

**STOKE-ON-TRENT AND STAFFORDSHIRE
LOCAL ENTERPRISE PARTNERSHIP
EXECUTIVE GROUP MEETING**

15th February 2018

Governance and Transparency Guidance

1. Purpose

To secure approval to amendments to the Assurance Framework in advance of a review of the annual review of the SSLEP constitution.

2. Background

The Government provided guidance on the creation of an Assurance Framework for Local Enterprise Partnerships in November 2016 which can be found [here](#). This provided the context to the creation of an amended constitution and suite of supporting documents under the overarching title of the "Assurance Framework". Our revisions were agreed as being compliant, and the grant funding managed by the LEP was subsequently received from Government.

During the course of the year work by the National Audit Office, the issues raised by a review of the Greater Cambridgeshire Greater Peterborough LEP, and a review of [Local Enterprise Partnership Governance and Transparency](#) have resulted in the publication of best practice guidance [here](#). The other documents have been circulated previously

The best practice guidance requires the further documentation of procedures and changes to the constitution as follows. In the main the changes are an amendment of current practice rather than requiring the creation of new procedures. However, resource within the team will need to be focussed on ensuring continued compliance.

It is worth noting that the LEP is audited on its practices and procedures as part of two annual exercises. Each year in the summer Staffordshire County Council as the Accountable Body for capital funding has undertaken an internal audit of the SSLEP which has been published on the website. In addition we have an "Annual Conversation" with Government which follows a standard approach and reviews governance, delivery and strategy.

The amendments set out in this report have to be in place by the 28th February. This requires your approval and the ratification of this decision using the electronic decision procedure by the Partnership Board.

3. Publication of Meeting and Agenda Items

As a minimum each LEP is required to publish minutes and papers for full board meetings and any sub-committees which involve decisions about public money. We currently publish agenda and papers four days in advance of the meeting and will need to amend this to ensure that this is done five days in advance. In addition draft minutes are to be published within ten clear working days of the meeting with final minutes within ten days of their approval.

Confidential items will be managed with reference to the categories of Confidential and Exempt Information set out in the Local Government Act 2000 and any later amendments to that Act and the *Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012*.

Currently confidential documents are denoted in their titling and the text is italicised. To accord with the guidance operational procedures will be set out and amended to accord with the publication deadlines.

4. Confidential Reporting Procedures

The Assurance framework currently includes an [enquiries, compliments and complaints procedure](#). Page 5 will need amending to refer to how confidential complaints are dealt with in accordance with the guidance.

5. Whistleblowing Policy

Similarly to the above a model whistleblowing policy is included in the guidance, paragraphs 32 to 74. The current "Whistleblowing Policy" is based on that of Staffordshire County Council for simplicity. MHCLG have been asked whether this approach remains compliant or that the LEP will require a specific policy and nominated point of contact.

6. Amended Code of Conduct

It is proposed that the current Code of Conduct is amended to accord with that set out in the guidance and members and staff are asked to sign a copy thereof to confirm their adherence to it.

7. Register of Interests

It is a requirement of MHCLG that all LEPs adopt the register of interests form set out in chapter five of the document. MHCLG require that the form is completed by all Board members and senior members of staff who are involved in advising on decisions. It also asks that staff interests are reviewed every six months.

As part of the annual review of the register of interests all Board members have been asked to complete the revised form and these are currently being received. The guidance that has been given is to declare any interest that may be perceived to impact on their decision making.

Members are required to advise of any changes at each meeting or within 28 days of a change occurring in writing.

8. Recommendations

It is recommended that;

- a) The group notes the best practice guidance and the recommendations of the Ney review
- b) Agrees the proposals set out in paragraphs 3-7 and the notes the urgency of making these changes.
- c) Seeks the support of these changes from the Partnership Board in accordance with the provisions for an electronic decision as set out in paragraph 7.5 of the constitution to ensure compliance with the 28th February deadline.

Appendix - Amended Code of Conduct

Dear [Board Member]

Code of Conduct for Board Members

You are a Board Member of the Stoke-on-Trent and Staffordshire Local Enterprise Partnership and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership in your conduct at all times.

Accordingly, when acting in your capacity as a Board Member of Stoke-on-Trent and Staffordshire Local Enterprise Partnership:

- You must act in a manner consistent with your LEP's equality and diversity strategy and treat your fellow Board Members, members of staff and others you come into contact with when working in their role with respect and courtesy at all times.
- You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
- You must not place yourself under a financial or other obligation to outside individuals or organisations that might be reasonably regarded to influence you in the performance of your official duties.
- When carrying out your LEP duties you must make all choices, such as making appointments, awarding contracts or recommending individuals for rewards or benefits, based on You are accountable for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your position. You must be as open as possible about both your decisions and actions and the decisions and actions of the LEP. In addition, you should be prepared to give reasons for those decisions and actions.
- You must declare any private interests, both pecuniary and non-pecuniary, including membership of any Trade Union, political party or local authority that relates to your LEP duties. Furthermore, you must take steps to resolve any conflicts arising in a way that protects the public interest. This includes registering and declaring interests in a manner conforming with the procedures set out in the section 'Registering and declaring pecuniary and non-pecuniary interests'.
- You must, when using or authorising the use by others of the resources of your LEP, ensure that such resources are not used improperly for political or personal purposes (including party political purposes).

- You must promote and support high standards of conduct when serving in your LEP post, in particular as characterised by the above requirements, by leadership and example.

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a Board Member or co-opted, notify your LEP Chief Executive and Accountable Body's S151/S73 Officer of any disclosable pecuniary interest, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a spouse, or as if you were civil partners.

In addition, you must, within 28 days of taking office, notify your LEP Chief Executive and Accountable Body's S151/ S73 Officer of any non-pecuniary interest² which your LEP has decided should be included in the register or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include your membership of any Trade Union.

Board members should review their individual register of interest before each board meeting and decision making committee meeting. They must declare any relevant interest(s) at the start of the meeting. If an interest has not been entered onto the LEP's register, then the member must disclose the interest at any meeting of the LEP at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.

Following any disclosure of an interest not on the LEP register or the subject of pending notification, you must notify the LEP Chief Executive and S151/S73 Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest. Additionally, you must observe the restrictions your LEP places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your LEP.

Breach of this Code

Each member's participation in the business of the SSLEP Board is subject to compliance with the terms of this Code of Conduct and any breach may result in a requirement to step down from the Board.

Please confirm your agreement to the terms above by countersigning the enclosed copy of this letter in the place provided and returning it to Peter Davenport at the address below.

Agreement

I confirm that I have read the Code of Conduct and will abide by its principles and provisions

Signed.....

Date.....

Name

Representing.....

(Name of organisation and sector)

Judges Chambers, County Buildings Martin Street, Stafford, ST16 2LH