



Partnership guidance

Collaborative partnerships with NSW conservation programs

Department of Planning and Environment



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Introduction

Effective conservation requires collective action.

Recognising the important role collaborative partnerships play in conservation, the Department of Planning and Environment's (the department) Environment and Heritage Group (EHG) is open to strategic partnerships with businesses, impact investors, corporates and non-government partners.

What is a collaborative partnership?

A collaborative partnership is an arrangement between the department and an individual, business or other organisation with the intention to achieve an agreed, shared conservation outcome or goal.

Department partners are often directly engaged in delivering partnership proposal outcomes and co-contribute resources to achieve those outcomes.

Purpose of this document

This document is guidance for an external organisation – private sector, philanthropic or non-governmental – seeking to enter a partnership arrangement for conservation. It outlines the assessment process that will be followed, including probity and due diligence requirements in progressing partnership proposals.

It does not replace other NSW Government policies that may be relevant to partnership arrangements, including the NSW Government's guidance on unsolicited proposals (see [More information](#)), and the Independent Commission Against Corruption's (*ICAC Direct Negotiations – Guidelines for Managing Risks*).

Why collaborate with the NSW Government

Achieving large-scale environmental outcomes can only be realised with strong inclusive partnerships – at federal, state, regional and local levels – that are built on a shared vision and goals.

Benefits of partnering with the NSW Government

Benefits can include:

- opportunity to tackle some of the biggest conservation challenges in the state
- access to diverse networks across industries and regions
- convening power to bring stakeholders together
- unique information and available data
- research capability and analytical expertise
- strong governance, probity and credibility
- ability to achieve scale
- expertise in delivering and monitoring.

Collaboration concepts

The department uses the broad framework below to inform initial communication and engagement with potential partners and to achieve the collaboration purpose.

Table 1 Collaboration framework

Vision and mission	<p>What are we trying to achieve and why do we want to partner?</p> <p>Our vision and mission should be identified up front to help determine the scope of a potential partnership and whether partnering is appropriate.</p>
Collaborative goals	<p>What problem are we facing in achieving our vision or mission and how might collaboration help? What do we hope to achieve with others that we can't do on our own?</p> <p>Consider why we would want to partner. Is it to enhance collaboration, influence, deliver core government initiatives, leverage funding or other resources, reputational gain or innovation?</p> <p>It is important to identify the goals of each potential collaboration to ensure we are pursuing partnerships that add value and are aligned with the NSW Government's policy priorities.</p>
Partners	<p>Based on our collaborative goals, who would be an appropriate partner and what value might they add? How would we be perceived if we pursue this partner? What values are important to us in collaborating?</p> <p>Consider reputation, community sentiment, skills and competencies, financial stability and reliability. Responsible partnering through best practice approaches helps us determine if opportunities with potential partners are relevant, aligned and appealing and deliver demonstrable benefits to participants and the environment.</p>
Value proposition	<p>What value are we offering to the partner and their goals? What would be their underlying interest/motivation to get involved?</p> <p>The value or benefit we might offer could include funding, data sharing, project management, communication, engagement, networks, accreditation, influence, regulation, frameworks, standards, leadership, brokering, policy direction, infrastructure, expertise, credibility, transparency and education.</p> <p>To make it easier for us to meet expectations and ensure genuine two-way collaboration, it is important to understand why the potential partner would be interested or motivated to collaborate.</p>
Structure and timeline	<p>How will we structure the partnership?</p> <p>Consider key activities, governance, reporting, decision making, milestones and the timeline.</p> <p>Ensuring a clear, co-designed structure to the partnership agreement enables us to deliver collaborations with strong bounds and measurable outcomes.</p>
Risks	<p>What are the risks of working with the partner and how might these be managed?</p> <p>Consider accountability, conflict and public perception, in conjunction with best practice probity and due diligence approaches.</p>

Resources and outputs	<p>What resources do we need to create and maintain the relationship? What outputs need to be delivered to achieve the goal? If there is a resource gap, how will we overcome it?</p> <p>Consider the range of resource types (e.g. staffing, budgets, funding, intellectual property, executive support) and quantify or qualify the committed contributions. These should be considered in the partnership structure, so expectations and responsibilities are clear and measurable.</p>
Impact	<p>What does success look like and how will we evaluate if the partnership was successful?</p> <p>Outputs and outcomes should be measurable to determine whether the partnership met its intended objectives and added value to overarching goals. Evaluation is also important in helping us understand what could be done better in a future partnership.</p>

Types of collaborative partnerships

There are many forms of collaborative partnership; each proposal is unique, and each partner brings something different to a partnership.

Table 2 **Examples of types of partner engagements**

Type	Detail
Co-investment	A partner directly funds or, provides resources or fundraises for projects or outcomes that align with the values of the department.
Planning	A partner shares its expertise and capacity to shape and plan with the department.
Communications	A partner shares its skills in strategic communications, public relations, and issues management to amplify outcomes.
Delivery	A partner leverages its experience and expertise with on-ground delivery to get results.

The process of collaborative partnering

The department generally navigates partnering with an entity through the following process:



Assessment process

Assessing potential partners and proposals

The department assesses potential partners and proposals in compliance with the highest standards of probity as detailed in the *Code of Ethics and Conduct for NSW Government sector employees* (see [More information](#)).

Proposals are assessed against the principles of fairness, impartiality, accountability, transparency and value for money. Due diligence checks are performed on potential partners, and department staff involved in any assessment process are required to complete conflict of interest declarations.

Assessment against Independent Commission Against Corruption principles

Potential partners and proposals will be assessed against the following checklists to ensure probity in the conduct of assessments and decision-making:

- Assessment against NSW Independent Commission Against Corruption (ICAC) principles (appendix A)
- Assessment against pre-determined assessment criteria (appendix B)
- Due diligence checks on suitability of potential partner (appendix C).

The ICAC principles in appendix A are set out in ICAC's 2006 best-practice guide: *Sponsorship in the Public Sector: A guide to developing policies and procedures for both receiving and granting sponsorship* (see appendix A and More information).

ICAC's guidance is related to sponsorship, but it is good practice to consider ICAC principles as a basis for assessing partnerships.

Formalising partnerships

All partnerships arrangements are a contract described in a written agreement. The department's Legal team advises on the most appropriate type of written agreement, dependent on the proposal.

The terms and conditions of an agreement will be negotiated as part of co-designing a delivery plan.

Collaborative partnership agreement

An agreement is expected to include:

- objectives
- details of the partnership arrangement
- communication, branding and media
- reporting
- the dispute resolution process
- the termination process
- other considerations including intellectual property and confidentiality
- reporting and governance.

Partnership enquiries

Any enquiries about partnering should be directed to:
partnerships.investment@environment.nsw.gov.au.

More information

Australian Securities and Investment Commission (ASIC) (n.d.), [Banned and disqualified](#), ASIC website, accessed 22 December 2022.

NSW Independent Commission Against Corruption (ICAC) (2022), [Prosecution briefs with the DPP and outcomes](#), NSW ICAC website, accessed 22 December 2022.

NSW Independent Commission Against Corruption (ICAC) (2006), [Sponsorship in the Public Sector: A guide to developing policies and procedures for both receiving and granting sponsorship](#), NSW ICAC website, accessed 22 December 2022.

NSW Government (2022), [NSW Government Unsolicited proposals](#), Department of Enterprise, Investment and Trade website, accessed 22 December 2022.

NSW Government (2022), [Code of Ethics and Conduct](#), Public Service Commission website, accessed 22 December 2022.

NSW Government (2022), [Criminal convictions register](#), NSW Environment and Heritage website, accessed 22 December 2022.

State of NSW (n.d.), [Prosecutions or civil proceedings search](#), NSW Environment and Protection Agency website, accessed 22 December 2022.

Appendix A Assessment against ICAC principles

To ensure that possible or perceived risks are minimised, partnership proposals will be assessed in line with ICAC's sponsorship principles.

ICAC principles	Yes/No/To proceed
Make partnership opportunities widely known using broad-based, open processes. Applies in seeking, as well as offering, sponsorships or partnerships.	Yes
Aligns with the department's responsibilities in supporting the NSW Government's key priorities.	Yes
Relates directly to core business outcomes as articulated in the department's corporate plan.	Yes
Recipient or organisation's goals and objectives are considered suitable and align with the department's goals.	Yes
Does not involve entities which are, or may be, subject to regulation or inspection by the department during the life of the sponsorship.	No
Does not present any real or perceived conflict of interest for the department or for any staff involved in assessing or managing the collaborative partnership.	No
Will enhance the department's reputation and image.	Yes
Will provide value for money.	Yes
Will deliver clear and measurable benefits to the department in line with its priorities.	Yes
Poses a real or perceived risk of corrupt conduct.	No
Poses a real or perceived risk of conflict of interest.	No
Risk of loss of reputation for the department and possibly the NSW Government, for example, as a result of association of a government program with an inappropriate sponsor.	No
Is the partnership cost effective?	Yes

Appendix B Assessment criteria

As per ICAC’s sponsorship principles, public sector agencies should assess proposals against predetermined criteria that have been published in advance.

Criteria	Description
Suitability of potential partner	<ul style="list-style-type: none"> • Reputable partner whose public profile, products and services are consistent with the principles, vision and goals for the department, considering: <ul style="list-style-type: none"> ○ the type of products or services the proponent markets ○ the marketing methods employed by the proponent ○ the impact that the proponent’s products, services or processes have on the health of consumers, community and the environment ○ public image of the proponent • Demonstrated capacity to contribute financially or in-kind • Due diligence checks (see appendix C)
Aligned objectives and policy priorities	<p>Proponent’s and the proposal’s objectives are consistent with the NSW Government’s goals, policy and program priorities, including state outcomes, endorsed government strategies and policies, the department’s outcomes and EHG’s <i>Corporate strategy</i>.</p>
Sound proposal	<ul style="list-style-type: none"> • Clearly stated objectives and outcomes • Amount of in-kind, financial or skills support offered • Achievable timeline • Cost-effective delivery • Identifies appropriate delivery partners • Innovation and/or ability to scale
Value creation for NSW	<ul style="list-style-type: none"> • The financial or in-kind benefits of the proposal outweigh the costs to the agency of engaging, planning, delivering, and managing the partnership arrangement. This includes considerations of whole-of-life costs. • Relative value for money – effective use of public funds in comparison to other funding options available to the NSW Government for a similar intervention • The proposal has benefits that would have otherwise not been achieved by government alone.

Appendix C Due diligence checks

To ensure suitability of proponent, the below due diligence checks will be conducted.

Provision	Description
Environment Protection Authority	Convictions in prosecutions or civil proceedings (see 'Prosecutions or civil proceedings search' under More information).
NSW National Parks and Wildlife Services	Criminal convictions under the <i>National Parks and Wildlife Act 1974</i> and <i>Biodiversity Conservation Act 2016</i> (see 'Criminal convictions register' under More information).
iAsk/COPS Criminal History Unit	Complete background on an individual during current criminal prosecution proceedings (not for intelligence or investigative purposes). Requires: <ul style="list-style-type: none"> • purpose of the check • details of the specific breach of legislation • personal information
Further checks	Additional checks, if necessary: <ul style="list-style-type: none"> • ABN/ACN verification: validity of entities • ABN/ACN Case Law check against criminal/civil proceedings • Caselaw check using corporate entities trading name • ASIC search for banned or disqualified organisations (see 'Banned and disqualified' under More information) • AHPRA check of disqualified individuals or entities • NSW ICAC prosecution check and outcomes (see 'Prosecution briefs with the DPP and outcomes' under More information)