

2021 Memorandum of Understanding
Between



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

And



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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 Network Handbook](#) (DRCD 2020)
- [Circulars issued by DRCD](#), in particular:
 - Circular CVSP 7/2020 re PPN Handbook, PPN Financial Controls and other key financial information

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:

1. 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.
2. 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.
3. 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. Contribute to the local authority’s development for the local authority area with a vision for the well-being of this and future generations
2. Facilitate opportunities for networking, communication and the sharing of information between environmental, community and voluntary groups and between these groups and the local authority
3. Identify issues of collective concern and work to influence policy locally in relation to these issues
4. Actively support inclusion of socially excluded groups, communities experiencing high levels of poverty, communities experiencing discrimination – including Travellers and new communities – to enable them to participate at local and local authority area level and to clearly demonstrate same
5. Encourage and enable public participation in local policy-making and planning of services
6. Facilitate the selection of participants from the environmental, social inclusion and voluntary sectors onto local authority area policy-making bodies
7. 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

8. Work to develop the environmental, 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 local authority area
9. 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 PPN activities
 - c. are included and their voices and concerns are heard

4. Roles and Responsibilities

1. 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.
2. The PPN Secretariat will ensure proper governance and decision-making structures are set out in the PPN constitution and are fully implemented.
3. The Limerick PPN Secretariat will act on behalf of the PPN with regard to agreeing this MOU. The MOU, along with PPN governance documents, Plenary-approved annual workplan, financial and nonfinancial PPN reports, minutes of PPN meetings, and links to DRCD Circulars, will be published on the PPN website.
4. 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) The Local Authority will manage all key HR responsibilities including procedures around recruitment (see point 4.8), health, safety and wellbeing, leave, time management, discipline and grievances
 - 2) Paying the PPN staff, deducting all taxes and charges and paying them to Revenue, and having employer's liability and other relevant insurances
 - 3) Financial management and financial reporting
 - 4) Generic office supplies, printing, postage and landline, light and heat
 - 5) Desk space for staff and IT support
 - 6) Support for publicity/communications
 - 7) Where there is a PPN staff vacancy:
 - a) Limerick City and County Council will manage the recruitment of one full-time resource worker and/or one full-time support worker (subject to availability of funding) and working with the PPN Secretariat, will recruit staff as and when appropriate. Or, where necessary, and with the agreement of the Secretariat, the Council may allocate local authority staff to the role(s).
 - b) 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. Should the PPN decide in the future not to engage the Council as the employer they will provide adequate notice (i.e. at least 3 months) to the Council of their intention to do.
5. 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.
6. 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.
7. Limerick City and County Council undertakes to provide a minimum of €35,000 funding to match funding 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).

8. 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 as Liaison between the Local Authority and the PPN. Any change in this individual must be communicated in writing to the Secretariat.

5. Work-plan, Budget and Staffing

Limerick PPN will:

1. Prepare an annual workplan which will clearly demonstrate how it will achieve the aims and objectives of the PPN within that period. This workplan will be adopted by Plenary in early 2021.
2. Identify the itemised budget and resource requirements under the workplan.
3. Have a clear reporting mechanism on key performance indicators and other items related to PPN activity.
4. Provide guidance and support to PPN staff in the furtherance of the workplan.
5. 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:

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

6. Operational Cooperation

Limerick PPN will:

1. 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.
2. Engage in other activities provided they are complementary to the agreed workplan and that they can access the extra resources required to undertake such work.
3. Ensure that all relevant information and documentation (eg. minutes of Secretariat and Plenary meetings, financial and non-financial reports) are available for PPN members on an up-to-date website.
4. Ensure the Secretariat presents a progress report at ordinary Plenary meetings and that the discussion/decisions are documented in meeting minutes.
5. Work with Limerick City and County Council on any funding applications which may be appropriate.
6. 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.
7. Use an agreed PPN template signed by the relevant Linkage Group Facilitator and at least one elected PPN representative on a given Limerick City and County Council committee presenting any agenda item being proposed by the Linkage Group for inclusion on a meeting agenda of the committee. The document will present the proposed agenda item and confirm that this is with the agreement of the relevant PPN Linkage Group.
8. Advocate for the rights and responsibilities of committees with PPN Representation as set out in the PPN constitution (Appendix 2) and the National Handbook 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:

1. Work constructively and collaboratively with Limerick PPN in the furtherance of the aims of PPN as set out in Circulars and the PPN handbook.
2. 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.
3. 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
4. Pay expenses to the PPN representatives on such structures according to current existing mechanisms common to all other sectoral representatives on such structures.
5. 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 Council 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.
6. 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.
7. Work with Limerick PPN on any funding applications which may be appropriate.
8. 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.
9. Support the development of a community wellbeing statement at local and county level.

7. Financial management and control

The PPN budget must only be used for PPN work, supporting the objectives of the PPN. The Secretariat is to work with the PPN staff to develop the annual PPN budget for approval by the Plenary at the beginning of each year in accordance with the PPN Constitution, its objectives, its workplan, its strategic plan and departmental circulars. Reference should be made in particular to the PPN Handbook, Circular CVSP 7 2020 and the PPN Financial Controls Document all published by the DRCD and available on the PPN website. Additionally, the financial protocol between Limerick City and County Council and Limerick PPN (at end of this document) is to be followed by both parties to this MOU.

8. 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:

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

Limerick City and County Council will:

1. Support the submission of all necessary reports to the Secretariat and the Department as required for managing and drawing down funds.
2. 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 comes into force on 01/01/21 and is effective until 31/12/21

Name (printed) SEAMUS O'CONNOR

Title: LCDC CHIEF OFFICER

Signed: _____

On Behalf of Limerick City and County Council

Title: SECRETARIAT FACILITATOR

Signed: _____

On Behalf of Limerick PPN

Finance protocol for Limerick PPN between Limerick PPN and Limerick City and County Council

Introduction

Transparency and integrity are key principles in the operation of the PPN. While the PPN is independent from the Local Authority and of any vested interests, the PPN membership and its Secretariat are aware of obligations for responsibility and accountability in the use of the public funding it receives from national and local government or other sources.

The Secretariat, on behalf of the Plenary, ensure the financial affairs of the PPN are conducted properly. This is done with the administrative support of Limerick City and County Council who administer the PPN funding for the PPN, including the payment of salaries for PPN staff using funding for ring-fenced costs associated with having PPN support staff.

Certain tasks may be delegated to a finance subcommittee of the Secretariat, made up of no fewer than three members, but will remain under the control of the PPN. An annual budget is prepared as part of the annual workplan which is approved by the Plenary and remains under its control.

The annual workplan covers:

1. Participation in decision-making and representation
2. Capacity building
3. Information sharing and communication
4. Other activities as agreed

In managing the PPN's financial affairs:

1. All expenditure is subject to funding being available from national and local government.
2. Expenditure should be in line with the agreed workplan and budget – this can be subject to review by the Secretariat and/or Plenary.
3. The purchase of goods and services must adhere to public procurement guidelines as given by the Department of Public Expenditure and Reform.
4. Expenditure will be disbursed through Limerick City and County Council on the basis set out in the Memorandum of Understanding between the PPN and Limerick City and County Council.
5. Limerick City and County Council uses the Agresso Financial Management System for payments.
6. Payments can only be made when payees are set up as suppliers on Agresso and are in full compliance with certain conditions such as Tax Clearance certification (verified by Accounts) and procurement.
7. All appropriate travel and subsistence claims, apart from PPN staff salaries and expenses need to be signed off by two Secretariat members before being processed by Limerick City and County Council where an official within the Community Development Team of no less than Administrative Officer grade will sign them off. The Limerick PPN Travel and Subsistence Policy is in the PPN's adopted constitution.
8. PPN staff salaries and PRSI are managed directly by Limerick City and County Council and are part of the annual agreed budget.
9. PPN staff expenses must be due to activities that have been agreed to by the Secretariat.
10. Evidence supporting the payments (e.g. receipts, invoices, meeting minutes, progress report) must be uploaded onto Agresso.
11. All invoices must be matched with their expenditure authorisation and linked to the budget item.
12. The funding is held by Limerick City and County Council on behalf of the PPN. Income and expenditure reports are available to the Secretariat as and when required and are included in annual/quarterly returns to the Department of Rural and Community Development after being signed off on by both the Secretariat and the Council.
13. Financial Records will be in accordance with directions of funders and in compliance with accounting standards and processes.
14. A copy of the Financial Statement approved by Secretariat will be circulated to all members prior to the annual members' meeting.
15. All transactions / payments on Agresso are subject to internal and external audits. All financial records are retained for at least six years.