Item No10 ii.

**Stoke on Trent and Staffordshire Local Enterprise Partnership Executive Board**

**18th July 2019**

**Scheme of Delegation**

Background

The National Assurance Framework requires Local Enterprise Partnerships to have a formal Scheme of Delegation in place as part of their Local Assurance Framework. Although the SSLEP has a scheme of delegation in place, feedback from the Annual Performance Review recommended that this should be reviewed and updated to make the decision-making responsibilities within the SSLEP clearer.

As part of the review of the scheme of delegation, which also checked the scheme was in line with the Articles of Association of the new company, the opportunity was taken to review where decisions are undertaken and propose amendments, which are set out in the draft scheme attached in red text.

At present the vast majority of decisions are taken by the Executive, which means that there is a considerable amount of “paperwork” which is presented to the Board, for example, the detailed business cases on schemes that are already within an approved programme agreed by the Board. The rationale therefore for the proposed changes is to delegate some of the decisions from the Executive Board to other SSLEP Groups, to reduce the amount of detail that is currently presented to the Board and hence free up time for the Board to consider more strategic issues, whilst still ensuring proper governance processes are in place around all decisions of the SSLEP.

Following the Executive Board in June the scheme was circulated for electronic decision and as part of that process a few minor changes were proposed. These are:-

1. Setting a financial limit on Growing Places Fund individual loans that can be approved by the GPF panel.
2. Clarification of approval of Directors expenses.
3. Approval of CEO appointments by Executive Board (rather than a recruitment panel).

These amendments have now been incorporated into the draft scheme attached in blue text.

Recommendation

The Board are requested to review the draft Scheme of Delegation, including the proposed changes, and that the revised scheme be formally approved and adopted.

Jacqui Casey Interim Partnership Manager SSLEP /

Simon Ablewhite (Finance Lead) Accountable Body

**Stoke on Trent and Staffordshire Local Enterprise Partnership Company Ltd (SSLEP)**

**Scheme of Delegation**

This scheme of delegation sets out the main responsibilities and functions of the organisation and the level to which they have been delegated.

Delegations of actions and decisions by the Executive Board may only be made in accordance with Local Assurance Framework and this scheme of delegation.

Where the Chair is absent or unavailable, the Vice Chair may act in their place.

The scheme of delegation is part of a wider suite of SSLEP governance documents which are set out in the Local Assurance Framework.

The scheme of delegation is reviewed annually and changes require Executive Board approval.

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| **Issue** | **Function** | **Delegated To** | **Financial Limit £** | **Explanation** |
| **General** | Company Articles of Association and changes | Executive Board |  |  |
| Approval of new Directors / Members of the Board | Executive Board |  |  |
| Removal of a Director / Member of the Board | Executive Board |  |  |
| Appointment / removal of an alternate | Relevant Executive Board Director |  | Relates only to Public Sector and University Directors |
| Appointment of Company Secretary | Executive Board |  |  |
| Approval of business champions | Executive Board |  | e.g. SME Champion / Diversity Champion |
| Chairs of Sub Groups | Executive Board |  |  |
| Annual review of permanent sub groups | Executive Board |  |  |
| Joint working arrangements / collaboration agreements / protocols | Executive Board |  |  |
| **Strategy** | Vision, mission and values | Executive Board |  |  |
| Approval of major strategies | Executive Board |  |  |
| Approval of Organisation Brand | Executive Board |  |  |
| Changes to the overall operating structure of the LEP | Executive Board |  |  |
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| **Governance** | Compliance with Government guidelines | Chair / CEO / Strategy and Governance Manager |  |  |
| Local Assurance Framework | Executive Board |  |  |
| Annual declaration of compliance to Government | Accountable Body S151 Officer |  |  |
| Maintenance of Register of Interests | Executive Board / CEO |  |  |
| Timely publication of agendas, reports and minutes | Chair / CEO / Strategy and Governance Manager |  |  |
| Sub Groups, Committees appointments | Executive Board |  |  |
| Code of conduct, Complaints, whistleblowing and other governance policies | Executive Board |  |  |
| Changes to or termination of the Accountable Body Agreement | Executive Board / Chairman |  | Signing of agreement on behalf of the SSLEP delegated to the Chairman |
| Risk Register | Chair of Audit and Finance Committee |  |  |
| Mitigation of Risks | Executive Board |  |  |
| Response to Freedom of Information Requests | Chair / CEO / Strategy and Governance Manager |  | In consultation with the Accountable Body where appropriate |
| Agreement to undertake a decision via electronic procedure | Chair |  |  |
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| **Programmes**  **Growth Deal / City Deal** | Approval of overall Growth Deal / City Deal programme | Executive Board |  | On recommendations from SPMG |
| Approval of changes to the approved programme / schemes within the programme | Executive Board |  | e.g. allocation of unallocated funding based on recommendations from the SPMG |
| Approval of detailed business case / final approval for schemes within the approved programme | Strategic Programme Management Group | Up to value included in the approved programme |  |
| Approval to enter into a grant agreement | Strategic Programme Management Group | Up to value included in the approved programme | Subject to approval of a final business case |
| Signing of Grant Funding Agreements | S151 Officer of Accountable Body |  | Following approval of Final business case by SPMG |
| Changes to standard grant terms and conditions | Executive Board |  | Following recommendations from SPMG |
| Decision to clawback grant funding | Executive Board |  | Following recommendations from SPMG |
| Withdrawal of funding from a scheme within the approved programme | Executive Board |  | Following recommendations from SPMG |
| Change requests from programmes / projects with no financial implications but major changes to outputs or timelines | Executive Board |  |  |
| Change requests from programmes / projects with no financial implications but minor changes to outputs or timelines | Strategic Programme Management Group |  |  |
|  | Agreement of Grant allocations / conditions on behalf of the LEP | S151 Officer of Accountable Body |  | Terms and conditions of grant allocations from central government |
| **Programmes**  **Growing Places Fund** | Approval to award a loan within the terms and conditions of the scheme | Growing Places Panel  Executive Board | Up to £1m  Over £1m | Approval of awards subject to level of available resources. |
| Approval to award a grant | Executive Board | Up to value of available resources |  |
| Approval to award a loan outside the normal terms and conditions of the scheme | Executive Board |  |  |
| Changes to standard grant terms and conditions | Executive Board |  |  |
| Approval to write-off unpaid loans / Bad debts | Executive Board | Up to the value of the outstanding loan including accrued interest | Following recommendations of the Audit and Finance Committee |
| Approval of annual revenue budget for the GPF | Executive Board |  |  |
| Approval of expenditure within the approved annual revenue budget | External Funding Officer, Staffordshire County Council | Level of approved budget | GPF managed on behalf of the SSLEP by SCC |
| **Programmes**  **ESIF** | Recommendations on behalf of the LEP on investments | Relevant Executive Board Director appointed to the ESIF Committee |  | Recommendations made to Managing Authority |
| **Programmes**  **Skills Advisory Panel Board** | Approval of Skills Strategy | Executive Board |  |  |
| Delivery of Skills Strategy | Skills Advisory Panel Board |  | Reporting to the Executive Board on progress and making recommendations for changing strategy. |
| Approval of expenditure within the annual budget for SAP | Chair of SAP Board |  |  |
| **Programmes**  **Enterprise Zones** | Application for EZ status | Executive Board |  |  |
| EZ Signature of Memorandum of Understanding | Chairman of SSLEP plus relevant CEO of District / County area involved. |  | Relevant signatures are set out by DCLG |
| EZ Strategic Implementation Plan | Executive Board |  | Based on recommendations from relevant authorities. |
| Approval of revenue and capital expenditure | EZ Board |  | In respect of schemes included in the strategic implementation plan |
| Utilisation of surplus business rates | Executive Board |  | Surplus business rates following repayment of all costs relating to schemes included within the implementation plan |
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| **Finance** | Approval of core annual revenue budget | Executive Board |  | Following recommendation of the Audit and Finance Committee in consultation with the Accountable body. |
| Approval of expenditure within approved annual revenue budget (excluding Project Development Activity) | Chair of Audit and Finance Committee  CEO  Strategy and Governance Manager  SSLEP Secretariat | Level of approved  Budget element  £10,000  £5,000  £500 | Accountable body staff also formally approve orders / invoices on behalf of SSLEP once approval is given. |
| Approval of expenditure within the approved annual revenue budget on priority project development activity | Executive Board | Level of approved budget element | Based on review / call for LIS / SEP delivery activity. |
| Approval of Annual Accounts and financial statement | Executive Board |  | On recommendation from Audit and Finance Committee |
| Approval of Bank Account and Mandate policy | Executive Board |  | On recommendation from Audit and Finance Committee (not required at present) |
| Response to formal Audit reports | Audit and Finance Committee |  |  |
| Lodging documents, filing returns in relation to the Company | S151 Officer of Accountable Body |  |  |
| Producing the Financial Accounts of the LEP | S151 Officer of Accountable Body |  |  |
| Arranging Insurances on behalf of the LEP | S151 Officer of Accountable Body |  |  |
| Holding Funds on behalf of the LEP | Accountable Body |  |  |
| Approval of Travel and Other Expenses of LEP Directors | Chairman / Chair of Audit and Finance Committee |  | In accordance with agreed policy. The Chair of the Audit and Finance Committee will approve the expenses of the Chairman. Approval of other LEP Directors expenses can be either the Chairman or the Chair of the audit and Finance Committee. |
| Approval of Travel and Other Expenses of LEP Secretariat / associated bodies | CEO / Strategy and Governance Manager |  | In accordance with agreed policy |
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| **Human Resources** | Recruitment of Chair | Executive Board |  |  |
| Renumeration of the Chair | Executive Board |  |  |
| Structure of Secretariat | Executive Board |  |  |
| Renumeration of Secretariat | Executive Board |  |  |
| Recruitment of Secretariat  CEO  Strategy and Governance Manager  Other members of Secretariat | Executive Board  Recruitment Panel agreed by the Chair  CEO / Strategy and Governance Manager |  |  |
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