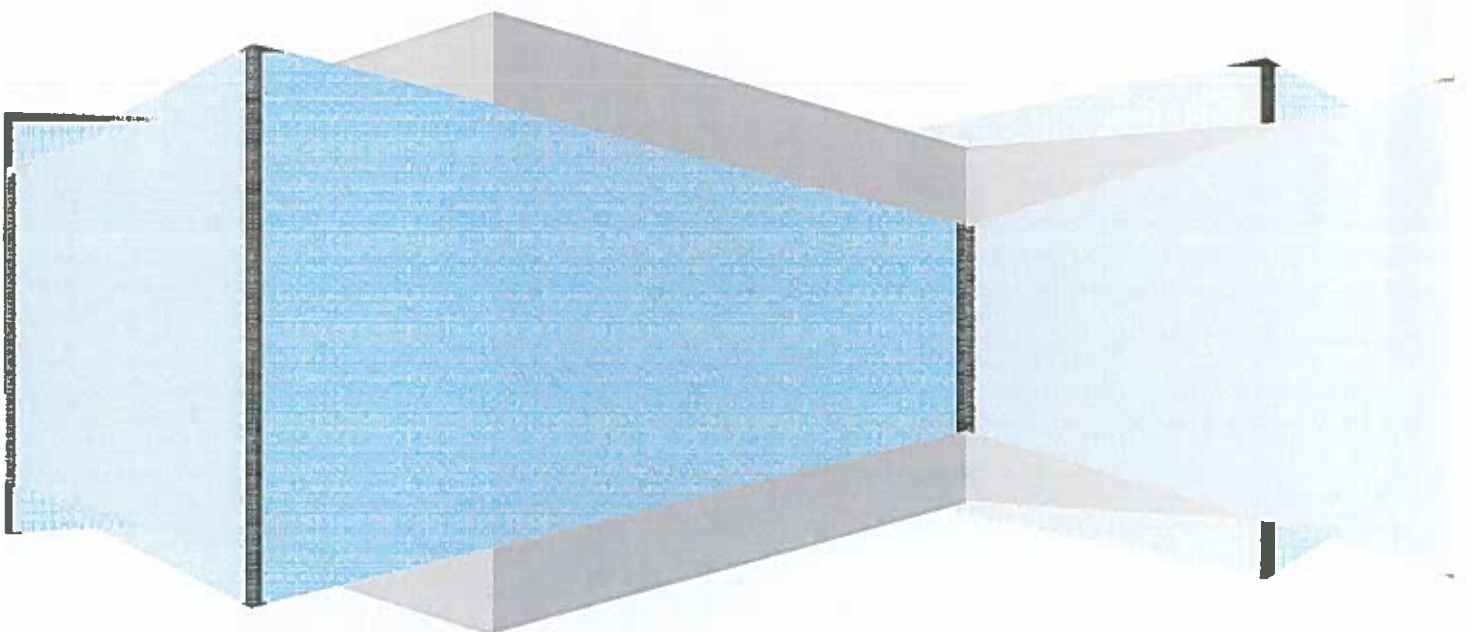


Kilkenny County Council

Memorandum of Understanding

**Between Kilkenny County Council and the
Kilkenny Public Participation Network**

Duration: 3 year contract to November 2021



**Kilkenny CC and PPN MOU Nov 2018-Nov 2021
Revised 4th January 2020**

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**Memorandum of Understanding
Between
Kilkenny County Council of County Hall, John St, Kilkenny
And
Kilkenny PPN (Public Participation Network) Of
Suite 1, Hebron House, McDonagh Junction,
Kilkenny**

Purpose and Scope

To outline in a clear and unambiguous manner the roles and responsibilities of Kilkenny City/County Council and Kilkenny Public Participation Network with regard to the delivery of the PPN Programme as laid down in the DECLG Guidelines:

- **Circular Letter CVSP2/2014** (Local Government Reform/Citizen Engagement)
- **Circular Letter CVSP1/2015** (Funding and Other Matters Relating to Public Participation Networks in Local Authority Areas).
- **Circular Letter CSVP1/2016** (Activity Report 2015, Expenditure Report 2015, Funding Arrangements 2016 & Client Relationship Management (CRM) Database)
- **Circular Letter CSVP8/2018** PPN's and Engagement in the Political Process
- **Circular Letter CSVP9/2018** Additional Funding for PPN Support Workers
- **DECLG PPN: A User Guide May 2016 and Revised User Guide 2019**
- **Circular Letter CVSP7/2019** Role of PPN's and Conference 2019
- **Circular Letter CSVP 4/2020:** Update on Funding 2020
- **Circular Letter CSVP6/2020:** Travel and Subsistence for PPN's

Though responsibility of the implementation of the PPN falls within the Community Services Department, this Memorandum of Understanding is applicable across all Kilkenny County Council departments.

Context

(Extracted 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 (engaging in and within municipal districts and at the County/City level) 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, voluntary 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 Network 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.

Goals and Objectives

To establish and develop a Public Participation Network in Kilkenny which:

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

In particular the role of the Network is:

- 1. To contribute to the local authority's development for the County/City a vision for the well-being of this and future generations.*
- 2. to 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. to identify issues of collective concern and work to influence policy locally in relation to these issues.*
- 4. to actively support inclusion of socially excluded groups, communities experiencing high levels of poverty, communities experiencing discrimination, including Travellers to enable them to participate at local and county level and to clearly demonstrate same.*
- 5. to encourage and enable public participation in local decision making and planning of services.*

6. to facilitate the selection of participants from the environmental, social inclusion and community & voluntary sectors onto city/county decision making bodies.

7. to support a process that will feed the broad range of ideas, experience, suggestions and proposals of the Network into policies and plans being developed by agencies and decision makers in areas that are of interest and relevant to the Network.

8. to work to develop the Environmental, Social Inclusion and Community & Voluntary sectors so that the work of the sectors is clearly recognised and acknowledged and the sectors have a strong collective voice within the County/City.

9. to support the individual members of the Public Participation Network so that:

- They can develop their capacity and do their work more effectively
- They can participate effectively in the Public Participation Network activities
- They are included and their voices and concerns are heard.

As outlined in the Public Participation Handbook 2020, Pg.80-

“The relationship with the Local Authority is one of the key relationships of the PPN. It is through representation on Local Authority Boards and Committees that the PPN can fulfil its core objective of supporting its Member Groups to participate in local government decision-making.

Many of the PPN Workers are also employed by the Local Authority. It is important that this relationship works well for both the PPN and the Local Authority and that any issues can be dealt with quickly and locally, as much as possible.

To progress the work of the PPN, the Local Authorities and PPNs must work together and engage meaningfully with each other to their mutual benefit.

The PPN is the primary way that Local Authorities get inputs for consultations with their communities and PPNs play a key role in supporting the development of each Local Authority area.”

Key issues to be covered in the Memorandum of Understanding are that:

- PPNs are independent from the Local Authority, i.e. neither the PPN as a whole or the PPN Workers are answerable to the Local Authority in the carrying out their PPN work.
- Each Local Authority has a responsibility to support the PPN to maintain its independence and to ensure that it maintains appropriate boundaries. This is particularly the case where the PPN Workers are employed by the Local Authority.
- Throughout the Local Authority, public participation must be seen as an important and valued element of policy development, implementation, monitoring and evaluation. This cannot be solely confined to the Community Section.
- The proper procedure is followed when submitting reports or returns concerning the PPN.

Roles and Responsibilities

Kilkenny County Council will:

1. Establish a Public Participation Network in its operational area.
2. Undertake to provide an annual budget of a minimum of €35,000 to the Kilkenny PPN for so long as the DECLG continue to financially support same by its annual allocation of €75,700 to the Kilkenny PPN. This includes additional funding by the DCRD towards engagement and recruitment of the Support Worker for Kilkenny PPN and the Commitment made by Kilkenny County Council to supplement the cost of engagement of this worker in the amount of €5,000.
3. Actively and positively work to support the Kilkenny PPN in its operation and in the development of the structure.
4. Undertake the employment of the PPN Development Officer for a 3 year period and provide a suitable work space for the PPN Development Officer and Support Worker
5. To provide financial contribution to the amount of €6937.50 +VAT to cover half the overall costs associated with the lease of a premises for Kilkenny PPN at the address Suite 1, Hebron House, McDonagh Junction, Kilkenny. Rent as per lease agreement €11,415.00 exclusive of VAT per annum.
6. The Director of Service whose responsibility includes Community or their appointed representative (minimum Administrative Officer level) will act on behalf of Kilkenny Council. Any change in this individual must be communicated in writing to both parties.

Kilkenny PPN will:

1. Take responsibility for the operational rollout of the PPN in County Kilkenny.
2. Delegate up to three individuals to act on its behalf with regard to the negotiation and progress of this MOU. Any change in these individuals must be communicated in writing to both parties.
3. Kilkenny PPN will ensure that half the rent payable from the Rent Commencement Date quarterly in advance on the Quarterly Gale Days will be transferred into Kilkenny County Council's account. This will also include the Service Charge to be paid within seven days of demand; and the Insurance Premium to be paid within seven days of demand.

Work-plan and budget

KILKENNY COUNTY COUNCIL will:

1. Review and endorse the PPN work plan annually.
2. Agree a resource allocation and a process for payment of PPN expenditure.
3. Appoint a liaison person between the County Council and the PPN who is at least at Administrative Officer level.
4. Recognise the authority of the PPN to have oversight on non salary budget in line with the PPN workplan with the understanding that Kilkenny County Council financial procedures are adhered to.

PPN will:

1. Devise an annual detailed work plan which will clearly demonstrate how it will achieve the aims and objectives of the PPN within that period.
2. Ensure that this work plan is presented at Plenary to all members and is formally ratified by members present.
3. Identify the itemised budget and resource requirements under the work plan.
4. Have a clear reporting mechanism on key performance indicators and other items related to the PPN.
5. Be open to any recommendations audit processes as requested by Kilkenny County Council in the interests of probity, protecting the PPN members and ensuring good resilient transparent practices to the broader public, including Freedom of Information requests and data protection policies that apply.

Staffing**Kilkenny County Council will:**

1. Recruit and employ a PPN Development Officer, on terms and conditions consistent with its other employees and consistent with the terms and conditions of employment of persons fulfilling a similar role in other local authority areas.
2. Assist with the recruitment and employment of a PPN Support Officer, on terms and conditions consistent with its other employees and consistent with the terms and conditions of employment of persons fulfilling a similar role in other local authority areas.
3. Devise a job description and terms and conditions of employment for the PPN Development Officer and Support Worker in conjunction with and as agreed with the PPN.
4. Assist with/ provide a suitable workspace and equipment for the PPN Development Officer.
5. Offer support, supervision and relevant training and development opportunities to the PPN Development Officer.
6. Provide the PPN Development Officer with supervision in line with Kilkenny County Council staffing Procedures including Health and Safety
7. Have employer's liability and other relevant insurances.

Kilkenny PPN will:

1. Manage the day to day work of the PPN Development Officer in the furtherance of the work plan.
2. Actively participate in the recruitment of the PPN Development Officer and any other PPN staff that may be identified.
3. Participate in and provide input to any Kilkenny County Council performance review process relating to the PPN Development Officer's performance of their duties.

Operational Co-operation

The Council will work with the Kilkenny PPN to agree, adopt and implement a protocol for all committees/decision making bodies with Kilkenny PPN representatives, which will enable the representatives to engage fully, taking into consideration timing, location, documentation etc.

Kilkenny CC will:

1. Work constructively with Kilkenny PPN to build its capacity and that of its members to make a major contribution to the continuing economic, social, environmental and sustainable development of Kilkenny City and county.
2. Approach Kilkenny PPN for representatives for all seats on decision making / advisory bodies under their auspices which require Environmental, Social Inclusion, or Community and Voluntary members.
3. Use the Kilkenny PPN as their main way of communicating with the Environmental, Social Inclusion and Community and Voluntary Sectors, including formal consultations without prejudice to other consultation mechanisms and practices especially those outlined in legislation.
4. Support the organisation of workshops and training as required to Kilkenny PPN members to build their capacity to feed into policies and plans.
5. Support the organisation of workshops and training to staff and elected members to raise awareness of the role of Kilkenny PPN and how to maximise the benefit of Kilkenny PPN to the city and county.
6. Work with Kilkenny PPN on any funding applications which may be appropriate.
7. Support the development of a wellbeing statement at local and county /city level.
8. Pay expenses to the PPN representatives on such structures according to a mechanism to be agreed with the PPN in line with the PPN workplan and budget.

Kilkenny PPN will:

1. Work constructively and collaboratively with Kilkenny CC in the furtherance of the aims of PPN as set out in the Department's guidelines as set out in Circular CVSP1/2014.
2. Respond to requests from Kilkenny County Council for Kilkenny PPN representatives to sit on decision making and advisory bodies and to elect such representatives in an open and transparent way.
3. Engage in other activities provided they are complementary to this work plan and that they can access the extra resources required to under-take such work.
4. Work with Kilkenny County Council on any funding applications which may be appropriate.

Reporting and Evaluation

Kilkenny CC will:

1. Commit to meeting with the PPN Secretariat and Development Officer to discuss the progress/needs of the PPN. Kilkenny County Council CEO will attend one PPN Plenary meeting and will also meet the PPN Secretariat at least once per year. One of the Directors of Services will meet the PPN Secretariat quarterly.
2. Submit reports to the DRCD as required to draw down funds in conjunction with the PPN secretariat
3. Draw down finances from DRCD biannually
4. Ensure budget is allocated to the PPN code based on the annual workplan
5. Include the PPN Development Officer in Community section staff meetings that include budget updates and reports on expenditure on a quarterly basis, to track the status of the PPN budget. Such reports will be produced through the Council's financial management system and will provide enough detail to allow the PPN to monitor spending against the work plan and to make any appropriate adjustments to the work plan and associated spending plans that may be required.
6. Cooperate with Kilkenny PPN in relation to any reporting that may be required by DRCD in relation to the operation and activities of the PPN.
7. Participate in evaluation and monitoring of the PPN's performance.

Kilkenny PPN will:

1. Provide Kilkenny County Council with information as requested regarding the status and operations of the PPN.
2. Submit quarterly financial reports to Kilkenny County Council.
3. Attend a quarterly / half-yearly review meeting with Kilkenny County Council.
4. Devise, agree and implement a participatory evaluation framework which involves all stakeholders in the PPN process.

5. Carry out Annual Reviews and produce an Annual Report on the operations and activities of the PPN.
6. Cooperate with Kilkenny County Council in relation to any reporting that may be required by DRCD in relation to the operation and activities of the PPN.

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, the parties shall attempt to resolve all disputes through informal means. Dispute resolution may include mediation, arbitration, or any other procedures upon which the parties agree. In the first instance, such mediation should involve the Director of Services for Housing, Community and Culture, and subsequently the PPN designated person within the DRCD.

Review

This MOU will be reviewed in writing every year on the anniversary of its signing. Any recommended changes must be agreed by both parties.

Commencement

This agreement will come into force on the _____ 2021 and be effective until the 6th November 2021

Signatures

I have read and fully understand the conditions contained in this agreement.

Name: Mary Mulholland

Signed: 
On Behalf of Kilkenny County Council

Name: Margaret Whelan

Signed: 
On Behalf of Kilkenny PPN

Ratified By PPN Plenary on _____

