



# Partnership Agreement Between Department for Communities and Libraries NI

May 2024



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Any enquiries regarding this document should be sent to us at:

Culture ALB Sponsorship Branch  
Causeway Exchange  
1-7 Bedford Street  
Belfast  
BT2 7EG

Email: [culturealbsponsorship@communities-ni.gov.uk](mailto:culturealbsponsorship@communities-ni.gov.uk)

This publication is also available to download from our website at [www.communities-ni.gov.uk](http://www.communities-ni.gov.uk)

Glossary of Terms
The Northern Ireland Library Authority is referred to as Libraries NI
The Libraries Act Northern Ireland 2008 is referred to as The Act
The Department for Communities is referred to as DfC
The Department of Finance is referred to as DoF
Programme for Government is referred to as PfG
Managing Public Money Northern Ireland is referred to as MPMNI
Public Sector Internal Audit Standards is referred to as PSIAS
The Comptroller and Auditor General is referred to as the C&AG
The Report to Those Charged with Governance is referred to as the RTTCWG
The use of the term 'Chairperson' in this document has the same meaning as the term 'Chair' in the Libraries Act (Northern Ireland) 2008.

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# Introduction

## 1. The Partnership Agreement

1.1. This document sets out the partnership arrangements between Libraries NI and the Department for Communities (DfC). In particular, it explains the overall governance framework within which Libraries 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 in the Code are:

### Leadership

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.

### Purpose

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.

### Assurance

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.

### Value

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.

## Engagement

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.

A full copy of the 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 Libraries NI and DfC and this is reflected in this agreement.

1.4. DfC and Libraries NI are committed to:

- working together within distinct roles and responsibilities
- maintaining focus on successful delivery of Programme for Government (PFG) 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

- 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
- 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 DfC and Libraries 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 formally <sup>1</sup> 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 Libraries NI size and overall responsibilities and will be published on the DfC and Libraries 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 placed<sup>2</sup> in the NI Assembly Library and is available on the Department and the Libraries NI websites.

<sup>1</sup> Review will be initiated DfC taking account of direction/guidance from DoF.

<sup>2</sup> Culture ALB Sponsorship Branch to arrange placing a copy of the agreement in Assembly Library.



# Libraries NI Establishment and Purpose

## 2. Statutory Purpose and Strategic Objectives

- 2.1. The Northern Ireland Library Authority, known as Libraries NI, is a non-departmental public body (NDPB) established on 1 April 2009 by the Libraries Act (Northern Ireland) 2008. The Act requires Libraries NI to provide the public library service for Northern Ireland. It places a duty on Libraries NI to provide a comprehensive and efficient public library service for persons living, working or studying in Northern Ireland. For national accounts purposes Libraries NI is classified to the central government sector.
- 2.2. Libraries NI statutory functions, duties and powers are to ensure that facilities are available for the borrowing of, or reference to, library materials sufficient in number, range and quality to meet the general requirements of adults and children (whether by keeping adequate stocks, by arrangement with other bodies concerned with library services or by any other appropriate means).
- 2.3. It is also to have regard to the desirability of the following:
- encouraging both adults and children to make full use of the library service

- providing advice on the use of the library service and making available such bibliographical and other information as may be required by library users
  - promoting literacy and lifelong learning
  - maintaining a collection of library materials relevant to the cultural heritage of Northern Ireland
  - making library premises available for cultural and community activities
  - meeting any special requirements of adults and children by any appropriate means
- 2.4. The Northern Ireland Library Authority (Libraries NI) was established under the Libraries Act (Northern Ireland) 2008 (“the Act”), as a body corporate. Libraries NI may do anything within the Act that appears to it to be conducive or incidental to the discharge of its functions. The Act gives Libraries NI a range of powers including the power to:
- enter into agreements
  - acquire or dispose of property
  - borrow money
  - subject to the approval of the Department, form bodies corporate or acquire or dispose of interests in bodies corporate

- accept gifts
  - invest money
  - carry out, or commission or assist in the carrying out of research
  - co-operate with, or provide advice to, other statutory bodies
  - undertake commercial activities with the approval of the Department
  - make changes for some of the library services provided by it
  - make byelaws
- 2.5. The Minister for Communities is answerable to the Assembly for the overall performance and delivery of both DfC and Libraries NI.
- 2.6. The Executive’s 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.
- 2.7. To that end there is strategic alignment between the aims, objectives and expected outcomes and results of Libraries NI and DfC.
- 2.8. The strategic aims of Libraries NI are laid out in its Corporate Plan which has taken account of its statutory

responsibility to deliver a public library service and has sought to closely align what it does with those parts of the PfG framework that have most relevance and where it believes its impact to be most significant. By working to realise actions in outcome areas, Libraries NI will be able to make its contribution towards achievement of population outcomes in matters such as health, education and young people, societal wellbeing, connecting people and strengthening communities. The Department for Communities Strategy 2020-25: Building Inclusive Communities provides another important point of reference for libraries to contribute to the aim of making a lasting and sustainable contribution to improving the societal wellbeing of individuals and communities in Northern Ireland. The plan also draws on themes and outcomes articulated in community plans developed by the 11 district councils in Northern Ireland. Three discrete Libraries NI outcome areas are set out in this plan:

- a shared, inclusive public library service supporting communities and societal wellbeing
- inspired, informed and literate children and adults
- effective governance and delivery.

# Libraries NI Governance Arrangements

## 3. Organisational Status

3.1 Libraries 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 Libraries NI has an established Corporate Governance Framework which reflects relevant good practice guidance. The framework includes the governance structures established within Libraries 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 Libraries NI annual Governance Statement together with the Libraries 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 Libraries 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 Libraries 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. Libraries NI Board

5.1 Libraries NI is led by a Board all of whom are non-executive members appointed by DfC. The Board of Libraries NI, when fully constituted, comprises a Chairperson and not more than 18 Members, of whom, as far as is practicable, a majority are Councillors within the meaning of the Local Government Act (Northern Ireland) 1972. The appointment process for non-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; they are not subject to employee terms and conditions. Board members are subject to such Libraries NI policies and procedures as are in place to support and guide the delivery of services. 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 provides further detail on roles and responsibilities and is supplementary to this Partnership Agreement.

5.4 The purpose of the Libraries 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 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 as Chief Executive and Accounting Officer.

5.6 Board members act solely in the interests of Libraries 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). Libraries NI has a Code of Conduct for Board Members and there are processes and guidance in place to deal with any Board disputes/conflicts to ensure they do not become wider issues that impact on the effectiveness of the Board. A Board Register of Interests is maintained, kept up to date and is publicly available to help provide transparency and promote public confidence in Libraries 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. The minimum information requirements for each Board meeting are set out in the Board Operating Framework. If the Board is not confident that it is being fully informed about the organisation this will be addressed by the Chairperson 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 assessment of the performance of individual Board members and the annual review of Board effectiveness.

## 6. Audit and Risk Assurance Committee

6.1. A further important aspect of Libraries NI 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 Committee focuses on:

- assurance arrangements over governance; financial reporting; annual reports and accounts, including the Governance Statement
- ensuring there is an adequate and effective risk management and assurance framework in place

6.3 Libraries NI and DfC have agreed arrangements in respect of the Audit and Risk Assurance Committee which includes:

- attendance by departmental representatives in an observer capacity at Libraries NI Audit and Risk Assurance Committee meetings
- access to Libraries NI Audit and Risk Assurance Committee papers and minutes
- provision of input from Libraries NI Audit and Risk Assurance Committee to the Departmental Audit and Risk Assurance Committee as required

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. Libraries NI Chairperson

7.1. The Chairperson is responsible for setting the agenda and managing the Board to enable collaborative and robust discussion of issues. The Chairperson'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, they 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
- there is a Board Operating Framework in place setting out the roles and responsibilities of the Board in line with relevant guidance
- 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 Chairperson and Chief Executive act in accordance with their distinct roles and responsibilities as laid out in the Board Operating Framework, Managing Public Money and their appointment letters.

7.3. The Chairperson has a presence in the organisation and cultivates external relationships which provide useful links for the organisation while being mindful of not overstepping boundaries and becoming too involved in day to day operations or executive activities.

## 8. Libraries NI Chief Executive

8.1. The role of the Libraries NI Chief Executive is to run Libraries NI business. The Chief Executive is responsible for all executive

management matters affecting the organisation and for leadership of the Senior Management Team.

8.2 The Chief Executive is designated as Libraries NI 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 Libraries NI 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 Chairperson on the important strategic issues facing the organisation and for proposing Board agendas to the Chairperson to reflect these. They ensure effective communication with stakeholders and communication on this to the Board. They also ensure that the Chairperson 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 executive directors by exhibiting open support for the Chairperson and Board members and the contribution they make. The Chairperson 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 are as laid out in the Board Operating Framework, Managing Public Money NI and the 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 Libraries 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 Libraries NI 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 The Chief Executive has the authority to re-grade staff or create posts below third tier<sup>3</sup> subject to sufficient budget cover being available (subject to any specific conditions set by the Department). At tier three 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 the Libraries NI. The Chief Executive is committed to fostering good employee and industrial relations as an important aid to achievement of Libraries NI objectives and will ensure effective communication and consultation with all staff and their recognised trade union representatives.

<sup>3</sup> 3rd Tier Officer refers to positions attracting an annual salary at or above pay scale point 58 as per pay scale at April 2023 (generally known as Director or Head of Service).

# Role of the Department for Communities

## 9. Partnership Working with Libraries NI

- 9.1. DfC and Libraries NI are part of a total delivery system, within the same Ministerial portfolio. The partnership between DfC and Libraries NI is open, honest, constructive and based on trust. There is mutual understanding of each other's objectives and clear expectations on the terms of engagement.
- 9.2. In exercising its functions Libraries NI recognises the requirement for its purpose and objectives to align with those of DfC. There is also a shared understanding of the risks that may impact each other and these are reflected in respective Risk Registers.
- 9.3. There is a regular exchange of skills and experience between DfC and Libraries NI and where possible joint programme/project delivery boards/arrangements. Libraries NI may also be involved as a partner in policy/strategy development and provides advice on policy implementation/ 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 occurred or commitments entered into (<https://www.finance-ni.gov.uk/publications/departmental-delegations>). The DfC Accounting Officer has established an internal framework of delegated authority for the Department and its ALBs which apply to Libraries NI (<https://www.communities-ni.gov.uk/sites/default/files/publications/communities/dfc-corporate-governance-framework.pdf>).

Other specific approval requirements established in respect of Libraries NI are set out at Annex 3.

- 9.5. Once Libraries NI budget has been approved by the Department, Libraries NI shall have authority to incur expenditure 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 guidance contained in Managing Public Money NI and the NI Guide to Expenditure Appraisal and Evaluation.



## 10. Lead Official

10.1. DfC has appointed the Director of Culture as the lead senior official to manage the relationship with Libraries NI and ensure effective partnership working. Engagement between the Department and Libraries 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 Libraries NI to promote mutual understanding and support. The Director will be supported by staff within the sponsor branch. Other key contacts within DfC will include Finance, Governance and Economist colleagues.

10.2. The lead senior official is the policy lead for the policy area relating to Libraries NI business and has a clear understanding of Libraries NI responsibilities for policy implementation / operational delivery and the relevant audiences / stakeholders involved.

10.3. The lead senior official will ensure that, where there are departmental staff changes, time is taken to ensure they have a full understanding of Libraries NI business and challenges.

## 11. Annual Engagement Plan

11.1. The Department and Libraries 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 Libraries NI and the Department. The engagement plan will be specific to Libraries NI and should not stray into operational oversight.

11.2. Engagement between the Department's lead official/their teams and Libraries 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 guidance<sup>4</sup>, Libraries NI will work in collaboration and partnership with the Department to prepare corporate and business plans. There should be strategic alignment between departmental and Libraries NI strategic plans. Once approved it will be the Board of Libraries NI that primarily holds the Chief Executive to account for delivery and performance. The Department will engage with Libraries NI on areas of strategic interest, linking departmental policy and Libraries NI delivery of policy outcomes.

11.4. The Annual Engagement Plan 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.

## 12. Departmental Accounting Officer

12.1. The Departmental Accounting Officer is accountable to the NI Assembly for the issue of grant in aid to Libraries NI. They have designated the Chief Executive of Libraries NI as Libraries NI Accounting Officer and respective responsibilities of the Departmental Accounting Officer and the Libraries NI Accounting Officer are set out in Chapter 3 of Managing Public Money Northern Ireland (MPMNI). The Departmental Accounting Officer may withdraw the Libraries NI Accounting Officer designation if they conclude that the Libraries 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 Libraries NI Board will be given a full account of the reasons for withdrawal and a chance to make representations. Withdrawal of Libraries NI Accounting Officer status would bring into question employment as Chief Executive and the Chairperson should engage with the Department should such circumstances arise.

12.2. As outlined in section 8, the Libraries NI Chief Executive is accountable to the Libraries NI Board for their stewardship of Libraries 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 Libraries NI Accounting Officer (on matters for which they are responsible) is overridden by the Libraries NI Board. The Libraries NI Accounting Officer must also take action if the Libraries 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 Libraries NI or its Chief Executive.

12.4. In line with DoF requirements, the Libraries 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 Libraries 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

<sup>4</sup> Guidance issued by TEO on NICS Work Programme which includes guidance on business planning for an outcomes-based PFG/ODP

Accounting Officer appointment letter) on issues arising from the C&AG's studies or reports following the annual audit of accounts.

13.2. The Chairperson 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 DfC 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 Libraries 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 Libraries NI
- sufficient and appropriate management and financial controls are in place to safeguard public funds
- the nominated Accounting Officer is fit to discharge their responsibilities
- there are suitable internal audit arrangements
- accounts are prepared in accordance with the relevant legislation and any accounting direction
- intervention is made, where necessary, in situations where Libraries 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 Chairperson

# Assurance Framework

## 14. Autonomy and Proportionality

14.1. DfC will ensure that Libraries 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 Libraries NI and DfC and is reflected in this agreement.

14.2. A proportionate approach to assurance will be taken based on Libraries NI overall purpose, business and budget and a mutual understanding of risk. The approach will include an agreed process<sup>5</sup> through which the Libraries 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 Libraries NI Accounting Officer will arrange for their written assurance to be discussed at the Libraries NI Audit and Risk Assurance Committee and presented to the

Libraries NI Board prior to submission to the Department where possible. If not possible or practicable, the Chairperson of the Libraries NI Board should have sight of the assurance statement, prior to being submitted to the Department.

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

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

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

<sup>5</sup> The agreed process will reflect the Bi-Annual Assurance Statement process in operation at the time.

## 15. Board Effectiveness

- 15.1 The Libraries NI Chairperson will ensure that the Libraries NI Board undertakes an annual review of Board Effectiveness<sup>6</sup> which encompasses committees established by the Board.
- 15.2 The Chairperson 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 Chairperson in conjunction with the Department, and Ministers where appropriate, will consider the size and composition of the Libraries NI Board, proportionate to the size and complexity of Libraries NI and keep this under review.
- 15.4 In addition to the annual review of Board Effectiveness Libraries 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 Chairperson will liaise with the Department to identify a suitably skilled facilitator for the 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.

## 16. Board Appraisals

- 16.1 The Chairperson of Libraries NI will conduct an annual appraisal in respect of each Board Member which will also inform the annual programme of Board training/development. The Chairperson 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 Chairperson's annual appraisal will be completed by the relevant Deputy Secretary within the Department. The appraisal will take account of the Key Characteristics of a good chairperson (particularly for the Chairperson 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 Chairperson and the lead official on improvements identified through the appraisal process.

## 17. Internal Audit Assurance

- 17.1 Libraries 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). DfC 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 The Libraries NI internal audit function is currently provided through an in-house service. In the event that the internal audit function is contracted out Libraries NI shall ensure DfC is satisfied that the contract specification for the internal audit service meets the requirements of PSIAS.
- 17.3 Libraries 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. Libraries NI will ensure DfC'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 is contracted out.
- 17.4 Libraries NI will ensure regular, periodic self-assessments of the internal audit function in line with PSIAS and will share these with the Department. Libraries 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.

- 17.5 Libraries NI will alert the Department to any less than satisfactory audit reports at the earliest opportunity on an ongoing basis. Libraries NI will also alert the Department to a less than satisfactory annual opinion from the Head of Internal Audit at the earliest opportunity. Libraries NI and the Department will then engage closely on actions required to address the less than satisfactory opinion in order to move Libraries NI to a satisfactory position as soon as possible.
- 17.6 The Department will take assurance from the fact that Libraries 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 Libraries NI is required to prepare an Annual Report and Accounts in line with the Government Financial Reporting Manual (FRoM) issued by DoF and the specific Accounts Direction issued by DfC and in accordance with the deadlines specified.



18.2 The Comptroller & Auditor General (C&AG) will arrange to audit the Libraries NI annual accounts and will issue an independent opinion on the accounts. On receipt, the Department lays a copy of the certified accounts before the NI Assembly, together with the Libraries NI annual report.

18.3 The C&AG will also provide a Report to Those Charged with Governance (RTTCWG) to Libraries NI which will be shared with the Department.

18.4 Libraries 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 Libraries 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.

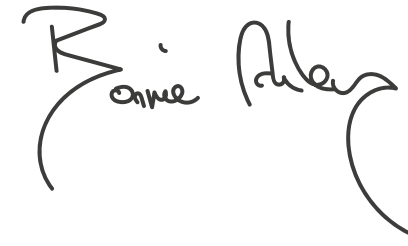
18.6 The C&AG may carry out examinations into the economy, efficiency and effectiveness with which Libraries NI has used its resources in discharging its functions. The C&AG may also carry out thematic examinations that encompass the functions of Libraries NI.

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, Libraries 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.

## Signatories

Libraries NI and DfC 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.



Signed (Libraries NI Chairperson)

Date: 24 May 2024



Signed (Libraries NI Chief Executive)

Date: 24 May 2024



Signed (DfC Accounting Officer)

Date: 24 May 2024

# Annex 1 - Applicable Legislation

**List the founding legislation and other key statutes which provide Libraries NI with its statutory functions, duties and powers.**

Libraries Act (Northern Ireland) 2008

# 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.

This engagement plan has therefore been prepared after taking account of Libraries NI performance and governance, and to be proportionate in this context. The plan will be reviewed annually to ensure that it remains proportionate and fit for purpose, with relevant amendments agreed.

## Policy Development and Delivery

During 2024-25 the Department expects to progress a review of Library Policy (including that for public libraries). The Department anticipates that Libraries NI will be a key collaborator in this work, providing data, knowledge and expertise to the work, as well as providing information as to key sources of information and key stakeholders. The work is likely to involve the Senior Sponsor and a range of Departmental officials; and Libraries NI senior staff and other experts.

The Department will also engage with Libraries NI senior staff in the development of other strategies and policies where Libraries NI can bring their expertise and networks to bear. The development of a Culture Arts Heritage Strategy is an example of one such current piece of work.

## Strategic and Business Planning

During 2024/25 the Department and Libraries NI will work closely together to ensure close and ongoing alignment of

strategic and business planning. There are some specific events in the annual processes that are set out in the table below.

Beyond those particular activities, Libraries NI will be included in all relevant Departmental Forums (including a regular forum chaired by the Permanent Secretary, a Finance Directors' Forum and Audit Chairs' Forum). The Department keeps the frequency, attendance and content of these Forums under review in light of experience and feedback.

Libraries NI will extend invitations to appropriate Departmental officials to relevant planning and other strategic forums that it convenes. The precise nature of the forums, and appropriate Departmental attendance, will be agreed taking account of relevant factors. In all cases, departmental attendance will be to assist alignment of Libraries NI and Departmental strategic work, recognising the governance structures already in place in Libraries NI.

Strategic and Business Planning		
Activity	Frequency	DfC/LNI Officials
Funding allocation notified to Libraries NI for incoming financial year	As soon as is practicable within the Executive budgeting process	Head of Sponsor Branch
Submission of Board approved Libraries NI draft Business Plan	By 28 February, (or within two months of a financial allocation being confirmed)	Head of Sponsor Branch Chief Executive / Senior Management Team
Approval of the Libraries NI Business Plan	Ministerial/Departmental approval by 31 March (subject to addition of financial information once financial allocations have been confirmed)	Head of Sponsor Branch
Publication of Libraries NI Business Plan	To take place as soon as reasonably possible after approval and confirmed financial allocations are in place	Head of Sponsor Branch Chief Executive's Office
Preparation/submission of the Libraries NI Corporate Plan	Five-year Corporate Plan 2025-2030 due 2024/25 financial year	Senior Sponsor/ Head of Sponsor Branch Chief Executive / Senior Management Team
Approval of the Libraries NI Corporate Plan by the Minister and Department	Five-year Corporate Plan 2025-2030 due 2024/ 25 financial year	Head of Sponsor Branch

## Governance and Assurance

This is an important area for the Department and for Libraries NI. Engagement will be close and ongoing, to avoid any surprises for either organisation. It will however also be proportionate given the high standards of corporate governance displayed by Libraries NI on a consistent basis.

The table below includes standing engagement meetings. The Department will explore with Libraries NI senior staff whether

it is appropriate to make a clearer distinction between strategic and operational matters covered by the Partnership Meetings, with potentially different attendees involved in meetings for each area.

Departmental officials will attend Libraries NI ARAC meetings as appropriate, and the Board where necessary for specific matters; and the Sponsor Branch will be provided with minutes for all such meetings in a timely manner.

Governance and Assurance		
Activity	Frequency	DfC/LNI Officials
Review Meeting	Annual	Minister for Communities DfC Permanent Secretary Libraries NI Chair
Submission of Bi-Annual Assurance Statement  This will include reference to all satisfactory Internal Audit reports. Any reports which provide less than satisfactory assurance will be provided to the Senior Sponsor as soon as the report is finalised	Bi-Annual	DfC Director of Culture Libraries NI Chief Executive
Partnership Meeting (following receipt of Bi-Annual Assurance Statement)	Bi-Annual	DfC Director of Culture Libraries NI Chief Executive
Planning for the externally facilitated review of Board Effectiveness in respect of identifying a facilitator (per 15.4)	Review conducted every 3 years. Next review due 2025/26	DfC Head of Governance DfC Director of Culture Libraries NI Chair



Board Appraisals and planned training and development for Board members	Board Appraisals – annually Training and development – ongoing as required	Libraries NI Chair
Chair Appraisal (to include discussion on outcome of annual Board Effectiveness session)	Annually	DfC Deputy Secretary Libraries Chair
Draft Governance Statement	Annually (in line with Annual Report and Accounts timetable)	Head of Sponsor Branch Chief Executive / Director of Business Support
Annual Report and Accounts	Annually	DfC Director of Culture (Sponsor Branch review draft content) Chief Executive / Director of Business Support
Report to those Charged with Governance (RTTCWG)	Annually per NIAO schedule. Libraries NI to share a copy with sponsor branch once received	DfC Director of Culture (for information) Chief Executive / Director of Business Support
Head of Internal Audit Annual report/Opinion (Internal Audit Annual Assurance Report)	Annually (in line with Annual Report and Accounts timetable)	Head of Sponsor Branch Chief Executive / Director of Business Support
Publish Internal Audit Strategy and Plans	Annual	Head of Sponsor Branch Libraries NI, Head of Internal Audit
Internal Audit External Quality Assessment (see 17.4)	By March 2026	DfC Head of Internal Audit

## Joint Working

Libraries NI and Departmental staff will collaborate closely and agree engagement at particular phases of particular work.

Already agreed, standing engagement is summarised in the Table below.

Joint Working			
Details of action / activity / meeting	Frequency / Timing	Departmental Lead / Representation	Libraries NI Lead / Representation
IS Programme Board	Quarterly (or as required)	Director of Culture / Head of Sponsor Branch, Sponsor Branch	Chief Executive, Director of Business Support Director of Library Services Project / Programme Manager

## Board Appointments

The Department will lead the appointment of Libraries NI Board members, as set out in the Public Appointments process. The Department will engage with the Libraries NI Chair and Chief Executive on skill needs from Board members.

The Department will be included in induction sessions for new Board members to share information on strategic matters and governance requirements.

## Chief Executive Recruitment

The Libraries NI Chair will have lead responsibility for the recruitment of a Chief Executive as and when required, and will engage with the Senior Sponsor and others in the Department as required to ensure Departmental input to requirements, recognising the Chief Executive's role as Accounting Office.

## Budget Management

Recognising that Libraries NI finances form part of overall Departmental spend, there will be close engagement between finance staff in the Department and Libraries NI, facilitated as appropriate by Sponsorship Branch, to ensure that accurate, robust and timely information on budgets, consequences and outturn projections are provided and tested. This will include monthly cash forecasts, and returns for Monitoring Rounds.

## Other requirements

A number of returns which do not fit clearly in any of the above categories are set out in the Table below.

Other Requirements			
Details of action / activity / meeting	Frequency / Timing	Departmental Lead / Representation	Libraries NI Lead / Representation
Fitness to Act as Accounting Officer	Annually as requested by the departmental Accounting Officer	Permanent Secretary	Chief Executive
Fraud Reporting	Immediate reporting of all frauds (proven or suspected including attempted fraud)	DfC Head of Governance	Director of Business Support (report to CE, Chairperson of Board, Chairperson of ARAC – and in line with established procedures / protocol)
Whistleblowing cases/ Speaking Up/Raising Concerns.	On receipt	Notification to DfC Head of Governance	Chief Executive, Director of Business Support
Recruitment of Head of Internal Audit	When required	Head of Sponsor Branch (or nominated deputy)	Chief Executive, Chairperson of ARAC

### Review of Partnership Agreement

Review of Partnership Agreement			
Details of action / activity / meeting	Frequency / Timing	Departmental Lead / Representation	Libraries NI Lead / Representation
Annual review of the Partnership Agreement	Annually - following the end of each Business/Financial Year	Director of Culture / Head of Sponsor Branch	Director of Business Support
Conduct a formal review of the Partnership Agreement	Once every three years	Director of Culture / Head of Sponsor Branch	Chief Executive, Director of Business Support, Head of Internal Audit

Intermediate reviews, to address specific points, can be initiated as required outwith the cycle above.

## Annex 3 - Delegations

### Delegated authorities

Libraries 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 Libraries NI 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 DfC
- 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
- carrying out policies that go against the principles, rules, guidance and advice in Managing Public Money Northern Ireland

### Libraries NI Specific Delegated Authorities

### Delegated Expenditure Limits

#### General

The Department has delegated the following expenditure limit to Libraries NI. Libraries

NI delegated authority for expenditure is subject to the conditions in this Annex and delegated expenditure limits as advised by the Department and DoF.

### Economic Appraisal

The principles of economic appraisal should be applied in all cases where expenditure is proposed, whether the proposal involves capital or current expenditure, or both. The effort put into economic appraisal should be commensurate with the size or importance of the needs or resources under consideration. Spending commitments should not be entered into until a proportionate business case/economic appraisal has been completed and the appropriate approvals are in place.

Any novel and/or potentially contentious projects, regardless of the amount of expenditure, require the approval of the Department and DoF.

### Economic Appraisal / Business Cases

A full business case should be prepared and submitted to the Department for approval for all external consultancy assignments expected to exceed £10,000. A proportionate business case should be prepared for all assignments below this threshold. Section 5 of the guidance note attached to FD(DFP) 04/09 explains nature of the required business case. Plans should also be put in place to complete an evaluation of the consultancy expenditure.

**1. PURCHASING ALL GOODS AND SERVICES**

Libraries NI should ensure compliance with the relevant Procurement Guidance Notes when purchasing all Goods and Services.

**2. CAPITAL PROJECTS**

Libraries NI shall have delegated authority of £750,000 for capital expenditure. Capital projects over this amount require the approval of the Department, and may be subject to quality assurance by DoF if requested.

**3. RESOURCE EXPENDITURE**

Libraries NI shall have delegated authority of £750,000 in relation to resource expenditure. The Department’s approval is required for expenditure above that threshold and proportionate business cases/economic appraisals should be submitted to DfC in support of the proposed expenditure.

**4. DISPOSAL OF SURPLUS EQUIPMENT**

In all cases disposal must be at current market value by public auction or another public process, unless otherwise agreed with the Department. Prior approval of DfC is required for disposal of an asset/surplus equipment with a value in excess of £5,000.

Any proceeds from the disposal of assets/ surplus equipment, or an appropriate proportion of them if the grant provided by the Department was for less than the whole cost of acquisition or improvement, must be declared to the Department as early as possible.

**5. LEASE AND RENTAL AGREEMENTS**

Libraries NI shall not enter into any new land or property leases or modify an existing land or property lease arrangement without the prior approval of the Department. The Libraries NI Asset Management Plan and NICS Asset Management Strategy should be referred to prior to considering any lease.

**6. APPROVAL OF INFORMATION TECHNOLOGY PROJECTS**

The appraisal of Information Technology (IT) projects should include the staffing and other resource implications.

The principles of appraisal, evaluation and management apply equally to proposals supported by information communication technology (ICT) as to all other areas of public expenditure. ICT-enabled projects should be appraised and evaluated according to the general guidance in the Northern Ireland Guide to Expenditure Appraisal and Evaluation (**NIGEA**) and managed using the **Successful Delivery (NI)** guidance which was issued in June 2009.

The purchase of IT equipment and systems should be in line with the guidance on Procedures and Principles for Application of Best Practice in Programme/Project Management (PPM) and be subject to competitive tendering unless there are convincing reasons to the contrary. The form of competition should be appropriate to the value and complexity of the project, and in

line with the relevant Procurement Guidance Notes.

**7. ENGAGEMENT OF CONSULTANTS**

**General**

Libraries NI shall adhere to the Department’s Guidance on The Use of Consultants and the delegation limits therein. Libraries NI has delegated authority on external consultancy spend up to £10,000 (excluding VAT). External consultancy spend above £10,000 requires Departmental approval. Libraries NI shall, on request from the Department, provide a statement on the status of all consultancies completed and/or started in each financial year. Care should be taken to avoid actual, potential, or perceived conflicts of interest when employing consultants.

**8. LOSSES AND SPECIAL PAYMENTS**

The Chief Executive has delegated authority to write off losses and make special payments up to:

- (a) Cash losses – up to £5,000 per case/incident
- (b) Stores/Equipment losses –
  - (i) £50,000 per case
  - (ii) £50,000 per case
  - (iii) £50,000 per case/location
- i because of fraud, whether or not it has been possible to charge anyone with an offence, or proven or suspected theft, arson or sabotage, or any

other deliberate act (including repairable damage caused maliciously to buildings, stores, etc., which is not the subject of an identifiable legal claim against some person); wherever possible recovery must be effected and prosecution mounted

- ii losses arising from other causes. In each case the amount of the loss would be the repair or replacement cost less recoveries from insurance etc...
- iii stocktaking discrepancies and the non-return of loaned items. In each case valuation would be 50% of current replacement cost, less any sums received from an Insurance Company or other party
- (c) Constructive losses and fruitless payments – up to £20,000 per case;
- (d) Compensation payments
  - i. made under legal obligation, e.g. by Court Order – full delegation
  - ii. for damage to personal property of staff – up to £10,000
  - iii. where written legal advice is that Libraries NI should not fight a court action because it is unlikely that it would win – up to £100,000
  - iv. where legal advice has not been sought – up to £10,000



- (e) Claims abandoned or waiver of claim – up to £10,000 per case
- (f) Extra contractual payments – up to £10,000
- (g) Ex gratia payments – up to £10,000 per case (Pensions payments are not covered by this threshold)
- (h) Extra statutory and extra regulatory payments – no delegation, all proposals must be submitted to the Department for approval

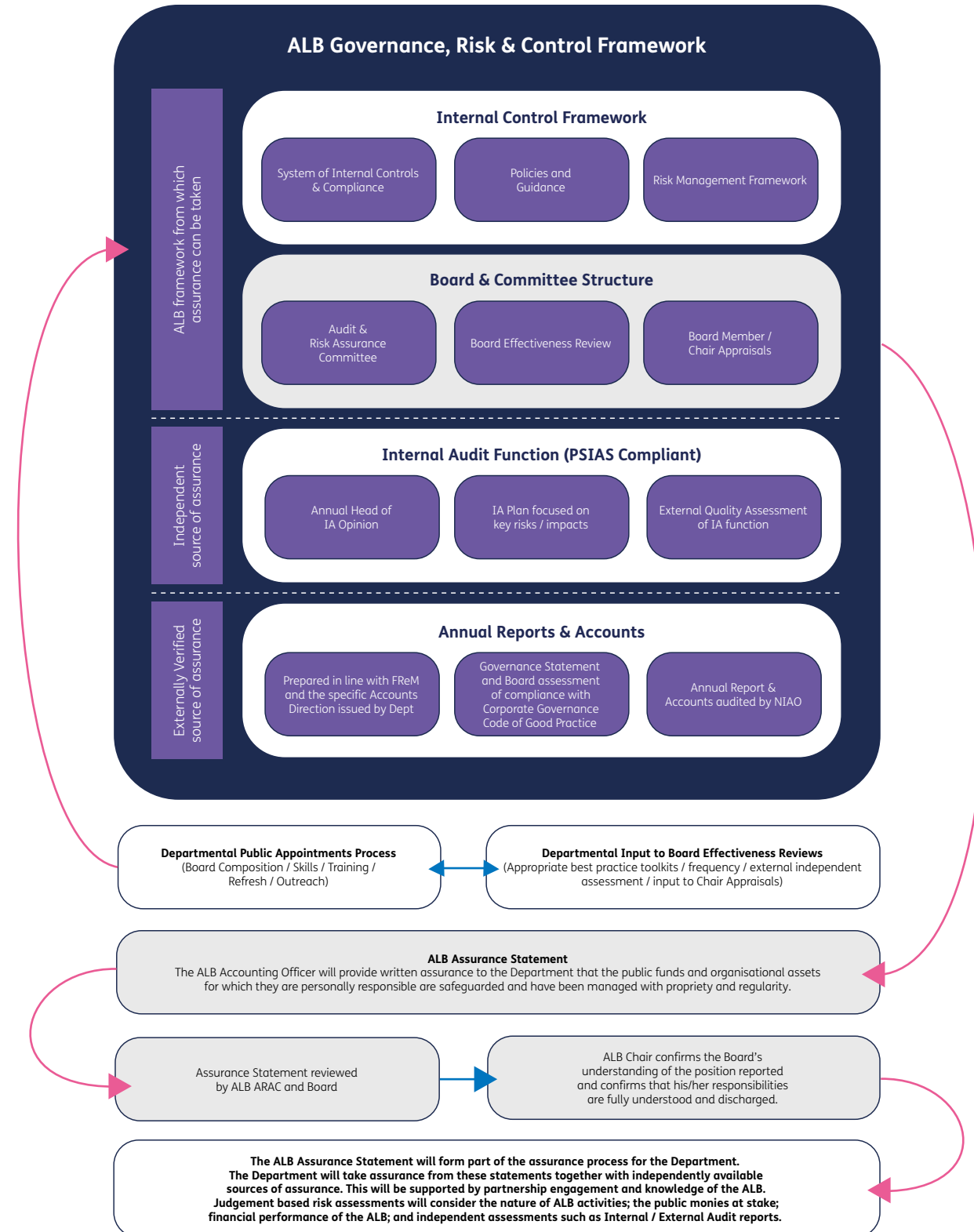
Where total losses exceed £5,000 in any financial year, an explanatory note should be included in Libraries NI accounts.

Details of all losses and special payments should be recorded in a Losses and Special Payments Register, which will be available to auditors. The Register should be kept up-to-date and should show evidence of the approval by the Chief Executive, and DfC, where appropriate.

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

The prior approval of the Department must be obtained for amounts above these values.

## Annex 4 – Illustrative System of Assurance



## 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 Libraries NI Board members will be transparent and collaborative. The principle of early and open engagement is important, with the Department made aware of concerns / complaints as soon as practicable.

Board Members are Public Appointees/office holders rather than Libraries NI employees and act, at all times, in line with their Board Code of Conduct.

The Libraries NI Board has a pre-planned approach to addressing concerns about potential breaches of their Board Code of Conduct. This is documented in the Board Operating Framework, the Board Code of Conduct and associated documents which are all reviewed annually.

The approach acknowledges that alleged breaches may arise from a variety of policies / sources:

- Raising Concerns/Whistleblowing arrangements
- Complaints processes;
- Grievance/other HR processes
- Directly with Libraries NI or the Department

The Board will assess the substance of matters raised and the appropriate policy/ processes to be used to address them.

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 Libraries NI.

## Annex 6 - Applicable Guidance

### The following guidance is applicable to Libraries 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

## Annex 7 – Role of the Minister

### **Role of the Minister**

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

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

In addition to being answerable to the Assembly as laid out in paragraph 2.5, the Minister is also responsible for:

- setting the strategic direction and overall policies and priorities for Libraries NI as reflected in the PfG
- approving Libraries NI Business Plan
- setting Libraries NI budget
- appointment of non-executive board members. In line with any parameters set out in founding (or other) legislation the Minister may also be involved in considering the size and composition of the Libraries NI Board – see para 15.3.

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

### **NI Code of Good Practice**

[Arm’s Length Bodies guidance | Department of Finance \(finance-ni.gov.uk\)](#)



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