

Coast to Capital Local Enterprise Partnership Governance and Assurance Manual - Annex

Annex A - Coast to Capital conflicts of interest policy

Annex B – Chairman’s Committee Terms of Reference

Annex C – Audit Committee Terms of Reference

Annex D – Joint Committee Terms of Reference

Annex E – Investment Committee Terms of Reference

Annex F – Growing Places Committee Terms of Reference

Annex G – EU Structural and Investment Funds (ESIF) Committee

Annex H – Executive Committee Terms of Reference

Annex I – Executive Pillar Committee

Annex J – How funding decisions are made

Annex K – Coast to Capital Procurement and Payments Policy

Annex L – other documents in support of the Assurance Framework

Annex M – Complaints Policy

- Complaints Procedure
- Confidential Complaints Procedure

Annex N – Whistleblowing Policy

Annex A – Coast to Capital conflicts of interest policy

Contents:

1. Introduction
 2. Why we have a policy
 3. What is a “conflict of interest”?
 4. Principles to be adhered to by Directors
 5. Principles to be adhered to by the LEP
 6. Declaration of Interests
 7. Private Conduct
 8. Data Protection
 9. The Register of Interests
 10. Declaration of Interests at Meetings
 11. Procedure when a conflict-of-interest situation is identified
 - Assessment of Risk
 - Trivial or Non-Trivial
 - If Non-Trivial
 12. Restriction or Removal
 13. Redacted Reporting
 14. Education Sector Directors, District Council Directors and Directors who are representatives for Public Sector Members
 15. Record Keeping
 16. Provision of Services to the LEP
 17. Advisors
 18. Monitoring compliance
 19. Enforcement
- Annex 1: Code of Conduct
- Annex 2: Declaration of Interests

1. Introduction

- 1.1 This Policy applies to the Directors of the Board (the "Directors") of Coast to Capital LEP (the "LEP") and sets out guidelines and procedures for identifying, monitoring and managing actual and potential conflicts of interest.
- 1.2 The LEP recognises that Directors will have legitimate interests which arise out of their capacity as private citizens and that there are situations in which the private interests and affiliations of a Director do, appear to, or have the potential to conflict with the proper performance of the Director's official duties within the LEP.
- 1.3 The LEP recognises it is important that conflicts of interest are identified and appropriately managed.
- 1.4 Unless the context otherwise requires, a reference in this Policy to one gender shall be deemed to include a reference to the other genders.

2. Why we have a policy

- 2.1 The LEP recognises that conflicts of interest in both the public and private sectors are a matter of public interest and that when conflict-of-interest situations are not properly identified and managed, they can seriously endanger the integrity of an organisation.
- 2.2 The LEP recognises that a conflict of interest is not in itself evidence of impropriety. The objective of this Policy is not the prohibition of all private interests. The objective is to identify and manage conflicts of interests in order to maintain integrity in the LEP and its decision-making processes.
- 2.3 The LEP has a responsibility to scrupulously identify and manage conflicts that are incompatible with the LEP's role in order to:
 - Maintain fairness and transparency in decision making processes;
 - Assure trust and confidence among key stakeholders and the general public; and/or
 - Protect the reputation and integrity of the LEP and associated organisations

- 2.4 Conflicts of interest may arise where an individual's personal, business or family interests and/or loyalties conflict with those of the LEP. Such conflicts may create problems; they can:
- inhibit free discussion ;
 - result in decisions or actions that are not in the interests of the LEP; and/or
 - risk creating the impression that the LEP has acted improperly.
- 2.5 The aim of this Policy is to ensure effective procedures are deployed for the identification, disclosure, management and promotion of the appropriate resolution of conflict of interest situations in a transparent and timely way, without unduly inhibiting the effectiveness and efficiency of the LEP.

3. What is a "conflict of interest"?

- 3.1 References to "conflicts" or "conflicts of interest" in this Policy include actual, apparent and/or potential conflicts of interest.
- 3.2 For the purposes of this Policy, a 'conflict of interest' is defined as any situation where there is an existing, apparent or potential conflict between the professional duty and the private interests of a Director, which could improperly influence the performance of their official duties and responsibilities within the LEP, or where an informed and reasonable observer would conclude that there was a risk of such improper influence.
- 3.3 "Private interests" are not limited to financial, business, or pecuniary interests, or those interests which generate a direct personal benefit to the official. A conflict of interest may involve otherwise legitimate private activity, personal affiliations and associations, and family interests, if those interests could reasonably be considered likely to influence improperly the official's performance of their duties.
- 3.4 An *apparent* conflict of interest can be said to exist where it *appears* that an official's private interests could improperly influence the performance of their duties. An apparent conflict of interest should be treated as though it were an actual conflict, until such time as the doubt is removed and the matter is determined, after investigation of all the relevant facts.
- 3.5 A *potential* conflict arises where an official has private interests which are such that a conflict of interest would arise if the official were to become involved in relevant official responsibilities in the future.

4. Principles to be adhered to by Directors

- 4.1 Directors are expected to act in a manner that will bear the closest public scrutiny. This obligation is not fully discharged simply by acting within the letter of the law; it also entails respecting broader values such as the Nolan Principles.
- 4.2 Directors will be required to sign an undertaking (Annex 1) to abide by the "Seven Principles of Public Life" known as the Nolan Principles:
- selflessness
 - integrity
 - objectivity
 - accountability
 - openness
 - honesty
 - leadership
- 4.3 Directors have a legal obligation to act in the best interests of the LEP. They must also act to perform their duties in a fair and unbiased way, and to ensure that official decisions are not improperly affected by self-interest, so that the integrity of the LEP is supported, and corrupt practices are excluded.
- 4.4 Directors should ensure consistency and an appropriate degree of openness in the process of resolving or managing a conflict of interest situation. Directors are expected to demonstrate their commitment to integrity and professionalism through their application of effective conflict-of-interest policy and practice.

5. Principles to be adhered to by the LEP

- 5.1 The LEP will provide, implement and review this Policy.
- 5.2 The LEP will adopt organisational practices to encourage Directors to disclose and discuss conflict of interest matters and provide reasonable measures to protect disclosures from misuse by others.
- 5.3 The LEP will maintain a culture of open communication and dialogue concerning the management of conflicts of interest.
- 5.4 Where appropriate, the LEP will take reasonable steps to make other organisations aware of the potential consequences of non-compliance (which may include the termination or retrospective cancellation of a contract, recording and publicising a proven breach in a register).

6. Declaration of Interests

- 6.1 Directors' private interests and affiliations must be disclosed appropriately to enable the LEP to take action to control, remove or manage any conflict of interest where appropriate.
- 6.2 A "Declaration of Interests" form (Annex 2) is provided for this purpose, listing the types of interest, and the interests of a spouse/partner, a Director must declare to the LEP Chief Executive and Accountable Body prior to his appointment as a director of the LEP.
- 6.3 Each Board Member shall review their individual register of interests before each board meeting and decision making committee meeting, submitting any necessary revisions to the LEP and S151 Officer at the start of the meeting. Any recorded interests relevant to the meeting should also be declared at this point.
- 6.4 Even if a meeting has not taken place a Member must, within 28 clear working days of becoming aware of any change to the interests specified below, provide written notification to the LEP and S151 Officer, of that change.
- 6.5 As part of a new Director's induction, the Chief Executive Officer should ensure they obtain a list of the new Director's other interests, explaining to them what they need to disclose, and arrange for these interests to be recorded in the Declaration of Interests form. The new Board member should also be briefed on the LEP's relevant policies and procedures.
- 6.6 Private interests which could constitute conflict-of-interest situations include financial and economic interests, debts and assets, affiliations with for-profit and non-profit organisations, affiliations with political, trade union or professional organisations, and other personal-capacity interests, undertakings and relationships (such as obligations to professional, community, ethnic, family or religious groups in a personal or professional capacity, or relationships to people living in the same household). The Declaration of Interests form includes considerations for employment, directorships, significant shareholdings, land and property, related party transactions, membership of organisations, gifts and hospitality, and sponsorships. Interests of household members are also considered.
- 6.7 Directors will also declare any gifts, gratuities, facilities, hospitality, entertainment, tickets to events, meals and benefits in kind from whatever source offered, given or received by themselves or their family in connection with their role in the LEP or in connection with a relationship formed through the LEP's business. Such declarations will be recorded on the Declaration of Interest forms, unless the actual or estimated value is negligible (i.e. gifts of a value of less than £10 or

event tickets of a value of less than £10 or hospitality of a value of less than £35).

- 6.8 Should a Director's interests change, he will inform the Chief Executive Officer at the earliest opportunity.
- 6.9 An interest of which a Director has no knowledge and of which it is unreasonable to expect him to have knowledge shall not be treated as an interest of his.
- 6.10 If a Director is not sure what to declare, or whether/when his declaration needs to be updated, the Director should err on the side of declaring. If the Director wishes to discuss this issue, he/she should contact the Chief Executive Officer for guidance.
- 6.11 The Chief Executive Officer will annually circulate to the Directors a request for information about interests.
- 6.12 The Directors will comply and co-operate fully with all and any enquiries which the Chairman and/or the Chief Executive Officer make in order to satisfy themselves as to the nature and extent of any Director's interests.
- 6.13 In exceptional circumstances, where the public disclosure of information could give rise to a real risk of harm or is prohibited by law, an individual's name and/or other information may be redacted from the LEP's publicly available register(s). Where a Director believes that substantial damage or distress may be caused, to him/herself or somebody else by the publication of information about them, they are entitled to request that the information is not published. Such requests must be made in writing. Decisions not to publish information must be made by the Conflicts of Interest Guardian, who should seek appropriate legal advice where required, and the LEP should retain a confidential un-redacted version of the relevant register(s).

7. Private Conduct

- 7.1 Directors of the LEP are expected to adhere to a number of policies, and to meet the highest standards of probity.
- 7.2 Each Director must include on their Declaration of Interests form (Annex 2) any other matter (e.g. an unspent criminal conviction or bankruptcy proceedings) which might make him ineligible or unsuitable for membership/continued membership of the LEP Board.

- 7.3 Again, if a Director is not sure what private conduct matters to declare, or whether/when his declaration needs to be updated, the Director should err on the side of declaring. If the Director wishes to discuss this issue, he/she should contact the Chief Executive Officer for guidance.
- 7.4 In addition to the usual declarations, it is important to note that Directors must also:
- (a) inform the Chief Executive Officer immediately if they are subject to personal bankruptcy or insolvency or any analogous proceedings;
 - (b) inform the Chief Executive Officer immediately if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution, or if they are involved in any other activity which could bring the LEP into disrepute; and
 - (c) inform the Chief Executive Officer immediately if the court has made an order or appointed a deputy under section 16 of the Mental Capacity Act 2005 in respect of the Director.

8. Data protection

- 8.1 The interests disclosed by the Directors will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that Directors act in the best interests of the LEP. The information provided will not be used for any other purpose.

9. The Register of Interests

- 9.1 The Chief Executive Officer will be responsible for maintaining a list of Register of Interests. The Register of Interests shall be maintained and monitored at each meeting of the Board.
- 9.2 The Register of Interests shall be maintained and published on the LEP's website, and will be available for inspection by any Director or member of the public on request.
- 9.3 Where a decision has been made by the Conflicts of Interest Guardian not to publish information on the Register of Interests, the publicly available Register of Interests shall be redacted and the LEP shall retain a confidential un-redacted version of the Register of Interests.

10. Declaration of Interests at Meetings

- 10.1 Prior to any meeting of Directors, the Chief Executive Officer will circulate to the Directors an update to the Register of Interests.
- 10.2 The first item on the agenda of each meeting of Directors will be a standing item requiring all Directors attending the meeting to declare any conflicts of interests which they are aware.
- 10.3 In considering whether they have any conflicts of interests in any agenda items, Directors may find it helpful to consider the following questions:

Public duty versus private interests	Do I have personal or private interests that may conflict, or be perceived to conflict, with my public duty?
Potentialities	Could there be benefits for me now, or in the future, that could cast doubt on my objectivity?
Perception	Remember, perception is important. How will my involvement in the decision/action be viewed by others?
Proportionality	Does my involvement in the decision appear fair and reasonable in all the circumstances?
Presence of mind	What are the consequences if I ignore a conflict of interest? What if my involvement was questioned publicly?
Promises	Have I made any promises or commitments in relation to the matter? Do I stand to gain or lose from the proposed action/ decision?

- 10.4 If a Director considers that he has an actual, apparent or potential conflict, he should inform the Chairman as soon as possible but no later than the start of the meeting at which the relevant matter is on the agenda.
- 10.5 If a Director considers that another Director has an actual, apparent or potential conflict of interest that has not been declared, he should inform the Chairman at the start of the meeting at which the relevant matter is on the agenda.
- 10.6 If a Director fails to declare an interest that is known to the Chairman, the Chairman may declare that interest on behalf of the Director.

11. Procedure when a conflict-of-interest situation is identified

- 11.1 The LEP recognises that while disclosure of a private interest does not itself resolve a conflict, such disclosure will help the LEP to determine what measures are needed to avoid, resolve or manage a conflict positively.
- 11.2 When a Director identifies that he has a potential conflict of interest he must declare it as soon as he becomes aware of it, regardless of whether he has previously declared the interest in the Register of Board Directors' Interests.
- 11.3 The Chairman must ensure that all declarations are recorded in the minutes and any appropriate board papers.
- 11.4 In the event that the Chairman of a meeting has a conflict of interest, an alternative Chairman should be appointed from and by the non-conflicted Directors. The alternative Chairman is responsible for deciding the appropriate course of action in order to manage the conflict of interest. If the alternative Chairman is also conflicted then the remaining non-conflicted voting Directors at the meeting should agree between themselves how to manage the conflict(s).
- 11.5 The Chairman must inform the other Directors of any conflict declared.

Assessment of Risk

- 11.6 The non-conflicted Directors will then:
 - a. assess the nature of the conflict;
 - b. assess the risk or threat to the LEP's decision-making;
 - c. decide whether the conflict is non-trivial (that is, it is material or has the potential to be detrimental to the conduct or decisions taken by the LEP); and
 - d. decide what steps to take to avoid or manage the conflict.

The conflicted Director must not take part in the discussion or decision and will not be counted when determining whether the meeting is quorate.

- 11.7 The non-conflicted Directors will consider whether it is necessary to seek the advice of the LEP's legal adviser on whether the conflict is non-trivial and/or on how to manage the conflict declared
- 11.8 The appropriate measure to be taken by the LEP is likely to depend on the nature and extent of each conflict-of-interest situation, but the non-conflicted Directors should weigh the interests of the LEP, the

public interest, and the legitimate interests of the conflicted Director, as well as other factors.

Trivial or Non-Trivial?

- 11.9 If the non-conflicted Directors consider that the declared conflict is trivial, they may agree that the conflicted Director may continue to participate in discussions and the decision-making process.
- 11.10 If the conflicted Director is associated with an organisation (other than a Local Authority, District Council, Further Education body or Higher Education body) as employee, director, contractor, trustee, member or shareholder (of a greater than 5% shareholding), or sponsor and that organisation may be particularly affected by a decision then the conflict should be regarded as non-trivial.
- 11.11 Where a particular conflict is trivial but is likely to recur frequently, it may be appropriate for the conflicted Director to be removed from any involvement in decision-making on the affected matters and/or abstain from voting on decisions, and/or withdraw from the discussions of affected proposals and plans, and/or not receive relevant documents and other information relating to the affected matter.

If Non-Trivial

- 11.12 If the non-conflicted Directors consider that the conflict is non-trivial, the non-conflicted Directors will determine what action is appropriate in light of the nature and extent of the conflict.
- 11.13 A number of measures can be considered for managing the conflict-of-interest situation, including:
- (a) excluding the conflicted Director from discussions in relation to the matter to avoid inadvertently influencing the non-conflicted Directors;
 - (b) excluding the conflicted Director from decision-making in relation to the matter while the conflict exists;
 - (c) excluding the conflicted Director from access to information relating to the matter while the conflict exists;
 - (d) delegating the conflicted Director's vote on the conflicted matter to one of the non-conflicted Directors;
 - (e) delegating the matter to a sub-committee of non-conflicted Directors;

- (f) seeking independent advice or moderation to help with a decision, or to participate in, oversee or review the integrity of the decision-making process;
- (g) appointing an alternative, non-conflicted Director;
- (h) requesting that the conflicted Director relinquish (if practicable) any personal or private interests which are affected by the conflict;
- (i) resignation of the conflicted Director where the conflict is acute or pervasive and cannot be managed or resolved in another way.

11.14 The non-conflicted Directors may, at any time, authorise a conflicted Director to continue to be involved in a conflicted matter provided that:

- (a) in the case of a proposed appointment of a person as a Director, the non-conflicted Directors will authorise the conflict of interest before or at the time the conflicted Director is appointed to office;
- (b) the non-conflicted Directors give the authorisation at the time the conflict of interest is declared to them;
- (c) the conflicted Director shall not vote on and shall not be counted in the quorum in respect of the authorisation, and if he does vote his vote shall not be counted; and
- (d) the non-conflicted Directors may in their absolute discretion impose such terms or conditions on the grant of the authorisation as they think fit and in doing so the non-conflicted Directors will act in such a way in good faith they consider will be most likely to promote the success of the LEP.

12. Restriction or Removal:

12.1 Unless there are good reasons to merely restrict a conflicted Director from voting on an issue, then complete removal of the conflicted Director from all involvement in the affected matter is likely to be the most appropriate measure for the LEP to take to manage most non-trivial conflict-of-interest situations.

12.2 Removal of a conflicted Director's involvement in the affected matter means that the conflicted Director may:

- Not take part in any board discussions relating to the affected matter;

- Not take part in any decision making related to the affected matter; and
- Not be counted in the quorum for decision making related to the affected matter;
- Not remain in the room while discussion / decision making is taking place in relation to the affected matter, unless the conflicted Director is expressly invited to remain by the Chairman. The Chairman may invite a conflicted Director to remain if the non-conflicted Directors decide that there is good reason for him to stay.

13. Redacted Reporting

13.1 Where it is considered that the conflict-of-interest situation can be effectively managed and controlled by removing a conflicted Director's involvement, the non-conflicted Directors may also determine:

- (a) whether the conflicted Director should be excluded from managing or monitoring all or any part(s) of the affected matter and/or any related contract or project; and
- (b) whether the conflicted Director's copy of the minutes and/or other documents should be either partly or wholly redacted in those parts relating to the item presenting a conflict.

13.2 If a conflicted Directors' copy of minutes or other documents are to be redacted the Chairman and Chief Executive Officer will take special care to check that the conflicted Director still receives sufficient information about the activities of the LEP generally without disclosing such sensitive information that could place the Director in an untenable position.

13.3 Any section which is to be redacted in the conflicted Director's copy of minutes or in other documents to which all Directors have access should be clearly identified as having been redacted. Such identification should be by notice in bold at the start of the relevant section confirming that it has been subjected to redaction for the conflicted Director. Unredacted minutes should be held by the Company Secretary and made available to non-conflicted Directors on request.

14. Education Sector Directors, District Council Directors and Directors who are representatives for Public Sector Members

14.1 It is understood that Directors who are Education Sector Directors, District Council Directors and Directors appointed to act on behalf of a Public Sector Member (each a "Representative", together

“Representatives”) will have interests involving their respective local authority (“LA”), District Council (“DC”), Further Education body (“FE body”) or Higher Education body (“HE body”).

- 14.2 Representatives will abide by the code of conduct for the LEP (Annex 1) and the standards and codes of conduct of their own respective LA, DC, FE body or HE body.
- 14.3 Representatives will use all reasonable endeavours to represent the LEP’s territory as a whole and not according to the sectoral, geographical or economic interests of their respective LA, DC, FE body or HE body.
- 14.4 Where a Representative identifies that he has an actual, apparent or potential conflict of interest between his interests as a Director of the LEP and the interests of his LA, DC, FE body or HE body (as applicable), the Representative will declared the conflict of interest in the usual way at meetings and the conflict of interest will be recorded in the Conflicts-of-Interest Register. The conflict of interest is to be managed in the usual way in accordance with Sections 11 to 13 of this Policy.
- 14.5 If necessary, where a conflict-of-interest situation arises from a Representative’s personal interest (rather than from the interests of his LA, DC, FE body or HE body), alternative or replacement representatives from the relevant LA, DC, FE body or HE body may be used as appropriate.

15. Record-Keeping

- 15.1 The Chairman will inform the conflicted Director of the non-conflicted Directors’ decision. The Chairman will also consider whether other affected parties to the decision should be notified as to the measures taken to protect the integrity of the decision-making process.
- 15.2 The Chairman will ensure that the minutes of the meeting record:
 - The nature and extent of the declared conflict;
 - An outline of any discussion;
 - Measures taken to manage the conflict-of-interest situation. For example:
 - That the conflicted Director left the room, or the reason they were asked to stay;

- That the conflicted Director took no part in discussion or decision making on the matter;
 - That the conflicted Director is to be excluded from managing or monitoring the affected matter or any related contract or project;
 - That the conflicted Director is to receive redacted minutes or other documents;
 - That the meeting was quorate (not counting the conflicted Director);
 - Any other ongoing actions to be taken to manage the conflict-of-interest situation.
- 15.3 The Chairman will be responsible for reporting any new conflict-of-interest situations to the Chief Executive Officer after each meeting.
- 15.4 The Chief Executive Officer will be responsible for ensuring that Board member's Declaration of Interests:
- (a) are updated to record all conflicts;
 - (b) are updated to record all new interests, gifts and hospitality declared at the meetings; and
- 15.5 Where a decision has been made by the Conflicts of Interest Guardian not to publish information on the Conflicts of Interest Register, the publicly available Conflicts of Interest Register shall be redacted and the LEP shall retain a confidential un-redacted version of the Conflicts of Interest Register.

16. Provision of Services to the LEP

- 16.1 Additional arrangements may be necessary for monitoring contracts concluded between the LEP and a third party in which a Director has an interest.
- 16.2 Such arrangements may include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.
- 16.3 Where a Director is connected to a party involved in the supply of a service or product to the LEP, this information must be fully disclosed in the annual report and accounts.

17. Advisors

- 17.1 Before appointing any advisers, the Directors shall consider whether the adviser has any actual or potential conflict.
- 17.2 All advisers to the LEP will be appointed by the Directors under terms that include:
- (a) an obligation to inform the Directors if any circumstances arise in which they are or may be conflicted;
 - (b) an obligation to address any conflicts that arise in the work they do for the Directors; and
 - (c) where they also provide advice to the company, a requirement to cease to act for the company if a conflict arises if the Directors decide that the conflict cannot be appropriately managed.
- 17.3 The Chairman will:
- (a) report all breaches of this Policy of which he is aware to the Directors at the next Board meeting; and
 - (b) note all breaches in the minutes of the relevant Board meeting.
- 17.4 An annual (external) audit and assurance checks will be commissioned and undertaken to monitor and verify that the LEP is operating effectively within the terms of this Policy and that conflicts-of-interest are being satisfactorily managed.

18. Monitoring Compliance

- 18.1 Where a conflicted Director has concerns or wishes to discuss the way in which his conflict-of-interest situation has been managed, he should raise it with the Chief Executive Officer.
- 18.2 Any Director who becomes aware of a breach of this Policy shall report it to the Chief Executive Officer as soon as possible.
- 18.3 The Chairman will:
- (a) report all breaches of this Policy of which he is aware to the Directors at the next Board meeting; and
 - (b) note all breaches in the minutes of the relevant Board meeting.
- 18.4 To further strengthen scrutiny and transparency of the LEP's decision-making processes, regular independent (external) audit and assurance checks will be commissioned and undertaken by a Conflicts of Interest Guardian to monitor and verify that the LEP is operating

effectively within the terms of this Policy and that conflicts-of-interest are being satisfactorily managed.

- 18.5 Whilst the Conflict of Interest Guardian has an important role within the management of conflicts of interest, Directors of the LEP have an on-going responsibility for ensuring the robust management of conflict-of-interest situations, and will continue to have individual responsibility in playing their part on an on-going and daily basis.

19. Enforcement

- 19.1 Sanctions for on-compliance with the LEP's conflict-of-interest policy will be regarded as a matter for the LEP's Audit Committee to determine.
- 19.2 The sanctions which would apply to the conflicted Director would depend on the seriousness of the breach; for example lesser sanctions would normally apply to a simple failure to register a relevant interest as required, compared with more serious sanctions for abuse of office for a failure to declare a non-trivial conflict of interest of which the Director is aware or for a refusal to co-operate with the effective management of a conflict-of-interest situation.
- 19.3 The LEP will also consider complementary forms of redress for breaches of conflict-of-interest policy, including such measures as retro-active cancellation of affected decisions and tainted contracts.

ANNEX 1: CODE OF CONDUCT

All Board Directors of the LEP are required to consider the terms of this Code of Conduct and sign and return this Code of Conduct and a Register of Interests.

Nolan Principles

Board Directors agree to act in accordance with the 'Seven Principles of Public Life', known as the Nolan Principles:

- 1. Selflessness** - Holders of public office should act solely in terms of the public interest.
- 2. Integrity** - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- 3. Objectivity** - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- 4. Accountability** - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- 5. Openness** - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- 6. Honesty** - Holders of public office should be truthful.
- 7. Leadership** - Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Conduct

Accordingly, when acting in your capacity as a Board Member of Coast to Capital 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 evidence.
- 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, 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 Coast to Capital Conflicts of Interest Policy.
- 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.

Breach of this Code

Each Director’s participation in the business of the LEP 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 of the LEP, as determined by the Chief Executive Officer in discussion with the Chairman and following a reasonable inquiry into the matter.

Agreement

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

Signed..... Date.....

..... Representing.....

(Name)

(Name of organisation and sector)

ANNEX 2: DECLARATION OF INTERESTS

As a Board Member/Co-opted Member of Coast to Capital Local Enterprise Partnership (LEP), I declare that I have the following disclosable pecuniary and/or non-pecuniary interests.

Notification of Change of Circumstances

Each Board Member shall review their individual register of interests before each board meeting and decision making committee meeting, submitting any necessary revisions to the LEP and S151 Officer at the start of the meeting. Any recorded interests relevant to the meeting should also be declared at this point.

Even if a meeting has not taken place a Member must, within 28 clear working days of becoming aware of any change to the interests specified below, provide written notification to the LEP and S151 Officer, of that change.

Notes:

Please state 'None' where appropriate, do not leave any boxes blank.

*Spouse/Partner – In the notice below my spouse or partner means anyone who meets the definition in the Localism Act, i.e. my spouse or civil partner, or a person with whom I am living as a spouse or a person with whom I am living as if we are civil partners, and I am aware that that person has the interest having carried out a reasonable level of investigation. Where your spouse or partner has recently been involved in any activity which would have been declarable, this should be mentioned, with the date the activity ended. Please note that if a spouse or partner is referenced within the Register of Interest they do not need to be referred to by name.

SECTION 1	ANY EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION CARRIED ON FOR PROFIT OR GAIN	MYSELF	SPOUSE/PARTNER*
1.1	Name of: <ul style="list-style-type: none"> ○ your employer(s) ○ any business carried on by you 		

	<ul style="list-style-type: none"> ○ any other role in which you receive remuneration (this includes remunerated roles such as councillors). 		
1.2	Description of employment or business activity.		
1.3	The name of any firm in which you are a partner.		
1.4	The name of any company for which you are a remunerated director.		
SECTION 2	SPONSORSHIP	MYSELF	SPOUSE/PARTNER

2.1	<p>Any financial benefit obtained (other than from the LEP) which is paid as a result of carrying out duties as a Member.</p> <p>This includes any payment or financial benefit from a Trade Union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 (a).</p>		
SECTION 3	CONTRACTS	MYSELF	SPOUSE/PARTNER
	Any contract for goods, works or services with the LEP which has not been fully discharged by any organisation named at 1.1.		None
	Any contract for goods, works or services entered into by any organisation named at 1.1 where either party is likely to have a commercial interest in the outcome of business being decided by the LEP.		

SECTION 4	LAND OR PROPERTY	MYSELF	SPOUSE/PARTNER
	<p>Any interest you or any organisation listed at 1.1 may have in land or property which is likely to be affected by a decision made by the LEP.</p> <p>This would include, within the area of the LEP:</p> <ul style="list-style-type: none"> ○ Any interest in any land in the LEP areas, including your place(s) of residency ○ Any tenancy where the landlord is the LEP and the tenant is a body in which the relevant person has an interest ○ Any licence for a month or longer to occupy land owned by the LEP. <p>For property interests, please state the first part of the postcode and the Local Authority where the property resides. If you own/lease more than one property in a single postcode area, please state this.</p>		

SECTION 5	SECURITIES	MYSELF	SPOUSE/PARTNER
5.1	<p>Any interest in securities of an organisation under 1.1 where:-</p> <p>(a) that body (to my knowledge) has a place of business or land in the area of the LEP; and</p> <p>(b) either -</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which has an interest exceeds one hundredth of the total issued share capital of that class.</p>		
SECTION 6	GIFTS AND HOSPITALITY	MYSELF	SPOUSE/PARTNER
	Any gifts and/or hospitality received as a result of membership of the LEP (above the value of £50).		

--	--	--	--

OTHER INTERESTS

Membership of Organisations

I am a member of, or I am in a position of general control, a trustee of, or participate in the management of:

1. Any body to which I have been appointed or nominated by the LEP:

--

2. Any body exercising functions of a public nature (eg school governing body or another LEP):

--

3. Any body directed to charitable purposes:

--

4. Any body, one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union):

5. Any local authority (please state any interests you hold as LA leaders/cabinet members for LA land, resources and the LA's commercial interests):

6. Any other interest which I hold which might reasonably be likely to be perceived as affecting my conduct or influencing my actions in relation to my role.

MEMBER'S DECLARATION AND SIGNATURE

I confirm that having carried out reasonable investigation, the information given above is a true and accurate record of my relevant interests, given in good faith and to the best of my knowledge;

Date	
Member's Name (<i>Capitals - in full</i>)	
Signature	

RECEIPT BY LEP

Date received by the LEP	
Signature of LEP Chief Executive	

RECEIPT BY S151/S73 OFFICER

Date received by the S151/S73 Officer	
Signature of S151/S73 Officer	

Disclosure Policy

1.0 Disclosure: Is there any event that has occurred since the last Board meeting that would give rise for the need to make a disclosure by that Director based upon any material change in personal circumstances that could cause other Directors or the public to lose confidence over that Director's continuance in holding office or taking a particular decision.

2.0 Action Matrix - if declarations, disclosure and conflicts of interest arise that could give rise to the consequences listed above or any consequences that could in perception or reality give rise to public concern:

Action	Declaration of interest made by Board Member, Committee Member or Review Group Member		Disclosure made by Board Member, Committee Member or Review Group Member		Conflict of Interest declared by Board Member, Committee Member or Review Group Member	
Question	Does the declaration relate to a meeting agenda item?		Under the reasonable person test, does the disclosure have a material impact upon continued Board, Committee or Review Group membership?		Does the conflict relate to a meeting agenda item?	
Answer	YES	NO	YES	NO	YES	NO
Response	Board/ Committee/ Review Group Member to leave meeting and not take part in discussion or vote on item	Board/ Committee/ Review Group Member cannot take part in any discussion relating to Coast to Capital's involvement in the interest in future, where that interest is the subject of a funding decision.	Matter referred to Chairman's Committee to ratify decision to terminate the Board/ Committee/ Review Group Member's, continued involvement with Coast to Capital.	Matter referred to Chairman's Committee for discussion and decision on whether sanctions or conditions should be imposed upon that member in their undertaking of LEP business.	Board/ Committee/ Review Group Member to leave meeting and not take part in discussion or vote on item	Board/ Committee/ Review Group Member cannot take part in any discussion relating to Coast to Capital's involvement in the interest in future, where that interest is the subject of a funding decision.
Record on Register	Record of actions or decisions made in relation to this matter	Record of actions or decisions made in relation to this matter	Record of actions or decisions made in relation to this matter	Record of actions or decisions made in relation to this matter	Record of actions or decisions made in relation to this matter	Record of actions or decisions made in relation to this matter

Annex B - Chairman's Committee Terms of Reference

1.0 The Chairman's Committee is responsible for the oversight and accountability of the Chief Executive in his / her capacity as the LEP's head of paid service. It is also responsible for the company's commercial strategy, financial performance and risk management. The Committee is chaired by the Chairman of the Board with membership comprising the Vice Chairman and two other Board Directors. The Chief Executive is also a member of the Committee.

2.0 Specific Responsibilities :

2.1 General

- 2.1.1 Exercising the powers and duties of the Board in respect of the financial administration of the company, except for those items specifically reserved for the Board and those delegated to the Chief Executive and other staff.
- 2.1.2 Reporting on decisions taken under delegated powers to the next Board meeting.

2.2 Budgets/Budgetary Control

- 2.2.1 Reviewing the annual budget prior to the start of each financial year and recommending its acceptance, or otherwise to the Board.
- 2.2.2 Ensuring there is proper and complete separation between decisions to purchase and the payment of suppliers.
- 2.2.3 Considering budgetary control reports on the company's financial position, taking appropriate action to contain expenditure within the budget and report to the Board.
- 2.2.4 Review all in year changes to the budget up to 10% of the budget agreed by the Board and as authorised by the Chief Executive, which are to be formally notified to the Committee who shall minute the notification.
- 2.2.5 Approval of changes to the Company bank mandate.

2.3 Insurances

- 2.3.1 Ensuring that arrangements for insurance cover are in place and adequate.

2.4 Security of assets

2.4.1 Ensuring that there are annual independent checks of assets and the asset register.

2.4.2 Authorising the disposal of individual items of equipment and materials that have become surplus to requirements, unusable or obsolete with an original purchase value of up to £5,000 and reporting such authorisations to the Board.

2.5 Personnel

2.5.1 Authorising permanent changes to the company's establishment and determining conditions of employment for all Coast to Capital employees.

2.6 Accounts and audit

2.6.1 Reviewing the draft financial statements and highlighting any significant issues to the Board, prior to the submission to Companies House within nine months of the financial year end.

2.7 Risk Management

2.7.1 To oversee the corporate risk register and report to the Board 'key' RED rated risks. To decide on remediation of risks and implementation of control measures.

3.0 Appointment process

Appointment to the Committee is limited to the Chairman and Vice Chairman of the Board, with the other two Directors being appointed by the Board, upon recommendation from the Chairman's Committee. The Chief Executive is also a member of the Committee.

4.0 Term of office

The term of office of Committee members runs concurrent with the term of office of the Chairman and Vice Chairman. The term of office for the other Board Directors is at the discretion of the Chairman. The term of membership of the Chief Executive is concurrent with his / her term of office.

5.0 Declarations, Disclosure and Conflicts of Interest Procedure

Prior to each Committee meeting and initially prior to appointment to the Committee, the declaration of interests, disclosure and conflicts register must be completed by all members of the Committee. This will be consistent with Coast to Capital policies.

6.0 Frequency of meetings

Committee meetings are held five times a year, on alternate months to full Board meetings.

7.0 Transparency of Chairman's Committee decision making

The minutes and action points from Chairman's Committee meetings are provided to the Board at each of its meetings under the Part B agenda.

Annex C – Audit Committee Terms of Reference

1.0 The Audit Committee is responsible for overseeing compliance of the company with its agreed assurance and governance framework, together with commissioning local audit interventions across the range of activities of the LEP including receiving copies of independent project audits carried out on the LEP investments projects portfolio.

The Audit Committee is accountable to the Coast to Capital Board.

The Chair of the Committee is a Board member appointed by the Board. Other members of the Audit Committee are drawn from the Board based on their skills and experience in assurance monitoring and will also include independent members.

The objectives of the Committee are:

- 1.1 To devise for Board endorsement, the overall Audit strategy for Coast to Capital, contributing to, and fitting within the overall Strategic Economic Plan and assurance framework.
- 1.2 To ensure all Audit related issues have been considered by the Committee before they are presented to the Coast to Capital Board.
- 1.3 To influence national and local policy decisions relevant to the Audit strategy.
- 1.4 To drive and steer implementation of the Audit strategy.
- 1.5 To create and oversee a coherent programme of research, development, collaborative projects and other activities, that reflect, where appropriate, the activities of the Area Partnerships and other partners.
- 1.6 To recommend to the Board and Chief Executive, the annual budget for Audit activities and to oversee how it is deployed, including appointment of auditors.
- 1.6 To oversee the assurance and governance framework of the LEP.

2.0 Duty to Collaborate

The Audit Committee will have due regard for the work and activities of the other sub-committees of the Board, to recognise there will be some cross-over in objectives and activities.

3.0 Decision making

Decision making will be by consensus. Where it is not possible to achieve a consensus, the Chair will refer the decision to the Coast to Capital Board.

4.0 Frequency of meetings

The Committee will meet twice a year. Further meetings may be added at the Committee's discretion.

5.0 Sub Groups

The Audit Committee may establish such Working Groups and Task and Finish Groups as it deems necessary. However, overall accountability to the Board will remain with the Audit Committee.

6.0 Member Appointment process

The Chair of the Committee is appointed by the Board upon nomination of a Board member with suitable background and experience. The Board has responsibility for identifying a suitably qualified candidate to fulfil the position.

Members of the Audit Committee are appointed by the Board and will include at least two independent members reflecting business and local government perspectives within the region. Membership of the Committee will include the Chair, two independent members identified and appointed by the Board and at least three other Board members.

7.0 Independent Members of Audit Committee Due Diligence Checks

The independent members of the committee are subject to the same reference and due diligence checks as Board members, through the use

of an appointed external reference agency. The check will include but not be limited to:

- a) Reference checks from suitable referees
- b) Director disqualification and bankruptcy checks
- c) Other Directorships check
- d) Disclosure and Barring Service checks for unspent criminal records

The results of these checks will be provided to the Chair of the Audit Committee before members are appointed.

8.0 Audit Committee Member induction

Specific induction is given to Audit Committee members in relation to statutory accounting duties and the financial accounting requirements of Limited Companies, together with an explanation of the audit function.

9.0 Term of office

The Chair of the Committee is appointed for a term of three years and can by agreement of a Board majority be appointed to serve two further three year terms, with each term being individually approved.

Audit Committee members are appointed for a term of office of three years and can serve a maximum of three terms of office, with re-appointment to each term being a board decision.

10.0 Declarations, Disclosure and Conflicts of Interest Procedure

Prior to each Committee meeting and initially prior to appointment to the Committee, the declaration of interests, disclosure and conflicts register must be completed by all members of the Committee. Relevant policies are set out in Annex A.

11.0 Transparency of Audit Committee decision making

Audit Committee minutes and reports are published with recommendations to the Board for either consideration in Part A or Part B of Board meetings. The release of reports will therefore follow the Board transparency protocols as detailed earlier within this document.

12.0 Quorum

At least three members of the Committee plus the Chair will constitute a quorate meeting.

Annex D – Joint Committee Terms of Reference

To be approved by the Joint Committee at its next meeting.

- 1.** The over-arching purpose of the Joint Committee is to promote and support sustainable economic development and growth across the area served by the Coast to Capital Local Enterprise Partnership (“the LEP”). To achieve this, the Joint Committee will agree the Strategic Economic Plan as developed by the Board of the LEP (“the Board”) and also may advise the Board from time to time on the economic development and growth priorities of the area. The Committee is also responsible for ensuring the democratic accountability of the LEP to all local authorities within its area.
 - 1.1. The Joint Committee is a joint committee appointed by two or more local authorities represented on the Joint Committee in accordance with section 102(1) (b) of the Local Government Act 1972.
 - 1.2. The Joint Committee may appoint one or more sub-committees.
 - 1.3. The lead authority for the Joint Committee is West Sussex County Council as the Accountable Body for the Local Growth Fund, whose functions in that capacity shall include financial, administrative and legal support (see paragraph 10)
 - 1.4. See the West Sussex County Council Constitution Part 3 appendix 19 for the statutory foundation of this Joint Committee.

2.0 Functions

- 2.1 The functions of the Joint Committee are specified in paragraph 2.2 below, and may be exercised only in respect of the LEP Area.
- 2.2 The functions referred to in paragraph 2.1 are as follows:
 - (i) To agree the Strategic Economic Plan and its revisions and amendments as proposed to the Joint Committee by the Board.
 - (ii) To provide strategic advice to the Board from time to time on the economic development and growth priorities for the LEP Area.

- (iii) To nominate on request from the Board representatives from the district and borough local authorities who are members of the Joint Committee to serve as Directors on the Board.

3.0 Reporting and Accountability

The Joint Committee shall submit an annual report to each of the bodies represented on the Joint Committee.

4.0 Membership

4.1 The following bodies shall be members of the Joint Committee:

County/Unitary Authorities

Brighton & Hove City Council

London Borough of Croydon

Surrey County Council

West Sussex County Council

District and Borough Authorities

Adur District Council

Worthing Borough Council

Lewes District Council

Mid-Sussex District Council

Horsham District Council

Crawley District Council

Arun District Council

Chichester District Council

Epsom and Ewell District Council

Tandridge District Council

Mole Valley District Council

Reigate and Banstead District Council

South Downs National Park Authority

- 4.2 Each of the bodies listed in paragraph 4.1 shall be represented at the Joint Committee by one person.
- 4.3 Each local authority member shall be represented at the Joint Committee by an elected Member nominated annually or a nominated substitute (see paragraph 7).
- 4.4 The South Downs National Park Authority shall be represented at the Joint Committee by its Chairman

5.0 Chair of the Joint Committee

- 5.1 The Chair of the Joint Committee shall be elected from among its members on an annual basis.

6.0 Voting

- 6.1 Decisions will be made on a simple majority of votes cast by members represented at a meeting.
- 6.2 Where voting at a meeting results in an equal number of votes cast in favour and against, the Chair of the Joint Committee shall have a casting vote.

7.0 Substitution

- 7.1 Where a representative of a member of the Joint Committee is unable to attend a Joint Committee meeting, a substitute representative of that member (if approved by it) may attend, speak and vote, in their place for that meeting.
- 7.2 A substitute member must be appointed from a list of approved substitutes submitted by the respective member to the Joint Committee at the start of each municipal year.

8.0 Quorum

- 8.1 No business shall be transacted at any meeting of the Joint Committee unless at least eleven of the whole number of voting members are present.

8.2 In no case shall any business of the Joint Committee be transacted unless at least two voting representatives from the County/Unitary Authorities are present.

9.0 Time and Venue of Meetings

9.1 The Joint Committee will meet annually.

9.2 The Chair of the Joint Committee may call a special meeting of the Joint Committee at any time, subject to providing members with minimum notice of ten working days.

10.0 Administrative and legal support

10.1 Administrative and legal support to the Joint Committee shall be provided by the lead authority, such legal support to include Monitoring Officer and Proper Officer functions in relation to the Joint Committee meetings.

10.2 Other members of the Joint Committee shall contribute to the costs incurred by the lead authority in connection with the activities of the Joint Committee where such costs are incurred by the lead authority.

11.0 Observer status

11.1 The LEP shall have the right to attend meetings of the Joint Committee as an observer and to provide information and advice as requested by the Joint Committee, but will not have any role in voting or decision making.

12.0 Review and Variation of Heads of Terms

12.1 These Heads of Terms may be varied only by complete agreement of all the members of the Joint Committee and in consultation with the LEP Board.

13.0 Procedure at meetings

13.1. The standing orders of the lead authority will apply to meetings of the Joint Committee.

14.0 Withdrawal

- 14.1 Any member of the Joint Committee may give six months' notice in writing of intention to withdraw from membership of the Joint Committee and involvement in the Strategic Economic Plan.

15.0 Declarations, Disclosure and Conflicts of Interest Procedure

- 15.1 Prior to each Committee meeting and initially prior to appointment to the Committee, the Coast to Capital declaration of interests, disclosure and conflicts register must be completed by all members of the Committee.

16.0 Transparency of Joint Committee decision making

- 16.1 Joint Committee meeting agendas are published in advance of each meeting in two parts. Part A of the Agenda is published on our website in the public domain and any member of the public can submit a comment or view on any Part A agenda item. Public comments will be considered by the Committee at the time of the agenda item being discussed. In this way the Committee can take into account public comments before making decisions on Part A agenda items. Any items that are commercially confidential are covered under Part B of the Committee agenda. Due to the nature of these items these are not published in advance.
- 16.2 All Part A Committee papers are also published on our website in advance of meetings. Any member of the public wishing to comment on any Part A agenda item must send their comments to reach the Committee secretary no later than 24 hours before the meeting.
- 16.3 Part A agenda item minutes and decisions are published on our website following Committee meetings.
- 16.4 Part B agendas are not published in advance of Committee meetings, but where the Committee decides, decisions reached under Part B will be published in the public domain with or without redaction. The Committee reserves the right not to publish Part B decisions if those decisions are in themselves commercially sensitive or confidential, including any decisions that have legal confidentiality issues, or those which are legally privileged.

Annex E – Investment Committee Terms of Reference

- 1.0** The Committee takes responsibility for administration of grant funding streams and is accountable for delivery of projects, outputs and investments made by the LEP outside of those made under the Growing Places Fund.

The over-arching purpose of the Committee is to agree and oversee all investment activities of the LEP outside those of the Growing Places Loan Fund. This includes all investments made under the Local Growth Fund. The Committee is responsible for oversight of project and output delivery across the investment portfolio. The Committee has delegated powers on behalf of the Board to make investments up to £2m on behalf of the LEP.

2.0 Functions

- 2.1 The functions of the Investment Committee are:

- (i) To decide funding and investment awards under the Local Growth Fund and other LEP investment initiatives, following receipt of recommendations from the Projects Pillar Committee and bid evaluation Review Groups. The Investment Committee is responsible for deciding all funding awards up to £2m in value and other investment funding to projects that have been subject to evaluation by one of the three standing bid Review Groups and consideration by the Projects Pillar Committee. The Committee can request further evaluation information at any time and has the ultimate authority to make a full or part award to a grant applicant and to decide the terms under which this award is made. The Committee will refer recommendations for awards above £2m to the Board.

- (ii) To decide the criteria and strategy for funding bid calls and the Committee has full delegated authority on behalf of the Board to decide the investment themes and criteria for evaluation and evaluation method / approach accordingly. To decide the approach to be taken for selecting successful growth funding bids to be recommended for funding or awarded funding within Committee delegated powers. To receive business cases from Local Growth Fund projects already supported by the Board, following successful expressions of interest under previous bid calls, where earmarked funding allocations have been made based upon initial Board approval. The Investment Committee is then responsible for deciding funding awards based upon these business cases.

- (iii) To monitor on behalf of the Board, the delivery of projects under which funding agreements have been issued within the Local Growth Fund. This monitoring will include regular reporting to the Board regarding projects at risk of not delivering contracted outputs in accordance with the funding agreement.
- (iv) To provide a dashboard report for each Board meeting summarising the overall status of the project delivery programme, including key risk information, together with the minutes of Investment Committee meetings.
- (v) To discharge the responsibilities listed within the Coast to Capital Assurance Framework as relevant to this Committee.
- (vii) To instruct upon remedial action on behalf of the Board as required to ensure that the Coast to Capital Assurance Framework is discharged in relation to projects under the Local Growth Fund. This could include but not be limited to imposing sanctions on delivery bodies and / or withdrawing funding in accordance with the provisions under the funding agreement, or any action as appropriate to ensure compliance with the Assurance Framework.
- (vi) To discharge the responsibilities of the decision making element of the Coast to Capital Transport Assurance Framework as required by the Department of Transport and as set out within the Coast to Capital Assurance Framework.

3.0 Reporting and Accountability

- 3.1 The Investment Committee shall report to the Board through a project status dashboard and minutes of meetings, which will all be provided as part of the Board meeting standing items papers pack.
- 3.2 Each Committee member is required to complete the declarations, disclosure and conflicts of interest register prior to each meeting. The Chair will decide based upon these returns whether any individual members will be excluded from taking part in any discussion on any particular project. If any Group member has any project from their own organisation under consideration by the Committee, they will automatically be barred from taking part in discussion on that project or any associated decision vote relating to it and will also be asked to leave the meeting during that discussion.

4.0 Membership

4.1 The following individuals shall be members of the Investment Committee:

		Role on Group :
Chair- Board Member Coast to Capital	Coast to Capital Board Member	Voting Member
Leader – Surrey County Council	Coast to Capital Board Member	Voting Member
Leader – West Sussex County Council	Coast to Capital Board Member	Voting Member
Leader – Brighton & Hove City Council	Coast to Capital Board Member	Voting Member
Leader – Croydon Council	Coast to Capital Board Member	Voting Member
Chief Executive – Coast to Capital	Coast to Capital Board Member	Voting Member
Chair of Transport & Resilience Review Group – Coast to Capital	Coast to Capital Board Member	Voting Member
Chair of Skills, Business & Enterprise Review Group – Coast to Capital	Coast to Capital Board Member	Voting Member
Chair of Infrastructure, Regeneration & Housing Review Group – Coast to Capital	Coast to Capital Board Member	Voting Member
Private Sector Board Member – Coast to Capital	Coast to Capital Board Member	Voting Member
Education Sector Board Member – Coast to Capital	Coast to Capital Board Member	Voting Member
Accountable Body representative/s	WSSC	Adviser
Chief Operating Officer	Coast to Capital	Adviser Governance
Project Manager	Coast to Capital	Adviser
Head of Services	Coast to Capital	Adviser
Review Group Secretary	Coast to Capital	Minute taker

4.2 Board members are appointed to the Investment Committee by nomination of the Coast to Capital Board.

5.0 Chair of the Investment Committee

5.1 The Chair of the Investment Committee shall be nominated by the Coast to Capital Board.

6.0 Voting

6.1 Decisions will be made on a simple majority of votes cast by members represented at a meeting.

6.2 Where voting at a meeting, results in an equal number of votes cast in favour and against, the Chair shall have a casting vote.

7.0 Substitution

7.1 Substitution of Committee members shall not be permitted unless agreed in advance of the meeting by the Chair, other than any substitution made by the Accountable Body for their advisers.

8.0 Quorum

8.1 No business shall be transacted at any meeting of the Committee unless at least five of the whole number of voting members, with a minimum of two of those voting members being Local Authority representatives, is present.

9.0 Time and Venue of Meetings

9.1 The Investment Committee will meet quarterly or as required by the Group Chair.

9.2 The Chair of the Committee may call a special meeting of the Committee at any time, subject to providing members with minimum notice of ten working days.

10.0 Administrative and legal support

- 10.1 Support to the Investment Committee shall be provided by Coast to Capital. The Accountable Body will offer administrative, financial and / or legal support to the Investment Committee insofar as that advice relates directly to the administration and management of the Local Growth Fund.

11.0. Adviser status

- 11.1 A number of adviser roles are in attendance at the Group. Advisers are permitted to speak at meetings and to request advice to be recorded in Committee meeting minutes.

12.0 Declarations, Disclosure and Conflicts of Interest Procedure

- 12.1 Prior to each Committee meeting and initially prior to appointment to the Committee, the Coast to Capital declaration of interests, disclosure and conflicts register must be completed by all members of the Committee.

13.0 Review and Variation of Terms of Reference

- 13.1 These Terms of Reference may be varied only by agreement of Coast to Capital Board.

Annex F – Growing Places Committee Terms of Reference

1.0 The Growing Places Committee is a formal sub-committee of the Coast to Capital Board with delegated authority and accountability as set out in these Terms of Reference. The Coast to Capital Board has delegated decision making to the Growing Places Committee.

1.1 The purpose of this Committee is to devise, steer, direct and implement the Growing Places Fund activities of Coast to Capital, as set out in the Strategic Economic Plan and in the annual Business Plan.

2.0 Objectives

The objectives of the Committee are:

2.1 To review and approve Growing Places funding proposals in line with Growing Places Criteria.

2.2 To drive and steer implementation of the fund objectives in line with the strategic objectives set out by Coast to Capital.

2.3 To ensure there is effective communication with and engagement of stakeholders, partners and the business sector.

3.0 Accountability

3.1 The Growing Places Committee is accountable to the Coast to Capital Board for delivery of the Board's investment interventions and for progress against the targets and performance indicators, agreed with the Board and which are set out in the Annual Business Plan.

4.0 Duty to Collaborate

4.1 The Growing Places Committee must have due regard for the work and activities of the other sub-committees of the Board, to recognise there will be some cross-over in objectives and activities.

5.0 Membership

5.1 Membership will be drawn from the Board and appointed by the Board. The Committee will comprise six members, all Board Directors and the Chair of the Committee will be nominated by the Board.

6.0 Chairman

6.1 The Chairman will be normally one of the private sector Board members.

7.0 Quorum

7.1 The meeting of a Committee will only take place if there is a quorum attendance. The quorum comprises four members of the Committee.

8.0 Decision making

8.1 Decision making will be by consensus. Where it is not possible to achieve a consensus, the Board Directors will refer the decision to the Coast to Capital Board.

9.0 Frequency of meetings

9.1 The Committee will meet at least four times a year. Further meetings may be added at the Committee's discretion.

10.0 Declarations, Disclosure and Conflicts of Interest Procedure

10.1 Prior to each Committee meeting and initially prior to appointment to the Committee, the Coast to Capital declaration of interests, disclosure and conflicts register must be completed by all members of the Committee.

11.0 Sub Groups

11.1 The Growing Places Committee may establish such Working Groups and Task and Finish Groups as it deems necessary. However, overall accountability to the Board will remain with the full Committee.

12.0 Growing Places Committee Member Training

12.1 Risk management training is provided to all members of the Growing Places Committee, together with specific training on the LEP investment policy (see Investment Policy Document)

13.0 Term of office

13.1 Committee members are appointed for a term of office of three years and can serve a maximum of three terms of office, with re-appointment to each term being a board decision.

14.0 Transparency of Growing Places Committee decision making

14.1 Growing Places Committee meetings are held in camera due to the commercially confidential nature of the subject of loan funding.

14.2 Where the Board decides, decisions reached by this committee will be published in the public domain via the minutes with or without redaction. The Board reserves the right not to publish Growing Places Committee

decisions if those decisions are in themselves commercially sensitive or confidential, including any decisions that have legal confidentiality issues, or those which are legally privileged. All projects receiving loan funding under this initiative will be published on the Coast to Capital website.

Annex G – EU Structural and Investment Funds (ESIF) Committee

- 1.0 The Coast to Capital ESIF Committee supervises the development and administration of the LEP's European Structural and Investment Funding Programme ("ESIF"). It is a local sub-committee of the national Growth Programme Board for ESIF. The ESIF Committee is not a sub-group of the LEP Board, however its geographical coverage is contiguous with that of Coast to Capital.
- 2.0 The ESIF committee will undertake a range of functions around the ESIF programme but is not a decision-making body, rather it will provide recommendations on strategic fit and value for money to the Managing Authorities for ESIF. The LEP has responsibility for recruitment to the ESIF committee.
- 3.0 The membership of the ESIF committee is subject to European regulations and includes a wide range of representation from across the public, private and not-for-profit sectors. The LEP has appointed a Chair for the ESIF committee from amongst its Board. Other members have been appointed through nomination by their sector.
- 4.0 The membership of the ESIF committee comprises representatives from the following sectors:
- Coast to Capital (currently chair)
 - Local authorities
 - Private sector
 - Not-for-profit sector
 - Environmental
 - Trade unions
 - Higher education
 - Further education
 - Wider educations and skills sectors
 - Rural
 - Equality and diversity; and
 - ESIF Managing Authorities for European Structural Fund (ESF), European Regional Development Fund (ERDF) and European Agricultural Fund for Regional Development (EAFRD)

Annex H – Executive Committee Terms of Reference

- 1.0 The Executive Committee takes responsibility for all actions carried out by the Executive team of Coast to Capital. It addresses the delivery of the business plan, as well as strategic and operational day to day management of the LEP and is the forum where cross cutting areas such as human resources, communications, finance, commercial and office management issues are discussed.

This is an executive management committee and is not held in the public domain. Any Board member has the right to access the minutes of Executive Committee.

Responsibilities include:

- 1.1 Oversight and delivery of the annual business plan.
- 1.2 Corporate and staff management and appraisal.
- 1.3 Execution of Board set strategy.
- 1.4 Oversight and management of the operational budget.
- 1.5 Marketing and communications.
- 1.6 Delivery of the Strategic economic plan.
- 1.7 Corporate risk management together with pillar risk management.
- 1.8 Cross cutting working.

2.0 Executive Committee Membership

- 2.1 The three senior pillar leads of the LEP, the Commercial Manager, Head of Communications and Corporate Affairs, Office and Finance Manager and any other LEP staff member as invited by the Chief Executive.

3.0 Term of office

- 3.1 The term of office of members of the Executive Committee is contiguous with their individual employment term of office with the LEP.

4.0 Frequency of meetings

- 4.1 The Executive Committee meets twice monthly.

5.0 Transparency of decision making

- 5.1 Board members have full access to the minutes of Executive Committee meeting minutes.

Annex I – Executive Pillar Committees

- 1.0 There are three executive sub-committees in Coast to Capital, whose activities are fully accountable to the Chief Executive. They are:
- The Projects Pillar Committee, which advises on the administration of project investments and the Growing Places Fund and reports through to the Investment Committee and the Growing Places Committee.
 - The Services Pillar Committee, which advises on the delivery of services to business in the region.
 - The Strategy and Policy Committee, which advises on Coast to Capital engagement with public policy issues.
- 1.1 Reflecting the work of these sub-committees, the Chief Executive reports to the Investment Committee on the work of the projects pillar, and to the Board on the work of the Services and Strategy and Policy pillars.

2.0 Projects Pillar

- 2.1 The projects pillar is administered by the Chief Operating Officer. It covers responsibility for the following LEP investment funding streams:
- i. The Local Growth Deal: This is a fund awarded by Government following competitive bidding with the LEP submitting cases for investment in 'key' sub regional infrastructure projects within the area covered by the LEP. The projects chosen by the LEP for submission to Government for funding were themselves subject to a competition between potential delivery partners, with the LEP selecting projects for submission following a comprehensive evaluation and scoring process. Detail of projects funded under the Local Growth Deal are posted on the Coast to Capital website.
 - ii. Transport and Resilience Projects: These are transport schemes are dealt with under a separate assurance framework which is detailed later in this document. This framework adheres rigorously to Department for Transport requirements.
 - iii. The Growing Places Fund: this is a recycling loan fund awarded to the LEP to loan to high growth potential businesses that could not access bank funding.
 - iv. Legacy funds: the committee covers legacy funds such as the Regional Growth Fund which were offered to the LEP in the past.
- 2.2 Details of the structure of the projects pillar, and of the expert groups which advise it, are set out in Annex I1.

3.0 Services Pillar

- 3.1 The service pillar is administered by the Head of Business Services. It exists to deliver funded business support and enterprise services to

businesses in the region. Many of these services are provided through direct Government grant to the LEP.

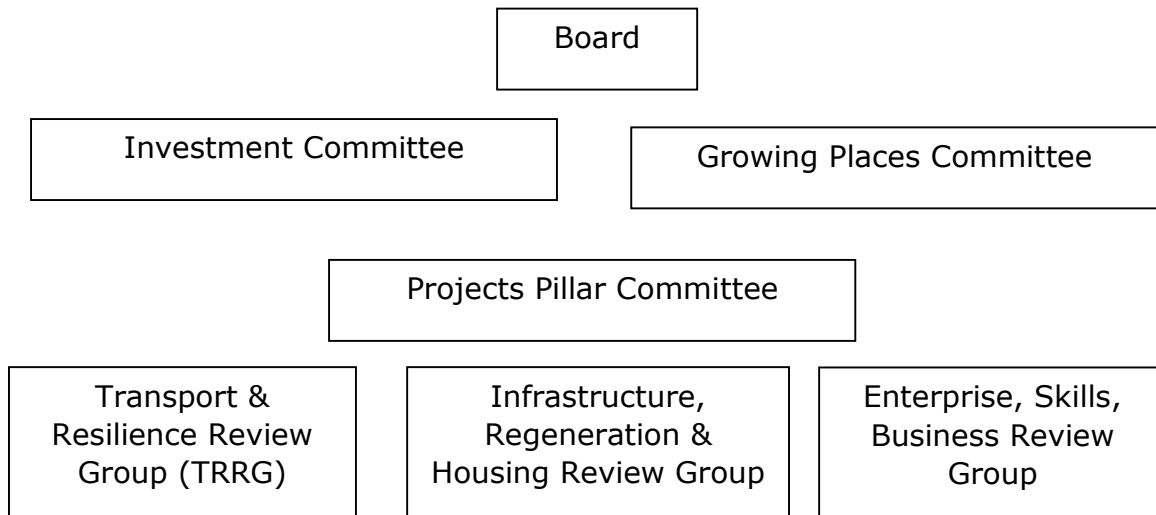
3.2 Detail of the structure of the services pillar is set out in Annex I2.

4.0 Strategy and Policy Pillar

4.1 This pillar is responsible for all of our work to review and deliver the Strategic Economic Plan (SEP), and other strategic and policy issues in the region. These include the LEP's engagement with devolution and our policies on infrastructure, skills and housing as well as wider issues around economic development in the region.

4.2 Detail of the structure of this pillar is set out in Annex I3.

Annex I1: Executive structure of the Projects pillar and its expert sub-groups



1.0 Projects Pillar Committee

The Projects Pillar Committee is an officer Committee that is appointed by the Chief Executive, reports to and provides advice and recommendations to the Investment Committee and Growing Places Committee. The Project Pillar Committee has a focus on day to day delivery, recommending but not deciding strategy, and its purpose is to ensure the successful implementation of 'business as usual' management of the Local Growth Fund and Growing Places Fund project portfolios. The Committee holds to account the Chief Operating Officer and his/her team in discharging their duties to operate both of these funds and to report via dashboards on the delivery of projects under each fund. In addition the Committee has the authority to invite delivery bodies receiving grant funding from Coast to Capital along to meetings to be scrutinised in accounting for the delivery of their projects. The Committee also has delegated powers under the scheme of delegation (see later), to take temporary, in financial year remediation decisions and approve temporary project changes and virements up to £1m.

2.0 The Projects Pillar Committee is conducted in two parts. The first Part 1 covers the administration and operation of the Local Growth Fund with its relevant Accountable Body in attendance. The second Part 2 covers administration of the Growing Places Fund with its relevant accountable body present.

3.0 Terms of Reference

3.1 The over-arching purpose of the Projects Pillar Committee is to focus on day to day delivery, to ensure the successful implementation of 'business as usual' management of the project investments portfolio. This includes oversight of those projects funded through the Local Growth Fund, Growing Places Fund, EU funding and any other funds as required.

3.2 Status

The Project Pillar Committee is a management group which allows the Chief Executive to gain full insight into the work under the Projects Pillar and report back to the Board and other committees. The Project Pillar Committee has delegated authority and accountability as set out in these terms of reference.

4.0 The key responsibilities and powers of the Project Pillar Committee are set out below:

The Committee shall:

- 4.1 Implement and monitor the project portfolio in accordance with the Coast to Capital Local Assurance framework;
- 4.2 Ensure that all terms and conditions attached to funding awards are properly adhered to;
- 4.3 Recommend strategic priorities in line with the Strategic Economic Plan, Strategy and Policy and Services Pillars regarding Local Growth Fund investment spend;
- 4.4 Make recommendations to the Investment Committee for investment decisions;
- 4.5 Make temporary operational funding decisions in financial year on any changes to projects from both financial, as agreed within the flexibility guidance, and non-financial perspectives and deciding on all temporary virements to funding agreements. Permanent virements of funding from one project to another and a permanent reduction in outputs must be recommended to the Investment Committee for final decision;
- 4.6 Commissioning and oversight of specific action and/or review groups, charged with detailed assessment of funding bids and providing expert recommendations following detailed due diligence exercises on individual funding bids;
- 4.7 Review project delivery progress against timescales, spend, outputs and risks and review any project issues and decide on the approach to be taken ensuring overall spend forecasts on programmes are maintained and that target draw down requirements are met;

- 4.8 Benefits Management- Monitor the delivery of outputs including new jobs, homes and employment space that were anticipated to be delivered by the projects;
- 4.9 Report progress regularly to the Coast to Capital Investment Committee, partners, the DfT and other stakeholders, ensuring that information on progress is available on the website;
- 4.10 In line with our evaluation plan, oversee the impact evaluation of the Local Growth Fund Programme and consider which new schemes should be recognised as of particular strategic importance and therefore be subject to an independent impact evaluation;
- 4.11 Promote development of, manage and regularly review a project pipeline register to attract funding in future years.

5.0 Accountability

- 5.1 The Committee is accountable to the Coast to Capital Investment Committee for delivery and implementation of the Local Growth Fund, and to the Growing Places Committee for the administration of the Growing Places Fund, and for progress against the targets which Coast to Capital has committed to delivering.

6.0 Duty to collaborate

- 6.1 The Programme Committee must have due regard for the work and activities of the other sub-committees and action/review groups of the Board, to recognise there will be some cross-over in objectives and activity, and to expect that this will be reciprocated.

7.0 Membership

- 7.1 The standing membership will be a maximum of 12 as follows:

- Coast to Capital Chief Executive
- Coast to Capital Chief Operating Officer
- Coast to Capital Programme Manager
- Coast to Capital Commercial Manager
- BEIS Area Lead
- Department for Transport representative
- Accountable Body Representatives
- European Programmes Lead
- Committee secretary

7.2 The Committee will also invite co-opted specialists as required (e.g. Regeneration, transportation, sustainability and environment). Delivery Bodies will also be called as and when required to account for projects.

8.0 Chair

8.1 The Chair will be the Coast to Capital Chief Executive. If for any reason the Chair cannot be present at a meeting, a Coast to Capital Board member will act as Chair for the meeting.

9.0 Decision making

9.1 Decision making will be by consensus. Where it is not possible to achieve a consensus the Committee will refer the decision to the Coast to Capital Investment Committee.

10.0 Conflicts of interest

10.1 Members will be expected to abide by Coast to Capital procedures for avoiding conflicts of interest, and to declare any interests in any item under discussion, and if necessary, withdraw from any decision making on that issue.

11.0 Frequency of meetings

11.1 The Group will meet monthly, but further meetings may be added at the Committee's discretion.

12.0 Action/review groups

12.1 The Programme Board will establish action/review groups as it sees fit.

13.0 Projects Pillar Review Groups

13.1 There are three subordinate review groups that report into the Projects Pillar Committee. These discharge the function of reviewing applications for funding made under either the Local Growth Fund or the Growing Places Fund. They comprise selected experts in their fields in order to undertake expert appraisal, evaluation and scoring of funding applications. These groups then report recommendations back into the Projects Pillar Committee, who in turn make recommendations to the Investment or Growing Places Committees.

13.2 The forthcoming sections detail the specific assurance activities around each review group and the specific activities the LEP undertakes in supporting the delivery of projects within each review group category.

14.0 Transport and Resilience Projects

- 14.1 Transport and resilience projects are dealt with under the requirements of a very detailed and specific DfT approved assurance framework and governance structure which is set out in Annex H1a.

15.0 Infrastructure, Regeneration and Housing Review Group (IRHRG)

- 15.1 This review Group focuses on assessing and making recommendations on infrastructure, regeneration and housing related bids for funding. The group comprises voluntary experts who are recruited through open advert via our website (the current membership is set out in Section 16.4 below). These experts are selected for their specific expertise in the above subject areas. The group reports to the Projects Pillar Committee and makes recommendations to that Committee for the funding of individual projects including the prioritisation of projects for funding.

16.0 Terms of Reference

- 16.1 The over-arching purpose of the Group is to evaluate and appraise business cases submitted to Coast to Capital in application for funding under the Local Growth Deal. The group is responsible for then recommending to the Investment Committee via the officer Projects Pillar Committee, a prioritised list of projects to be funded from the Local Growth Fund. The Project Pillar Committee is responsible in turn for receiving similar recommendations from the other specialist review groups, and for then making one prioritised project list recommendation to the Investment Committee.

- 16.2** The functions of the review group are :

- a) Each Group member to complete the declarations, disclosure and conflicts of interest register. The Chair will decide based upon this whether any individual members will be excluded from scoring and evaluation of any particular project and whether they will have to leave the meeting when that project is discussed. If any Group member has any project from their own organisation under consideration by the Group, they will automatically be barred from scoring the project and taking part in Group discussion on that project.
- b) To review and evaluate all Infrastructure, Regeneration and Housing related funding applications that are received under six monthly bid calls. The evaluation of each bid shall be undertaken by each Review Group member, using the standard pro-forma scoring system on the templates provided.

- c) Group members will undertake evaluation and scoring of each funding application, prior to each Review Group meeting, and at the meeting each bid will be discussed and each Group member will submit to the Group secretary their final scores. Before the close of a meeting an agreed priority list of projects will be compiled based upon the average percentage score for each project i.e. the sum of individual Review Group member percentage scores divided by number of members scoring.
- d) To discharge the responsibilities listed within the Coast to Capital Assurance Framework as relevant to this Group.

16.3 Reporting and Accountability

- 16.3.1 The Infrastructure, Regeneration and Housing Review Group shall submit a prioritised report on schemes to be recommended for funding to the Projects Pillar Committee after each Group meeting.

16.4 Membership

- 16.4.1 The following bodies, are, at the date of publication members of the Infrastructure, Regeneration and Housing Review Group:

	From :	Role on Group :
Chair- Board Member Coast to Capital	Coast to Capital Chief Executive	Voting Member
Board Member	Coast to Capital	Voting Member
Regeneration and economic development specialist	WSCC	Voting Member
Regeneration and economic development specialist	BHCC	Voting Member
Regeneration and economic development specialist	University of Sussex	Voting Member
Regeneration and economic development specialist	Croydon Council	Voting Member
Regeneration and economic development specialist	SCC	Voting Member
Accountable Body representative/s	WSCC	Adviser
Chief Operating Officer	Coast to Capital	Adviser Governance
Project Manager	Coast to Capital	Adviser
Head of Services	Coast to Capital	Adviser
Review Group Secretary	Coast to Capital	Minute taker

- 16.4.2 Each of the bodies listed above shall be represented by one person or in the case of the Accountable Body by appropriate specialist disciplines that they feel are necessary.
- 16.4.3 Board members are appointed to the Review Group by nomination of the Coast to Capital Board.
- 16.4.4 Should, for any reason, a volunteer member leave the Review Group, the vacancy will be advertised in accordance with the procedure set out in Section 15.1 above.

16.5 Chair of the Review Group

- 16.5.1 The Chair of the Infrastructure, Regeneration and Housing Review Group shall be nominated by the Coast to Capital Board.

16.6 Voting

- 16.6.1 Decisions will be made on a simple majority of votes cast by members represented at a meeting. Prioritisation of projects will be based upon the average score attained during evaluation.
- 16.6.2 Where voting at a meeting, results in an equal number of votes cast in favour and against, the Chair shall have a casting vote.

16.7 Substitution

- 16.7.1 Substitution of Group members shall not be permitted unless agreed in advance of the meeting by the Chair, other than any substitution made by the Accountable Body for their advisors.

16.7.2 Conflicts of interest

- 16.7.3 Members will be expected to abide by Coast to Capital procedures for avoiding conflicts of interest, and to declare any interests in any item under discussion, and if necessary, withdraw from any decision making on that issue.

16.8 Quorum

- 16.8.1 No business shall be transacted at any meeting of the Group at least four of the whole number of voting members are present.

16.9 Time and Venue of Meetings

- 16.9.1 The Infrastructure, Housing & Regeneration Review Group will meet as required by the Group Chair.

16.10 Administrative and legal support

- 16.10.1 Support to the IRHRG shall be provided by Coast to Capital. The Accountable Body will offer administrative, financial and / or legal support to the IRHRG insofar as that advice relates directly to the administration and management of the Local Growth Fund.

16.11 Advisor status

- 16.11.1 A number of advisor roles are in attendance at the Group. Advisors are permitted to speak at meetings and to request advice to be recorded in Group meeting minutes.

16.12 Term of office

- 16.12.1 The term of office of members of the Group is contiguous with their individual organisation's term of appointment.

16.13 Transparency of decision making

- 16.13.1 Meetings are held in camera and Board members have full access to the minutes of meetings.

17.0 Skills, Business and Enterprise Review Group (SBERG)

- 17.1 This review Group focuses on assessing and making recommendations on business, enterprise and skills related funding bids. The group comprises voluntary experts who are recruited through open advert via our website. These experts are selected for their specific expertise in the above subject areas. The group reports to the Projects Pillar Committee and makes recommendations to that Committee for the

funding of individual projects including the prioritisation of projects for funding.

18.0 Terms of Reference

- 18.1 The over-arching purpose of the Group is to evaluate and appraise business cases submitted to Coast to Capital in application for funding under the Local Growth Deal. The group is responsible for then recommending to the Investment Committee via the Projects Pillar Committee, a prioritised list of projects to be funded from the Local Growth Fund. The Projects Pillar Committee is responsible in turn for receiving similar recommendations from the other specialist review groups, and for then making one prioritised project list recommendation to the Investment Committee.
- 18.2.1 The functions of the review group are :
- 18.2.2 Each Group member to complete the declarations, disclosure and conflicts of interest register. The Chair will decide based upon this whether any individual members will be excluded from scoring and evaluation of any particular project and whether they will have to leave the meeting when that project is discussed. If any Group member has any project from their own organisation under consideration by the Group, they will automatically be barred from scoring the project and taking part in Group discussion on that project.
- 18.2.3 To review and evaluate all Skills, Business and Enterprise related funding applications that are received under six monthly bid calls. The evaluation of each bid shall be undertaken by each Review Group member, using the standard pro-forma scoring system on the templates provided.
- 18.2.4 Group members will undertake evaluation and scoring of each funding application, prior to each Review Group meeting, and at the meeting each bid will be discussed and each Group member will submit to the Group secretary their final scores. Before the close of a meeting an agreed priority list of projects will be compiled based upon the average percentage score for each project i.e. the sum of individual Review Group member percentage scores divided by number of members scoring.
- 18.2.5 To discharge the responsibilities listed within the Coast to Capital Assurance Framework as relevant to this Group.

18.3 Reporting and Accountability

- 18.3.1 The Skills, Business and Enterprise Review Group shall submit a prioritised report on schemes to be recommended for funding to the Projects Pillar Committee after each Group meeting.

18.4 Membership

- 18.4.1 The following bodies, are at the date of publication, members of the Skills, Business and Enterprise Review Group:

	From :	Role on Group :
Chair- Board Member Coast to Capital	Coast to Capital Chief Executive	Voting Member
Board Member	Coast to Capital	Voting Member
Business & Skills specialist	WSCC	Voting Member
Business & Skills specialist	BHCC	Voting Member
Business & Skills specialist	University of Sussex	Voting Member
Business & Skills specialist	Croydon Council	Voting Member
Business & Skills specialist	SCC	Voting Member
Accountable Body representative/s	WSCC	Adviser
Chief Operating Officer	Coast to Capital	Adviser Governance
Project Manager	Coast to Capital	Adviser
Head of Services	Coast to Capital	Adviser
Review Group Secretary	Coast to Capital	Minute taker

- 18.4.2 Each of the bodies listed above shall be represented by one person or in the case of the Accountable Body by appropriate specialist disciplines that they feel are necessary.
- 18.4.3 Board members are appointed to the Review Group by nomination of the Coast to Capital Board.
- 18.4.4 Should, for any reason, a volunteer member leave the Review Group, the vacancy will be advertised in accordance with the procedure set out in Section 17.1 above.

18.5 Chair of the Review Group

18.5.1 The Chair of the Skills, Business and Enterprise Review Group shall be nominated by the Coast to Capital Board.

19.6 Voting

18.6.1 Decisions will be made on a simple majority of votes cast by members represented at a meeting. Prioritisation of projects will be based upon the average score attained during evaluation.

18.6.2 Where voting at a meeting, results in an equal number of votes cast in favour and against, the Chair shall have a casting vote.

18.7 Substitution

18.7.1 Substitution of Group members shall not be permitted unless agreed in advance of the meeting by the Chair, other than any substitution made by the Accountable Body for their advisors.

18.7.2 Conflicts of interest

18.7.3 Members will be expected to abide by Coast to Capital procedures for avoiding conflicts of interest, and to declare any interests in any item under discussion, and if necessary, withdraw from any decision making on that issue.

18.8 Quorum

18.8.1 No business shall be transacted at any meeting of the Group at least four of the whole number of voting members are present.

18.9 Time and Venue of Meetings

18.9.1 The Skills, Business and Enterprise Review Group will meet as required by the Group Chair.

18.10 Administrative and legal support

18.10.1 Support to the SBERG shall be provided by Coast to Capital. The Accountable Body will offer administrative, financial and / or legal support to the SBERG insofar as that advice relates directly to the administration and management of the Local Growth Fund.

18.11 Advisor status

18.11.1 A number of advisor roles are in attendance at the Group. Advisors are permitted to speak at meetings and to request advice to be recorded in Group meeting minutes.

18.12 Term of office

18.12.1 The term of office of members of the Group is contiguous with their individual organisation's term of appointment.

18.13 Transparency of decision making

16.13.1 Meetings are held in camera and Board members have full access to the minutes of meetings.

Annex I1a – The Transport and Resilience Review Group, and the Transport Assurance Framework

- 1.0** This sub-annex sets out the Coast to Capital response to the detailed framework prescribed by the Department for Transport for the assessment and administration of transport projects under the Local Growth Fund.
- 2.0** The Transport and Resilience Review Group discharges the duties as required by the Department for Transport for making recommendations on the distribution of funding for Transport and Resilience Schemes. This section of the LEP Assurance Framework details the Transport Assurance Framework that the LEP will operate through this review group, and the Committees that it ultimately reports through to (Projects Pillar Committee through to Investment Committee).

3.0 Terms of Reference

The terms of reference for the Transport and Resilience Review Group (TRRG) are:

3.1 Strategic Objectives and Purpose

Making recommendations to the Investment Committee through the Projects Pillar Committee on individual scheme approvals, investment recommendations, recommending making and release of funding, including scrutiny of individual scheme business cases.

3.2 Geography Covered by TRRG

The geography for Transport purposes is identical to the geography covered by the LEP as outlined earlier within this document.

3.3 Transport and Resilience Review Group (TRRG) Membership

Membership of the TRRG is detailed below.

The majority of voting members on the group are democratically elected councillors and cannot therefore be outvoted.

TRRG Membership

	From:	Role on Group:
Chair- Board Member Coast to Capital	Coast to Capital Chief Executive	Voting Member
Board Member	Coast to Capital	Voting Member
Transport Cabinet Portfolio Holder	WSCC	Voting Member
Transport Cabinet Portfolio Holder	BHCC	Voting Member
Transport Cabinet Portfolio Holder	SCC	Voting Member
Transport Cabinet Portfolio Holder	Croydon Council	Voting Member
Transport Cabinet Portfolio Holder	ESCC	Voting Member
Independent Transport Expert	TBC	Adviser
Accountable Body representative/s	WSCC	Adviser
Chief Operating Officer	Coast to Capital	Adviser Governance
Head of Strategy and Policy	Coast to Capital	Adviser
Project Manager	Coast to Capital	Adviser
Review Group Secretary	Coast to Capital	Minute taker

3.4 Term of office of TRRG Members

The term of office of members of the Transport Review Group is contiguous with their individual term of office with the LEP or in partner organisations and is also subject to their nomination by partner organisations represented on the group. However the Chair will review membership with the Group annually and make recommendations to the Group for any necessary changes.

3.5 Frequency of meetings

The group will meet every six months or as called to sit for additional meetings as decided by the Chairman.

3.6 Transparency of TRRG decision making

Transport and Resilience Review Group meetings are held in public (Part A of the Agenda) and commercially confidential agenda items are held in camera (Part B).

All Part A papers and meeting minutes are published together with the full Part A agenda in advance of meetings. Any member of the public wishing to attend a meeting must notify Coast to Capital in advance so that attendance can be arranged. Members of the public are not permitted to speak at meetings.

The Part B agenda is held in camera, which means that items under this will be discussed confidentially prior to the board making and publishing a decision.

Part B agendas and minutes are not published, but where the LEP Board decides, decisions reached under Part B items will be published in the public domain via the minutes with or without redaction. The Board reserves the right not to publish Part B decisions if those decisions are in themselves commercially sensitive or confidential, including any decisions that have legal confidentiality issues, or those which are legally privileged.

Meeting dates are advertised on the Coast to Capital website at least two weeks prior to meetings taking place.

All funding applications and business cases, approved and un-approved by the Investment Committee and all recommendations from the Group will be published on the Coast to Capital website dedicated Transport and Resilience page. This includes copies of funding agreements, details of funding sums and conditions, together with regular programme updates on delivery and spend to budget, through the project data sheet and dashboard section of the website.

Members of the public can comment on funding applications and scheme applications before the Transport and Resilience Review Group conducts its evaluation of bids, or makes recommendations on the prioritisation of schemes within the programme. All papers can be downloaded from the dedicated transport page on the website.

Members of the public and stakeholders can comment on any agenda item or supporting papers via the website, when the agenda and papers are posted online which will be at a minimum of two weeks before each Group meeting. There is a dedicated link on the Transport page through which to make comments.

Each meeting agenda will at its start include a dedicated section where which comments from members of the public or stakeholders are considered. These comments are circulated in hard copy to all Group members at the meeting.

When making major investment recommendations and decisions at each stage i.e. recommendation stage (i.e. by the TRRG to the Investment Committee) and decision stage (by the Investment Committee), the

papers supporting each recommendation and the minutes of the decision will be published on the website.

Members of the public and stakeholders can comment on recommendations relating to Transport and Resilience Schemes prior to them being considered by the Investment Committee, through the website transport page. Investment Committee Members will be provided with all public comments in advance of making their decision. Comments can be received within a three month time period commencing from the date that the recommendation from the TRRG is posted on the Coast to Capital website to the point when the agenda and agenda papers are posted on the website for the specific Investment Committee meeting. The Part A minutes of the Investment Committee will record the consideration of public comments taken by the Committee.

Coast to Capital will respond to all requests made under the Freedom of Information Act in regard to transport and resilience schemes.

3.7 Declarations, Disclosure and Conflicts of Interest Procedure - TRRG

Prior to each Group meeting and initially prior to appointment as a member of the Group the declaration of interests, disclosure and conflicts register must be completed in accordance with the Coast to Capital Policy.

3.8 Transport and Resilience Group Member Training

Each member of the Group will be given specific conduct training in discharging their duties as members of that Group. This training will specifically focus on them not acting to represent their own local authority but acting in a capacity to represent the Transport and Resilience needs of the Region. Any conduct deemed by the Chair of any Group member acting outside of the spirit of this training will be recorded in the minutes and if there are more than three instances of this conduct in any one year, the member will be barred from the Group with their local authority being invited to nominate another representative to take up membership.

4.0 Status and Role of Accountable Body to the Transport and Resilience Review Group

The Transport and Resilience Review (TRRG) Group is a formally constituted executive advisory group of the LEP reporting into the Projects Pillar Committee. The Projects Pillar Committee will not change the recommendations of the TRRG but with regard to Transport and Resilience matters merely prioritise 'single pot' funding (see later for description) across all the areas of the LEP, based on the prioritisation of projects recommended from each standing Review Group.

The accountable body for the TRRG is West Sussex County Council.

The primary role of the accountable body is to hold the devolved major scheme funding allocation and make payments to delivery bodies such as Local Authorities. It should be able to account for these funds in such a way that they are separately identifiable from the accountable body's own funds, and provide financial statements to the LEP as required.

The accountable body's role in relation to the Transport and Resilience Review Group is:

- Ensuring that the decisions and activities of the Group conform with legal requirements with regard to equalities, environmental, EU issues etc.
- Ensuring (through their Section 151 Officer) that the funds are used appropriately.
- Ensuring that the decisions of the TRRG comply with this Assurance Framework.
- Maintaining the official record of TRRG proceedings and holding all Transport Review Group documents.
- Responsibility for the decisions of the Transport and Resilience Review Group in approving schemes (for example if subjected to legal challenge).

5.0 Audit and Scrutiny of Transport and Resilience Review Group Work

The LEP has put in place arrangements, as it is required to do, for independent local audits to be carried out annually by a qualified auditor on the work of the Transport and Resilience Review Group, and submits reports of these audits to DfT. The aim of each audit will be to verify that the Group under control of the LEP is operating effectively within the terms of its agreed assurance framework. Coast to Capital is then responsible for taking the necessary action to remedy any shortcomings identified within the audit.

6.0 Complaints

Any complaints or whistle blowing matters regarding transport and resilience schemes will be dealt with in accordance with the complaints policy set out in Annex M.

7.0 TRRG Support and Administration Arrangements

The Transport and Resilience Review Group is supported by a transport advisor and Projects team administrator, with strategic oversight and direction being supplied by the LEP Chief Operating Officer.

8.0 TRRG Working Arrangements

The Transport and Resilience Review Group will meet every six months or more frequently as required by the Chair, with at least two weeks' notice being given for meetings through posting their details on the Coast to Capital website. Meetings are open to the public but members of the public are requested to notify Coast to Capital of their attendance in advance to allow appropriate room size arrangements to be made.

All transport and resilience related funding applications will be considered by the Group, whose main role will include evaluating and appraising business cases through use of the bid scoring system as detailed later, and making recommendations for funding of such schemes on a prioritised basis to the Projects Pillar Committee and then onward to the Board member Investment Committee.

The TRRG is responsible for making recommendations on the prioritisation of transport and resilience scheme programmes and recommending individual schemes for funding.

The TRRG will be advised by the Transport Advisor on expert transport matters and on items relating to policy and strategy by the LEP Head of Strategy and Policy.

The Chief Operating Officer is in attendance to advise on governance.

9.0 Transport and Resilience Scheme Prioritisation

The LEP has developed a schemes appraisal system that will apply to all funding applications made under the Local Growth Deal and is responsible for determining the most appropriate criteria to use for the shortlisting and prioritisation of schemes, and their relative weighting.

A number of core criteria form the basis of each evaluation including, value for money, deliverability, environmental and social/distributional impact.

Project opportunities are identified through a number of initial routes, but mainly through the LEP's Strategic Economic Plan (SEP) through an identified priority, area partnerships through their own local strategies and most importantly a widely communicated six monthly call for bids.

All project bids will be submitted through the outline business case template prescribed by Coast to Capital. Upon receiving bids through the time defined call, area partnerships and the SEP will be consulted initially to establish strategic fit of the proposal. Papers prepared for the Transport and Resilience Review Group meeting will advise on strategic fit and the Group will be invited to score bids using the standard evaluation system. Each outline business case is required to articulate an options appraisal which will demonstrate that the full range of strategic options has been considered. Advice on business case quality will be provided to the TRRG by the Transport Advisor, who will pre-screen each application using the DfT early assessment and sifting tool.

If supporting evidence is required by the TRRG in order to consider and evaluate funding applications, the Transport Advisor pre-consideration of documentation prior to TRRG meetings will help identify this and if required evaluation will not take place until this information is furnished. Evidence will be interpreted and articulated by the Transport Advisor to the TRRG.

Data provided by scheme promoters will be assessed for quality by the Transport Advisor in advance of TRRG meetings and will be reported on by the Advisor at meetings.

Value for money will be assessed by the TRRG using advice from the Transport Advisor relating to benchmarking information.

Selection criteria have been standardised and matched to overall LEP strategic objectives including those drawn from the SEP. The Transport Advisor will pre scrutinise funding applications for retro-fitting of criteria and report to the TRRG any concerns regarding this.

Deliverability of schemes is a separate weighted criteria and plays an important part in scheme selection.

The LEP will ensure that the Highways Agency and Network Rail are fully sighted on any strategic road or rail schemes that are to be considered for funding so that their views on deliverability and impact on the wider network can be considered and taken into account in the initial prioritisation exercise. In cases where schemes have any impact on train services, the Train Operating Company and DfT (rail) will also be consulted.

In addition through the joint neighbouring LEP group the Transport Advisor will collaborate and report to the TRRG in relation to issues surrounding collaboration on cross geography schemes.

10.0 Transport Scheme Eligibility

Only well-defined and thoroughly researched schemes will be considered for funding, that fit within the defined maximum cost envelope of £5m LEP capital funding with a minimum of 15% match funding from the scheme applicant will be considered for funding. Letters of support from the geographic local authorities in which the scheme will be delivered are mandatory.

11.0 Assurance over Recommendations made by the Transport and Resilience Review Group

The separation of recommendations and decisions with respect to the TRRG addressing the former and the Investment Committee, via the Projects Pillar Board addressing the latter ensures strong governance. Before any scheme is recommended for investment to the Investment Committee an independent scheme assessment will accompany the recommendation.

Coast to Capital operates a two stage approval process. So the initial business case completed by scheme applicants will only produce a conditional funding approval by the Investment Committee. No funding will be released until a full business case has been submitted back to the LEP and its Transport Advisor has validated that there are no material differences to the original application and reported this to the TRRG who will then report to the LEP Chief Executive, who will authorise the funding agreement issue. If there are any material differences, the matter will be referred back to the Investment Committee for re-consideration.

Funding agreements will contain a range of legal conditions that must be satisfied by delivery bodies in order to draw funding down. These will include mandatory compliance with the operation of the Government's Gateway review system, monitored by the LEP, who will be involved in key 'gate' approvals.

Individual scheme business cases submitted by delivery bodies will be checked for compliance against the requirements of the DfT Business Case guidance.

Any reference in this Assurance Framework to recommendations to the Investment Committee should take into account the funding award limitations of the Investment Committee; therefore decisions may be passed to the Board where the award is in excess of £2million

12.0 Specific Transport Business Case Requirements

Business cases will be developed in accordance with the guidance published in WebTAG. Central case assessments must be based on

forecasts which are consistent with the definitive version of NTEM which is the DfT's planning data set.

Appraisal and modelling will be independently assessed before the initial recommendation for funding from the TRRG progresses to the Investment Committee. The independent assessment of schemes is specifically designed to quality assure the appraisal work undertaken by the TRRG and Transport Advisor.

Scheme promoters are encouraged to consult with the LEP Transport Advisor prior to submitting scheme applications in relation to the study approach in particular whether it is fit for purpose in terms of modelling and social and distributional impacts.

All schemes progressing to Investment Committee and returning with a full business case will have an individual value for money assessment that will be signed off by the named LEP officer (Chief Executive) responsible for value for money in accordance with WebTAG guidance.

Each business case is assessed against a standard set of criteria that consistently assess both non-monetary and monetary impacts.

Only schemes that offer 'high' or 'very high' value for money as assessed using DfT guidance will be recommended for funding support to the Investment Committee.

13.0 TRRG Major Schemes

The annual independent audit of the work of the TRRG will include an assurance statement that major schemes have been evaluated in line with the DfT guidance on the evaluation of local major schemes. The audit results will be published on the Transport page of the LEP website.

Evaluation and monitoring requirements for these schemes will be set as a condition of funding agreements and specified by the LEP Transport Adviser as part of the funding agreement conditions schedule. This will include a condition for an agreed evaluation plan.

14.0 Release of funding, cost control and approval conditions – Transport Schemes

Funding contributions for transport schemes are capped at the award level with funding agreements specifying that the delivery body is contractually responsible for making up any shortfall in funding and contractually obliged to discharge the scheme fully in line with the committed outputs.

Each funding agreement will have a range of standard and scheme specific conditions. The agreement will be signed as a deed, therefore signalling full acceptance of the conditions by the promoting authority including their Section 151.

The drawdown of funding on each scheme is through the submission of certified scheme valuations and through quarterly funding returns.

Funding will only be paid in arrears subject to a full audit trail which will include certified independent scheme valuations certificates and evidenced match funding contributions from the delivery body. Quarterly funding claims must complete the form as provided by Coast to Capital from time to time which will further guidance about funding release. Funding release occurs only upon the LEP making recommendations to the accountable body to release payments.

The LEP gateway review approach will require regular provision of project financial information in addition to quarterly financial returns. The gateway approach will also involve the conducting of projects audits by LEP trained gateway reviewers at key delivery stages. Conditions precedent and local gateway audits by the LEP will ensure that funding is only spent on the scheme in question and also on capital items. Funding quarterly draw down applications also require certification of same from the delivery bodies statutory financial officer or equivalent.

15.0 Programme and Risk Management – Transport Schemes

Programme risk management is the responsibility of the Projects Pillar Committee and at each monthly meeting programme risk on every scheme is reviewed through a risk assessment score and risk dashboard. Delivery bodies can be called to account at the Pillars Pillar Committee accordingly.

Annex I2

1.0 Executive Structure of the Services Pillar

The Services Pillar is governed through the Services Pillar Committee which reports to the Executive Committee.

2.0 Services Pillar Committee

The Services Pillar Committee is an officer committee that is appointed to by the Chief Executive, and reports to and provides advice and recommendations to the Board. The Committee has a focus on recommending but not deciding the strategy around services. The Committee holds to account the Head of Services and his/ her team in discharging their duties to operate and to report via a dashboard.

3.0 Terms of Reference

Terms of reference for the Services Pillar Committee are:

3.1 The Service Pillar Committee has a focus on the successful and efficient delivery of services to businesses delivered by Coast to Capital. Its purpose is to ensure the successful implementation and day to day management of the service portfolio. It involves clients from different parts of Government to meet our aspiration of being the best in class in delivery of these services.

3.2 Objectives

3.3 The Service Pillar Board shall:

3.3.1 Monitor the service portfolio

3.3.2 Ensure that all terms and conditions attached to the funding streams are adhered to

3.3.3 Recommend strategic priorities related to the delivery of services

3.3.4 Approve any changes to service project delivery and priorities

3.3.5 Review service project delivery on a quarterly basis against spend, outputs and risks and review any issues and recommend any remedial action.

3.3.6 Carry out appropriate arrangements to ensure that full information of the service pillar is made available to the Board and executive committee.

3.3.7 Identify other service delivery opportunities that can attract funding from a variety of sources.

3.3.8 Regularly review its operation and ensure it remains fit for purpose.

4.0 Accountability

4.1 The Service Pillar Committee is accountable to the Coast to Capital Executive Committee for the delivery of the service portfolio and for progress against the targets in which Coast to capital has committed to delivering.

5.0 Duty to collaborate

5.1 The Service Pillar Committee must have due regard for the work and activities of the other pillar committees and to recognise there will be some cross over in objectives and activity, and to expect that this will be reciprocated.

6.0 Membership

6.1 The standing membership will be a maximum of 12 people. Initial membership is as follows:

- Coast to Capital Chief Executive
- Coast to Capital Head of Services
- Coast to Capital Business Navigator Service Project Manager
- Coast to Capital Senior Enterprise Coordinator
- BEIS Assistant Director, Local Business Support (Growth Hubs) Policy and Delivery
- Head of Operational Delivery, Careers and Enterprise Committee

6.2 The Services Pillar Committee will co-opt specialists or local partners when additional expertise is required to inform discussions or support decision making. This will be determined by the agenda and agreed in advance. Those co-opted will not have any role in decision making.

7.0 Chair of the Services Pillar Committee

7.1 The Chair of the Services Pillar Committee is the Coast to Capital Chief Executive. If for any reason the Chair cannot be present at a meeting, another Services Pillar Committee member will act as Chair for the meeting.

8.0 Substitution

- 8.1 Where a representative of a member of the Services Pillar Committee is unable to attend a Pillar Committee meeting, a substitute representative of that member (if approved by it) may attend, speak and vote, in their place for that meeting.
- 8.2 A suitably senior substitute member must be appointed from a list of approved substitutes submitted by the respective member to the Services Pillar Committee at the start of each calendar year.

9.0 Quorum

- 9.1 No business shall be transacted at any meeting of the Services Pillar Committee unless at least four of the members are present.

10.0 Time and Venue of Meetings

- 10.1 The Services Pillar Committee will meet five times a year in advance of the Board meetings.
- 10.2 The Chair of the Services Pillar Committee may call a special meeting of the Services Pillar Committee at any time, subject to providing members with minimum notice of ten working days.

11.0 Declarations, Disclosure and Conflicts of Interest Procedure

- 12.0** Prior to each meeting and initially prior to appointment as a member of the Services Pillar Committee the declaration of interests, disclosure and conflicts register must be completed in accordance with the Coast to Capital Policy.

13.0 Administrative and legal support

- 13.1 Administrative support to the Services Pillar Committee shall be provided by the LEP.

14.0 Review and Variation of Terms of Reference

14.1 The Services Pillar Committee shall keep these Terms of Reference under review.

14.2 These Terms of Reference may be varied only by complete agreement of all the members of the Services Pillar Committee and in consultation with the Board.

15.0 Withdrawal

15.1 Any member of the Services Pillar Committee may give one month's notice in writing of intention to withdraw from membership of the Services Pillar Committee.

Annex I3 – The Strategy and Policy Pillar

1.0 Coast to Capital’s work in the area of strategy and public policy stems from our role as a key partner to Government, representing the views and interests of our region in national policy formulation. The pillar bases its work on the following principles:

- **Leadership on strategic issues that matter most** to the Coast to Capital economy
- **High quality engagement on policy issues** representing the unique collaboration of business, local authority and education leaders
- **Transparency and delivering added value** to our key partners

2.0 Executive Structure of the Strategy and Policy Pillar

This Pillar is governed by the Strategy and Policy Pillar Committee which is accountable to the Chief Executive.

3.0 Strategy and Policy Pillar Committee

The Strategy and Policy Pillar Committee is appointed by the Chief Executive, and reports to and provides advice and recommendations to the Board. The Committee has a focus on recommending but not deciding strategy and policy. The Committee holds to account the Head of Strategy and Policy and his/ her team in discharging their duties to operate and to report via dashboards.

4.0 Terms of Reference

Terms of reference for the Strategy and Policy Pillar Committee are:

- 4.1 The over-arching purpose of the Pillar Committee is to establish, prioritise and monitor the progress of the work programme objectives and other strategic activity of the Strategy and Policy Pillar.
- 4.2 The Strategy and Policy Pillar Committee will ensure that the work of the Pillar is a true representation of the unique understanding of and collaboration between business, local authority and education leaders.
- 4.3 The Strategy and Policy Pillar Committee will ensure that the work of the Pillar brings added value to its clients, the Local Authorities in the LEP area, in respect of economic development and growth.

5.0 Outcomes

5.1 The work of the Strategy and Policy Pillar Committee will be focussed on the Board’s (“the Board”) goal of achieving consistent economic growth and development in the LEP area. The Strategy and Policy Pillar Committee may seek to widen this focus and put forward recommendations to the Board on additional priorities.

6.0 Functions

6.1 The functions of the Strategy and Policy Pillar Committee are specified in below, and may be exercised only in respect of the LEP area.

6.2 The functions referred to in paragraph 3.1 are as follows:

- (iv) To set a strategic framework for LEP which can then influence the investment activity in the Projects Pillar and service delivery in the Services Pillar
- (v) To provide insight into economic development and growth data in the LEP area
- (vi) To monitor the progress and risks of the Strategy and Policy Pillar's key work streams and other strategic activity
- (vii) To provide strategic links to local authority and devolution priorities
- (viii) To provide updates, in the format of a dashboard, to the Board on the progress of the Strategy and Policy Pillar's key work streams and other strategic activity. This includes making recommendations on Task Groups and providing oversight of progress.

7.0 Reporting and accountability

7.1 The Coast to Capital Head of Strategy and Policy shall submit a dashboard report and associated papers to the Strategy and Policy Pillar Committee members one week in advance of the meeting.

7.2 The Strategy and Policy Pillar Committee is accountable to the Board against its functions in paragraph 4.2 above.

8.0 Core membership

8.1 As top tier authorities with wide-reaching strategic influence, senior level representatives from the following bodies shall join Coast to Capital representatives as members of the Strategy and Policy Pillar Committee:

- 8.1.1 Brighton and Hove City Council
- 8.1.2 London Borough of Croydon Council
- 8.1.3 Surrey County Council
- 8.1.4 West Sussex County Council

8.2 The Strategy and Policy Pillar Committee will co-opt specialists or local partners when additional expertise is required to inform discussions or support decision making. This will be determined by the agenda and agreed in advance. Those co-opted will not have any role in decision making.

9.0 Chair of the Pillar Committee

9.1 The Chair of the Strategy and Policy Pillar Committee is the Coast to Capital Chief Executive. If for any reason the Chair cannot be present at

a meeting, another Strategy and Policy Pillar Committee member will act as Chair for the meeting.

10.0 Substitution

- 10.1 Where a representative of a member of the Strategy and Policy Pillar Committee is unable to attend a Strategy and Policy Pillar Committee meeting, a substitute representative of that member (if approved by it) may attend, speak and vote, in their place for that meeting.
- 10.2 A suitably senior substitute member must be appointed from a list of approved substitutes submitted by the respective member to the Strategy and Policy Pillar Committee at the start of each calendar year.

11.0 Declarations, Disclosure and Conflicts of Interest Procedure

- 11.1 Prior to each meeting and initially prior to appointment as a member of the Strategy and Policy Pillar Committee the declaration of interests, disclosure and conflicts register must be completed in accordance with the Coast to Capital Policy.

12.0 Quorum

- 12.1 No business shall be transacted at any meeting of the Strategy and Policy Pillar Committee unless at least four of the members are present.

13.0 Time and Venue of Meetings

- 13.1 The Strategy and Policy Pillar Committee will meet five times a year in advance of the Board meetings.
- 13.2 The Chair of the Strategy and Policy Pillar Committee may call a special meeting of the Pillar Committee at any time, subject to providing members with minimum notice of ten working days.

14.0 Administrative and legal support

- 14.1 Administrative support to the Strategy and Policy Pillar Committee shall be provided by the LEP.

15.0 Review and Variation of Terms of Reference

- 15.1 The Strategy and Policy Pillar Committee shall keep these Terms of Reference under review.
- 15.2 These Terms of Reference may be varied only by complete agreement of all the members of the Strategy and Policy Pillar Committee and in consultation with the Board.

16.0 Withdrawal

- 16.1 Any member of the Strategy and Policy Pillar Committee may give one month's notice in writing of intention to withdraw from membership of the Strategy and Policy Pillar Committee.

Annex J – How funding decisions are made

1.0 We have a bespoke decision making process for all areas of activity included within our governance structures. The following sections explore these in turn:

2.0 Local Growth Fund

LGF grants can be of any value and are awarded from within the Growth Deal funding pot that Coast to Capital distributes on behalf of Government. Application criteria for eligibility for grants are detailed within the guidance and template pack included in Annex J1.

We publish **calls for applications** based upon approvals given by our Board. These calls are published on our website and we also notify our partners and stakeholders too.

All documentation and guidance for applicants is published on the website, together with the necessary templates to be completed. We also publish a live frequently asked question set, with all new questions, where they are not already covered in the standard question bank, of general interest being transparently published anonymised on the FAQ list.

Calls for funding applications are time limited and bids received after the closure date and time will not be accepted. Where this occurs applicants will be advised accordingly.

In terms of **application validation**, these are initially checked for completeness and compliance by a LEP officer. Any non-compliant applications will be rejected and not considered as part of the round in question. Applicants will be notified by letter of non-compliant applications. The initial compliance check also includes a state aid check to ensure that if the application was funded, the grant would comply with state aid legislation. If there would not be compliance, the application will be rejected and the applicant notified by letter accordingly.

With regard to **application evaluation**, applications will be sent to their respective area partnership lead officers for confirmation of their support for the application. The views of each area partnership will then be passed onto each member of our formal projects pillar evaluation review groups (as set out earlier).

Members of each review group are chosen for their specialist knowledge of subject matter relevant to the theme of each review group, which is evident through each title. Members of each review group are unremunerated and do not receive expenses either. When vacancies arise, advertisements for members to join each of our review groups are published on our website.

Each review group member will be sent all applications relevant to their group, and will score each application against the published criteria based upon the application information and quality.

A review group meeting is then arranged and the first agenda item is to run through declarations, disclosure and conflicts. The action matrix detailed earlier

in this document is then operated if there are any adverse declarations, disclosures and conflicts.

Each grant application is then discussed by the review group and based upon this discussion, members are given the opportunity to amend their initial scores. The scores are then submitted to the group secretary, who compiles an average score for each application based on the total of all members' scores, divided by the number of score sheets.

A list of average scores is then submitted to the Projects Pillar Committee from each review group. As detailed earlier, the Transport and Resilience Review Group meets in public.

2.1 Value for Money

The selection of projects to ensure best value for money is derived from the required discounted cash flow and options appraisal analysis contained within the application criteria. With regard to challenge, each evaluation review group contains a member with specific economic analysis experience and a financial adviser to advise and challenge on value for money aspects. Selection of projects is through scoring and value for money is a key weighted scoring criteria. In addition the accountable body finance team is commissioned to undertake a detailed appraisal of the financial and value for money aspects of each business case with regard to the requirements of Treasury Green Book appraisal.

3.0 Projects Pillar Committee Action

This Committee is also detailed earlier within this document and is responsible for creating one single recommended lists of bids to be funded. The Committee will receive all the average scores for each project and using these scores will then compile a single list of applications to be recommended for funding. The Committee will always use the score to determine the priority for funding but is responsible to ensure that an integrated list covering each of themes is produced, that fits within the available funding envelope. The Committee will also decide whether a recommendation for full or part funding of applications is made.

The consolidated recommendation is then passed to the Investment Committee, which comprises Coast to Capital Board members. Further details on the Investment Committee can be found earlier in this document.

4.0 Investment Committee Action

The Investment Committee is also attended by the Chairs of each review group and is responsible for deciding the final list of projects to be funded under £2m and recommending to the Board projects to be funded above this value. The Committee is responsible for deciding / recommending the terms and conditions attached to the funding in accordance with the above, together with the magnitude of funding.

5.0 Growing Places Fund

This is revolving business loan fund which provides loan finance and /or equity investment to growth businesses where banks have not been willing to lend. Applications for this fund are advertised on our website and are open to all small businesses that can provide demonstrable evidence that they cannot access any other finance to grow their operations.

Guidance for applicants and application forms are provided on our website and are annexed to this document.

6.0 Application Validation

Applications are initially checked for completeness and compliance by a LEP officer. Any non-compliant applications will be rejected and not considered as part of the round in question. Applicants will be notified by letter of non-compliant applications. The initial compliance check also includes a validation of whether the applicant could obtain alternative sources of finance, since the loan fund is specifically targeted at businesses that cannot access any other sources of loan funding. This will include reviewing Directors statement of means. After initial validation check, if the application is compliant and loan funds are available and external due diligence check will be commissioned. A LEP officer report will be compiled annexing the application documentation and due diligence report and this information will be forwarded to the Coast to Capital Projects Pillar Committee.

7.0 Projects Pillar Committee Action

The Projects Pillar Committee will consider all loan applications and make recommendations to the Growing Places Committee for award of loans and loan terms.

8.0 Growing Places Committee Action

The Growing Places Committee, which is a Board sub-committee is responsible for deciding all loan awards up to £2m and recommending awards above this to the Board.

9.0 Small Business Grants

West Sussex County Council periodically runs small business grant schemes under their LGF project award. Application calls are advertised on our website. These grants are specifically targeted at businesses who cannot access alternative funding sources through loan capital. Funding grants are non-refundable by the applicant.

Initially, interested organisations complete an expression of interest which is reviewed by a specialist panel. Following this they may be invited to progress to the next stage of the process and to therefore submit a detailed application and business case together with an independent due diligence report. They are then

invited to present to a panel of experts and this panel is then charged with making funding decision.

Currently the scheme is on hold pending a full review and production of new governance documentation.

Annex J1 – Application criteria for Local Growth Funding.

Full application criteria and documentation can be downloaded from our website <http://www.coast2capital.org.uk>

Annex K – Coast to Capital Procurement and Payments Policy

Summary of Powers to Purchase, Authorisation of Payments and Procurement Thresholds

Commitment to purchase	Complete separation between decision to purchase and approval of payments	Approval of payments to suppliers
Board authorises annual operating budget. All management accounts reporting is against that budget.		All approval of payments to be backed by documents evidencing the Chief Executive's approval to purchase
<p>All Local Growth Fund allocations to be approved by the Coast to Capital Board on recommendation from a sub-committee and/or Executive Committee following appraisal of a business case.</p> <p>Only the Coast to Capital Board can approve virements of Local growth Funding between projects.</p>		<p>Payment then approved within the following limits:</p> <ul style="list-style-type: none"> - Up to £1,000 – One signatory (Nominated Manager or Office & Finance Manager) - £1,001 to £10,000 – Two signatories (Nominated Manager or Office & Finance Manager or nominated Board Director) - £10,001 and above – Nominated Manager or Office & Finance Manager plus one nominated Board Director
<p>Any other day to day operating purchasing decision:</p> <p>Chief Executive can vire up to 10% of Board approved limit between operating budget headings.</p> <p>Virement above 10% needs Board approval – by correspondence in case of urgency</p>		Payroll to be approved each month by Office & Finance Manager and Nominated Manager
<p>Procurement thresholds:</p> <ul style="list-style-type: none"> - Up To £5,000 – Chief Executive's discretion 		Office & Finance Manager to process the payments and payroll based on evidence of correct approval as above:

<ul style="list-style-type: none"> - £5,001 to £10,000 – Three written quotations - £10,001 to £25,000 – full tender process - £25,001 to OJEU threshold – full tender process and at least one Board member involved in the decision to award - Above OJEU threshold – full OJEU process and at least two Board members involved in decision to award 		<ul style="list-style-type: none"> · Evidence of Chief Executive approval to purchase · Payments over £1,001 to be subject to two signatories as above
<p>Expenses:</p> <ul style="list-style-type: none"> - Chairman to approve Chief Executive’s expenses - Chief Executive to approve expenses for Team members up to £300 pcm per person – above £300 to get second sign off by Chairman - Chairman’s and other Board member expenses to be authorised for payment by the Chief Executive and reviewed by external auditor annually. 		<p>Authorised signatories as of April 2015:</p> <ul style="list-style-type: none"> - Nominated Manager – Malcolm Brabon - Finance & Office Manager - David Smith - Chairman - Board Member - Board Member - Deputy Chairman / Chairman’s Committee

Annex L – other documents in support of the assurance framework

These are all available to download via our website

<http://www.coast2capital.org.uk/>

Annex M - Complaints Policy

Coast to Capital views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint.

Our policy is:

1. To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
2. To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
3. To make sure everyone at Coast to Capital knows what to do if a complaint is received
4. To make sure all complaints are investigated fairly and in a timely way
5. To make sure that complaints are, wherever possible, resolved and that relationships are repaired
6. To gather information which helps us to improve what we do.

Definition of a Complaint

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of Coast to Capital activities.

Where Complaints Come From

Complaints may come from any person or organisation who has a legitimate interest in Coast to Capital.

A complaint can be received by email or in writing.

This policy does not cover complaints from members of the Coast to Capital Team who should use the Discipline and Grievance policy as laid out in the Team Manual.

Confidentiality

All complaint information will be handled sensitively, informing only those who need to know and following any relevant data protection requirements. Our arrangements to enable third parties and the public to confidentially report concerns about LEP processes and decisions can be found under our Confidential Complaints Procedure.

Responsibility

Overall responsibility for this policy lies with the Board of Coast to Capital and its implementation is one of the responsibilities of the Chief Executive.

Review

This policy is reviewed regularly and updated as required.

Complaints Procedure

Publicised Contact Details for Complaints:

Written complaints should be sent to Coast to Capital at Arun House, Horsham Training Centre, Hurst Road, Horsham, West Sussex, RH12 2DN or by e-mail at contact@coast2capital.org.uk

Stage One

In many cases, a complaint is best resolved by the person responsible for the issue that is being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate.

Whether or not the complaint has been resolved, all information regarding the complaint should be passed to the Chief Executive within five working days. We may request additional information relevant to the complaint.

On receiving the complaint, the Chief Executive records it in the Coast to Capital Complaints Log. If it has not already been resolved, the Chief Executive will delegate to an appropriate person to investigate and to take the appropriate actions.

If the complaint relates to a specific person, they should be informed and given a fair opportunity to respond.

Complaints should be acknowledged by the person handling the complaint within five working days. The acknowledgement should say who is dealing with the complaint and when the person complaining can expect a reply. A copy of this complaints procedure should be attached.

Ideally complainants should receive a definitive reply within four weeks. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

Stage Two

If the complainant feels that the problem has not been satisfactorily resolved at Stage One, they can request that the complaint is reviewed at Board level. At this stage, the complaint will be passed to the Coast to Capital Chairman's Committee.

The request for Board level review should be acknowledged within five working days of receiving it. The acknowledgement should say who will deal with the case and when the complainant can expect a reply.

The Coast to Capital Chairman's Committee may investigate the facts of the case themselves or delegate a suitably senior person to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage One.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond.

The person who dealt with the original complaint at Stage One should be kept

informed of what is happening.

Ideally complainants should receive a definitive reply within four weeks. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

The decision taken at this stage is final.

Should, for any reason, the complaint be related to the administration or management of the Local Growth Fund, the complainant, at any stage of the complaint, has the right to approach the Accountable Body.

The Accountable Body will, in investigating complaint relating to the administration or management of the Local Growth Fund will liaise with Coast to Capital to ensure that the matter is properly investigated and responded to.

Details of the Accountable Body's complaints procedure is available on its website.

Confidential Complaints Procedure

Coast to Capital is committed to creating a work environment with the highest possible standards of openness, probity and accountability. In view of this commitment we encourage employees and others with serious concerns about any aspect of the LEP's work to come forward and voice those concerns without fear of reprisal. For employees and those working closely with Coast to Capital, please follow the Whistleblowing Policy published at Annex N to the Assurance Framework. For third parties and members of the public, please follow the confidential complaints procedure outlined below.

However, if a member of the public or third party believes that their complaint fits the description below; they can elect to report their concerns through the Whistleblowing Policy procedure.

Whistleblowing - where an individual who has concerns about a danger, risk, contravention of rules or illegality provides useful information to address this. In doing so they are acting in the wider public interest, usually because it threatens others or impacts on public funds. By contrast, a grievance or private complaint is a dispute about the individual's own position and has no or very limited public interest.

Confidentiality

If a member of the public or a third party wants to make a confidential complaint or raise a concern, it will be treated in confidence and every effort will be made to protect the person's identity if they wish to remain anonymous. Coast to Capital will investigate all complaints or allegations.

Anonymous allegations

Coast to Capital takes all complaints and concerns raised by members of the public and third parties seriously. We will investigate anonymous allegations. However we remind complainants that when people put their names to an allegation the ability to investigate and therefore reach firm conclusions is strengthened. Concerns expressed anonymously will be considered at the discretion of Coast to Capital. When exercising this discretion the factors to be taken into account would include:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

The Ministry of Housing, Communities and Local Government may request information arising from this process if they have concerns regarding a LEP or have been approached with similar complaints. The expectation is that this information will be provided on an anonymous basis. However it may be necessary to provide personal details to progress a complaint.

Where details are gathered, Coast to Capital will put in place appropriate data protection arrangements in line with the Data Protection Act 1998 and the General Data Protection Regulations from the 25th May 2018.

Procedure

Coast to Capital is aware that the organisation's ordinary complaints procedure may not be suitable if someone wants the complaint to remain confidential. If you would like to make a confidential complaint please write or email to:

- Jonathan Sharrock – Chief Executive – jonathan.sharrock@coast2capital.org.uk
- Katie Nurcombe – Head of Communications and Corporate Affairs – katie.nurcombe@coast2capital.org.uk

Alternatively, you can use our secure website form which can be accessed on our website - <http://www.coast2capital.org.uk/contact-us/>.

Please include all the relevant information regarding the complaint and state that you want the complaint to remain confidential. Please note that we may request supplementary information.

Action Taken

The designated complaints officer (Coast to Capital Governance Officer) will raise your concern and investigate the complaint. You can expect the officer to:

- Contact you within 10 clear working days to acknowledge the complaint and discuss the appropriate course of action.
- Write to you within 28 clear working days with findings of the investigation. If the investigation has not concluded within 28 clear working days, the officer will write to you to give reasons for the delay in resolving the complaint.
- Take the necessary steps to rectify the issue.

If you are unhappy with the outcome of the complaint or the complaint involves those responsible for the confidential complaints procedure:

- You can escalate your concerns through Coast to Capital's Accountable Body which is West Sussex County Council who will have their own confidentiality procedures.
- If you are either unable to raise the matter with Coast to Capital or you are dissatisfied with the action taken you can report it direct to the Cities and Local Growth Unit in the Ministry of Housing, Communities and Local Government and the Department for Business, Energy and Industrial Strategy, at the following email address: LEPPolicy@communities.gsi.gov.uk or by writing to: LEP Policy Deputy Director, Cities and Local Growth Unit, Fry Block, 2 Marsham Street, London, SW1P 4DF. You should clearly mark your email or letter as "Official - complaints".

Annex N - Whistleblowing Policy

Introduction

A Discloser is the person who is the whistle-blower.

This procedure outlines the process to follow for a Discloser when reporting a perceived wrongdoing within Coast to Capital, including something they believe goes against the core values of Standards in Public Life (the Nolan Principles) and the Code of Conduct for LEP Board Members and staff. The Standards in Public Life include the principles of; integrity, objectivity, accountability, openness, honesty, leadership and impartiality.

In particular Coast to Capital Board Members, as the key decision makers of the LEP, have a right and a responsibility to speak up and report behaviour that contravenes these values.

It is important that this procedure is followed when raising any concerns, to ensure that the matter is dealt with correctly.

Definitions

This document uses the following definitions:

- Whistleblowing - where an individual who has concerns about a danger, risk, contravention of rules or illegality provides useful information to address this. In doing so they are acting in the wider public interest, usually because it threatens others or impacts on public funds. By contrast, a grievance or private complaint is a dispute about the individual's own position and has no or very limited public interest.
- The LEP – Coast to Capital
- Discloser – this is the person who is the whistle-blower. They might be an employee, a LEP Board Member, a contractor, a third party or a member of the public.
- Responsible Officer - this is the person, appointed by the LEP, with overall responsibility for maintaining and operating this whistleblowing policy. They will maintain a record of concerns raised and the outcomes (but will do so in a form that does not endanger confidentiality) and will report to senior decision makers as necessary. Their name is Katie Nurcombe (Head of Communications and Corporate Affairs) and their contact details are katie.nurcombe@coast2capital@coast2capital.org.uk and 01403 333840 Arun House (Horsham Training Centre), Hurst Road, Horsham, West Sussex, RH12 2DN. If the concern relates to the Responsible Officer then the concern should be raised with Jonathan Sharrock (Chief Executive) jonathan.sharrock@coast2capital.org.uk 01403 333840 Arun House (Horsham Training Centre), Hurst Road, Horsham, West Sussex, RH12 2DN.
- Relevant Concern – something the Discloser has been asked to do, or is aware of, which they consider to be wrong-doing and is in the public interest.

Scope

The LEP is committed to creating a work environment with the highest possible standards of openness, probity and accountability. In view of this commitment, we encourage Disclosers with serious concerns about the work of the LEP to come forward and voice their concerns without fear of reprisal.

Disclosers should note that where the concern is one that might fall under the LEP's staff or work force policies on equality and diversity or harassment and bullying or other staff policies, they should consider using the reporting mechanisms for those other policies first.

The LEP has a pre-existing complaints procedure that in many cases will be more appropriate for third parties or members of the public to follow. Third parties or members of the public should review the separate Confidential Complaints Procedure outlined in the LEP's Complaints Policy (published at Annex M of the Assurance Framework) first before going through the whistleblowing process.

However, if a member of the public or third party believes that their complaint fits the description of a 'relevant concern' outlined below, they may report their concerns through the whistleblowing policy procedure.

Policy Statement

The LEP acknowledges that Disclosers may often be the first people to realise that there may be something seriously wrong within the organisation.

This policy aims to:

- Encourage people to feel confident about raising serious concerns and to question and act upon their concerns without fear of victimisation or harassment;
- Provide avenues for Disclosers to raise those concerns and receive feedback on any action taken;
- Allow Disclosers to take the matter further if they are dissatisfied with the LEP's response; and
- Reassure all Disclosers, employees in particular who may have specific concerns about their position and employment status in the LEP, that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in the public interest.

What is a relevant concern?

If a Discloser is asked to do something, or is aware of the actions of another, which they consider to be wrongdoing, they can raise it using this procedure. The Discloser must have a reasonable belief that raising the concern is in the public interest.

A Discloser may decide to raise a concern under the whistleblowing policy if they

are aware of a situation that they feel:

- is against the LEP's procedures and protocols as set out in its code of conduct and individual LEP Assurance Framework;
- falls below established standards of practice the LEP subscribes to;
- amounts to improper conduct; or
- is an abuse of power for personal gain.

The types of matters regarded as a relevant concern for the purpose of this procedure include, but are not limited to, the following:

- Fraud or financial irregularity;
- Corruption, bribery or blackmail;
- Other Criminal offences;
- Failure to comply with a legal or regulatory duty or obligation;
- Miscarriage of justice;
- Endangering the health or safety of any individual;
- Endangering the environment;
- Improper use of authority; and
- Concealment of any of the above.

Disclosers should not raise malicious or vexatious concerns, nor should they raise knowingly untrue concerns. In addition, this procedure should not be used to raise concerns of a HR/personal nature, such as, complaints relating to a management decision or terms and conditions of employment. These matters should be dealt with using the relevant alternative procedure, for example, the LEP grievance procedure. Equally, this policy would not apply to matters of individual conscience where there is no suggestion of wrongdoing by the LEP but, for example, an employee or LEP Board Member is required to act in a way which conflicts with a deeply held personal belief.

Safeguards

The Public Interest Disclosure Act (1999) gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The LEP believes that no member of staff should be at a disadvantage because they raise a legitimate concern.

The LEP will not tolerate harassment or victimisation and will take action to protect Disclosers when they raise a concern in the public interest.

Raising a concern

If a Discloser experiences something in the workplace which they consider a relevant concern, it is important that the concern is raised as early as possible. Proof is not required at this point – it is for the LEP to investigate. The Discloser must, however, have a reasonable belief that disclosing the information is in the public interest before raising a concern.

All concerns will be treated in confidence and every effort will be made to protect

the Discloser's identity if they wish to remain anonymous. However, at the appropriate time, it is possible that the Discloser will need to come forward as a witness for the matter to progress.

It is important to follow the correct procedure when raising a whistleblowing concern. The following steps should be adhered to:

- a. It is important that the concern is raised with the person best placed to deal with the matter, in most cases this will be the Responsible Officer. However, the Discloser may want to raise the concern with someone they know and trust, such as their line manager who can raise it with the Responsible Officer on their behalf.
- b. If it is suspected that the concern may implicate the line manager in some way, then it could be raised with a more senior manager in the line management chain.
- c. If the Discloser is unable to raise a relevant concern with a line manager or a senior manager or feel that it has not been adequately addressed, it should be raised directly with the Responsible Officer.
- d. Ultimately, the Discloser can raise their concern with the LEP Chief Executive.

Information needed to raise a concern

When raising a concern under the procedure the Discloser should try to provide the following information:

- The background and reason behind the concern;
- Whether they have already raised a concern with anyone and the response; and
- Any relevant dates when actions related to the concern took place.

This information should demonstrate that there are reasonable grounds for the concern to be acted upon. It is important that matters are not investigated by the Discloser themselves.

If applicable, personal interests must be declared from the outset.

How the concern will be handled

All investigations will be conducted sensitively and as quickly as possible. While the LEP cannot guarantee that the outcome will be as the Discloser may wish, it will handle the matter fairly and in accordance with this procedure.

Once a concern has been raised with either the line manager or Responsible Officer, Senior Manager or Chief Executive, a meeting may be arranged with them to determine how the concern should be taken forward.

The LEP may decide to take the matter forward by a number of methods, including:

- An internal inquiry or other formal investigation;
- An internal or external audit;
- Referring the matter to the police;
- Referring the matter to another relevant authority for investigation.

Before a final decision is taken on how to proceed, or as part of the investigation, the Discloser may be asked to meet with those investigating their allegation.

If a meeting is arranged, the Discloser may wish to be accompanied by a trade union representative, colleague or friend. The person who accompanies the Discloser should not be involved or have a direct interest in the area of work to which the concern relates. The meeting can be conducted over the telephone rather than face to face.

Within 10 clear working days of a concern being raised, the LEP's Responsible Officer will write to the Discloser to:

- Acknowledge that the concern has been received;
- Indicate how they propose to deal with the matter;
- Give an estimate of how long it will take to provide a final response;
- Tell the Discloser whether any initial investigation or enquiry has been made;
- Tell the Discloser whether further investigation will be made, and if not, why not;
- Tell the Discloser how frequently the LEP will keep them up to date on progress of the investigation.

The amount of contact between the LEP and the Discloser concerned will vary depending on the concern raised, any difficult issues and any further clarity required. If necessary, the LEP will seek further information from the Discloser.

The LEP will confirm when the matter is concluded and, if appropriate, the outcome of the investigation, maintaining security and confidentiality for all parties as far as possible.

Throughout any investigation, the Discloser will still be expected to continue their duties/role as normal unless deemed inappropriate.

Confidentiality and anonymity

The LEP always encourages potential Disclosers to speak up about potential serious wrongdoing in a way that they feel comfortable. The best way to raise a concern is to do so openly, as this makes it easier for the LEP to investigate and provide feedback.

Any disclosures made under this procedure will be treated in a sensitive manner.

However the LEP recognises that the Discloser may want to raise a concern in confidence, i.e. they may want to raise a concern on the basis that their name it is not revealed without their consent.

The LEP will respect any request for confidentiality as far as possible, restricting it to a 'need to know' basis. However, if the situation arises where it is not possible to resolve the concern without revealing the Discloser (for example in matters of criminal law), the LEP will advise them before proceeding. The same considerations of confidentiality should be afforded to the recipient(s) at the centre of the concern, as far as appropriate.

Disclosers may choose to raise concerns anonymously, i.e. without providing their name at all. If this is the case, the investigation itself may serve to reveal the source of information. Disclosers are therefore encouraged, where possible to put their names to concerns raised. When anonymous concerns are raised, they will be treated as credible and investigated so far as possible.

Protection

If a concern is raised in the reasonable belief that it is in the public interest and procedures have been followed correctly, the Discloser raising the concern will be protected by the terms of this policy and, where applicable, by whistleblowing legislation (see gov.uk for more information on who is covered by whistleblowing legislation). Where a Discloser has been victimised for raising a concern, the LEP concerned will take appropriate action against those responsible, in line with the LEP's disciplinary policy and procedures.

Changes to procedures or policy as a result of whistleblowing

If changes are made to LEP policies and processes as result of whistleblowing investigations, the LEP will publicise the changes as appropriate, taking into consideration the importance of protecting the anonymity and confidentiality of individuals.

Untrue allegations

If a Discloser makes an allegation but it is not confirmed by the investigation, no action will be taken against them. However, if a malicious or vexatious allegation is made without good reason to: cause trouble; for personal gain; or to discredit the LEP an investigation may take place. Where the Discloser is an employee or a LEP Board Member or a contractor this may result in disciplinary or other action if they have broken the terms of their employment, acted against the LEP Code of Conduct or broken a clause in a contract.

How this matter can be taken forward if you are not satisfied

This procedure is intended to provide Disclosers with an avenue to raise legitimate concerns. If you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken you can report it directly to the Cities and Local Growth Unit in the Ministry of Housing, Communities and Local

Government and the Department for Business Energy and Industrial Strategy, at the following email address: LEPPolicy@communities.gsi.gov.uk or by writing to: LEP Policy Deputy Director, Cities and Local Growth Unit, Fry Block, 2 Marsham Street, London, SW1P 4DF. You should clearly mark your email or letter as "Official - whistleblowing".

In addition, if you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken you may consider raising it with:

- The police;
- The relevant regulatory body or professional body;
- Your Trade Union;
- Your solicitor;
- Your Citizens Advice Bureau.

Further information and signposting for potential Disclosers is available on www.gov.uk.

If a Discloser does take the matter outside the LEP, to an external body, they should ensure they do not disclose information that is confidential, for example, if you are an employee your contract of employment may set out expectations of your regarding what is confidential.

Feedback on Whistleblowing Policy

Any feedback or comments on this policy should be directed to the LEP's Responsible Officer.