

Memorandum of Understanding

Between



And



2020

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1. Purpose and Scope of this MOU

To outline the roles and responsibilities of Limerick City and County Council and Limerick Public Participation Network (PPN) with regard to Limerick PPN as set out in the following documents:

- Public Participation PPNs (PPNs) A User Guide March 2017 (Department of Housing, Planning, Community and Local Government)
- Circular CVSP 8/2019 Public Participation PPN – Statement of Expenditure for 2019
- Circular CVSP 2/2020 PPN Funding for 2020
- Circular CVSP 3/2020 PPN Income and Expenditure Account 2019
- Circular CVSP 4/2020 Update on PPN Funding for 2020

2. Context

(from Department Guidelines / Task Group report)

“A new framework for public engagement and participation, to be called “The Public Participation Network (PPN)” will be developed within each local authority area to enable the public to take an active formal role in the policy making and oversight activities of the local authority’s areas of responsibility.

The PPN will be the main link through which the local authority connects with the community and voluntary, social inclusion and environmental sectors without prejudice to other consultation processes.

The aim of the structures and processes is to facilitate and enable the public and the organisations to articulate a diverse range of views and interests within the local government system, not to reduce or homogenise this diversity. A parallel and equally important aim should be to facilitate the local authority in making better and more timely decisions.

Members of the local community interact with local government at different levels. The PPN facilitates input by the public into local government through a structure that ensures public participation and representation on decision-making committees within local government.

The PPN is expected to perform its functions following core principles to facilitate active participation with decision making bodies as identified earlier i.e. participation, trust, accountability, transparency and independence”.

3. Goals and Objectives

To strengthen the Public Participation Network in Limerick which:

- a) Facilitates the participation and representation of communities in a fair, equitable and transparent manner through the environmental, social inclusion and community and voluntary sectors on decision making bodies.
- b) Strengthens the capacity of communities and of the environmental, social inclusion, and community and voluntary groups to contribute positively to the community in which they reside/participate.
- c) Provides information relevant to the environmental, social inclusion and community and voluntary sectors and acts as a hub around which information is distributed and received.

In particular, the role of the PPN is to:

1. Facilitate opportunities for networking, communication and the sharing of information between environmental, community and voluntary and social inclusion groups and between these groups and the local authority.
2. Identify issues of collective concern and work to influence policy locally in relation to these issues.
3. Encourage and enable public participation in local decision making, local democratic processes and opportunities for active citizenship.

4. Facilitate the selection of participants from the environmental, social inclusion and community and voluntary sectors onto city and county decision making bodies.
5. Support a process that will feed the broad range of ideas, experience, suggestions and proposals of the PPN into policies and plans being developed by agencies and decision makers in areas that are of interest and relevant to the PPN.
6. Work to develop the environmental, social inclusion and community and voluntary sectors so that the work of the sectors is clearly recognised and acknowledged and the sectors have a strong collective voice within the city and county.
7. Support the individual members of the PPN so that they:
 - a. can develop their capacity and do their work more effectively
 - b. can participate effectively in the PPN activities
 - c. are included and their voices and concerns are heard.

4. Roles and Responsibilities

- a) Limerick PPN, through its Secretariat, will be responsible for the operational roll out of the PPN as per its workplan and will be accountable for the public funding it receives and spends.
- b) The PPN Secretariat will ensure proper governance and decision-making structures are set out in their constitution and are fully implemented.
- c) The Limerick PPN Secretariat will act on behalf of the PPN with regard to agreeing this MOU.
- d) Limerick City and County Council will support the PPN as appropriate, including and especially as employer for the PPN staff and as funding administrator. This means the following costs/ responsibilities are carried by Limerick City and County Council:
 - 1) Recruitment of one full-time resource worker and one full-time support worker (subject to availability of funding) and working with the PPN Secretariat to recruit staff as and when appropriate. Or, where necessary, and with the agreement of the Secretariat, the Council may allocate local authority staff as PPN staff.
 - a) With the Local Authority as employer and where an open recruitment process is undertaken, the recruitment process will be in line with public sector recruitment policy. The PPN Secretariat will have an input in the process. No other recruitment processes will take place without written agreement between the Local Authority and the PPN Secretariat.
 - b) Where there are proposed significant changes in the duties of PPN staff outside of their normal PPN-related work, these should be agreed in advance with the Secretariat.
 - 2) The Local Authority will manage all key HR responsibilities including procedures around health, safety and wellbeing, leave, time management, discipline and grievances
 - 3) Paying the PPN staff, deducting all taxes and charges and paying them to Revenue, and have employer's liability and other relevant insurances.
 - 4) Financial management and financial reporting
 - 5) Generic office supplies, printing, postage and landline, light and heat
 - 6) Desk space for staff and IT support
 - 7) Support for publicity/communications
- e) Limerick City and County Council's insurance policy will indemnify the Public Participation Network, as though it is the insured, in respect of its legal liability arising solely out of its activities as a Public Participation Network.
- f) Both Parties will adhere to General Data Protection Regulations (GDPR) requirements, subject to further clarification from the Department of Rural and Community Development surrounding data controller and data processor responsibilities.
- g) Limerick City and County Council undertakes to provide a minimum of €35,000 funding to match the €75,700 received from the Department of Rural and Community Development for general and agreed running costs of Limerick PPN (this funding includes the ring-fenced costs associated with a full-time PPN Resource Worker and full-time PPN Support Worker).

- h) The Director of Services of the Community Development Directorate of Limerick City and County Council or their appointed representative (minimum Administrative Officer level) will act on behalf of Limerick City and County Council. Any change in this individual must be communicated in writing to the Secretariat.

5. Work-plan, Budget and Staffing

Limerick PPN will:

- a) Prepare an annual work plan which will clearly demonstrate how it will achieve the aims and objectives of the PPN within that period.
- b) Identify the itemised budget and resource requirements under the work plan.
- c) Have a clear reporting mechanism on key performance indicators and other items related to PPN activity.
- d) Provide guidance and support to PPN staff in the furtherance of the work plan.
- e) Will ensure that proper PPN financial governance is in place and ensure compliance with all requirements relating to public expenditure.

Limerick City and County Council will:

- a) Respect its responsibilities as funding administrator in support of the PPN.
- b) Respect its responsibilities as employer in support of the PPN and support the staff work to fulfill their obligations in the furtherance of the work plan.
- c) Agree a resource allocation for this and a payment schedule based on satisfactory reports.
- d) Appoint a designated, named liaison person between it and the PPN who is at least at Administrative Officer level.
- e) Act in a timely fashion in its engagement with Limerick PPN.

6. Operational Cooperation

Limerick PPN will:

- a) Work constructively and collaboratively with Limerick City and County Council in the furtherance of the aims of PPN as set out in Circulars and guidance from the Department of Rural and Community Development.
- b) Engage in other activities provided they are complementary to the agreed work plan and that they can access the extra resources required to undertake such work.
- c) Work with Limerick City and County Council on any funding applications which may be appropriate.
- d) Every effort is made to avoid conflict between representatives of PPN members, members of the Secretariat and between the membership and the Secretariat, and an agreed complaints and appeals process is in place. However, where the Secretariat deem necessary, the Secretariat will seek advice and support from Limerick City and County Council.
- e) Advocate for the rights and responsibilities of committees with PPN Representation as set out in the PPN constitution (Appendix 2) and the National User Guide for PPN's, while acknowledging that the PPN has limited control in their implementation. This is based on the understanding that the way in which the committee conducts its business has a significant impact on the effectiveness of PPN representation.

Limerick City and County Council will:

- a) Work constructively and collaboratively with Limerick PPN in the furtherance of the aims of PPN as set out in Circulars and guidance from the Department of Rural and Community Development.
- b) Work with the PPN to jointly plan and implement appropriate consultations and communications with the environmental, social inclusion and community and voluntary sectors of the PPN

- c) Approach the PPN for representatives for all seats on decision making / advisory bodies under its auspices which require environmental, social inclusion, or community and voluntary members in accordance with national requirements or by agreement between both parties
- d) Pay expenses to the PPN representatives on such structures according to current existing mechanisms common to all other sectoral representatives on such structures.
- e) The Council Executive will draft standing orders for all decision making/advisory committees having regard to the needs of all members for the Committees. The adoption of such standing orders is a function of the Committee itself. Notwithstanding, Limerick City and County Council will endeavor to facilitate full and meaningful participation on committees by PPN representatives and in consultations by PPN members by giving due regard to communications, timings, meetings processes, documentation etc. This is based on the understanding that the way in which the committee conducts its business has a significant impact on the effectiveness of PPN representation.
- f) Facilitate workshops and/or provide training as required to Limerick City and County Council staff to build their capacity to engage effectively in the processes of the PPN.
- g) Provide a designated named official who will liaise with and support the PPN. Work with Limerick PPN on any funding applications which may be appropriate.
- h) Every effort is made to avoid conflict between representatives of PPN members, members of the Secretariat and between the membership and the Secretariat, and agreed complaints and appeals processes are in place. However, where the Secretariat request, Limerick City and County Council will provide appropriate advice and support.

7. Reporting and Evaluation

Limerick PPN and Limerick City and County Council will jointly devise, agree and implement a monitoring and evaluation framework which involves all stakeholders in the PPN process.

Limerick PPN will:

- a) Submit half-yearly reports to Limerick City and County Council detailing progress on the work-plan in accordance with agreed objectives.
- b) Attend half-yearly review meeting with the designated official and/or Director of Service
- c) Carry out annual reviews and produce an Annual Report on the PPN.
- d) Provide, as appropriate to the Department of Rural and Community Development, activity, outcomes and financial reports

Limerick City and County Council will:

- a) Support the submission of all necessary reports to the Secretariat and the Department as required for managing and drawing down funds.
- b) Participate in evaluation and monitoring of the PPN's performance.

8. Conflict resolution

Every effort should be made to avoid serious conflict between the parties, by providing good communication protocols that will enable any issues to be dealt with early and in a timely manner. In the event that any dispute relating to this MOU cannot be resolved by settlement between the parties, dispute resolution may include mediation, arbitration, or any other procedures upon which the parties agree. Where conflict arises between a PPN and Limerick City and County Council which cannot be resolved locally, the Department of Rural and Community Development is the final arbiter.

9. Review

This MOU will be reviewed in writing every year. Any recommended changes (within the control of both parties), must be agreed by both parties.

10. Commencement

This agreement will come into force on 01/01/20 and be effective until 31/12/20

Name (printed) SEAMUS O'CONNOR

Title LCDC CHIEF OFFICER

Signed _____

On Behalf of Limerick City and County Council

Name (printed) PATRICK FITZGERALD

Title SECRETARIAT FACILITATOR

Signed _____

On Behalf of Limerick PPN