Partnership Working with Sport NI

- 9.1 The Department and Sport NI are part of a total delivery system, within the same Ministerial portfolio. The partnership between the Department and Sport NI should be open, honest, constructive and based on trust as per Section 5 of the Principles within the NI Code of Good Practice (See Annex 8). There should be mutual understanding of each other's objectives and clear expectations on the terms of engagement.
- 9.2 In exercising its functions Sport NI has absolute clarity on how its purpose and objectives align with those of the Department. There should also be a shared understanding of the risks that may impact on each other, and these are reflected in respective Risk Registers.
- 9.3 There should be a regular exchange of skills and experience between the Department and Sport NI and where possible joint programme/project delivery boards/ arrangements. Sport NI may also be involved as a partner in policy/strategy development and provides advice on policy implementation and the impact of policies in practice.
- 9.4 The Department of Finance (DoF) has established, on behalf of the Assembly, a delegated authority framework which sets out the circumstances where prior DoF approval is required before expenditure can be incurred, or commitments entered into. The Accounting Officer of the Department for Communities has established an internal framework of delegated authority for the Department and its ALBs which apply to Sport NI. This has been provided to Sport NI and is available with other specific approval requirements established in respect of Sport NI at Annex 3.
- 9.5 Once Sport NI's budget has been approved by the Minister [and subject to any restrictions imposed by statute] Sport NI shall have authority to incur expenditure

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approved in the budget without further reference to the Department. Inclusion of any planned and approved expenditure in the budget shall not however remove the need to seek formal departmental approval where proposed expenditure is outside the delegated limits (as laid out in Annex 3) or is for new schemes not previously agreed. Nor does it negate the need to follow due processes laid out in legislation, guidance contained in Managing Public Money NI and Better Business Cases NI.

10. Lead Official

10.1 The Department has appointed the Director of Active Communities to manage the relationship with Sport NI and ensure effective partnership working. Engagement between the Department and Sport NI will be co-ordinated, collaborative and consistent. A clear sense of collaboration and partnership will be communicated to staff in both the Department and Sport NI in order to promote mutual understanding and support. The Director of Active Communities will normally be supported by other team members, and key contacts within the Department such as Finance.

10.2 The Director of Active Communities is the policy lead for the policy area relating to Sport NI's business and has a clear understanding of Sport NI's responsibilities for policy implementation, operational delivery and the relevant audiences/stakeholders involved.

10.3 The Director of Active Communities will ensure that where there are departmental staff changes, time is taken to ensure they have a full understanding of Sport NI's business and challenges.

11. Annual Engagement Plan

11.1 The Department and Sport NI will agree an engagement plan before the start of each business year. The Annual Engagement Plan (Annex 2) will set out the timing and nature of engagement between Sport NI and the Department. The

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engagement plan will be specific to Sport NI and should not stray into operational oversight.

- 11.2 Engagement between the Department's Director of Active Communities, their teams and Sport NI will be centred on partnership working, understanding of shared risks and working together on business developments that align with policy objectives.
- 11.3 In line with relevant guidance³, Sport NI will work in collaboration and partnership with the Department to prepare corporate and business plans. There should be good high level strategic alignment between departmental and Sport NI plans. Once approved it will be the Board of Sport NI that primarily holds the Chief Executive to account for delivery and performance. The Department will engage with Sport NI on areas of strategic interest, linking departmental policy and Sport NI delivery of policy intent.
- 11.4 There should be multiple levels of engagement in place between DfC and Sport NI, to ensure collaborative partnership between the organisations is open, honest, constructive and based on trust. There should be high level meetings between, but not limited to: The Deputy Secretary, Director of Active Communities, Board Chair and Chief Executive.
- 11.5 The Annual Engagement Plan will actively implement 11.2 above. It will also reference the agreed management and financial information to be shared over the course of a year. The aim will be to ensure clear understanding of why information is necessary and how it will be used. Where the same, or similar information is required for internal governance information requirements will be aligned so that a single report can be used for both purposes. In addition, the engagement plan should consider opportunities for learning and development, growth and actions which could help achieve better outcomes.

³ Guidance issued by TEO on NICS Work Programme which includes guidance on business planning for an outcomes-based PfG/ODP

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11.6 The Minister shall meet the Board formally, at least annually, to discuss Sport NI's performance, its current and future activities, and any policy developments relevant to those activities.

12. Departmental Accounting Officer

12.1 The departmental Accounting Officer is accountable to the NI Assembly for the issue of grant in aid to Sport NI. They have designated the Chief Executive of Sport NI as the Sport NI Accounting Officer and respective responsibilities of the departmental Accounting Officer and the Sport NI Accounting Officer are set out in Chapter 3 of Managing Public Money Northern Ireland. The departmental Accounting Officer may withdraw the Sport NI Accounting Officer designation if they conclude that the Sport NI Accounting Officer is no longer a fit person to carry out the responsibilities of an Accounting Officer or that it is otherwise in the public interest that the designation be withdrawn. In such circumstances the Sport NI Board will be given a full account of the reasons for withdrawal and a chance to make representations. Withdrawal of Sport NI Accounting Officer status would bring into question employment as Chief Executive and the Chair should engage with the Department should such circumstances arise.

12.2 As outlined in section 8, the Sport NI Chief Executive is accountable to the Sport NI Board for their stewardship of Sport NI. This includes advising the Board on matters of financial propriety, regularity, prudent and economical administration, efficiency and effectiveness.

12.3 The departmental Accounting Officer must be informed in the event that the judgement of the Sport NI Accounting Officer (on matters for which they are responsible) is over-ridden by the Sport NI Board. The Sport NI Accounting Officer must also take action if the Sport NI Board is contemplating a course that would infringe the requirement for financial propriety, regularity, prudent and economical administration, efficiency, or effectiveness. In all other regards, the departmental Accounting Officer has no day-to-day involvement with Sport NI or its Chief Executive.

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12.4 The Sport NI Accounting Officer will provide an annual declaration of fitness to act as Accounting Officer to the departmental Accounting Officer.

13. Attendance at Public Accounts Committee

13.1 The Sport NI Chief Executive/Accounting Officer may be summoned to appear before the Public Accounts Committee to give evidence on the discharge of their responsibilities as Accounting Officer (as laid out in their Accounting Officer appointment letter) on issues arising from the C&AG's studies or reports following the annual audit of accounts.

13.2 The Chair may also, on occasion, be called to give evidence to the Public Accounts Committee on such relevant issues arising within the C&AG's studies or reports, in relation to the role and actions taken by the Board, where appropriate.

13.3 In addition, the departmental Accounting Officer may be summoned to appear before the Public Accounts Committee to give evidence on the discharge of their responsibilities as departmental Accounting Officer with overarching responsibility for Sport NI. In such circumstances, the departmental Accounting Officer may therefore expect to be questioned on their responsibilities to ensure that:

- There is a clear strategic control framework for Sport NI;
- Sufficient and appropriate management and financial controls are in place to safeguard public funds;
- The nominated Accounting Officer is fit to discharge his or her responsibilities;
- There are suitable internal audit arrangements;
- Accounts are prepared in accordance with the relevant legislation and any accounting direction; and

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- Intervention is made, where necessary, in situations where the Sport NI Accounting Officer's advice on transactions in relation to regularity, propriety or value for money is overruled by the body's Board or its Chair.

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Assurance Framework

14. Autonomy and Proportionality

14.1 The Department will ensure that Sport NI has the autonomy to deliver effectively, recognising its status as a separate legal entity which has its own Board and governance arrangements. Guidance on proportionate autonomy has been considered in determining the extent of engagement and assurance established between Sport NI and the Department and is reflected in this agreement.

14.2 A proportionate approach to assurance will be taken based on Sport NI's overall purpose, business and budget and a mutual understanding of risk. The approach will include an agreed process⁴ through which the Sport NI Accounting Officer provides written assurance to the Department that the public funds and organisational assets for which they are personally responsible are safeguarded, have been managed with propriety and regularity, and use of public funds represents value for money.

14.3 Recognising the governance arrangements in place within the organisation, the Sport NI Accounting Officer will arrange for their written assurance to be discussed at the Sport NI Audit and Risk Assurance Committee and presented to the Sport NI Board prior to submission to the Department. If not possible, or practicable, the Chair of the Sport NI Board should have sight of the assurance statement, prior it to being submitted to the Department.

14.4 The Sport NI Chair will provide written confirmation that the Sport NI Accounting Officer's formal assurance has been considered by the Board and is reflective of Sport NI's current position.

14.5 In addition to the Sport NI Accounting Officer's written assurance, the Department will take assurance from the following key aspects of Sport NI's own governance framework:

⁴ The agreed process will reflect the Bi-Annual Assurance Statement process in operation at the time.

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- Annual Review of Board Effectiveness;
- Completion of Board Appraisals which confirm Board member effectiveness;
- Internal Audit assurance and External Quality Assessment of the Internal Audit function; and
- Externally audited Annual Report and Accounts, reviewed/considered by the Sport NI Audit and Risk Assurance Committee.

15. Board Effectiveness

15.1 The Sport NI Chair will ensure that the Sport NI Board undertakes an annual review of Board Effectiveness⁵ which encompasses committees established by the Board.

15.2 The Chair will discuss the outcome of the annual review of Board Effectiveness with the lead official to ensure a partnership approach to any improvements identified. This will inform the annual programme of Board training/development and discussions in respect of Board composition and succession.

15.3 In line with any parameters set out in founding (or other) legislation, the Chair in conjunction with the Department, and Ministers where appropriate, will consider the size and composition of the Sport NI Board, proportionate to the size and complexity of Sport NI and keep this under review.

15.4 In addition to the annual review of Board Effectiveness Sport NI will undertake an externally facilitated review of Board effectiveness at least once every three years covering the performance of the Board, its committees and individual Board members. The Chair will liaise with the Department to identify a suitably skilled facilitator for the external review (this can be a peer review and should be proportionate) and will share the findings/outcome report with the Department on completion of the review.

⁵ NIAO Good Practice Guide on Board Effectiveness

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16. Board Appraisals

16.1 The Chair of Sport NI will conduct an annual appraisal in respect of each Board member which will also inform the annual programme of Board training/development. The Chair will engage with the Chief Executive/lead official as appropriate on improvements identified through the appraisal process and the annual training/development programme.

16.2 The Chair's annual appraisal will be completed by a Senior Official of the Department of Grade 5 or above. The appraisal will take account of the Key Characteristics of a good chairperson (particularly for the Chair to have well developed interpersonal skills) set out in the NIAO Good Practice Guide on Board Effectiveness available on the NIAO website. There will be close engagement between the Chair and the lead official on improvements identified through the appraisal process.

17. Internal Audit Assurance

17.1 Sport NI is required to establish and maintain arrangements for an internal audit function that operates in accordance with the Public Sector Internal Audit Standards (PSIAS). The Department must be satisfied with the competence and qualifications of the Head of Internal Audit and that the requirements for approving appointments are in accordance with PSIAS.

17.2 In the event that the internal audit function is contracted out, Sport NI shall ensure the Department is satisfied that the contract specification for the internal audit service meets the requirements of PSIAS.

17.3 Sport NI will provide its internal audit strategy, periodic audit plans and annual audit report, including the Head of Internal Audit's opinion on risk management, control and governance to the Department. Sport NI will ensure the Department's internal audit team have complete right of access to all relevant records. This applies whether the internal audit function is provided in-house or contracted out.

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17.4 Sport NI will ensure regular, periodic self-assessments of the internal audit function in line with PSIAS and will share these with the Department. Sport NI will also liaise with the Department on the External Quality Assessment (EQA) of the internal audit function which (in line with PSIAS) is required to be conducted at least once every five years by a qualified independent assessor which may, if deemed appropriate by the Department, be the departmental Head of Internal Audit.

17.5 Sport NI will alert the Department to any less than satisfactory audit reports at the earliest opportunity on an ongoing basis. Sport NI will also alert the Department to a less than satisfactory annual opinion from the Head of Internal Audit at the earliest opportunity. Sport NI and the Department will then engage closely on actions required to address the less than satisfactory opinion in order to move Sport NI to a satisfactory position as soon as possible.

17.6 The Department will take assurance from the fact that Sport NI has met the requirements of PSIAS and has a satisfactory annual opinion from the Head of Internal Audit as part of its overall assurance assessment.

18. Externally Audited Annual Report and Accounts

18.1 Sport NI is required to prepare an Annual Report and Accounts in line with the Government Financial Reporting Manual (FReM) issued by the Department of Finance (DoF) and the specific Accounts Direction issued by Department for Communities, and in accordance with the deadlines specified.

18.2 The Comptroller & Auditor General (C&AG) will arrange to audit Sport NI's annual accounts and will issue an independent opinion on the accounts. Sport NI will provide the signed and audited accounts to the Department for Communities, who shall lay them before the NI Assembly together with Sport NI's annual report.

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- 18.3 The C&AG will also provide a Report to Those Charged with Governance (RTTCWG) to Sport NI which will be shared with the Department.
- 18.4 Sport NI will alert the Department to any likely qualification of the accounts at the earliest opportunity. In the event of a qualified audit opinion or significant issues reported in the RTTCWG the Department will engage with Sport NI on actions required to address the qualification/significant issues.
- 18.5 The Department will take assurance from the external audit process and an unqualified position as part of its overall assurance assessment.
- 18.6 The C&AG may carry out examinations into the economy, efficiency and effectiveness with which Sport NI has used its resources in discharging its functions. The C&AG may also carry out thematic examinations that encompass the functions of Sport NI.
- 18.7 For the purpose of audit and any other examinations, the C&AG has statutory access to documents as provided for under Articles 3 and 4 of the Audit and Accountability (Northern Ireland) Order 2003.
- 18.8 Where making payment of a grant, or drawing up a contract, Sport NI should ensure that it includes a clause which makes the grant or contract conditional upon the recipient or contractor providing access to the C&AG in relation to documents relevant to the transaction. Where subcontractors are likely to be involved, it should also be made clear that the requirements extend to them.

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Signatories

Sport NI and the Department for Communities agree to work in partnership with each other in line with the NI Code of Good Practice '**Partnerships between Departments and Arm's-Length Bodies**' and the arrangements set out in this Agreement.

DoF Supply will approve the initial Partnership Agreement between Sport NI and the Department for Communities and any subsequent variations to the Agreement, if they are significant.



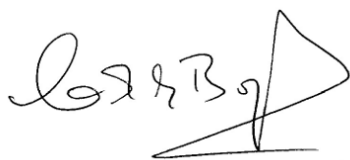
Signed (Sport Northern Ireland Chair)

Date: 27th October 2022



Signed: Antoinette McKeown (Sport Northern Ireland Chief Executive and Accounting Officer)

Date: 24th October 2022



Signed: Colum Boyle (Department – Permanent Secretary and Accounting Officer)

Date: 11th November 2022

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Annex 1 - Applicable Legislation

The Recreation and Youth Service (Northern Ireland) Order 1986.

<https://www.legislation.gov.uk/nisi/1986/2232>

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Annex 2 – Annual Engagement Plan

Good engagement is one of the key principles in the Partnership Code, underpinning the other principles of: Leadership; Purpose; Assurance; and Value.

As laid out in the Code, partnerships work well when relationships between departments and ALBs are open, transparent, honest, constructive and based on trust and when there is mutual understanding of each other's objectives and clear expectations about the terms of engagement.

Engagement Plan (aligned to Partnership Agreement)		
Policy Development and Delivery		
<i>Add details of the planned engagement between the ALB and the Department in relation to development and monitoring of existing and new areas of policy.</i>		
Policy Area	Frequency/Timing	DfC/Sport NI Officials
Ministerial Oversight Group: <ul style="list-style-type: none"> • Review of Sport and Physical Activity Strategy and aligned to Sport NI Corporate Plan 	Bi-Annual	Minister DfC & SNI officials SNI Board Members Other Departments/Councils /Stakeholders
Annual Meeting with Minister and SNI Board to discuss Sport NI's performance, its current and future activities, and any policy developments relevant to those activities.	Annual	Minister DfC officials SNI Board SNI CEO
Sport and Physical Activity Strategy - Monitoring and reporting arrangements	Bi-Annual	SNI – CEO DfC – Director of Active Communities Division (ACD)
Policy and Strategic Planning		
Activity	Date	DfC/Sport NI Official
Engagement on the draft Business Plan and identification of areas of strategic interest to the Department and to Sport NI.	To commence in December for the next year's Business Plan	SNI - Chief Executive Officer and/or COO DfC – Director of ACD and/or Head of Sports Branch.

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Approval of the Sport NI Business Plan and submission/presentation to the Department.	31 March in respect of the next year's Business Plan.	SNI – Chair and CEO DfC - Director of ACD
Presentation on Policy, Strategy and Areas of Strategic Interest	Bi-annually Ahead of each new business year and mid – year.	SNI – Chair and CEO DfC – ECG Deputy Secretary DfC - Director of ACD
Joint Working – Add details of any interchange opportunities, and/or joint programme/project delivery boards		
Activity	Frequency/Timing	DfC/Sport NI Official
COVID-19 support to sports sector	As required, until support is no longer required.	SNI – CEO. DfC – Director of ACD
Stocktake	Bi-Monthly	SNI COO & Director of Sport DfC Sports Branch Officials
Board Appointments		
<i>Add details of any engagement related to Public Appointment exercises</i>		
Activity	Date	DfC/Sport NI Official
Appointment of new SNI Board members (including Chair and Vice-Chair)	In advance of terms expiring or otherwise as required	SNI – Chair DfC – Director of ACD
Induction of Board members (including Chair and Vice-Chair)	Within one month of appointment.	SNI – CEO DfC – Director of ACD
Chief Executive Recruitment		
<i>Add details of any engagement related to the recruitment of a new Chief Executive (if anticipated during the year ahead). ALBs should engage with the Department at an early stage in the event of the recruitment of a new Chief Executive. While recognising the role of the Board as employer, the Department will work closely with the ALB in the recruitment and selection process in line with extant guidance.</i>		
Activity	Date	DfC/Sport NI Official
To recruit a new Chief Executive (on notice of recruitment being required)	As required.	SNI - Chair DfC – Director of ACD
Assurances		
<i>Add details of the timetable for submission of key assurance sources and any other assurance related activity</i>		
Action	Date	DfC/Sport NI Official

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Discussion on the outcome of the annual review of Board Effectiveness to ensure a partnership approach to any improvements identified and to inform the annual programme of Board training/development and discussions in respect of Board composition and succession (in line with any parameters set out in founding (or other) legislation).	Following completion of the annual review of Board effectiveness	SNI – Chair DfC – Director of ACD
Engagement with the Chair on any improvements identified through the appraisal process for Board members, feeding in to the annual training/development programme.	Following completion of appraisal of Board members.	SNI – Chair of Board DfC – Director of ACD
Chair Appraisal	Within first quarter following the end of the business year. After Board Appraisals have been completed by the Chair and the annual Review of Board Effectiveness has concluded.	SNI – Chair of Board DfC – ECG Deputy Secretary
Assurance Statement	Bi-annually for the periods to September and March of the business year.	SNI – CEO DfC – Director of ACD
Partnership Meetings Policy and strategy development - engagement relating to emerging policy and strategy and related opportunity and risk identification. Informed by emerging developments in sport and PA and with partner departments and organisations, aligned to departmental priorities/plans.	Quarterly	SNI – CEO and Chief Operating Officer (COO) DfC – Director of ACD and Head of Sports Branch

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Annual Report and Accounts	Annually	SNI – CEO DfC - Director of ACD
Departmental Attendance at ARAC	Quarterly	DfC –Deputy Principal Sports Branch
Draft Minutes of meetings of the Sport NI Board and ARAC	Within one month of the meeting.	SNI – COO DfC – Deputy Principal Sports Branch
Head of Internal Audit Annual report/Opinion	Annually on completion by Internal Audit provider	SNI – COO DfC – Deputy Principal Sports Branch
Internal Audit Strategy and Plans	Annually in April/May	SNI – COO DfC – Deputy Principal Sports Branch
Internal Audit External Quality Assessment	Once every five years	SNI – COO DfC – Head of Internal Audit

Budget Management

Add details of the information and returns to be provided.

Item and Purpose	Date	DfC/Sport NI Official
On a timely basis, provide: all financial reports in line with DoF financial guidance; financial returns commissioned by the Department.	As per due date	SNI COO SNI Finance Manager DfC – Head of Sport Branch and Deputy Principal Sports Branch

Other

Tailor as required to reflect the specific requirements

Item and Purpose	Submission Date	DfC/Sport NI Official
Accounting Officer - Fitness to Act as Accounting Officer	Annual request from the departmental Accounting Officer	SNI – CEO DfC – Permanent Secretary
Fraud Reporting	Immediate reporting of all frauds (proven or suspected) including attempted fraud	SNI – COO DfC – Head of Governance
Whistleblowing cases/Raising Concerns.	As they occur	SNI – CEO DfC – Director Head of Governance
Media management protocols – arrangements to share press releases where relevant to ensure no surprises.	As they occur.	SNI – Director of Policy and Innovation DfC – Head of Sports Branch

Review of the Partnership Arrangement

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<i>Tailor as required to reflect the specific requirements</i>		
Item and Purpose	Date	DfC/Sport NI Official
Light touch review of the Partnership Agreement	Annually - following the end of each Business/ Financial Year	SNI – CEO DfC – Director of ACD
Formal review of the Partnership Agreement	To be conducted once every three years	SNI – CEO DfC – Director of ACD

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Annex 3 - Delegations

Delegated authorities

The Accounting Officer of the Department for Communities has established an internal framework of delegated authority for the Department and its ALBs. This applies to Sport NI. The current iteration of this framework '**Delegated Authority & Approval Arrangements**' (v5) has been provided to Sport NI. Sport NI will be provided with future versions as and when the framework document is updated.

In addition, Sport NI shall obtain the Department's prior written approval before:

- Entering into any undertaking to incur any expenditure that falls outside the delegations, or which is not provided for in its annual budget as approved by the Department;
- Incurring expenditure for any purpose that is or might be considered novel or contentious, or which has or could have significant future cost implications;
- Making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by the Department;
- Making any change of policy or practice which has wider financial implications that might prove repercussive, or which might significantly affect the future level of resources required; or
- Carrying out policies that go against the principles, rules, guidance and advice in Managing Public Money Northern Ireland.

Internal Sport NI Delegations

Sport NI will have a Scheme of Delegation in place for decision-making within the organisation. The current Scheme of Delegation (**08/2016**) will be revised to take account of the implications of the McBride judgement in terms of decision-making authority. DfC will be provided with future versions as and when the framework document is finalised.

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Sport NI Specific Delegated Authorities - Capital and Resource Projects

Sport NI's Chief Executive shall have delegated authority for projects where central government capital or resource expenditure is up to £500,000 (subject to internal approval processes). Projects where central government expenditure is above £500,000 require the approval of the Department and may be subject to quality assurance by DoF if requested. (Note - central government expenditure includes funding from all government departments and their agencies and ALBs).

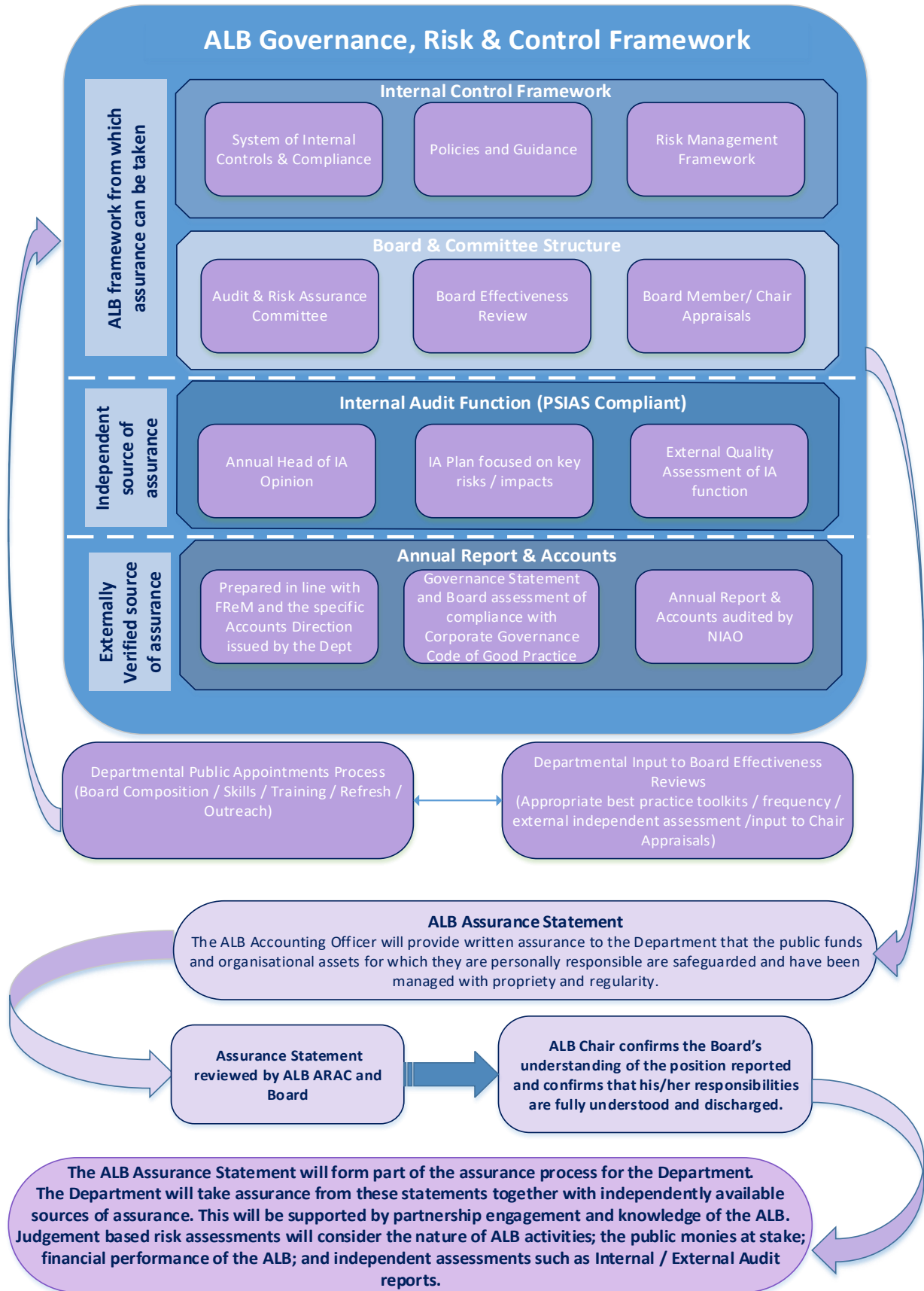
Where the project is funded by a number of government departments and Sport NI is not the primary funder, Departmental approval is still required if Sport NI's contribution exceeds the delegated authority level.

These delegations shall not be altered without the prior agreement of the department and, where applicable, DoF.

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Annex 4 – Illustrative System of Assurance



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Annex 5 – Concerns/Complaints in respect of Board members

In line with the NI Code of Good Practice and the arrangements in this Partnership Agreement the approach to concerns/complaints raised in respect of Sport NI Board members should be transparent and collaborative. The principle of early and open engagement is important, with the Department made aware of any concerns/complaints as soon as practicable.

While Board Members are Public Appointees/office holders rather than Sport NI employees, a Sport NI employee may utilise Sport NI's grievance procedure/other HR procedure to raise a complaint against a Board member. The Sport NI employee raising the grievance should expect this to be handled in line with Sport NI's HR procedures.

Concerns/complaints might also be raised through:

- Raising Concerns/Whistleblowing arrangements;
- Complaints processes;
- Directly with Sport NI or the Department.

Where a concern/complaint is received within Sport NI in respect of an individual Board Member this should be provided to the Sport NI Chair who should notify the Department's Head of Governance at the outset in order that lead responsibility for handling the complaint/concern is clear in advance.

Where a concern/complaint relates to the Sport NI Chair, Sport NI should notify the Department's Head of Governance at the outset for the Department to determine the approach to handling the complaint/concern.

Differences of view in relation to matters which fall within the Board's responsibilities are a matter for the Board to resolve through consensus-based decision making in the best interests of the Sport NI.

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Exceptionally a concern/complaint may be raised by a Board Member about a fellow Board Member or a senior member of Sport NI staff. The Sport NI Chair should notify the Department at the outset to ensure that arrangements for handling the concern/complaint are clear. The Department may determine that it should make arrangements to deal with the concern/complaint. This will be agreed at the outset.

Arrangements for concerns/complaints in respect of Board members should be reflected in all relevant procedures, including Standing Orders and Board Operating Frameworks.

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Annex 6 - Applicable Guidance

The following guidance is applicable to Sport NI.

Guidance issued by the Department of Finance

- Managing Public Money NI
- Public Bodies – A Guide for NI Departments
- Corporate Governance in central government departments – code of good practice
- DoF Risk Management Framework
- HMT Orange Book
- The Audit and Risk Assurance Committee Handbook
- Public Sector Internal Audit Standards
- Accounting Officer Handbook – HMT Regularity, Propriety and Value for Money
- Better Business Cases NI
- Dear Accounting Officer Letters
- Dear Finance Director Letters
- Dear Consolidation Officer and Dear Consolidation Manager Letters
- The Consolidation Officer Letter of Appointment
- Government Financial Reporting Manual (FReM)
- Guidance for preparation and publication of annual report and accounts
- Procurement Guidance

Other Guidance and Best Practice

- Specific guidance issued by the Department
- EU Delegations
- Recommendations made by the NI Audit Office/NI Assembly Public Accounts Committee
- NIAO Good Practice Guides
- Guidance issued by the Executive's Asset Management Unit
- NI Public Services Ombudsman guidance

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Annex 7 – Role of the Minister

Role of the Minister

The Chair of Sport NI is responsible to the Minister. Communication between the Board and the Minister should normally be through the Chair.

The departmental Accounting Officer is responsible for advising the relevant Minister on a number of issues including the Sport NI objectives and targets, budgets and performance.

In addition to being answerable to the Assembly as laid out in paragraph 2.4, the Minister is also responsible for:

- Setting the strategic direction and overall policies and priorities for the Sport NI as reflected in the PfG;
- Approving the Sport NI's Business Plan;
- Setting Sport NI's budget; and
- Appointment of non-executive board members. The Minister may also be involved in considering the size and composition of the Sport NI Board – see para 15.3.

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Annex 8 – Partnerships between Departments and Arm’s Length Bodies: NI Code of Good Practice

NI Code of Good Practice

Partnerships between Departments and Arm’s Length Bodies: NI Code of Good Practice.

[DAO \(DoF\) 03/19 - NI code of good practice \(finance-ni.gov.uk\)](#)

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Annex 9 – Glossary of Terms / Abbreviations

C&G	Comptroller and Auditor General
Chair	Same meaning as “Chairman” in the Recreation and Youth Service (Northern Ireland) Order 1986
Department	Department for Communities
DoF	Department of Finance
MPMNI	Managing Public Money Northern Ireland
PfG	Programme for Government
PSIAS	Public Sector Internal Audit Standards
RTTCWG	Report to Those Charged with Governance
Sport NI	Sports Council for Northern Ireland
The Order	The Recreation and Youth Service (Northern Ireland) Order 1986
Vice Chair	Same meaning as “Vice-Chairman” in The Recreation and Youth Services (Northern Ireland) Order 1986