



Governance and Electoral Arrangements Committee

Wednesday, 7 March 2018 at 6.00 pm

Rooms 8 & 9, Capswood, Oxford Road, Denham

A G E N D A

Item

1. Apologies for Absence
2. Minutes (*Pages 3 - 4*)

To confirm the minutes of the meeting held on 16 January 2018.
3. Declarations of Interest

To receive any declarations of interest
4. Membership of Planning and Licensing Committees (*Pages 5 - 8*)

*Appendix A: Terms of Reference for Licensing & Planning Committees
(Pages 9 - 10)*
5. Joint Working - Appointment of a Joint Overview and Scrutiny Committee in relation to oversee the work of the Chiltern and South Bucks Joint Committee (*Pages 11 - 14*)

Appendix 1: Joint Committee Terms of Reference (Pages 15 - 16)

Appendix 2: Joint Overview & Scrutiny Committee Terms of Reference

(Pages 17 - 18)

*Appendix 3: Joint Overview & Scrutiny Committee Procedure Rules
(Pages 19 - 24)*

6. Review of the Constitution *(Pages 25 - 26)*

Appendix 1: PART F Partnerships (Pages 27 - 32)

Appendix 1: PART F BTVLEP Assurance Framework (17)-1 (Pages 33 - 80)

Appendix 2: PART H - Decision Structure Chart (Pages 81 - 82)

Appendix 3: PART I - Glossary of Terms (Pages 83 - 90)

Note: All reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman's discretion.

Membership: Governance and Electoral Arrangements Committee

Councillors: P Hogan (Chairman)
Dr W Matthews (Vice-Chairman)
D Anthony
J Lowen-Cooper
D Pepler
D Smith

Date of next meeting – To be arranged

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GOVERNANCE AND ELECTORAL ARRANGEMENTS COMMITTEE**Meeting - 16 January 2018**

Present: P Hogan (Chairman)
D Anthony and D Smith

Apologies for absence: Dr W Matthews, J Lowen-Cooper and D Pepler

15. MINUTES

The minutes of the Governance and Electoral Arrangements Committee held on 23 November 2017 were agreed as an accurate record.

16. DECLARATIONS OF INTEREST

There were no declarations of interest.

17. REVIEW OF THE COUNCIL'S CONSTITUTION

In accordance with the agreed constitutional review work programme, Members undertook a detailed review of Part C - Codes Protocol and Procedures and Part E - Schemes of Delegations of the Council's Constitution.

The Council's Constitution was last reviewed in 2014/15 and an updated version came into effect in May 2015. This took account of the reduction in the number of members and incorporated the shared working arrangements with Chiltern District Council in place at the time, together with changes introduced by the Localism Act 2011. Following the implementation of the final shared services reviews for the Planning and Local Land Charge services, all staff (except those at the South Buckinghamshire) now work for both Councils under harmonised terms and conditions. For the effective operation of all services, the Committee noted the importance of ensuring that any codes, protocols and procedures which involve staff, as well as the scheme of delegations to officers, are consistent across both Councils.

The Committee took into consideration the comments which had been sent by Cllr Lowen-Cooper electronically in advance of the meeting.

The Committee requested that the following paragraphs/sentences be rewritten to make them easier to understand:

- Part C – Section C – paragraph 1.2 – to remove the second sentence and for the third sentence to read 'Working relationships between members and employees should never.....'
- Part C – Section C – paragraph 1.3 – replace the word complaint with the word complain (4th line down)
- Part C – Section C – paragraph 2.6 – second sentence to refer to the Chairman of the Overview and Scrutiny Committee
- Part C – Section C – paragraph 5.3 – to be split into two paragraphs. Second paragraph to read 'Members should understand the...'

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- Part C – Section D – paragraph 4.1b – to read 'If the equipment is large it must be.....'
- Part C – Section F – paragraph 1 – the text explaining the timings of planning committee meetings to be reworded
- Part C – Section F – paragraph 2 – replace the word 'Scheme' with the word 'It'
- Part C – Section F – paragraph 5 – update email address and telephone number
- Part C – section I – to make clear what regulations are being referred to.
- Part C – section I – sub section 2) paragraph 6 – the word 'present' appears twice.

Having considered the quoracy for Policy Advisory Groups, the Committee were of the opinion that current arrangements were suitable and that no change was required.

In response to a question regarding how members of the public know to inform Democratic Services in advance of the meeting that they intend to film, photograph or audio record the proceedings, Members were advised that there were signs displayed at the meeting and a note on the agenda asking that anyone who does intend to film, photograph or audio record the proceedings to contact Democratic Services Officer in advance of the meeting. Members were also advised that with regards to filming and photography, a Democratic Services Officer was likely to notice if someone was filming/photographing proceedings.

With regards to the adopted procedure for confirming Tree Preservation Orders by the Planning Committee, clarity was provided on the procedure for speaking at these meetings. The Committee questioned whether objector letters were being included in the committee report in full as stated in the protocol. The Head of Legal and Democratic Services agreed to speak to the Head of Planning and Economic Development to ensure that this was happening.

With regards to the scheme for public speaking at Planning Committee, the Committee discussed the rules around the application of the scheme.

In response to a query regarding how applications can be referred to Planning Committee by Councillors, the Committee were advised that the Constitution limits call in to Members of the Planning Committee. The Head of Legal and Democratic Services agreed to check that this was the wording being used on the Council's website.

The amendments to Parts C and E as agreed would be reflected in the final draft Constitution presented for consideration by the Committee as outlined in the Committee's work programme.

RESOLVED that the proposed revisions to Parts C and E of the Constitution at Appendices 1 and 2 be agreed.

The meeting terminated at 8.15 pm

SUBJECT:	<i>Proposed reduction to the number of Members on the Licensing and Planning Committees</i>
REPORT OF:	<i>Chief Executive, Bob Smith</i>
RESPONSIBLE OFFICER	Joanna Swift, Head of Legal and Democratic Services
REPORT AUTHOR	Mat Bloxham, Democratic & Electoral Services Manager
WARD/S AFFECTED	<i>Not ward specific</i>

1. Purpose of Report

The Governance & Electoral Arrangements Committee is asked to consider a proposal to reduce the number of Members on the Licensing and Planning Committees.

RECOMMENDATIONS to Full Council:

- 1. That the Council's Constitution be amended to reflect the following changes:**
 - i) That the Licensing Committee comprises of 10 Members (reduced from 12) and the quorum for a meeting be 3 Members (remains the same).**
 - ii) That the Planning Committee comprises of 10 Members (reduced from 12) and the quorum for a meeting be 5 Members (reduced from 6).**

2. Reasons for Recommendations

The Council has 28 members in total and 12 members are currently appointed to the Licensing and Planning Committees. The current terms of reference for the Licensing and Planning Committees are attached as an appendix. Members are asked to review this arrangement and consider a proposal to reduce the number of members on each of those Committees.

3. Content of Report

Planning Committee

- 3.1 12 members are currently appointed to the Planning Committee. The total number of members on the Council is 28. This means that almost half of the Council's members are on this Committee. Members are therefore asked to consider whether this number of Committee members is appropriate in light of the total number of members on the Council.
- 3.2 It is proposed that the number of members on the Planning Committee be reduced from 12 to 10 members.
- 3.3 A quorum is the minimum number of members whose presence is necessary at a meeting for the valid transaction of business. The current quorum for Planning Committee is 6 members (i.e half the number of Committee members).

- 3.4 Members are asked to consider the quorum of the Planning Committee alongside any proposed change to the number of members appointed to the Committee. It is therefore proposed that the quorum for Planning Committee be reduced from 6 to 5 members so that it is reduced by the same proportion as that of the number of members on the Committee. Members should consider the perception from a member of the public, applicant or objectors point of view if only 5 members were present at a meeting where planning matters affecting them were being determined.

Licensing Committee

- 3.5 12 members are currently appointed to the Licensing Committee. Similarly to Planning Committee this means that almost half of the Council's members are on this Committee. Members are asked to consider if this number of Committee members is appropriate in light of the total number of members on the Council.
- 3.6 It is proposed that the number of members on the Licensing Committee be reduced from 12 to 10 members.
- 3.7 The current quorum for Licensing Committee is 3 members (i.e quarter of the number of members on the Committee). Members are asked to consider the quorum of the Licensing Committee alongside any proposed change to the number of members appointed to the Committee. It is proposed that the quorum for Licensing Committee remain at 3 members as it is considered that a reduction to 2 members could be perceived as being too low when licensing matters, detailed in Appendix 1, are being considered.
- 3.8 Licensing Sub Committee meetings consist of 3 Members plus a reserve. Members of the Licensing Sub Committee are appointed from the membership of the Licensing Committee. A reduction in the number of Members on the Licensing Committee would reduce the pool of Members that could be appointed to a Licensing Sub Committee. There was however only 1 Licensing Sub Committee meeting held in 2016/17 and 2 meetings held during 2017/18.

Temporary changes & substitutes

- 3.9 The Council's Constitution has recently been reviewed by this Committee and its recommendations will be considered by Full Council on 27 February 2018. One of the proposed changes to the Constitution that will be considered at that meeting is that temporary changes may be made in relation to appointments to Committees. This would allow another Council member to be appointed temporarily to the Licensing Committee when an ordinary member of the Committee will be absent for the whole of that meeting. The Council's Constitution does require that a member must have undertaken the required training relevant to Licensing Committee prior to taking part in that meeting. This would also apply to members appointed temporarily to the Committee.
- 3.10 The Planning Committee Terms of Reference already includes provision for substitute members so that another member of the Council may attend the meeting in the absence of a Planning Committee member for the whole of a meeting. This is detailed in Appendix 1. There is a requirement in the Constitution that a substitute member must have undertaken the required member training for Planning Committee prior to taking part in that meeting.

- 3.11 Any reduction in the number of members on the Planning and Licensing Committees would potentially require the use of temporary appointments and increased use of substitute members to ensure a sufficient number of members are present at those meetings.

4. Consultation

The purpose of this report is to seek the Committee's views on the proposed changes to the number of members on the Licensing and Planning Committees. The decision to agree those changes by amending the Council's Constitution must be made by Full Council.

5. Options (if any)

The Committee may choose to agree to recommend to Full Council that:

- a) The recommendations as detailed in this report be agreed;*
- b) That the recommendation be amended (e.g. a different number of members are represented on the Licensing / Planning Committee) and that alternative recommendations be agreed; or,*
- c) That there be no change to the number of members represented on the Licensing and Planning Committee.*

6. Corporate Implications

Reports must include specific comments addressing the following implications;

7.1 Financial

As there are no material financial implications arising from the recommendations in this report the proposed changes can be met within existing budgets. There may however be a reduction in the number of mileage claims from members for attending Licensing and Planning Committee meetings as there will be fewer members attending those meetings.

7.2 Legal

Changes to the Council's Constitution can only be made by Full Council. A report will therefore be considered by Full Council setting out the recommendations of this Committee.

7. Links to Council Policy Objectives

The recommendations in this report aim to support the delivery of the Council's Objective 1 (Efficient and effective customer focused services).

8. Next Step

Subject to the Committee's comments and recommendations a report will be considered by the Full Council meeting on 16 May 2018.

Background Papers:	None
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Planning Committee Membership

The Planning Committee comprises 12 members.

The quorum for a meeting of the Committee shall be 6 members.

Use of substitutes

The Council will allow the same number of substitutes in respect of each political group as that group holds ordinary seats on the Committee.

Substitute members will have all the powers and duties of any ordinary member of the Committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

Substitute members may attend meetings in that capacity only:

- To take the place of the ordinary member for whom they are the named substitute.
- Where the ordinary member will be absent for the whole of the meeting.
- After notifying Democratic Services before the commencement of the meeting of the substitution they have arranged with their named substitute.

Functions and powers

The Planning Committee is responsible for the following functions and powers:

1. **Planning and Conservation.** Functions relating to town and country planning and development control as specified in Schedule 1 and the matters specified in Regulation 2(2), (3) and (4) in relation thereto of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as varied from time to time (the Functions Regulations). The Schedule is included in Part E of this Constitution.
2. **Trees and Hedgerows.** Powers relating to the preservation of trees and the protection of important hedgerows as specified in Schedule 1, and the matters specified in Regulation 2(2), (3) and (4) in relation thereto of the Functions Regulations.
3. The following powers are also exercised as agents for Bucks County Council:

Responsibility for administering all Tree Preservation Orders made by the County Council prior to the 13 January 1981 including any consents granted in respect of such Orders. [Planning & Development Committee - 22 June 1988 - Minute 101].

Public speaking at meetings

The Committee has adopted a protocol for public speaking at meetings and a Procedure for Confirming Tree Preservation Orders when objections are received both of which are included in Part C which also contains Guidance for all Members on Planning matters.

Licensing Committee

Membership

The Licensing Committee comprises 12 members.

The quorum for a meeting of the Committee shall be 3 members.

Functions and responsibilities

The Licensing Committee is responsible for functions relating to licensing and registration as specified in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as set out in Part E and the matters specified in Regulation 2(2), (3) and (4) in relation thereto of the Functions Regulations, as amended from time to time. The Committee is also responsible:

- For determining applications for betting track licences.
- To determine hearing of the cancellation or refusal of registrations under the Vehicle (Crimes) Act2001.
- To determine and set all fees relating to the function of licensing of Hackney Carriages and private hire vehicles including consideration of any representations thereon or objections thereto.

Licensing Sub Committee

The Committee has set up a Sub-Committee (comprising three members of the Committee) to carry out responsibilities and functions in relation to the Licensing Act 2003 and the Gambling Act 2005 and to hold hearings where required for the renewal, granting, refusing or revocation of Private Hire and Hackney Carriage Licences. Also responsible for functions introduced by the Mobile Homes Act and the licensing of sex establishments. The functions and responsibilities of the Sub Committee are described in more detail in Part E of the Constitution. The procedure followed by the Sub-Committee for these Hearings is set out in Part C of this Constitution. A Guidance Note for members when determining applications or representing objectors in connection with applications pursuant to the Licensing Act 2003 is also set out in Part C.

SUBJECT:	Joint Working - Appointment of a Joint Overview and Scrutiny Committee in relation to oversee the work of Chiltern and South Bucks Joint Committee
REPORT OF:	Chief Executive, Bob Smith
RESPONSIBLE OFFICER	Jim Burness, Director of Resources
REPORT AUTHOR	Joanna Swift, Head of Legal and Democratic Services
WARD/S AFFECTED	None

1. Purpose of Report

To invite comments on a recommendation from Chiltern and South Bucks Joint Committee that a new joint committee be established with responsibility for discharging overview and scrutiny functions in relation to the functions delegated to the Joint Committee. For the avoidance of doubt the recommendations below will not affect the existing overview and scrutiny arrangements in place for items not delegated to the Joint Committee.

RECOMMENDATION

The Committee is invited to reconsider and make comments on the following recommendation from Chiltern and South Bucks Joint Committee:

Subject to receiving and considering comments from the Councils' respective Governance and Electoral Arrangements Committees and the agreement of both Councils:

- 1. That pursuant to section 102 of the Local Government Act 1972 the Councils agree to appoint a Joint Overview and Scrutiny Committee with authority to discharge the Councils' overview and scrutiny functions in relation to the functions delegated to the Chiltern and South Bucks Joint Committee as set out in the terms of reference at Appendix 1 to this report**
- 2. That the rules of procedure for the Joint Overview and Scrutiny Committee be agreed as set out in Appendix 2**
- 3. The Councils' constitutions and respective Cabinet Procedure , Access to Information and Overview and Scrutiny Procedures Rules be amended to reflect the new Joint Committee**
- 4. That the Head of Legal and Democratic Services be authorised to make the necessary amendments to the IAA to reflect the above decisions in consultation with the Chief Executive and Leaders**

2. Reasons for Recommendation

To ensure the overview and scrutiny function in relation to the next phase of joint working arrangements remains efficient and effective.

3. Content of Report

- 3.1 The Joint Committee (JC) was set up under the Inter-Authority Agreement in January 2012. Its terms of reference were amended in 2015 to include responsibility for making decisions and recommendations in relation to the Chiltern and South Bucks Joint Local Plan. These are attached at Appendix 1. Now that Phase 2 of joint arrangements is nearing completion the JC is tasked with establishing and monitoring performance indicators for the arrangements, as well as taking forward Phase 3 Stronger in Partnership including the Customer Experience Strategy and progressing the joint Local Plan. It is therefore appropriate to consider how the Councils' overview and scrutiny functions are discharged in relation to those items delegated to the Joint Committee e.g. joint working arrangements moving forward.
- 3.2 All local authorities with executive (cabinet) arrangements must have at least 1 overview and scrutiny committee with power to review cabinet decisions and make recommendations on the discharge of cabinet functions. Where certain cabinet functions are delegated to a joint committee of both Councils (as it the case for the shared service arrangements at Chiltern and South Bucks), the responsibility for discharging overview and scrutiny functions in respect of these arrangements can become unclear and fragmented. There is, for example, potential for the same JC decision or JC function to be reviewed by 2 separate committees, making different comments and recommendations and reporting back to their respective Councils.
- 3.3 One solution which has been adopted by other authorities implementing shared services is to appoint a joint overview and scrutiny committee with specific authority to scrutinise and make recommendations on decisions taken, and functions discharged, by the Joint Committee only. All the other functions currently discharged by the respective Cabinets at each Council would continue to be scrutinised under existing overview and scrutiny arrangements. Draft terms of reference for such a joint scrutiny committee are attached at Appendix 2. The size of the committee is matter of discretion but it is suggested that 5 members from each Council is appropriate with a quorum of 2 members from each Council. The committee cannot include members of the cabinet and political balance rules apply. It is proposed that co- Chairman be appointed and that chairmanship and meeting venues will alternate.

3.4 The procedural rules under which a Joint Overview and Scrutiny Committee works will also need to be agreed and consequential amendments made to the current procedural rules at both Councils. Draft rules of procedure are therefore also attached at Appendix 3 for consideration. These are based on the rules which apply to the existing overview and scrutiny committees but incorporate provisions necessary to reflect the joint arrangements.

4. **Consultation**

The Joint Committee considered this report at its meeting held on 24 July 2017, and recommended that the recommendations above be agreed by the respective Full Council meetings, subject to the consideration and comments of both Councils' Governance & Electoral Arrangements Committees.

The Governance and Electoral Arrangements Committees at both Councils are being consulted on this proposal because of the necessary amendments to both Constitutions.

The Governance & Electoral Arrangements Committee held on 6 September 2017 at Chiltern District Council agreed the above recommendations, subject to agreement by the respective Committee at South Bucks District Council. The report was deferred by the Governance & Electoral Arrangements Committee meeting held on 27 September 2017 at South Bucks District Council.

5. **Corporate Implications**

Financial – There are no financial implications arising directly from this report

Legal – As set out in the report

Risks issues – None specific

Equalities - None specific

6. **Links to Council Policy Objectives**

There are no direct links to the policy objectives. But an efficient and effective decision-making process accords with best practice and good governance generally.

7. **Next Steps**

Comments from both Governance and Electoral Arrangements Committees will be taken account when taking the recommendation to the respective Full Councils for final approval.

Background Papers:	None except those referred to in the report
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APPENDIX 1

Joint Committee "JC"

MEMBERSHIP AND ADMINISTRATION

- The JC is a Joint Executive Committee of the Authorities, comprising six Cabinet members from each Authority.
- The venue for meetings of the JC will alternate between the Authorities' offices and the Leader of the host Authority will chair each meeting.
- The JC meetings will be considered quorate if at least three elected members from each Authority are present.
- Detailed standing orders will be agreed by each Authority to govern the operation of the JC

RESPONSIBILITIES

The specific responsibilities of the JC are

- To review frequently (and at least on an annual basis as required by this Agreement) the operation of the Inter Authority Agreement between the Authorities and the overall delivery of the Joint Arrangements by the Authorities;
- To consider Business Cases setting out the detail of a Joint Service Proposal;
- To make Joint Decisions on behalf of each Authority following careful consideration of the relevant Business Case. Joint Decisions include:
 - a) Apportionment of the costs of the Joint Arrangements (using the methodology set out at Clause 8)
 - b) Arrangements for the overall structure and resourcing of the Joint Arrangements
 - c) Agreement on the annual budget for the Joint Arrangements
 - d) Consideration and resolution of any matters disputed between the Authorities
 - e) Approval of any external advisors before appointment by an Authority
- To make recommendations to each Authority in respect of Joint Decisions and on the overall way forward for the Joint Arrangements;

- To establish and monitor appropriate performance indicators for Joint Arrangements including financial and service delivery indicators;
- To consider and address any concerns about the Inter Authority Agreement or about the Joint Arrangements in general raised by each Authority;
- To ensure that members of each Authority are regularly updated on the operation and progress of the Joint Arrangements.
- To make decisions and recommendations in relation to the Chiltern and South Bucks Local Plan

OBJECTIVES

The prime purpose of the JC is to drive forward and oversee the Joint Arrangements between Chiltern and South Bucks. To achieve this overall aim, the JC shall (as part of its responsibilities):

- Oversee the development and subsequent delivery of a business case for the creation of a single senior management team (Chief Executive, Directors and Heads of Service) to serve the districts of Chiltern and South Bucks and present conclusions and recommendations to the Authorities both initially and on an ongoing basis.
- Understand the benefits gained and lessons learned from other similar successful and also failed attempts to integrate District Councils and present the findings to the Authorities.
- Recommend a mechanism/formula for the allocation of associated costs and efficiencies across the two organisations.
- Detail the risks, dependencies and resource and policy implications to the Authorities of taking this step and recommend any mitigating actions.
- Propose a communications plan to inform elected members, staff and managers in the Authorities, the media and (where and when appropriate) to residents in the relevant Districts.

Subsequently, consider the next stages of delivering efficiencies through service integration, make any necessary recommendations on the future governance of that process and if requested identify suitable services and a timetable for integration and report accordingly

APPENDIX 2

Chiltern and South Bucks Joint Overview and Scrutiny Committee (JOSC)

Enabling Powers

This Committee is established under the provisions of Section 102 of the Local Government Act 1972.

1. TERMS OF REFERENCE

The JOSC is authorised to discharge the overview and scrutiny functions of the Councils of Chiltern and South Bucks conferred by section 9E of the Local Government Act 2000 in relation to the functions delegated to the Chiltern and South Bucks Joint Committee (JC).

2. GENERAL ROLE

- a) to perform overview and scrutiny functions on behalf of the two Councils in relation to the functions delegated to the JC
- b) to appoint such Sub-Committee or Working Groups as it considers appropriated to fulfil the overview and scrutiny functions
- c) to receive each Councils' annual overview and scrutiny work programmes
- d) to receive requests from the Joint Staffing Committee and Joint Planning Policy Reference Group to carry out additional work and determine whether to proceed with such requests
- e) to make an annual report to both Councils on work undertaken and recommend the annual work programme for the next municipal year

2. RULES OF PROCEDURE

Membership of the Committee

- 2.1 The Councils shall appoint 5 members to the JOSC (politically balanced), appointed in accordance with the respective Councils local procedure rules including their period of office, vacancies arising and related matters.
- 2.2 The Committee shall be re-constituted at each Council's Annual Meeting as may be required by them
- 2.3 Each Council shall be entitled to change its appointees during the municipal year

Chairman and Vice Chairman

- 2.4 The JOSOC shall elect co-Chairman at their first meeting in each municipal year. The Chairmanship of the Committee shall alternate between the Councils each meeting.

Quorum

- 2.5 The quorum of a meeting of the JOSOC shall be 4 provided that there shall be 2 members present from each Council.

Venue for Meetings

- 2.6 The venue for meeting of the JOSOC shall normally alternate between the Councils' offices

Amendments to the Terms of Reference (Functions and Remit)

- 2.7 The Councils may amend the terms of reference and/or membership of the JOSOC from time to time. Any such amendment shall be agreed in writing by reference back to each full Council, taking into account any recommendation from the JOSOC.

Application of Procedure Rules

- 2.8 Rules 5, 6, 12, 13, 16 (save for Rule 16(2) the Chairman shall not have a casting vote), 17, 18, 19, 20 and 21 the South Bucks District Council Procedure Rules shall apply to the meetings of the JOSOC, and which for the avoidance of doubt are the same as Rules 5, 6, 11, 12, 14 (save for Rule 14(2), the Chairman shall not have a casting vote), 15, 16, 17, 18 and 19 of the Chiltern District Council or in so far as they include additional provisions or more generous provisions i.e. time limits on speeches, the additional and more generous rules shall so apply.

APPENDIX 3

Joint Overview and Scrutiny Procedure Rules

1. Application of Rules

These Rules apply to the Joint Overview and Scrutiny Committee ("JOSC") and any ad hoc Sub-Committees of the JOSC.

2. Terms of Reference and Membership

2.1 The Councils' will have a JOSC to discharge the overview and scrutiny functions of both Councils in relation to the functions delegated to the Chiltern and South Bucks Joint Committee ("JC") and appoint members to the JOSC on an annual basis.

2.2 The JOSC may appoint such Sub-Committees or Working Groups as it sees fit.

2.3 The JOSC will comprise five members from Chiltern District Council and five members from South Bucks District Council and shall not include members of either Council's Cabinet.

2.4 Any members (except members of the Cabinet) may be members of the JOSC. However, no members may be involved in scrutinising a decision in which they have been directly involved, for example as a decision-maker or advisor.

3. Meetings

3.1 There shall be at least four Ordinary Meetings of the JOSC in each Council year.

3.2 In addition, Extraordinary Meetings of the JOSC may be called from time to time as and when appropriate. An Extraordinary Meeting of JOSC may be called by :-

a) the Joint Chairman, in agreement, requesting in writing that the Director of Resources call a meeting, or

b) any four Committee Members, being at least one from each Council, signing a requisition and presenting it to the Joint Chairmen.

If the Joint Chairman fail to call a meeting within 7 calendar days of receiving a requisition under b) above the Committee Members may provide notice in writing to the Director of Resources, who will comply with that request unless he/she considers that the matter can be dealt with at the next Ordinary Meeting.

3.3 The quorum for meetings of the JOSC shall be four and include at least two members from each Council.

3.4 The JOSC shall elect co-Chairman at their first meeting in each Council year. The Chairmanship of the Committee shall alternate between the Councils each meeting.

3.5 The venue for meetings of the JOSC shall normally alternate between the Councils' offices

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- 3.6 Meetings will be conducted in accordance with the following Council Procedure Rules :- Rules 5, 6, 12, 13, 16 (save for Rule 16(2) the Chairman shall not have a casting vote), 17, 18, 19, 20 and 21 the South Bucks District Council Procedure Rules shall apply to the meetings of the JOSOC, and which for the avoidance of doubt are the same as Rules 5, 6, 11, 12, 14 (save for Rule 14(2), the Chairman shall not have a casting vote), 15, 16, 17, 18 and 19 of the Chiltern District Council or in so far as they include additional provisions or more generous provisions i.e. time limits on speeches, the additional and more generous rules shall so apply
- 3.7 All meetings will be in public in accordance with the Access to Information Rules except when confidential or exempt items of business (as defined in Section 100C of the Local Government Act 1972), are under consideration.

4. Work Programme

- 4.1 The JOSOC will be responsible for proposing its own work programme and in so doing shall take into account the views of all members of the Committee regardless of political group.
- 4.2 Approval of the JOSOC work programme is the responsibility of the Councils and will be considered and determined by each Council at their May meetings each year, for the following Council year.
- 4.3 Items may be added to the work programme during the year where appropriate. Requests for the inclusion of additional matters will initially be considered by the Joint Chairmen having regard to the Councils' joint strategic objectives and the ability of the JOSOC to have influence or add value on the subject. A recommendation on a request will be made to the next JOSOC meeting for consideration and determination. Consideration should also be given to the capacity of the Committee and resources available. Any changes to the work programme should be reported to the Councils' mid-year for noting.

5. Agenda Items

- 5.1 A member of the JOSOC shall be entitled to request that an item be added to the work programme in accordance with paragraph 4.3 above. Should the Joint Chairmen fail to include the item on the agenda at the next available meeting the member may give written notice to the Director of Resources that they wish an item relevant to the functions of the JOSOC to be considered by the Committee. On receipt of such a request the Director of Resources will ensure that it is included on the agenda for the next available meeting.
- 5.2 Any member of the Council who is not a member of the JOSOC may, on a maximum of four occasions in any Council year, give written notice to the Director of Resources that they wish an item relevant to the functions of the JOSOC to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Director of Resources shall consult the Joint Chairmen who will follow the procedure in paragraph 4.3 above. Should the Joint Chairmen fail to include the item on the agenda at the next available meeting of the Committee the member may give written notice to the Director of Resources that they wish an item relevant to the functions of the JOSOC to be considered by the Committee. On receipt of such a request the Director of Resources will ensure that it is

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included on the agenda for the next available meeting. The Committee will then consider whether or not to include the item on the work programme. If the Committee decides not to include the item the member will be notified of the reasons.

- 5.3 The JOSC shall also consider any request from the Councils or the JC to undertake scrutiny review or policy development work on their behalf and shall adjust its work programme to the extent necessary to carry out such a review or development. If the work was requested by the JC, the reporting back of the findings and recommendations will be in accordance with Rule 7 below. If the review was requested by the Councils, the JOSC's report with its findings and recommendations will be provided to the Director of Resources who shall include the report on the agenda for the next available meetings of the respective Councils.
- 5.4 With the prior consent of the Cabinet Leaders the JOSC may consider a report relating to the discharge of a JC function prior to the matter being considered by the JC.
- 5.5 Where a report is considered by the JOSC prior to the matter being considered by the JC in accordance with Rule 5.4 above:
- 1) Rule 10 (Call-In) shall no longer apply to any decision subsequently made by the JC on that report; and
 - 2) Rule 6 below shall not apply and the JC will be notified of the recommendations of the JOSC by the Director of Resources appending a copy of the minutes of the JOSC to the officer's report or tabling a copy of the minutes at the meeting of the JC.

6. Reports from JOSC to the JC

- 6.1 Once the JOSC in exercise of its overview and scrutiny role has formed a recommendation in relation to any matter falling within its terms of reference and which relates to a JC function, the Joint Chairmen will prepare a formal report (called a "Joint Chairmen's Report") and submit it to the Director of Resources for consideration by the JC. The Director of Resources will, subject to Rule 6.3 below, place it on the agenda for the next available meeting of the JC.
- 6.2 The JC will consider the Joint Chairmen's Report at its next scheduled meeting, unless the matter is urgent when the Director of Resources shall convene a meeting of the JC in order that a report on the urgent matter can be considered.
- 6.3 If for any reason the JC fails to consider a Joint Chairmen's Report at the scheduled JC meeting the report will stand referred for discussion at the next Ordinary Meetings of the Councils.
- 6.4 Once a Joint Chairman's Report been considered by the JC, the Cabinet Leaders will respond in writing (called a "JC Response") and provide a copy to the Director of Resources, giving the concluded views of the JC thereon. The Director of Resources will place the JC Response on the agenda for the next available meeting of the JOSC.

7. Rights of Overview Committee Members to Documents

7.1 In addition to their rights as Members of the Council, Members of the JOSC will have the additional rights to documents and to notice of meetings of the JC as accorded to members of overview and scrutiny committees described in the Access to Information Rules of the Councils' respective Constitutions.

8. Members and Officers Giving Account

8.1 The JOSC may scrutinise and review decisions made or actions taken in connection with the discharge of any JC functions falling within its Terms of Reference. In addition to reviewing documentation, it may require the Cabinet Leaders and any member of the JC, the Head of Paid Service and any Director or Head of Service to attend before it to explain, in relation to matters within their remit :-

- 1) Any particular decision or series of decisions;
- 2) The extent to which the actions taken implement Council policy; and/or their performance;
- 3) And it is the duty of those persons to attend if so required.

8.2 Where any Member or officer is required to attend a meeting of the JOSC under this provision, the Joint Chairmen of JOSC will notify the Director of Resources in writing. The Director of Resources will then notify the Member or officer concerned giving at least 7 days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee would require the preparation of a report, then the Member or officer concerned will be given sufficient notice to allow for this to be done.

8.3 Where, in exceptional circumstances, a Member or officer is unable to attend on the required date, then the JOSC shall in consultation with the Member or officer concerned, arrange an alternative date for attendance to take place within a maximum of six weeks from the date of the original request.

9. Attendance by Others

9.1 The JOSC may invite persons other than those referred to in Rule 8 above to address it and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector. In respect of Council officers this shall not extend to officers below Head of Service level without the agreement of the Head of Paid Service or relevant Director.

10. Call-In of a JC Decision

Classification: OFFICIAL

- 10.1 When a decision is made by the JC and the decision has been published on the Council's website and made available in accordance with the Access to Information Procedure Rules, subject to the provisions of this paragraph, it is subject to call-in.
- 10.2 The record of decision will include the date on which it is published and subject to general exceptions, will specify the date on which the decision will come into force, and may be implemented unless called in.
- 10.3 A decision may be called in:-:
- 1) If it conflicts with the Councils' joint policies;
 - 2) If it conflicts with the Councils' budget strategy; and
 - 3) There is evidence to suggest the principles of decision-making as set in the Councils' constitutions have not been complied with (for example the absence of consultation).
- 10.4 During the period between a decision being made and coming into force:
- 1) The Democratic and Electoral Services Manager shall call-in a decision for scrutiny if any three Members in total from either Council, submit to the Democratic and Electoral Services Manager by email to democraticservices@ southbucks.gov.uk, a request for a matter to be called in. Such a request is to be made by 5.00pm on the fifth clear working day from the day on when the record of decision is published. The request must include the reasons for the call-in
 - 2) Upon receipt of the request the Democratic and Electoral Services Manager shall consult with the co-Chairman and shall determine whether or not the call-in is in accordance with the requirements of these rules. The Democratic and Electoral Services Manager shall notify the Members who made the request of the determination within 2 clear working days of the request being received
 - 3) If the call-in is accepted the JC decision will be put on hold pending referral to the JOSC
 - 4) The Director of Resources shall within 10 clear working days of the call-in being accepted, after consultation with the co-Chairman, call a meeting of the JOSC. Such meeting is to be held on such date as the Director of Resources shall determine, but to be held as soon as is reasonably practicable.

11. Call-In and Urgency

- 11.1 The call-in procedure set out in Rule 10 above shall not apply where the decision being taken by the JC is urgent. A decision will be regarded as urgent if a delay in implementation would be highly likely to result in significant loss of income, additional expenditure or reputational damage or prevent the Councils from meeting their legal obligations.

Classification: OFFICIAL

- 11.2 The record of a decision made by the JC shall state why it is reasonable in all the circumstances to treat the decision as an urgent one, and therefore not subject to call in.
- 11.3 Decisions in accordance with this procedural rule must be reported to the next available meetings of each Full Council.

13. Procedure at Overview Committee Meetings

- 13.1 A JOSC meeting shall consider the following business in the following order:
- 1) Minutes of the last meeting;
 - 2) Declarations of interest (including disclosable pecuniary and personal interests);
 - 3) Consideration of any matter referred to the Committee for a decision in relation to call-in of a decision
 - 4) A Cabinet Response to a co- Chairman's Report; and
 - 4) The business otherwise set out on the agenda for the meeting.
- 13.2 JOSC meetings are to be conducted in accordance with the following principles :-
- 1) The scrutiny will be conducted fairly and all members of the Committee will be given the opportunity to ask questions of attendees and to contribute and speak;
 - 2) That those assisting the Committee by giving evidence will be treated with respect and courtesy; and
 - 3) That the meeting will be conducted so as to maximise the efficiency
 - 4) To be constructive and positive, adopting non-confrontational and inquisitorial techniques
- 13.3 A member who has raised a matter referred to the JOSC may attend the meeting of the Committee where the matter is discussed unless the matter to be discussed includes confidential or exempt information. The Committee will in any event notify the relevant member of its decision and the reasons for it – subject the exclusion of confidential or exempt information.
- 13.4 Where the JOSC completes its consideration of a matter it will decide whether to make any recommendations to Cabinet/Council/publish its report.

SUBJECT:	Review of the Council's Constitution
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Jim Burness, Director of Resources
REPORT AUTHOR	Joanna Swift, Head of Legal and Democratic Services joanna.swift@southbucks.gov.uk Tel: 01494 732761
WARD/S AFFECTED	None

1. Purpose of Report

To review the following Parts of the Constitution: Part F –Partnerships and Part H – Decision Structure and to agree the inclusion of a new Part I – Glossary of Terms.

RECOMMENDATION

That the Committee consider and agree Parts F, H and I of the Constitution as set out in Appendices 1, 2 and 3.

2. Reasons for Recommendation

To ensure the Council's Constitution is up to date and user-friendly for members, staff and the public and to introduce harmonised procedures with Chiltern District Council where this will facilitate more effective running of shared services.

3. Content of Report

- 3.1 The Committee agreed a work programme for reviewing and updating the Council's Constitution at their meeting in July 2017. The Committee completed its review of Parts A to E containing the substantive provisions of the Constitution in January and the revised provisions were agreed by Full Council on 27 February. The remaining 2 sections F and H are now before the Committee for consideration together with a proposed new glossary of terms to be included as Part I.
- 3.2 Part F contains the following documents:-
- **Terms of Reference for Chiltern and South Bucks Strategic Partnership** – These were agreed by both Councils in July 2013 and no revisions are proposed.
 - **Governance Arrangements for Buckinghamshire Thames Valley Local Enterprise Partnership** – The current published arrangements are appended.
- 3.3 Part H contains a decision-making structure chart which has been updated to reflect the current committee structures
- 3.4 Part I is a glossary of terms used in the Constitution to assist members, staff and the public with interpretation.

4 Consultation

The Council is not required to consult on amendment to its Constitution but the Committee can consult with members of the council more widely, either via committees/cabinet or individually if considered appropriate.

5 Options

The Committee is being invite to consider and agree proposed revisions and can suggest further changes if considered appropriate.

6. Corporate Implications

Financial – There are no financial implications arising directly from this report.

Legal – As set out in the report

Risks issues – The lack of an up to date and effective Constitution could increase the risk of governance failures

Equalities - None specific

7. Links to Council Policy Objectives

There are no direct links to the policy objectives. But the Council has a statutory duty to maintain an up to date Constitution and publish this on the website.

8. Next Steps

The revisions will be recommended for approval by Full council in May.

Background Papers:	None except those referred to in the report
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APPENDIX 1

**PART F
PARTNERSHIPS**

Chiltern and South Bucks Strategic Partnership Terms of Reference September 2013

Terms of Reference for the Chiltern and South Bucks Strategic Partnership.

'Our vision is to enhance Chiltern and South Bucks as desirable places to live, work and visit'

1. The key aim is to coordinate and increase the effectiveness of public services, identifying areas of concern with service delivery and flexibility to help diverse groups of users. This will be achieved by:

- 1.1. Identifying the needs and aspirations of local communities, reconciling competing interests where necessary whilst recognising the value of diversity.
- 1.2. Assisting Councillors to engage with their communities and with local views and so be enabled to balance priorities and co-ordinate shared functions.
- 1.3. Developing a joint Sustainable Community Strategy (SCS), based on identified needs and priorities, and regularly reviewing this strategy.
- 1.4. Shaping and steering the strategic commissioning of local services, jointly where possible, to deliver better effectiveness and economies of scale both across the district and in localities, turning the long-term vision set out in the SCS into reality.
- 1.5. Taking part in the consideration of strategic highways matters within the districts.
- 1.6. Co-ordinating community consultation and putting in place a continuing process of planned engagement and involvement for the public.
- 1.7. Formulating shared views on local issues of mutual interest and concern, responding to relevant consultations and identifying areas of concern with service delivery and flexibility to help diverse groups of users.
- 1.8. Linking appropriately with any relevant neighbourhood forums operating within the District.
- 1.9. Establishing a shared understanding of the totality of resources across the partnership, creatively maximising capacity to deliver effectively across partners.

2. Membership

2.1 Each representative will have one vote.

2.2 Voting members will consist of the Steering Group in addition to the following:

Eight County Councillors, four elected Members from each District.

Eight District Councillors, four elected members from each District.

One representative from each Parish / Town Council.

Thames Valley Chamber of Commerce (South Bucks District).

One representative from Arqiva.

2.3 Membership of the Steering Group will consist of:

Two District Officers.

Two County Council Officers.

Four Parish Representatives, two from each District, but note there will be one vote per Parish or Town Council in total.

Two faith and cultural representatives.

One representative from each of the following areas / organisations:

- Action4Youth
- Amersham and Wycombe College
- Bucks Business First
- Bucks Fire and Rescue

Chiltern and South Bucks Strategic Partnership Terms of Reference September 2013

- Clinical Commissioning Group
- Citizens Advice Bureau
- Community Impact Bucks
- Department for Communities and Local Government
- Federation of Small Businesses
- Leisure Centres
- L and Q London Housing Association
- Paradigm Housing
- Thames Valley Police.

2.4 Other interested parties from within the Districts' voluntary, community and private sectors may attend the wider partnership meeting and convey their views.

3. Reporting and Minutes

3.1 Formal agendas and minutes will be issued and it is the responsibility of each organisation's representatives at the meeting to ensure that they use these to report back to their organisation, to maintain information flows.

3.2 Whilst agendas will be prepared by the District Councils, every Parish/Town Council and all other members will be invited to submit items for the agenda and any item which is so submitted will be guaranteed to be placed on the agenda, unless an agreement is reached with the proposer that the item is no longer required.

3.3 In the event of specific issues being the subject of investigation, sub-groups drawn from the membership may be set up, where agreed by the membership.

4. Frequency, Date and Timings of Meetings

4.1 Timing and dates of meetings will be agreed by this body, the assumption being that meetings will be held twice per year.

5. Chairing

5.1 The Chairman should normally, although not exclusively, be the Leader of a District Councillor. The right to nominate the Chairman will rest with the Districts. The position of Vice-Chairman will be agreed by the meeting.

6. Decision Making

6.1 Each member, as listed in 2.2 and 2.3 above, will have equal voting rights.

6.2 However, in the case of any monetary budgets which may have been allocated to the Partnership, the Partnership will advise on, rather than control those allocations, with the final decision being made by the provider of the funds.

6.3 Whilst it would be inappropriate for a formal vote to take place in relation to those sums, the Chairman will ensure that the views of this body are conveyed to the appropriate Council or other organisation.

6.4 The main business of the Partnership will be undertaken by the Steering Group, which will have full delegated authority as set out in their Terms of Reference.

7. Public Attendance and Questions

7.1 The public and press shall be invited to attend all meetings unless the business is defined as confidential under the provisions of the Freedom of Information Act. Chiltern and South Bucks Strategic Partnership Terms of Reference September 2013

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7.2 The public and Members of the Partnership shall be invited to submit questions and such questions should be notified in writing or by electronic mail to the contact shown on each agenda as early as possible before the meeting and in the case of the public, no later than noon two working days before the meeting and for Members, no later than noon one working day before the meeting.

7.3 Questions must be about matters which affect the district area or its residents and must not be defamatory, frivolous or offensive. They must not relate to any existing or proposed application, permission, licence, consent, benefit, grant or enforcement action. Similarly any question which requires the disclosure of confidential or exempt information will not be accepted.

7.4 Decisions on the acceptability of questions will rest with the Chief Executive of Chiltern and South Bucks District Councils.

7.5 No one person may submit more than three questions to each meeting and where several questions relate to the same topic these may be combined. Questions will be answered at the meeting or in writing if the questioner cannot be present. No discussion will take place on questions unless invited by the Chairman. Consideration of questions will normally be expected to last for a maximum of half an hour at each meeting.

8. Petitions

8.1 Members of the public will be entitled to submit petitions but these will be sent to the body which has responsibility for that area of work rather than to the Partnership.

9. Codes of Conduct

9.1 Each Councillor shall be subject to the Codes of Conduct adopted by their own Council and these will apply to Partnership meetings, including notification of interests. Other non-councillor members are asked to give notification of interests in the same way to ensure consistency and transparency.

10. Review and Monitoring

10.1 The effective operation of this body will be reviewed as necessary by the wider Partnership in April 2014 and thereafter as agreed by the partners.

**Governance Arrangements for Buckinghamshire Thames Valley Local Enterprise Partnership
(ATTACHED)**

BTVLEP Assurance & Accountability Framework (Version 17.0)

This Assurance & Accountability framework sets out the arrangements for delivering economic growth in Buckinghamshire, via the Buckinghamshire Thames Valley LEP, its various sub-committees and the partner organisations. It has been developed in response to a requirement placed on us by central government to establish a suitable Assurance & Accountability Framework for handling public funds and seeks to build on previous documents developed by the BTVLEP Executive, agreed at the BTVLEP Board and shared with partners.

It recognises that minimum standards are required to ensure local decision making occurs within a framework that ensures value for money is achieved, that sufficient rigour and probity is applied to prioritisation and resource allocation, and that suitable governance arrangements exist to effectively discharge the responsibilities of the LEP and its partner organisations.

It has been agreed by the BTVLEP Board and the S151 Officer in our accountable body (Buckinghamshire County Council). It is likely to be subject to further change, as government releases specific Growth Deal guidance and as our delivery model evolves and matures. This framework is structured in five parts;

- Part 1: The BTVLEP Governance Model
- Part 2: Local authority partnership working
- Part 3: The role of different bodies in the decision making process
- Part 4: Transparent and Accountable Decision Making
- Part 5: Ensuring value for money - prioritisation, appraisal, business case development, procurement and contracting

Version No.	Description / Changes	Date	Author
1.0	First draft based on an amalgamation of terms of reference and assurance frameworks from existing partnerships	12/08/14	JS
2.0	Second Draft to reflect national guidance and discussion at the previous BTVLEP Board	14/09/14	JS
3.0	Third Draft following meeting with BCC Section 151 officer	17/10/14	JS
4.0	Fourth Draft following further feedback	20/10/14	JS
5.0	Fifth Draft following publication of National Guidance	20/01/15	JS
6.0	Sixth Draft following Review of BCC Constitution	25/01/15	JS
7.1	Seventh Draft following addition of complaints policy	10/03/15	JS
8.1	Eighth draft following review by Section 151 Officer and BTVLEP Board approval and delegation to the Executive to finalise	23/03/15	RA
9.1	Ninth draft to implement suggested amends by S151 Officer	24/03/15	JS
10.1	Tenth Draft to include suggested changes to finance policy	25/03/15	JS
11.1	Eleventh Draft to take account of changes suggested by S151 Officer to clarify working audit and scrutiny arrangements	26/03/15	RA/JS
12.0	Version twelve developed after publication of NAO report to take account March 2016 BIS review of our framework	31/03/16	JS/RA/RH
15.0	Version 15.0 developed after publication of revised national assurance arrangements	16/01/17	JS/IB

16.0	Version 16.0 to take into account feedback from BTVLEP Board at its meeting on January 27 th 2017 and subsequent clarification from Cities and Local Growth Unit.	21/2/17	IB/RA
17.0	Version 17.0 to incorporate feedback from Bucks CC Audit Review in relation to the process for releasing grant funds. Approved by the BTVLEP board at its meeting on September 22 nd 2017	22/09/2017	IB/FM

Background Information

Department for Transport (DfT) guidance for Local Transport Bodies on Assurance and Governance requirements was published in November 2012 and is available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/15176/guidance-localtransport-bodies.pdf

1.0 BACKGROUND

1.1 The LEP National Assurance Framework

1.1.1 In its National LEP Assurance Framework, Her Majesty's Government (HMG) asked all LEPs as part of their Growth Deal to sign up to working with them to develop a single assurance framework covering all Government funding flowing through LEPs, to ensure all LEPs have robust value for money processes in place. The purpose of this LEP assurance framework is to support the developing confidence in delegating funding from central budgets and programmes via a single pot mechanism.

1.1.2 The Final LEP National Assurance Framework was published on 10th November 2016 and can be found at <https://www.gov.uk/government/publications/local-enterprisepartnership-national-assurance-framework>

1.1.3 The LEP National Assurance Framework, informed by LEPs and their accountable local authority sets out what Government expects LEPs to cover in their local assurance frameworks, building on the existing local government system, the Local Transport Body assurance framework, and Skills Funding Agency support offer – all of which underpin this framework.

2.0 THE BTVLEP LOCAL ASSURANCE FRAMEWORK

2.1 Introduction

2.1.1 This document is essentially focussed on establishing an Assurance & Accountability Framework to ensure BTVLEP establishes suitable systems and processes to ensure value for money, greater visibility and transparency of its activities and high quality delivery across the range of interventions;

2.1.2 In setting out the above arrangements, the government states *"It is our intention, wherever possible, to build on process and documents that LEPs already have in place"*.

2.1.3 In light of the above, we have sought to establish our local assurance arrangements to enable us to effectively discharge our financial, democratic and private sector accountabilities; provide inclusive and appropriately resourced bodies to deliver the strategic priorities; and meet Government's 'tests' for leadership and governance.

2.1.4 It's essential that any assurance arrangements for the growth agenda meet the national regulatory frameworks in which the LEP has to operate, but are also fit for purpose to meet the needs of Buckinghamshire.

2.1.5 This Assurance and Accountability Framework is a living document. In accordance with national requirements, BTVLEP will review this assurance framework annually and ask the BTVLEP Board and the Section 151 Officer of the accountable body to sign off the revised local assurance framework, and write to DCLG's Accounting Officer by 28th February each year certifying that the local assurance framework has been agreed, is being implemented and that it meets the revised standards set out in the LEP National Assurance Framework.

2.2 The rationale underpinning our approach

2.2.1 Our whole approach has been based on seeking to achieve a strong alignment between partners and is predicated on the simple principle that getting into 'high-level' service alignment discussions with a range of organisations will, in itself, NOT generate quick returns and impact to the UK economy.

2.2.2 Given this starting point, BTVLEP has concluded that in order to better align our partners collective resources, capabilities and skills in pursuit of shared growth objectives, we need to:

- Develop a shared vision for the local economy which is agreed by all partners and serves to bind them together behind a common set of objectives;
- Retain BTVLEP as an un-constituted association of public and private sector leaders, to oversee the delivery of this plan, influencing government, aligning their organisations and drawing in other organisations to support the delivery as appropriate. Adopting this approach ensures that the LEP can remain a 'light touch' organisation, working with local leaders to support them to build their long term capacity and draw in the private sector to display stronger civic leadership;

2.2.1 However, because BTVLEP is not a formally constituted organisation and the Board is a Strategic Body, we need to put in place an appropriate mechanism(s) for employing our key staff and for overseeing the delivery of our various activities (Growth Implementation Groups).

2.2.2 Given our relatively low allocation of funding to date, we want to avoid undue bureaucracy, whilst also ensuring local arrangements are efficient, effective and capable of meeting Government's tests, which can be summarised as:

- Delivering collective decisions, from all local authority leaders, with evidence of robust underpinning partnership arrangements (for example joint contracts). Different arrangements will apply in different places and might include a Joint Leaders Committee, an Economic Prosperity Board, a Combined Authority or other arrangements.
- Are coterminous with the LEP area, or where this might not be possible have a clear and robust arrangement for engaging those local authorities not formally represented to deliver joint decisions.
- Build a strong relationship with the business community, as well as engagement with wider local partners.

2.2.3 Importantly any local arrangements will need to demonstrate Local Authorities' ability to discharge democratic accountability and (where appropriate) financial accountability for public funds distributed through the LEP.

2.2.4 In addition, the government has asked us to set out how we intend to oversee the development and delivery of future transport schemes, recognising that LEPs, not Local Transport Bodies, will continue to be their key conduit for transport funding.

2.2.5 A model has been developed which is designed to build on what is already working, provide opportunity for wider stakeholder engagement, increased private, public, academic and community sector joint working, and to meet Government's key tests. Importantly, it has also been designed to reflect the strategic priorities of the Strategic Economic Plan, and to ensure that there are specific bodies with responsibility for mobilising the SEP and the European Structural and Investment Fund Strategy.

2.3 BTVLEP powers under this framework

2.3.1 The BTVLEP Board, it's Executive and any sub-groups referred to in this document (including Buckinghamshire Business First, Buckinghamshire Advantage and the Skills Programme Board) will exercise their powers and duties in accordance with prevailing legislation, this Assurance and Accountability Framework, and any other operational guidance deemed relevant.

2.4 Review of this Framework

2.4.1 The BTVLEP Chief Executive will be responsible for keeping this Assurance and Accountability Framework up to date through consultation with the Section 151 Officer, the BTVLEP Board and

wider partners/specialist advice; and making any amendments which are required to reflect any changes, whether made by the BTVLEP Board, the Executive, any Sub-Groups or by legislation.

3.0 PART ONE: The BTVLEP Governance Model

3.1 Introduction

3.1.1 Our proposed governance model is shown in the diagram below. This model places Buckinghamshire Advantage (BA), Buckinghamshire Business First (BBF) and Buckinghamshire Skills Programme Board (BSPB) at the heart of the BTVLEP delivery model, with;

- BA being responsible for overseeing the management and coordination of BTVLEP’s capital investment programme (interventions at the level of place);
- BBF being responsible for overseeing the management and co-ordination of BTVLEP’s business support programme (interventions at the level of the business); and
- BSPB being responsible for the management and co-ordination of BTVLEP’s skills programme (interventions at the level of the individual);

3.1.1 The various partnership bodies/organisations shown in the diagram will work closely with LEP partner organisations, Local Authorities, Buckinghamshire County Council (as Accountable Body) and wider partners to improve the co-ordination of economic development activities and plug gaps in potential service delivery.

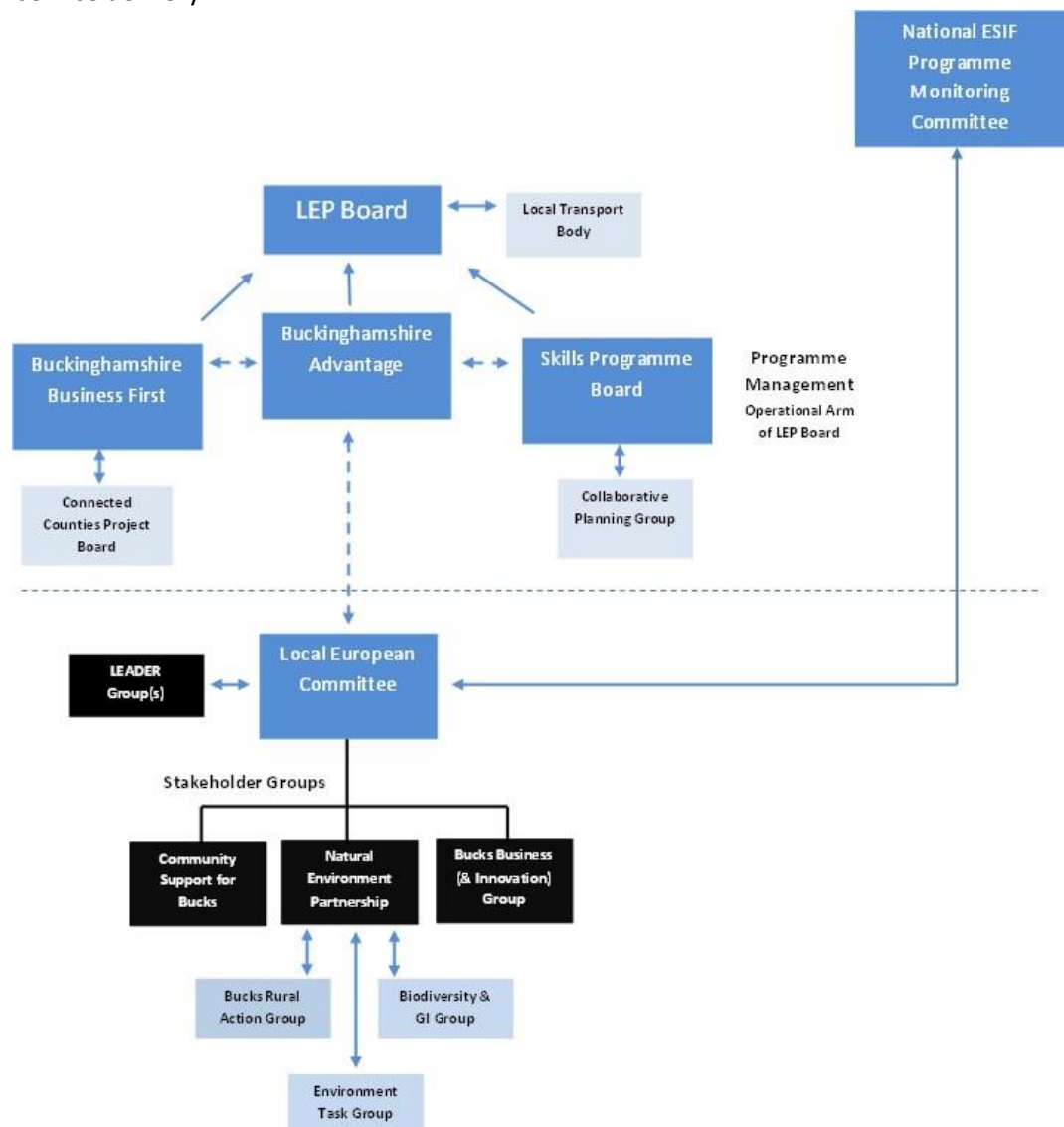


Fig 1. BTVLEP Governance and Delivery Model

3.1.2 Let us go on to explore the composition of the different organisations shown in the diagram.

3.2 The Buckinghamshire Thames Valley LEP Board

- 3.2.1 The Buckinghamshire Thames Valley LEP Board is the key strategic economic development partnership within Buckinghamshire. BTVLEP is an informal partnership.
- 3.2.2 BTVLEP is directed by a board made up of five elected members, one from each of the Buckinghamshire local authorities, and five representatives of the private sector nominated by Buckinghamshire Business First. Each board member has an identified alternate.
- 3.2.3 The board is set at a maximum of 10 members to enable a strong team ethic, fully inclusive debate, and a capacity for rapid decisions.
- 3.2.4 The Chairman is to be one of the private sector directors and is elected by the members of the board. The Chairman, on behalf of the board, represents BTVLEP between meetings or delegates this role to other members. The Vice Chairman is drawn from the public sector representatives on the board and supports the Chairman in their role.
- 3.2.5 The business representatives on the BTVLEP board are nominated by the BBF board. Individual membership of the board is dependent upon the continuing support of the relevant nominating body. The current board members are:-

Organisation	Director
Buckinghamshire New University	Rebecca Bunting
Classic Oils	Guy Lachlan (SME Business Representative ¹)
Pinewood Studios	Andrew Smith
Robert Bosch	Eman Martin-Vignerte
Stupples Chandler Garvey	Michael Garvey
Aylesbury Vale DC	Cllr Steve Bowles
Buckinghamshire CC	Cllr Martin Tett
Chiltern DC	Cllr Isobel Darby
South Bucks DC	Cllr Ralph Bagge
Wycombe DC	Cllr Katrina Wood

- 3.2.6 The five local authorities' BTVLEP Board members should be one of the Leader, Deputy Leader or the Member holding the portfolio for Economic Development. The named alternate is to be drawn from one of the remaining two roles wherever possible and acceptable to the rest of the BTVLEP Board.
- 3.2.7 It is expected that the Business Representatives nominated by BBF will collectively bring experience of appropriate geographies, sectors and sizes of business within the county, and have the relevant skills, experience, time and passion to make a big difference to the LEP agenda. Both BBF and the Local Authorities ensure that in recruiting Board Members and Councillors that they recruit a diverse representation of candidates who are reflective of their local business community (including geographies and protected characteristics). In addition, BTVLEP will review its Membership regularly to ensure it is representative of the local community.
- 3.2.8 The role of Chairman requires an individual with extensive experience running a private sector business, but also, if possible, with a detailed knowledge and understanding of how the public sector works and of key relationships with other LEPs and Central Government.
- 3.2.9 The appointment of its private sector Chairman, who leads the LEP team, from its number, is a matter for the LEP board.
- 3.2.10 A Board member shall cease to be a member in the event of:
- such member giving written notice to the BTVLEP Board of their resignation, to take effect on receipt by the Board of the notice of resignation or, if later, the date stated in the notice;

- such member's death or, being a corporation, its winding up;
- such member's bankruptcy, making of any arrangement or composition with his creditors, or liquidation, or in the case of an organisation, winding up, liquidation, dissolution or administration or anything analogous to any of the foregoing occurring in relation to a member;
- such member ceasing to have an office or other base within the BTVLEP Region or ceasing to be employed by such organisation as entitles them to be a member;
- such member no longer carrying the confidence of a majority of the BTVLEP board.

3.2..11 BTVLEP will review its membership regularly.

3.2..12 It is recognised that a board of 10 is not able to have direct representation of all interested constituencies within the wider community, therefore sub-groups and task and finish groups will be convened by the board as necessary to oversee or deliver particular activities, with the board agreeing the terms of reference for such sub-groups prior to their formation and monitoring their performance. Such sub groups help inform debate by the board of the LEP's priorities and manage the delivery of the LEP work programme.

¹ Responsible for representing and engaging with the SME business community in Buckinghamshire (both through his role as Chair of Buckinghamshire Business Group – an association of BROs in Buckinghamshire – and wider activities)

3.2..13 The Board may meet together for the despatch of business, adjourn and, regulate their meetings as they think fit. Questions arising at any meeting shall be decided by a majority of votes and each qualifying Board member shall have one vote.

3.2..14 In case of an equality of votes, the Chair shall have the casting vote.

3.2..15 No business shall be transacted at any Board meeting unless a quorum is present. A quorum shall be seven Board members present in person or by alternate Board Member

3.2..16 Where the Board considers such attendance worthwhile or necessary to the matters to be transacted at the relevant meeting of the Board, it shall be entitled to invite relevant third parties to attend any meeting of the Board as observers providing that such third parties agree to be bound by obligations of confidentiality reasonably acceptable to the BTVLEP Board but shall not be entitled to vote.

3.2..17 In addition to serving on the Board, members may be asked to serve on any ad-hoc committees as required as well as attend other meetings and events on behalf of the LEP.

3.2..18 Board members are de-facto ambassadors of the BTVLEP, and as such there will be a number of events and activities throughout the year where some Board member attendance may be required, which will be agreed in advance.

3.2..19 It is expected that a Board member will do their best to support BTVLEP when their assistance is required

3.3 Buckinghamshire County Council

3.3..1 Buckinghamshire County Council is the Accountable Body for all BTVLEP contracts with central government.

3.3..2 Local Growth Fund resources will be paid via a Section 31 grant determination to BCC as lead local authority (accountable body). The proper use and administration of this funding will be set out through the grant funding letter/agreement, this assurance framework and the wider implementation summary. It is important to note that it is the Government's expectation that accountable bodies cannot use this funding for their own purposes, or without any clear mandate from the LEP.

3.3..3 BCC, working with relevant BTVLEP officers, will need to put in place appropriate arrangements for the proper use and administration of funding, building on the existing local government systems, and which fall under the annual audit of the local authorities accounts. The accountable local

authority will also be responsible for ensuring that decisions are made in accordance with the local LGF assurance framework.

3.4 **Buckinghamshire Business First (BBF)**

3.4.1 BBF is an independent not-for-profit private company limited by guarantee (Registration No: 04107584), with an entrepreneurial private sector Board who have invested circa £100K of private funds, have a contract with BCC to deliver economic development support in the County, and is focussed on what businesses need.

3.4.2 The current directors of Buckinghamshire Business First are :-

Organisation	Director
Classic Oils	Guy Lachlan
Pinewood Studios	Andrew Smith
Serious Brands	Alex Pratt
Stupples Chandler Garvey	Michael Garvey
Buckinghamshire Business First	Philippa Batting
GE Healthcare	Conor McKechnie
Robert Bosch	Eman Martin-Vignerte
Thomas International UK Ltd	Martin Reed
ANT Telecommunications	Klaus Allion
Harwood Hutton	Adam Stronach
Intel Security - McAfee	Paul Gartside
Buckinghamshire New University	Rebecca Bunting

3.4.3 With diverse business membership, a professional research and evidence base and capability, BBF provides a clear conduit through which all businesses in the county can impact effectively with the Local Authorities on strategic business matters. Every Bucks based business is entitled to join BBF without charge.

3.4.4 BBF remains separated from BTVLEP in much the same way as the LAs are involved as a partner but are also separate entities in their own right.

3.5 **Buckinghamshire Advantage (BA)**

3.5.1 Buckinghamshire Advantage is a not for profit private company, limited by guarantee (Registration No: 05271232), with the company being jointly owned by Wycombe District Council, Chiltern District Council, South Bucks District Council, Aylesbury Vale District Council, Buckinghamshire County Council and Buckinghamshire Business First. Each of the Member organisations detailed above can appoint one Director and there is a minimum of six or a maximum of 12 Directors.

3.5.2 The Members acting jointly have agreed to appoint a further 5 private sector Directors and the Managing Director of the Company shall also be appointed as a Director. At the time of writing the members of the Board are;

Organisation	Director
MD, Ingman Capital Partners	Phil Ingman
Chairman, Berkeley Homes, Strategic Division	Adrian Brown
Group Development Director, FCC Environment	Richard Belfield

Chiltern District Council	Anita Cacchioli
South Bucks District Council	Bob Smith
Wycombe District Council	Karen Satterford
Aylesbury Vale District Council	Andrew Grant
Buckinghamshire County Council	Neil Gibson
Buckinghamshire Business First	Michael Garvey
BTVLEP	Richard Harrington

3.5.3 The Board will also appoint a Board Chair from the appointed Directors. Each Member Organisation is entitled to appoint an alternate Director to attend any Board Meeting or otherwise to vote on any decision provided the Board have had sufficient notice.

3.5.4 The BA Board's first Chairman, Adrian Brown, was appointed by the board on 23 June 2014 and agreed to serve for an initial period of 12 months.

3.5.5 Each Member can also appoint a representative "observer" to attend Board meetings in a nonvoting capacity. Board resolutions are decided by a majority vote and in the case of an equality of votes the Board Chair does not have a second or casting vote and the matter will be referred to the Members for their approval. The number of Directors required for a Board meeting to be quorate is 6

3.5.6 BA will review its membership annually and will consider whether membership should be expanded, on the proviso that democratically-elected members will retain a majority voting share.

3.6 The Buckinghamshire Skills Programme Board (BSPB)

3.6.1 The Buckinghamshire Skills Programme Board has been established as an un-constituted partnership to develop the Buckinghamshire Skills Strategy and implement the various workstreams within that strategy. BTVLEP is currently initiating an open and transparent recruitment drive to refresh its Board Membership, which we are aiming to build around the framework set out overleaf;

Representing	Person
Bucks New University	Rebecca Bunting (Chair)
Mix 96	Max Hailey
ATG Training	Jon Adams
Health Education Thames Valley	Abigail Changer
Bucks County Council	Mike Appleyard
Buckinghamshire New University	Sean Mackney
Buckinghamshire Business First	Heather Dean
Buckinghamshire College Group	Karen Mitchell
GE Healthcare	Ruth Nash
Misbourne School	Robert Preston
Adviza	Sue Gale
Clarks of Amersham	Paul Batey
Medical Supermarket	Nick Coleman
Thomas International	Martin Reid
BTVLEP	Ian Barham / Jackie Campbell

3.6.2 The Buckinghamshire Skills Board's current work programme is focussed on:

- Making Apprenticeships work for Employers in Bucks;
- Developing a new model for Information Advice and Guidance in Bucks;
- Developing a ' Bucks gold standard' for employability skills;
- Labour Market intelligence; □ Future thinking; and
- Supply side planning.

3.6.3 In order to address this last issue, it has established a Collaborative Planning sub-group.

3.7 **The Buckinghamshire Local Transport Body (BLTB)**

3.7.1 The Local Transport Body will be known as the Buckinghamshire Local Transport Body, referred to as BLTB throughout the remainder of this document. The geographical boundary of the BLTB will be the administrative boundary of Buckinghamshire County Council (BCC).

3.7.2 Membership of the BLTB consists of a core decision-making board with voting rights, and a wider interest group to ensure sufficient input from strategic stakeholders as necessary. Voting Members will be:

- BCC Cabinet Member Transportation (LTB Chair)
- BCC BTVLEP Board Member
- Private Sector BTVLEP Board Member

3.7.3 Each voting member will need to nominate a substitute in the event that they are unable to attend a meeting. Membership will be subject to regular review and members will be subject to the usual rules and regulations regarding conflicts of interest, gifts and hospitality etc.

3.7.4 It is also proposed that there will be a further non-voting BCC member, to be nominated, to offer advice and guidance in line with the County Council's ETL Select Committee recommendations.

3.7.5 Wider interest group membership will vary depending on circumstance, but is likely to include District Councils and the Highways Agency plus other agencies by invitation as required.

3.7.6 BLTB will review its membership annually and will consider whether membership should be expanded, on the proviso that democratically-elected members will retain a majority voting share

3.8 **Cross LEP Working**

3.8.1 As far as cross LEP working is concerned, BTVLEP has established a number of mechanisms for working with other LEPs around the country, on cross boundary issues;

- The LEP Network – BTVLEP is active in helping to establish and steer the 'refreshed' LEP Network. This provides us – and all the LEPs around the country – with an ideal mechanism to identify opportunities and implement a range of collaborative activities;
- The GTV – BTVLEP has been instrumental in establishing the GTV, a network of LEPs in the Greater Thames Valley area, whose Chairs and Chief Executives meet regularly to explore opportunities to collaborate;
- SEMLEP – BTVLEP has established an MOU with SEMLEP, setting out how we will work together on joint activities, which is reviewed regularly

4.0 PART TWO: Local authority partnership working

4.1 Introduction

4.1.1 Central government wants to be confident that there are strong underpinning local authority partnership arrangements in place to facilitate joint decision making and collaboration on growth and economic development between all local authorities in each LEP area.

4.1.2 Given the above, central government has stated that it believes that;

- It is important that local authorities across the LEP area don't just 'support' growth priorities but actively play a part in ensuring their delivery - by aligning strategic plans, through use of their powers and competencies and through pooling and aligning of local resources and efforts.
 - Areas should seek to develop an arrangement which enables collective engagement of local authority leaders in decision-making on growth priorities, ideally with the LEP represented, supported by strong collaboration and joint delivery at executive level.
- 4.1.3 In order to address this issue the BTVLEP Board will operate in such a way which enables local authority leaders to proactively and collectively debate and discuss their economic development and growth priorities, encouraging collective decision-making and resource planning, where appropriate.
- 4.1.4 In addition, the BTVLEP Board will provide regular opportunities to enable local authorities to share their corporate plans, their medium term plans, their service plans and their evolving business models – in such a way which enables partners to explore how plans, resources and capabilities might be better aligned.

5.0 PART THREE: The role of different bodies in the decision making process

5.1 The BTVLEP Board

- 5.1.1 The BTVLEP Board is responsible for strategic leadership of the economic development/growth agenda in Buckinghamshire. The BTVLEP Board is also responsible for prioritisation and technical appraisal of schemes pre-award of any funding, although it may choose to delegate the technical appraisal of schemes to one of its delivery bodies, an independent external specialist, or any combination of these, if considered beneficial and/or financially expeditious.
- 5.1.2 The key purpose of the BTVLEP board is to provide 'helicopter' direction for economic development interventions in Buckinghamshire and manage strategic/operational risk within the BTVLEP delivery programme. Key functions of the board are to ensure economic development activity in the county is well co-ordinated, that duplication is avoided, and that regular updates on projects and initiatives are undertaken.
- 5.1.3 The BTVLEP Board has the following strategic objectives;
- To work with public and private sector partners to develop a shared vision for the future of the local economy and use the LEP Board as a forum for collective discussion and decision making on strategic growth priorities.
 - To agree a prioritised list of investments within the available budget drawn from the agreed resources and bid for additional funding, according to the approach set out in this framework.
 - To make decisions on individual scheme approvals, investment decision making and release of funding, including scrutiny of individual scheme business cases, according to the approach set out in this framework.
 - To identify, monitor and evaluate strategic risks to funded projects/the delivery of key objectives
- 5.1.4 The BTVLEP Board will operate as a strong public-private sector governance, accountability and decision making unit. The LEP board will agree the finalised local assurance framework ensuring all key partners are signed up.
- 5.1.5 At all times the imperative for the BTVLEP is to focus on actions to help businesses thrive. It is recognised that economic development is a complex agenda that is hugely important to Buckinghamshire, and no single body is able to provide everything that is needed to deliver the best result for employers, residents and taxpayers.
- 5.1.6 There is an implicit obligation on the LEP to lead in avoiding duplication of effort. Clear two-way communication between all partners involved in economic development and sharing of information avoids potential overlaps. Because of this, the BTVLEP Board will regularly explore the potential to align, pool and/or share assets.

- 5.1.7 All partners to the LEP agree to work together in a win/win partnership to deliver what is best for Bucks as a whole and for its constituent parts.
- 5.1.8 As a matter of Board policy, all meetings of the Directors must have a predefined purpose, be furnished with action-oriented information, have a focussed agenda, and allow reasonable time for adequate debate and considered decisions.
- 5.1.9 With this objective in mind, prior to meetings of the Board;
- Papers will be circulated a minimum of five days in advance of the Board meeting.
 - The Board meeting will be conducted on the assumption that Board members have read Board papers prior to the meeting.
 - Each paper will be annotated to the effect that it is for 'discussion', 'decision', or 'information.
 - 'Any other business' items should be raised with the Chairman prior to the Board meeting. Items tabled at the meeting will only be accepted in exceptional circumstances. □ A timed agenda will be laid out in advance.

Role and Responsibility of the Chairman

- 5.1.1 The role of the Chairman is to lead the Board in defining vision and direction, and in delivering the desired outputs, whilst ensuring that appropriate procedures for governance and management of resources are in place.
- 5.1.2 The key responsibilities of the post are to:
- Ensure the BTVLEP's Vision, Direction and Strategy are understood and influenced by key Stakeholders.
 - Take charge of key relationships at the stakeholder and political levels, and function to prevent stress in the relationship at an operational level while building strong partnerships.
 - Comply with any reporting requirements of the accountable body (BCC).
 - Provide regular reports on the on-going delivery of projects, highlighting any risks and outputs achieved.
 - Build a strong complementary relationship with the Secretariat.
 - Ensure that the principles of good practice on appointments, openness, codes of conduct and practice, and conflicts of interest are defined, monitored and adhered to.
Ensure that individual Board members and the Board develop as a team.
 - Regularly review succession planning for the positions of Chair, Vice Chair, and Board members.

Role and Responsibility of the Vice Chairman

- 5.1.22 The role of the Vice Chairman of the Board is to support the Chairman in all their Board dealings, and to deputise for him if possible when asked to do so. The key responsibilities of the post are to:
- Chair meetings of the Board when the Chairman is unavailable.
 - Support and assist the Chairman in upholding his responsibilities.

Role and Responsibility of Board Members

- 5.1.23 Board members have a responsibility to uphold high standards of integrity and probity. They should support the Chairman and Vice Chairman in instilling the appropriate culture, values and behaviours in the boardroom and beyond.
- 5.1.24 Board members should take into account the views of other stakeholders, because these views may provide different perspectives on the LEP and its performance.
- 5.1.25 The duties and responsibilities of a Board member are to:

- Contribute to setting of clear Vision, Mission, Objectives and Strategy
- Collectively be the ultimate strategic policy-makers for BTVLEP through decision-making on the Strategic Economic Plan and other core policies
- Be involved in the decision-making and accountability processes of BTVLEP □ Maintain the highest standards of conduct and ethics at all times.
- Invest appropriate time to keep abreast of key developments
- Recognise collective responsibility. Adhere to, and support Board decisions.
- Elect, from their number, a Chairman and Vice Chairman.
- Act in a non-parochial manner on behalf of all residents and businesses in Bucks

5.1..26 Board Members will have such rights of access to all documents and information necessary for proper discharge of their functions in accordance with the law.

5.1..27 Board Members will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a member or officer entitled to know.

5.1..28 Because BTVLEP is an un-constituted partnership, Board members indemnity falls to being the responsibility of their employer/host organisation.

5.2 The BTVLEP Executive

The Role and Responsibility of the Chief Executive

5.2..1 The BTVLEP Chief Executive will;

- Ensure that relevant decisions and activities of BTVLEP, BA, BBF and the Buckinghamshire Skills Programme Board conform with legal requirements with regard to equalities, environmental, EU procurement etc., seeking third party advice where appropriate;
- Develop an annual/three year BTVLEP revenue budget for Board approval every year, setting out the proposed split of resources between BTVLEP, BBF, BA and the Skills Programme Board.
- Report to the BTVLEP Board, where he/she considers it appropriate to do so, on the manner in which the discharge of BTVLEPs functions is to be co-ordinated, the number and grade of officers required for the discharge of functions, and the organisation of officers.
- Grant dispensations to BTVLEP Board Members in respect of any conflict of interest other than a disclosable pecuniary Interest to allow them to participate in discussion and debate during meetings and/or seek external legal advice on such matters, where necessary.
- Ensure that this Accountability and Assurance Framework is kept up to date and amended to reflect changes in legislation, BTVLEP Board decisions and changes of fact.

After consulting with the Section 151 Officer (BCC) where practicable, report to the BTVLEP Board if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

- Contribute to the promotion and maintenance of high standards of conduct (in accordance with the gov.uk guidance “The 7 principles of public life”¹).

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.

¹ <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

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.

- Ensure that Executive decisions, together with the reasons for those decisions and relevant reports and background papers, are made publicly available as soon as possible.
- Advise whether proposed decisions of the BTVLEP Board are in accordance with the budget and policy frameworks in consultation with BCC's Section 151 Officer.
- Seek external legal advice, as appropriate, on any issues relating to the scope of the BTVLEP Boards/Board Members powers and authority to take decisions, maladministration, financial impropriety, probity, regulatory (equalities, social value, environmental, State Aid, procurement etc.) and budget and policy issues.
- Ensure business cases are appropriately scrutinised, prior to being considered by the BTVLEP Board

The role of the Senior Management Team

5.2.2 As BTVLEP is an un-constituted body, the BTVLEP secretariat, administrative and technical support will be provided by staff employed by Buckinghamshire Advantage, Buckinghamshire Business First, Buckinghamshire County Council, the 4 District Councils and/or local skills providers. Such resources will be under the direct operational control of BTVLEP through its staffing structure.

5.2.3 The BTVLEP Board, and/or a Remuneration and Appointment sub-committee formed of BTVLEP Board members, will be responsible for the appointment and dismissal of the Chief Executive. **The role of the wider Executive**

5.2.4 BTVLEP has delegated the appointment, discipline and dismissal of all other staff to the Chief Executive.

5.2.5 Subject to the availability of budget, the BTVLEP Chief Executive may appoint such staff and contractors he/she considers to be appropriate for the discharge of its functions.

5.2.6 Because BTVLEP staff are employed by a host of organisations, staff indemnity against any expenses liability, loss claim or proceedings whatsoever arising from their neglect, act, error or omission also falls to being the responsibility of their employer/host organisations

5.3 **Buckinghamshire County Council**

5.3.1 As Accountable Body for BTVLEP, BCC is responsible for ensuring appropriate arrangements are in place for the proper use and administration of funding, building on the existing local government systems, which fall under the annual audit of the local authorities accounts. The accountable local

authority is also responsible for ensuring that decisions are made in accordance with the local LGF assurance framework.

5.3.2 As the accountable body for Local Growth Funding, BCC will:

- Ensure (through their Section 151 Officer) that the funds are used appropriately, including the ability to account for these funds in such a way that they are separately identifiable from the accountable body's own funds;
- Sign off the local assurance Framework, and write to the Accounting Officer in DCLG certifying that a local assurance framework is agreed, is being implemented and that it meets the standards articulated in the national framework.
- **Support the independent scrutiny assessment of the operation and performance of BTVLEP**
- Ensure that the BTVLEP assurance frameworks is published on the BTVLEP website, and reviewed annually to ensure transparency in decision making.
- Ensure that the BTVLEP assurance framework is being adhered to;
- Maintain the official record of BTVLEP proceedings, ensuring all relevant documents are retained for future inspection;
- Be financially responsible for the decisions of BTVLEP Board in approving schemes (for example if subjected to legal challenge).

5.3.3 BCC will achieve the above objectives by;

- Collaborating on the development of, and signing off this Local Assurance Framework;
- Ensuring the Section 151 Officer attends the BTVLEP Board Meetings as an Observer;
- Asking BCC's S151 Officer to commission an annual audit of BTVLEPs financial controls and systems, to ensure the BTVLEP has put in place sufficiently robust systems to ensure appropriate arrangements are in place for the proper use and administration of funding. **Role and Responsibility of the Section 151 Officer in Buckinghamshire County Council**

5.3.4 The Section 151 Officer will be responsible for;

- Ensuring financial prudence of decision making - After consulting with the BTVLEP Chief Executive, where practicable, the Section 151 Officer will report to the BTVLEP Board (in relation to an Executive function), if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is likely to cause a loss or deficiency or if BTVLEP is about to enter an item of account unlawfully.
- Administration of financial affairs - Will have responsibility for the administration of the financial affairs of BTVLEP; leading the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.
- Contributing to corporate management - Will contribute to the corporate management of BTVLEP, in particular through the provision of professional financial advice, and be actively involved in all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and aligned with BTVLEP's financial strategy.
- Providing advice - Will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all members and will support and advise members and officers in their respective roles.
- Certifying the robustness of BTVLEP's Estimates - will have responsibility for certifying the robustness of BTVLEP's Budget estimates and the adequacy of BTVLEPs reserves.

5.4 **Buckinghamshire Advantage**

5.4.1 In July 2013, the BTVLEP Board agreed that it would like to establish a delivery mechanism to oversee the day-to-day management and co-ordination of its capital programme, and - where appropriate - deliver capital projects on the LEPs behalf.

5.4.2 Buckinghamshire Advantage has the following strategic objectives:

- Actively managing the BTVLEP devolved budget and programme to respond to changed circumstances (scheme slippage, scheme alteration, cost increases etc.)
- Responsibility for ensuring value for money is achieved; and
- Monitoring progress of scheme delivery and spend;

5.4.3 Buckinghamshire Advantage is responsible for the day-to-day management and oversight of BTVLEP's capital programme, much of which is likely to be delivered by a range of different project sponsors. In undertaking this role, Buckinghamshire Advantage will be responsible for ensuring local growth funds are invested to maximum effect; any emerging risks are mitigated or referred to the LEP Board for resolution; and the local delivery capability of partners is aligned behind the core programme;

5.4.4 Buckinghamshire Advantage is ideally placed to provide a centralised, cost effective oversight and management support service of the BTVLEP Capital programme, because its board composition encompasses a mix of public/private specialist development expertise and its executive possesses considerable experience of delivering large scale capital programmes.

5.4.5 In certain circumstances, Buckinghamshire Advantage may also bid to be directly involved in the delivery of part of its capital programme, where it feels the scheme risks, timing, affordability, market failure and/or any other key issues might necessitate BA taking a more direct delivery role than might ordinarily be desirable. In such circumstances BTVLEP will need to satisfy itself that operating in this way offers good value for money, improved outcomes/impact etc. and that this assurance and accountability framework is being complied with.

5.5 **Buckinghamshire Business First**

5.5.1 Buckinghamshire Business First's role within BTVLEP is to bring a well evidenced, non anecdotally reliant, collective business voice to the table, supporting business and jobs growth; augmenting and shaping the strategic economic development work being undertaken by the partners, facilitating better practice and assisting LAs where possible.

5.5.2 Buckinghamshire Business First is also responsible for the delivery of Buckinghamshire's Local Growth Hub, which - as its name suggests – is intended to sit at the heart of a diverse and buoyant business services marketplace. This, combined with its strong business membership, its experienced executive and robust back office systems (business database, email contacts etc.) means it is ideally placed to provide a cost effective management, oversight and central support service for BTVLEP's business support programme.

5.5.3 At the very heart of the national proposition for Local Growth Hubs is the principle that they should;

- Engage in discussions with and involve as partners in the Growth Hub all key local bodies involved in business support (which will typically include the LEP, LAs, business groups such as Chambers of Commerce and the FSB, universities and others). In practice, this means Growth Hubs should establish strong working links between all of the institutions involved in providing business, innovation and trade support in their area (national, local, public and private), with effective leadership under the strategic governance of the LEP and formal agreements with the partners;
- Publish clear and inclusive governance arrangements under the oversight of the LEP with appropriate business representation, and a clear plan for delivering and sustaining the Growth Hub, including other sources of funding and match funding where possible.
- Actively promote all forms of business support available in their area, aligning with the Business is GREAT campaign and provide a diagnostic and signposting service for all businesses which covers all available business support across the LEP area (national, local, public and private). This should help businesses understand what support would help them most and connect them to that support. This service is likely to be provided through a range of different mediums - a website, telephone line, face-to-face advice, account management - but will provide a consistent level of information to businesses. This function should wherever

possible make use of existing national assets, such as GOV.UK and the Business Support Helpline.

- Support the integration of national and local business support so that it works seamlessly together.

5.5.4 In certain circumstances, BTVLEP may also ask Buckinghamshire Business First to directly deliver part of its business support programme, particularly where it feels the task needing to be undertaken is particularly consistent with the role and/or sustainability of a Local Growth Hub (as opposed to stimulating market based delivery). In such circumstances BTVLEP will need to satisfy itself that operating in this way offers good value for money, improved outcomes/impact etc. and that this assurance and accountability framework is being complied with.

5.6 Buckinghamshire Skills Programme Board

5.6.1 As indicated previously, the Buckinghamshire Skills Programme Board has been established as an informal partnership to develop the Buckinghamshire Skills Strategy and implement the various work-streams within that strategy. Buckinghamshire Skills Board is responsible for the day-to-day management and oversight of BTVLEP's skills programme.

5.6.2 At the time of writing, it is presently refreshing its membership and structure, through an open and transparent recruitment process.

5.6.3 Whilst we do not envisage – as an informal partnership – that the Skills Board will ever ask BTVLEP to directly deliver skills projects on the Board's behalf, we do envisage that this will necessitate its Executive being employed by or contracted to a partner organisation, and that any projects will need to be tested for value for money/impact etc. and that this assurance and accountability framework is being complied with.

5.7 Buckinghamshire Local Transport Body

5.7.1 The sole focus of the Local Transport Body is to allocate the remaining £6.2m of allocated Local Transport Majors Funding. Moving forward, scheme prioritisation and appraisal of transport projects will be the responsibility of the LEP Board, acting on the advice of Buckinghamshire County Council, as the only local Transport Authority in the LEP Area. As stated above, the BTVLEP Board may choose to delegate the technical appraisal of any transport schemes to one of its delivery bodies, an independent external specialist, or any combination of these, if considered beneficial and/or financially expeditious.

5.7.2 The primary role of BLTB is to prioritise where the remaining £6.2m of Local Transport Majors 'allocated' Funding that Buckinghamshire has been awarded will be invested. Because future funding of major new transport infrastructure is largely assumed to be competitive, and likely to be driven through LEPs, we have assumed that all future major transport infrastructure investment decisions are likely to be taken at the BTVLEP Board.

6.0 PART FOUR: Transparent and Accountable Decision Making

6.1 Documents which guide LEP policies and actions

6.1.1 As a LEP, BTVLEP operations are framed by a number of key documents, which help guide our decision making. These documents include;

- **Strategic Economic Plan (SEP)** – The SEP sets out what BTVLEP is aiming to achieve through a vision, set of aims, medium to long term objectives.
- **Infrastructure Investment Plan** – The Infrastructure delivery plan prepared by Buckinghamshire Advantage;
- **Growth Deals** -The various Local Growth Deals government will agree with LEPs over the period 2014-2021

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- **Implementation Plan** – The evolving Local Growth Deal implementation plan, which sits as a document between central government and BTVLEP, setting out the key delivery milestones, outcomes, outputs and impacts associated with the Local Growth Deals;
 - **Monitoring and Evaluation Plan** – The Plan BTVLEP has agreed with government for monitoring their Local Growth Deal;
 - **Strategic Communications Plan** – The Communications Plan BTVLEP has agreed with government for promoting Local Growth Deal related activities;
 - **Revenue Budget** – The Annual/Three Year Budget prepared by the Chief Executive for deploying BTVLEP revenue funding in pursuit of the goals of the Strategic Economic Plan and the Local Growth Deals;
 - **The Buckinghamshire ESIF Strategy** – The Strategy developed under the direction of government, for defraying EU Structural Funds in Buckinghamshire between 2014-2020;
 - **The BTVLEP Annual Report** – summarising the previous year’s delivery and including a summary of our annual accounts, which will be published on our website within 3 months of year end;
- 6.1..2 In addition to these documents, BTVLEP will put in place Service Level Agreements, or Memoranda of Understanding with its key sub-boards (Buckinghamshire Business First, Buckinghamshire Advantage and the Skills Programme Board) and its Accountable Body (Buckinghamshire County Council) to set out what responsibility it is delegating to these bodies on an annual basis, and the budget that will flow to discharge these responsibilities.
- 6.1..3 Through these documents, the Executive Staff responsible for leading these sub Boards (The MD of Buckinghamshire Business First, the MD Buckinghamshire Advantage and the BTVLEP Strategic Skills Manager) will have delegated to them all the powers required to manage and deliver the BTVLEP work programme. This delegation is subject to:
- These officers using these funds solely for the purposes described in the documents set out above;
 - Such protocols as may be approved by the Chief Executive from time to time;
 - Any consequent expenditure being already included in the BTVLEP's revenue budget or approved Local Growth Deals;
 - The requirements of BTVLEPs Financial Regulations and (where appropriate) Buckinghamshire County Council's Contracts Standing Orders;
 - Legal advice, where deemed necessary, by the Chief Executive or BCC’s section 151 Officer;
 - Relevant guidance issued as a result of audit arrangements, whether by appointed government auditors or BCC’s Audit team
- 6.1..1 These Executive Staff and other relevant senior delegated officers shall, only with the written agreement of the Chief Executive, make arrangements within their respective services to determine what further delegations are necessary to ensure the efficient day to day operation and management of the services, provided that such delegations are specific to identifiable posts within their management structure and are formally recorded.
- 6.1..2 The Chief Executive shall maintain a central record of such delegations.
- 6.1..3 In the case of an absent or vacant Executive post, the Chief Executive shall make arrangements to cover the vacancy by either appointing a person in an acting capacity or determining other temporary arrangements.
- 6.1..4 Any person or persons temporarily fulfilling the responsibilities of a post shall be entitled to exercise the delegated authority referred to in this Article as if they were the permanent post holder until such time as a permanent appointment is in post or other permanent arrangements are made and agreed by the Council.
- 6.1..5 In addition to these key documents, the work of the LEP will also be guided by a number of partner plans and strategies.

6.2 Principles of decision making

6.2.1 All BTVLEP decisions will be made in the overall interest of delivering the sustainable development of the Buckinghamshire economy;

6.2.2 In order to guard against the possibility of successful legal challenge to decisions made by the BTVLEP, their Executive and their sub-Boards, it is necessary to demonstrate (where relevant):

- that the decision was taken in accordance with BTVLEPs aims, strategies and policies;
- that BTVLEP's operating procedures have been complied with;
- that decisions were taken with the benefit of professional advice from relevant officers or appropriate external expertise;
- that all relevant matters were fully taken into account in reaching decisions;
- that in any decision, the action was proportionate to the desired outcome;
- That BTVLEPs Financial Regulations and (where appropriate) Buckinghamshire County Council's Contracts Standing Orders were complied with;
- that the relevant schemes of delegation have been complied with;
- that decisions have been taken in an open and transparent manner;
- that the reasons for specific decisions having been taken are clearly articulated;
- that the decisions have taken into account wider legal provisions;
- that any Board Members involved have considered whether they have any declarable interest in the particular item and, if necessary, made a declaration of interest, and that no Board Member shall participate in a decision where they are precluded from doing so by virtue of a disclosable interest; and
- that decisions are properly recorded and published within the appropriate timescales, together with any declarations of interest and background papers.

6.2.1 Compliance with the above means;

- A clear audit trail of decision making must be maintained and kept available for future reference.
- The Chief Executive, with support from his Senior Management Team and appropriate external expertise, shall advise Board members and officers on these issues, ensure that BTVLEP's decision making processes meets the requirements of the law and of good governance, and is responsible for the proper implementation of these procedures.

6.3 Transparent Decision Making

6.3.1 BTVLEP meetings, and the meetings of its various delivery bodies, will not be held in public, but - in order to maintain transparency and openness - relevant papers, meeting minutes, scheme business cases, funding decision letters and regular programme updates will be routinely published and available on the BTVLEP webpages. Through this website BTVLEP will;

- Enable partners and local residents to access key documents etc.;
- Publish progress on implementing the Growth Deal;
- Publish arrangements for making, and recording decisions;
- Ensure that Freedom and Information and Environmental Information Regulation requests are dealt with in line with relevant legislation
- Publish a conflicts of interest policy, register of interests covering any decision makers, and published complaints policy.
- Ensure that there is appropriate local engagement – both with public and private stakeholders to inform key decisions and with the general public around future LEP strategy development
- Publish arrangements for developing, prioritising, appraising and approving projects, with a view to ensuring that a wide range of delivery partners can be involved; and

Clearly set out the LEP's priorities and mechanisms for maximising the social value of its investment funding and activities so that partners and beneficiaries can play an active role in **the programme** (see Appendix 8). **Freedom of Information Act 2000**

6.3..2 BTVLEP is committed to:

- Promoting a positive attitude to dealing with requests for information
- Maintaining information in an orderly and efficient fashion and disposing of information that is no longer required.
- Increasing awareness and understanding of the implications of the Act, both amongst its employees and amongst members of the public.
- Ensuring that a regular annual assessment of the membership of the Board and its sub-groups to ensure that the overall membership reflects the diversity of the Buckinghamshire community, and that there are no barriers to participation as a result of gender, race, disability or sexual orientation.
- Our constitution ensures that all geographies within the county are represented through local authority membership and that our private sector members represent a mix of both SME and larger businesses.

6.3..1 In compliance with the Freedom of Information Act 2000, BTVLEP will respond to any requests for information.

6.3..2 There is no charge for responding to requests for information covered in the bullet points above, other than 'disbursement' costs. However, a charge is made if it exceeds the Government's advisory fee level.

Records of key decisions

6.3..3 Draft minutes of a decision are only confirmed as a correct record of a decision when:

- Approved as a correct record at the next convenient meeting of the body (BTVLEP Board, subboard or committee); and
- Signed as a true and accurate record by the Chair

6.3..4 BTVLEP will prepare and make available on request, draft minutes of Board Meetings, as soon as practicable after the decision has been made, but such draft minutes should not be relied on as a correct record until it they have been confirmed as such.

Confidential and Exempt information

6.3..5 Where BTVLEP believes the public interest in maintaining confidentiality is outweighed by the public interest in disclosure, such information may be redacted from publication.

6.3..6 Confidential information means information given to BTVLEP by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by reason of a Court Order or any enactment.

6.3..7 Certain information may also be exempt from publication whenever it is likely that a decision on an item at a meeting will determine any person's rights or obligations, or adversely affect their possessions, as defined under Article 6 of the Human Rights Act 1998. Information is exempt information where it falls within any of the following categories:

- Information relating to an individual.
- Information which is likely to reveal the identity of an individual.
- Information relating to the financial or business affairs² of any particular person (including the public authority holding the information), except where the information is required to be registered under certain prescribed statutes including the Companies Act 1985 and the Charities Act 1993.
- Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter³ arising between the authority or a Minister of the Crown and employees of, or office holders under, the Authority.

² "Financial or business affairs" includes contemplated, as well as past or current activities.

³ "Labour relations matter" means any matter which may be the subject of a trade dispute, or any dispute about any such matter (ie a matter specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992.

- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- Information which reveals that BTVLEP proposes: to give under any enactment a notice, under or by virtue of which requirements are to be imposed on a person; or to make an order or direction under any enactment.
- Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

6.3.8 The BTVLEP Chief Executive shall determine which reports or parts of reports are unlikely to be published due to issues of confidentiality or exempt information.

6.3.9 BTVLEP Board members shall not disclose or quote in public the contents of any agenda, report or other document which is marked "Confidential" or "Not for Publication" unless the document has already been made available to the public or the press on behalf of BTVLEP.

6.4 **Accountable decision making**

6.4.1 Local Growth Fund resources will be paid via a section 31 grant determination to a lead local authority (accountable body) in all cases regardless of the differing legal set ups that exist.

6.4.2 Buckinghamshire County Council, as the lead local authority (through their Responsible Financial Officer - the Section 151 Officer), will be accountable for the proper use and administration of all Local Growth Funding, all of which will fall under the annual audit of the local authorities' accounts, and for ensuring that decisions are made in accordance with the local LGF assurance framework.

6.4.3 The BTVLEP Board have a vital leadership role to play, responsible for developing and maintaining the Strategic Economic Plan and determining the key funding priorities to which LGF and other resources should be directed. Democratic accountability for the decisions made by the LEP is provided through local authority leader representation, with accountability to the business community flowing through the business leaders.

6.4.4 The use of LGF resources will be subject to the usual local authority checks and balances - including the financial duties and rules which require councils to act prudently in spending, which are overseen and checked by the Responsible Chief Finance Officer - the 151 Officer or their appointed alternate – who will attend BTVLEP Board meetings as an observer.

6.4.5 When the LEP awards funding for a project there will be a clear written agreement between the accountable local authority and the delivery agent clearly setting out the split of responsibilities and include adequate provisions for the protection of public funds (e.g. arrangements to suspend or claw back funding in the event of non-delivery or mismanagement).

6.5 **Types of Decision Making**

Strategic Decisions

6.5.1 All strategic decisions are made by the BTVLEP Board. Members of the Board are collectively responsible for the decisions made by the Board and responsible for decisions they make individually.

6.5.2 Strategic Decisions include;

- Decisions which raise new issues of Strategy or policy;
- Decisions which set the Revenue Budget for BTVLEP and the Sub-boards;
- Decisions which result in BTVLEP incurring expenditure which is, or the making of savings which are, significant in comparison to the agreed budget to which the decision relates;
- Decisions which are deemed to be significant in terms of their effects on businesses operating in an area;
- Decisions which are not consistent with the agreed revenue budget and capital programme approved by BTVLEP;

- Decisions which are in conflict with a policy, plan or strategy approved by BTVLEP or a BTVLEP Sub-board;
 - Decisions which will give rise to the need to appoint additional permanent staff for which there is no budget provision;
 - Decisions which requires the acquisition or disposal of any land or interest in land in excess of a value of £500,000;
 - Decisions which relate to bids of over £500,000 which may require the approval of a Minister of the Crown;
- 6.5.3 The BTVLEP Board will be responsible for the adoption of its annual budget and the policy framework as set out in the document. Once a budget or a policy framework is in place, it will be the responsibility of the Sub-boards to discharge the Cabinet functions within that budget and policy framework.
- 6.5.4 Where the BTVLEP Board is responsible for a Strategic Decision, they may delegate such a decision to a BTVLEP Sub-board or to a member of staff, by prior agreement of the Board. Even where the Board has delegated decisions to another body/person, this does not prevent the discharge of delegated functions by the person or body who made the delegation.
- 6.5.5 The BTVLEP Board may amend its scheme of delegation to sub-boards at any time during the year. To do so, the BTVLEP Board must give written notice to the Chief Executive and to the person, body or sub-board concerned. The notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body, committee or sub-board. Where the proposal provides for a change in delegation to a local committee, joint committee or other joint working arrangement the Chief Executive will present a report to the next board meeting setting out the changes made. In all other cases, the appropriate amendments to this Accountability and Assurance Framework will be made by the Chief Executive.
- 6.5.6 Where the BTVLEP Board seeks to withdraw delegation from a sub-board, notice will be deemed to be served on that sub-board when the Board has served it on its Chairman. **Delivery Decisions**
- 6.5.7 The BTVLEP Sub-boards (BBF, BA and the Skills Programme Board) will be responsible for;
- Considering draft reports to the BTVLEP Board with the relevant member of the BTVLEP Senior Management Team and/or other relevant staff;
 - Determining how expenditure on services should be undertaken within approved budgets to meet BTVLEP's agreed priorities and outcomes as set out in agreed SLAs/Contracts.
 - Agreeing content to input into annual reports;
 - Approving service delivery plans for the relevant Sub-boards and any other such agreements which set out the required services and standards to be undertaken by each Sub-board and monitor the performance of delivery
 - Monitoring the budget for particular outcomes including services;
 - Developing strategies and/or policies for particular services, for subsequent ratification by the BTVLEP Board
 - Taking decisions on any significant change to an existing BTVLEP delivery model where this power has been delegated by the BTVLEP Board or to make recommendations to the BTVLEP Board on a decision on these matters.
 - Agreeing responses to consultation papers,
- 6.5.8 Subject to the provisions of this Assurance and Accountability Framework, the sub-boards, any members of staff, local committees or joint arrangements discharging BTVLEP functions may only take decisions which are in line with the budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to the budget approved by BTVLEP Board, then that decision may only be taken by the BTVLEP Board.
- 6.5.9 If the sub-boards, any members of staff, local committees or joint arrangements discharging BTVLEP Board functions want to make such a decision, they shall take advice from the BTVLEP Chief

Executive and/or the Section 151 Officer as to whether the decision they want to make would be contrary to the policy framework, or the budget. If the advice of either of those officers is that the decision would not be in line with the existing budget and/or policy framework, then the decision must be referred by that body or person to the BTVLEP Board for decision. **Executive Decisions**

6.5..10 Staff may make decisions under their delegated powers. Where a member of BTVLEP staff takes a decision in connection with the discharge of a function which is normally the responsibility of the Board, the officer must produce a written statement of the decision together with reasons for making that decision, and retain a note of the decision for future scrutiny; **The Accountable Body**

6.5..11 As the accountable Local Authority, Buckinghamshire County Council's Section 151 Officer will be responsible for:

- Ensuring that the funds are used appropriately;
- Ensuring that the local LEP assurance framework is adhered to;
- Holding copies of BTVLEP Board proceedings and all relevant LEP documents relating to LGF funding;
- Ensuring that there are arrangements for local audit of funding allocated by LEPs;
- Confirming that the LEP and accountable body have agreed timescales and operating practices to support the effective implementation of decisions. This should include, for example, a means for monitoring delivery and to provide clarity about and what information it would expect to receive from scheme promoters and delivery agents.

6.6 Overview and Scrutiny of Finances and Financial Controls/Systems

Financial Management

6.6..1 The management of BTVLEP's financial affairs will be conducted in accordance with the BTVLEP Financial Regulations.

Annual Statement of Accounts

6.6..2 BTVLEP's finances will be subject to annual audit, with the resultant reports submitted to our key stakeholders, as part of an Annual Reporting process. The precise timing of this Annual Report is yet to be determined but will take place at least annually from the 2015/16 financial year. **Assessment of Financial Controls and Systems**

6.6..3 The S151 Officer (BCC) will commission the BCC audit team to annually review assurance arrangements, including the internal control arrangements and adherence to this assurance framework.

Contracting

6.6..4 Every contract made by BTVLEP will comply with the BTVLEP Procurement Regulations.

Dispute Resolution between BTVLEP and the Accountable Body

6.6..5 In the event of any dispute arising between BTVLEP and the Accountable Body, the BTVLEP CEO and Section 151 Officer will seek to resolve any such issue amicably.

6.6..6 Should the dispute remain unresolved within 14 days of the matter first being referred to the CEO/Section 151 Officer, either party may refer the matter to the BTVLEP Chair with a request for them to attempt to resolve the dispute by agreement within 28 days, or such other period as may be mutually agreed by both parties. Depending on the nature of the dispute, BTVLEP's Chair may ask for support from other Local Authority Officers, as appropriate.

6.6..7 In the absence of agreement, the parties may seek to resolve the matter through mediation under the CEDR Model Mediation Procedure (or such other appropriate dispute resolution model as is agreed by both parties). Unless otherwise agreed, the parties shall bear the costs and expenses of the mediation equally.

7.0 PART FIVE: Ensuring value for money - prioritisation, appraisal, business case development, procurement and contracting

7.1 Introduction

7.1.1 BTVLEP is committed to ensuring its activities deliver good value for money. BTVLEPs systems underpinning scheme prioritisation, appraisal, business case development, procurement, contracting and financial management have been built around this goal, and the need to deliver the programme to specification, on time and on budget.

7.1.2 For the purposes of clarity, we set out here how these processes operate.

7.2 Scheme Identification

7.2.1 Candidate schemes will be identified from a range of sources including BTVLEP priorities, existing strategy documents and plans, development-led infrastructure needs and through ongoing community consultation and engagement. Any 'calls' for potential economic development projects which might be included in the BTVLEP work programme will be published on the BTVLEP website

7.3 Options appraisal and scheme prioritisation

7.3.1 The BTVLEP Board will be solely responsible for agreeing which schemes are submitted to government for any future funding bids.

7.3.2 However, in order for the BTVLEP Board to receive well evidenced, fully risk assessed schemes, which are well thought through and capable of being delivered, it recognises that scheme lists may need to be worked on by a range of partners prior to submission to central government for funding.

7.3.3 Because of this, the process for appraising and selecting schemes for submission to government will generally involve a three stage process;

- **STAGE ONE: INITIAL SCHEME APPRAISAL & PRIORITISATION:** Firstly, an initial sift will be completed to prioritise schemes for further development. This initial prioritisation process will be undertaken by an appraiser that is independent from the scheme promoters.
- **STAGE TWO: SCHEME DEVELOPMENT:** Secondly, those schemes that are considered viable in the first phase of the appraisal process (but that could benefit from further development) will be provided with feedback about how they might improve their scheme and be asked to provide supplementary/additional information;
- **STAGE THREE: FINAL PRIORITISATION:** Once the initial prioritisation has been undertaken – and supplementary information provided by scheme promoters – the independent appraiser will be asked to undertake a more detailed (final) assessment of the schemes and provide a report to the BTVLEP Board setting out their suggested scheme prioritisation. The BTVLEP Board will be solely responsible for agreeing which schemes are submitted to government for any future funding bids.

7.3.4 When prioritising schemes BTVLEP and its executive Boards and Sub-groups will base their decisions on clear objectives using a robust and evidence based approach. In order for this process to produce the most cost effective delivery models and scheme designs, it may be necessary for the initial sift of schemes to pass through a number of BTVLEP delivery bodies and/or partner agencies, prior to submission to the BTVLEP Board.

7.3.5 Priorities may be shared with neighbouring LEPs prior to finalising in order that strategic and cross-border interventions can be aligned effectively.

7.3.6 In order to be considered eligible for funding from the devolved pot, a scheme will need to be suitably resolved in its scope to allow for meaningful assessment. It is the intention that this also safeguards against funds being targeted at loosely defined schemes – minimising risk and potentially abortive spend.

7.3.7 All schemes will be required to demonstrate value for money, and there is a clear expectation that schemes which unlock economic growth are likely to be linked to development and thus that third party contributions are utilised to co-fund schemes i.e. schemes are not 100% funded by the BTVLEP.

- 7.3..8 As far as infrastructure requirements are concerned, BTVLEP is developing an Infrastructure Investment Plan to inform this prioritisation of local Infrastructure needs, ensuring continuity and minimal duplication of effort/resource. Following agreement/sign off by the BA and BTVLEP Boards, this Infrastructure Investment Plan will reflect recognised and agreed local challenges and opportunities that the LEP seeks to address. The purpose of the plan is to accurately align planned infrastructure proposals with the delivery of strategic development and the wider objectives of the LEP, whilst addressing local challenges, such as tackling congestion hot-spots and pinch-points, enhancing connectivity and achieving a sustainable investment plan for our community.
- 7.3..9 The process for developing the plan is consistent with the principle of the Department for Transport's (DfT's) East Assessment and Sifting Tool (EAST) and Treasury's Green Book appraisal process in that it will provide a comprehensive, high-level appraisal of each infrastructure scheme against a robust assessment framework.
- 7.3..10 The scope of the plan will allow for consideration of all infrastructure types and is therefore able to consider the high-level benefit and potential costs of a range of infrastructure types, providing a proxy for value for money at the early option assessment stage. This will be refined through the outline business case process and supplementary feasibility work once the initial list has been rationalised. The tool and business case template also allows for the identification of future resources and provides an early lead-in to future programmes of work. The infrastructure investment plan will provide a range of high-level outputs, including impact against objectives, delivery risk, affordability (based on indicative costs and high level benefit) and governance.
- 7.3..11 Since BCC is the sole transport authority within BTVLEP it is not considered relevant to mandate a minimum local contribution in order to ensure sufficient commitment from the promoting local authority.
- 7.3..12 During 2015-16, BTVLEP intends to work with the BTVLEP Board, Buckinghamshire Business First and Buckinghamshire Business Group to develop a Business Support Strategy and the BTVLEP Board and the emerging Skills Programme Board to develop a Skills Strategy, both of which will inform future investment decisions.

7.4 **Business Case Development for Prioritised Proposals**

- 7.4..1 Once the BTVLEP Board has completed its prioritisation process, detailed business cases will be worked up for each scheme to enable detailed assessment and appraisal. Appraisal of business cases will be undertaken by a variety of people depending on their size and focus. In accordance with our agreement with the SFA, Skills Capital Projects will be appraised by the SFA, with all other business cases being appraised by a suitable independent appraiser.
- 7.4..2 Once funding has been allocated by central government, the BTVLEP Board will be responsible for assessing the business case and determining whether or not to provide funding for a particular scheme.
- 7.4..3 Given that BTVLEP is a partnership body, it's highly likely that the scheme promoter for some future schemes will be members of the BTVLEP Board - and therefore it will be critical to ensure that BTVLEP receives independent advice as to the technical merits of the business case so that it can make an informed decision.
- 7.4..4 BTVLEP will appoint consultants to audit the work of the promoting authority through the detailed business case stage and provide comment and advice to the BTVLEP Board. BTVLEP will determine the most appropriate method to secure an independent assessment to accord with the government's assurance requirements, and will make such assessment available to the public.
- 7.4..5 In order to allow for development of business cases and an ability of the BTVLEP to retain sufficient oversight to change its priorities as needed (should a business case not prove sufficiently compelling for example), a staged approach will be adopted whereby the BTVLEP Board reviews progress and has an opportunity to revise decisions prior to any irreversible commitment of funds.
- 7.4..6 The three stages of BTVLEP review will be:

- STAGE ONE: Initial Prioritisation (allowing initiation of business case development/preparation work);
 - STAGE TWO: Business Case (conditional) Approval (assessment of business case); and
 - STAGE THREE: Final Approval (final authorisation for implementation with detailed costs finalised etc.)
- 7.4..7 At each of the above stages of the business case development process, scheme promoters must make clear how they intend to fund the next stage of the business case development process. BTVLEP will not be liable for funding any stage of the business case development process, unless formally agreed by the BTVLEP board and enshrined in a formal contract to do so.
- 7.4..8 Where a scheme promoter aspires to retrospectively charge any costs of STAGE ONE or STAGE TWO of their business case development costs to a potential or actual funding award made by central government or BTVLEP, they must provide a clear and detailed breakdown of these costs at each stage in the process and agree to allowing BTVLEP to monitor the actual costs of business case development against their proposed profile. Where a scheme promoter is hoping to retrospectively charge such costs to a potential future award for funding, they do so at their own risk. Again, in such circumstances, BTVLEP will not be liable for funding any stage of the business case development process, unless formally agreed by the BTVLEP board and enshrined in a formal contract to do so.
- 7.4..9 Scheme promoters are required to publish and publicise business cases before a funding approval decision is made (ideally for at least 3 months) so that external comment is possible. Opinions expressed by the public and stakeholders must be available to relevant members or boards of Local Enterprise Partnerships when decisions are being taken. BTVLEP will make public how they have taken external comments on business cases into account
- 7.4..10 As far as the day to day implementation of any prioritised schemes is concerned, BTVLEP will delegate responsibility for oversight of the delivery of its work programme to Buckinghamshire Advantage, Buckinghamshire Business First and/or the Buckinghamshire Skills Programme Board, with these bodies operating within approved, delegated budgets and reporting back to the BTVLEP board on progress/risks..
- 7.4..11 As far as transport schemes are concerned, appraisal will be carried out against the five cases as defined in WebTAG in order to ensure robust and comparable assessment using the WebTAG approach of proportional assessment for smaller schemes. In cases where a scheme exceeds £5m, a more detailed appraisal will be completed along the lines of the previous 'major scheme business case' requirements as defined by DfT (in accordance with WebTAG). All mandatory DfT requirements will be met, with a proportionate appraisal approach expected except for schemes where full business cases are required due to the value being in excess of £5m as outlined above. This will include the use of the National Trip End Model (NTEM) for forecasting in accordance with DfT stipulation. A WebTAG-compliant Value for Money (VfM) statement will be produced by the scheme promoter for all schemes put forward for approval. This will be independently audited and compliant with DfT requirements.
- 7.4..12 All documents relating to appraisal and assessment will be shared with applicants, to enable them to learn from the process . In accordance with local government principles, all reports will be made available unless issues of commerciality restrict their publication.
- 7.4..13 BTVLEP will only approve schemes that achieve a high VfM score, except in exceptional circumstances. In any such instance, the reasons for deviating from this approach will be clearly identified, prioritisation will be tested via public consultation and discussed with government officials as appropriate. This is to ensure that devolved funding meets minimum standards on VfM while according with localism principles.
- 7.4..14 The BTVLEP CEO will provide written acceptance of the VfM statement; and this statement will be reported and published at each stage of assessment. This approach ensures no conflict of interest. The VfM statement will then feed into revisions to the business case at each stage.

7.5 Process for release of Funds

Officers will follow the process outlined in **Appendix 6** to ensure that the appropriate checks are made, documents are received and filed ahead of the release of any grant or loan funds.

APPENDICES

- Appendix 1: Complaints Policy
- Appendix 2: Employment Policy
- Appendix 3: Procurement Policy
- Appendix 4: Contract Management Policy
- Appendix 5 : Risk Management Policy
- Appendix 6 : Finance Policy
- Appendix 7: Conflicts of Interest Policy
- Appendix 8: Social Value Policy

Appendix 1: Complaints Policy

BTVLEP aims to provide the best possible service for the benefit of the residents of Buckinghamshire.

BTVLEP takes complaints very seriously. While we try to provide a good service, we know that sometimes things go wrong. We have developed a complaints procedure in response to this.

BTVLEP will aim to sort out complaints quickly and fairly and we will try to sort out any mistake or misunderstanding straight away. Sometimes it may take longer, but we will tell you how long it will take.

BTVLEP will keep records of all the complaints we receive and monitor them regularly. This helps us to:

- identify areas of service where we need to make changes and improvements; and □ make sure we are dealing with complaints effectively and consistently.

BTVLEP's complaints policy has three stages;

- **Stage one** - The people who can best deal with a complaint are those who provide the service. You should speak or write to the member of the team that you have been dealing with and explain the reasons you are unhappy with the BTVLEP. We can usually sort out mistakes and misunderstandings quickly and informally at this stage. We will acknowledge your complaint in three working days. We will investigate your complaint and we will respond within 10 working days. If we cannot do this, we will let you know when you can expect a reply. Our response will include details of who to complain to if you are not happy with the response at stage one.
- **Stage two** - If you are not happy with the response provided at stage one, you can complain to the BTVLEP Chief Executive by emailing: Richard.harrington@btvlep.co.uk. It is best to let the Chief Executive know which parts of our response at stage one you are not happy with. We will investigate your complaint and respond to you within 15 working days. An investigation may take longer than this but if it does we will explain the reasons why and let you know when you can expect a full reply. In our response to your stage two complaint, we will provide contact details for the BTVLEP Chairman – you will need to contact them if you are not happy with our response.
- **Stage three** - If you're still not happy, you can contact the Chairman. They are independent of the service you are complaining about and can carry out a full review of your complaint. It will help the investigation if you explain why you are not satisfied and what you expect from a further review. The Chairman's Office will reply within 20 working days. They will let you know if there are any delays.

We cannot investigate your complaint if it is something you knew about more than 12 months before contacting us for the first time. However, we may make an exception in some circumstances.

The above process covers the general complaints and enquiries procedure for the BTVLEP. We have separate procedures for a number of areas as follows:

- Complaints in relation to specific funding programmes which you may be involved in will, generally, follow the same process as outlined above. However, there may be some differences to this procedure, including the relevant evaluation panel reviewing your complaint and in these cases, if there are differences to the above procedure, the appropriate process for complaints will be notified in the relevant guidance document for the funding stream to which you are applying.
- Complaints or enquiries in relation to the BTVLEPs accountable body (Buckinghamshire County Council) will need to follow standard Council procedures. This will include enquiries such as Freedom of Information Requests.

Any enquiry or complaint in relation to the conduct of Directors, Members or associated Governance processes (such as LEP Panels or Panel Members) should be directed to central government after using BTVLEP's own complaints scheme.

Appendix 2: Employment Policy

The recruitment, selection and dismissal of BTVLEP executive staff will comply with the guidelines set out in this policy.

Where BTVLEP proposes to appoint the Chief Executive or a Strategic Director and it is not proposed that the appointment be made from among its existing officers, the BTVLEP Board will be responsible for

- Drawing up a role and responsibilities statement specifying:
 - o the duties of the officer concerned, and
 - o any qualifications or qualities to be sought in the person to be appointed;
- Making arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- Making arrangements for a copy of the roles and responsibilities statement to be sent to any person on request.

Where a post has been advertised as provided in accordance with the above arrangements, BTVLEPs Remuneration and Appointments Committee shall:

- Interview all applicants for the post, or
- Select a short list of such applicants and interview those included on the short list; or
- Where no qualified person has applied, make arrangements for the re-advertisement of the post.

The appointment and discipline of a Chief Executive or a Strategic Director shall be made by BTVLEPs Remuneration and Appointments Committee. All other appointments, disciplinary and dismissal procedures will be undertaken by the Chief Executive or a member of BTVLEP staff.

Canvassing of members of the BTVLEP Board, or any sub-board or committee of the BTVLEP Board - directly or indirectly - for any employment under BTVLEP shall disqualify the candidate for such appointment.

A member of the BTVLEP Board shall not seek for any person any employment with BTVLEP, or recommend any person for such appointment or for promotion; but this shall not prevent a board member from giving a written testimonial of a candidate's ability, experience or character for submission with an application for appointment with BTVLEP.

Candidates for any appointment to BTVLEP who know that they are related to any board member or member of staff shall, when making application, disclose that relationship. A candidate who fails to do so shall be disqualified from appointment and, if appointed, shall be liable to dismissal without notice. Persons shall be considered to be related if they are: father or mother; husband or wife or partner; son or daughter; son-in-law or daughter-in-law; grandson or granddaughter; brother or sister; nephew or niece of the board member or the member of staff or his/her spouse/partner.

Appendix 3: Procurement Policy

Introduction

We will use a variety of approaches to commissioning projects. This will include internal delivery, cocommissioning (with other LEPs), commissioning, competitions, and traditional 'procurement' approaches.

For the purposes of definition, the phrase 'contract' in this Framework includes:

- Any contract for goods, works or services, including disposals;
- Any order for goods, works or services;
- A grant given or received by the BTVLEP;
- A contract managed on behalf of BTVLEP by third party consultants;
- A contract appointing consultants;
- Any partnership arrangement;
- Any commercial agreement;
- Contracts relating to the disposal or purchase of land and buildings.

Generally speaking BTVLEP's purchasing and disposal procedures must:

- Achieve best value for public money spent;
- Be consistent with the highest standards of integrity;
- Ensure fairness in allocating public contracts;
- Comply with legal requirements;
- Ensure that non-commercial considerations do not influence any contracting decision;
- Comply with BTVLEP's corporate and service aims and policies;
- Comply with BTVLEP's Financial Policies, Risk and Assurance and Health and Safety requirements;
- Be able to demonstrate that the BTVLEPs and BCC's interests have not been prejudiced or exposed to undue or unmanaged risks.

Achieving Value of Money in Procurement and Contracting

As quasi-public sector organisations it is important that the BTVLEP complies with all relevant legislation, is open and transparent and ensures value for money is demonstrated through a competitive environment for all business opportunities, and that ongoing robust supplier management is in place to ensure ongoing value for money is achieved.

The role of the Accountable Body in Procurement

As Accountable Body for LEP Funds, Buckinghamshire County Council Finance Staff will;

- Ensure adequate systems are available, and are maintained, for the recording of all income received by, and due to BTVLEP.
- Ensure that all key contract information is entered onto the Council's Contract Management Register.
- Ensure that all income BTVLEP requests to be claimed is invoiced correctly, collected, receipted and banked in a timely manner
- Ensure the operation and maintenance of effective systems for the payment of creditors and the collection of monies from debtors across the range of BTVLEP Services.
- Maintaining BTVLEP's tax records, making tax payments, receiving tax credits and submitting tax returns by their due date (With the exception of PAYE (as above);
- Advising the BTVLEP Chief Executive Officer on all taxation issues that affect the Council in the light of relevant legislation as it applies and guidance issued by appropriate organisations;
- Ensure that all contract documentation including any variations are kept in the contract management system.

BCC's Section 151 Officer will sign off funding approvals and any government claim forms as per normal operating procedures. This is to ensure appropriate use of funds.

The role of BTVLEPs Chief Executive in Procurement

In common with any Strategic Director at BCC, BTVLEP's Chief Executive will:

- Ensure they have the authority to continue procurement in accordance with the Scheme of Delegation for decision making;
- Ensure that there is full budgetary provision for the contract and that the sources of funding are fully detailed before starting the contract process;
- Ensure that expenditure is fully contained within the approved budget/cash limit unless prior approval has been obtained from the BTVLEP Board;
- Maintain an up to date financial scheme of delegation in accordance with requirements as set out by the S151 Officer, defining the staff who have been given the necessary authority to authorise and sign contracts;
- Ensure that BTVLEP staff comply with the BTVLEP Assurance and Accountability Framework;
- Ensure that each contract has a named contract manager;
- Ensure that all appointments are made in accordance with BTVLEPs policies and procedures;
- Ensure that adequate budget provision exists for all appointments of employees; all permanent and temporary variations in relation to staff employment; and all engagement of self-employed persons.
- Ensure that all income due to BTVLEP is identified, and charged for correctly and on a timely basis.
- Consult with and seek advice from the Section 151 Officer on the potential tax implications of any new initiatives for the delivery of BTVLEP services.
- Seek advice from the Section 151 Officer and Legal and Democratic Services at an early stage;
- Ensure that the approval of the BTVLEP Board is obtained before any negotiations are concluded;
- Ensure that all agreements and arrangements are properly documented;
- Provide information to the Section 151 Officer required for the Council's Statement of Accounts;
- Consult on the financial and governance implications of all projects involving funding from external sources;
- Ensure that all funding received from external organisations or associated parties is properly recorded in BTVLEP's accounts;
- Ensure that key conditions of funding and any statutory requirements are met;
- Ensure that any match-funding requirements and future liabilities are given due consideration prior to entering into long term agreements;
- Ensure that and proposals to deliver work for third parties are costed properly before an agreement is reached to do work for a third party and a formal contract or a memorandum of understanding is drawn up prior to any work commencing;

Staff responsibilities in Procurement

In common with BCC staff, all BTVLEP staff will;

- Comply with the BTVLEP Assurance and Accountability Framework, BTVLEP Financial Policies together with all UK and European Community legal requirements;
- Use any relevant Corporate Contract which is already in place;
- Keep the records to show a clearly documented audit trail as set out in instructions issued by BCC. Any staff have a duty to produce such records when requested to do so by the S151 Officer, or their representative;
- Ensure that agents and consultants acting on their behalf comply with the BTVLEP Assurance and Accountability Framework, BTVLEP Financial Policies, and all UK and European Community legal requirements. Such agents or consultants must not make any decision as to whether to award a contract or who a contract should be awarded to;
- Take all necessary legal, financial and professional advice;

Requirements to Ensure Competition

Where the total value of the contract is less than EU thresholds as set out below BTVLEP may identify potential bidders using the most cost-effective and reasonable methods. This may include searching for registered

suppliers via BCC's e-Sourcing System, catalogues, business directories etc. Additionally, staff may use an existing Framework Agreement providing BCC is legally entitled to use it. Staff are also encouraged to consider the use of local SME's when selecting potential suppliers.

Where the estimated value of a contract is:

- **Less than £25,000:** A minimum of one written quotation is required. This can be a written confirmation by a member of staff or an oral quotation. The aim of the member of staff responsible for the contract shall be to obtain the best value for money for BTVLEP.
- **Between £25,000 and the EU thresholds:** A minimum of 3 written quotations must be requested for:
 - Supplies: EU limit applies
 - Services: EU limit applies
 - The procurement of 'Works' contracts under these Orders will be subject to the Supplies and Services tender threshold
- **Procurement over the EU Procurement thresholds:** Contracts must be advertised according to EU Procurement. The exception to this is where it is proposed to use suitable Framework Agreement which the Council is legally entitled to use. In any such instance the staff responsible for the contract must before starting the contract process obtain advice from a BCC's Procurement Team and Legal & Democratic Services.

Regardless of financial thresholds, BTVLEP will be required to demonstrate the procurement principles of "nondiscrimination, equal treatment of suppliers, transparency, mutual recognition and proportionality" remain. This is in line with UK legislation in relation to value for money in public procurement as well as those requirements defined in the EU Directive on Public Contracts.

Short-listing Suppliers and Pre-Qualification Requirements

Where the total value of the contract is between £25,000 and the EU thresholds, BTVLEP staff must follow best practice guidance to ensure that potential bidders are asked to provide sufficient detail to ensure that they are financially stable, ensure that they have appropriate technical ability to undertake the sort of contract they wish to be considered for.

Where the value of the contract is over EU thresholds pre-qualification requirements must use the standard format in line with the Public Contracts Regulations.

Where approved lists are used, BTVLEP Staff may undertake the short-listing in accordance with the relevant criteria as stated when the approved list was advertised.

Use of an Approved List

As an alternative to advertising contracts, BTVLEP staff may use BCC's approved lists to select tenderers. However, approved lists cannot be used where the total value of the contract exceeds the EU procurement threshold.

Potential bidders for the list must be asked to provide details, which will enable BTVLEP to: a)

ensure that they are financially stable;

b) ensure that they have appropriate technical ability to undertake the sort of contract they wish to be considered for;

c) check their health and safety record;

d) check that there have been no breaches of money laundering and bribery regulations.

The list will be the responsibility of the relevant Managing Director within BCC.

An accredited government scheme (subject to approval by BCC's Procurement Team) is also considered to be an approved list for the purpose of these arrangements.

Invitations to Tender/Quotations

All invitations to tender and quote must:

- Clearly specify the goods, services or works that are required. The specification must describe the requirements in sufficient detail to ensure the submission of competitive bids which may easily be compared;

- Not disadvantage suppliers in favour of a particular supplier;
- Specify the award procedure on which tenders/quotes will be evaluated;
- Include the conditions of contract which must be enclosed with the invitation to tender;
- Include a requirement for suppliers to complete fully and sign all tender documents;
- State that BTVLEP is not bound to accept any quotation or tender;
- Be issued with the same information at the same time and be subject to the same terms. Any additional information or amendments to the specification and documents must be provided to the bidders on the same basis.

Evaluation Criteria and Evaluation of Quotes or Tenders

BTVLEP staff must ensure that the evaluation criteria on which quotes or tenders are to be assessed takes into consideration all factors relevant to the requirement.

BTVLEP staff must ensure that technical/financial evaluation is conducted by suitably qualified people and in accordance with the published evaluation criteria.

The arithmetic in compliant quotes or tenders must be checked. If arithmetical or clerical errors are found they should be notified to the tenderer. The tenderer will be requested to confirm the correct figures/wording or withdraw its tender.

Quotes or Tenders must be compared against the pre-tender estimate within the signed-off business case. All differentials must be considered.

Confidentiality of tenders/quotations and the identity of tenderers must be maintained at all times. Information about one tenderer's response must not be given to another tenderer.

In situations whereby Buckinghamshire Advantage or Buckinghamshire Business First is tendering for a BTVLEP contract, there must be a clear division between the two parties, with no advantage ensuing for the 'internal tenderer'.

BTVLEP staff who are responsible for evaluating the quotes or tenders should complete a tender evaluation scoring matrix recording the details of the tenders and the process for selecting the successful tenderer.

Clarification Procedures

After the quote or tender opening, it may become apparent that one or more of the potential contractors that have submitted bids have misinterpreted the specification. If it is clear that this is a result of an error or ambiguity in the specification, BTVLEP staff must consult BCCs Procurement Team and Legal Services as to whether all the contractors should be provided with revised specifications and given the opportunity to revise their tender.

No material changes must be made to the proposed arrangements and terms and conditions post-tender.

Award of Contract

Where a key decision is required to authorise the creation of a contract the contract must not be awarded unless the BTVLEP's decision procedure has been fully complied with.

Contracts let under EU Procurement Regulations may only be signed after the mandatory standstill period has elapsed without a challenge from an unsuccessful tenderer.

Contracts may only be signed by the Chief Executive

Where a Call-Off contract is entered into under a BCC Framework Agreement which has been set-up by the Council and no new terms are being introduced (e.g. under mini-competition) the resulting Call-Off contract does not have to be signed or sealed (unless required in accordance with the terms of the Framework Agreement).

Where a Call-Off contract is entered into under a BCC Framework Agreement which has been set up by the Council and new terms have been introduced (e.g. following a mini-competition), the resulting Call-Off contract must be signed or sealed as set out under BCC Standing Order 15.2 unless otherwise advised by the Procurement Team or the Group Solicitor.

Where a Call-Off contract is entered into under a Framework Agreement which has been set up by a third party, the resulting Call-Off contract must be signed or sealed in accordance with BCC Standing Order 15.2 unless otherwise advised by the Procurement Team or the Group Solicitor.

Every contract must be in writing and must clearly state:-

- The goods, works or services to be provided;
- The agreed programme of delivery;
- The price and terms of payment;
- All other terms that are agreed;
- Exit procedures, for when the contract comes to its natural end; and
- Termination procedures for early termination of the contract including when the contractor has not fulfilled his contractual obligations.

Every contract must comply with this Assurance and Accountability Framework, BTVLEPs Financial Regulations and EU Procurement Regulations, where necessary.

Partnership Working

Both BTVLEP and BCC have a leadership role within the community, bringing together contributions from the various stakeholders, maximising funding opportunities and promoting the economic, social and environmental well-being of the area.

This may involve the establishment of partnership agreements, joint ventures, community transfer of assets, pooled budgets, externally funded projects or local authority companies. In such arrangements, it is necessary to ensure in the interests of good governance that the responsibilities, obligations and commitment for such arrangements are properly managed and accounted for.

Where BTVLEP projects are to be delivered through such arrangements, contracts must be prepared and agreed by the Chief Executive and the Section 151 Officer in advance of the contract start date. These contracts must comply with accounting standards, ensure proper financial stewardship and be consistent with the principles of financial management as set out in the BTVLEP Assurance and Accountability Framework.

The Chief Executive is responsible for approving BTVLEPs participation in all significant partnerships / joint working arrangements with other local public, private, voluntary and community sector organisations. Following advice provided by the Section 151 Officer, the BTVLEP Chief Executive should advise the Board on the key elements of arrangements for significant partnerships/ joint working arrangements as follows:

- Scheme appraisal for financial viability;
- Risk appraisal;
- Governance arrangements;
- Resourcing, including taxation issues;
- Audit requirements;
- Carry forward arrangements.

Staff considering utilising a partnership arrangement⁴ must, at the earliest opportunity before starting the contract process, obtain professional advice from the BTVLEP Chief Executive, BCC's Head of Legal Services, and the Section 151 Officer. They will advise on the partnership options available to ensure a workable partnership including appropriate governance arrangements, prior to proposals being put forward for Board decision.

⁴ Partnership arrangements can include projects run by a variety of entities such as a, Local Authority Trading Company, Mutual, Social Enterprise, Joint Venture, Charitable Company and other arms-length organisations or any similar arrangements established by the Council to deliver services.

Appendix 4: Contract Management Policy

BTVLEP staff should ensure continuous effective contract management, in order to deliver ongoing efficiency savings and to ensure continued high quality service provision.

Contract Management is the process we use to ensure our delivery partners deliver their project plans to ours and government's satisfaction. It includes all those actions that affect the successful delivery of projects. We define contract management simply as: "taking action in response to actual performances to make outcomes better than they would otherwise be". That action may be at individual, team, or service level.

Our contract management processes across a range of programmes follow a plan-do-review-revise framework;

- **PLAN:** Based on current performance, prioritise what needs to be done, identify actions that need to be taken and plan for improvement.
- **DO:** make sure that the proper systems and processes are in place to support improvement, take appropriate action, manage risk and help people to achieve better performance.
- **REVIEW:** understand the impact of our actions, review performance, speak to users and stakeholders about their experience of performance.
- **REVISE:** use the lessons learned from review to change what we do so that future action is more efficient and effective. Through this framework, learning can be harnessed in a continuous cycle of improvement.

Contract management is about both the systems and culture that turn ambition into delivery and implies a number of steps which link to this plan-do-review-revise framework to answer:

- What do we want to do? What needs to be done (strategy aims, objectives, priorities and targets);
- How do we intend to do it? Delivery Plans for ensuring that it happens (improvement, action or service plans);
- How well are we doing it? Daily, weekly, monthly, quarterly assessment if this has been achieved (performance measures);
- What should we do next? Information reaching the right people at the right time (performance reporting) so decisions are made and actions taken.

Arrangements for quality assuring the projects that BTVLEP funds can include:

- Mapping activities into monthly targets with outcomes, outputs and milestones;
- Monthly meetings with relevant delivery staff, supported by monthly reports from sub-contractors, to review progress against targets, expenditure, overall performance, feedback from participants and forward planning;
- Analysis of regular management reports and on-going assessment of target market needs in consultation with partners;
- Consultation with partners on new project development, assessing the effectiveness of the programme, identifying employer priorities from feedback and partner consultation - enabling project review and adjustment where necessary;
- Regular audits to monitor administrative procedures, setting and monitoring budgets across the partnership to identify any significant discrepancies. This also enables us to monitor cost effectiveness and ensure best value.

Our Contract Management Processes are based on tried and tested PRINCE2/Managing Successful Programmes (MSP) methodologies. In common with these methodologies, our Contract Management processes cover a range of sub-processes.

Contract Initiation

During the Contract Initiation phase of a project, we will produce the project objectives, scope, purpose and deliverables and – depending on the procurement approach to be utilised – either procure the supplier or encourage our suppliers to put in place the project team/project office and undertake a review of the project, to gain approval to begin the next phase.

In establishing the Contract, the operating procedures are developed and project-specific forms produced (including partner agreements, letters of appointment, quality/environmental management paperwork, project

review forms, financial reporting templates, project reports, monitoring arrangements etc.). For efficiency, we will re-use operating instructions developed for other projects where practicable.

In our experience, this stage in the Contract Management Life Cycle is vital for building good relationships with the supplier and aligning the service to our requirements. It's also vital that minutes of meetings or emails are retained and decisions shared between the BTVLEP Contract Manager and the supplier.

If not determined at the delivery planning stage, project performance measures and reporting requirements will be defined at this stage. The process for delivering these will be developed, together with the process for retaining project records.

Contract Delivery and Managing Performance

Regular review meetings will take place with the supplier to gain feedback, address any particular concerns and/or identify any potential service enhancements. The results of reviews and measures will be discussed at these meetings.

The effectiveness of the existing procedures will be regularly reviewed and amended - applying established document management procedures and the Control of Records processes - and opportunities for continuous improvement sought out

BTVLEP will identify areas of good and poor performance and establish mechanisms for implementing corrective action. The colour coding of performance indicators will help identify the areas of good and poor performance.

When an indicator is red the Contract Manager will meet with the Project Sponsor to agree on appropriate action(s). When an indicator is amber the directorate should normally make plans to improve performance in that area.

Project Completion

When a project achieves completion our Contract Manager will meet with the supplier and other service stakeholders to ensure that the supplier has delivered the project to our satisfaction, to identify any remaining requirements and agree actions during the close-out phase of the project. Once the project has closed, we will seek formal feedback on the project (as part of our Monitoring Strategy) and use this feedback to inform further project planning. This feedback will be used by the Contract Manager in the post-project review, identifying what went well, what could have been improved, and the main lessons learned.

Audit

We will conduct monthly reviews of LGF projects to determine whether or not delivery conforms to the planned arrangements for service delivery and is effectively implemented and maintained.

This audit process is designed to identify best practice and non-conformities to the planned systems and to put in place actions and to improve.

The scope of the audits is planned in liaison with the suppliers or delegated representatives, taking into account any previous issues and any current areas of concern. Any actions required as a result of the audit are highlighted, and plans for corrective actions agreed with the relevant staff.

An audit programme will be drawn up by the relevant Contract Manager every six months to cover key aspects of the programme, with a sample of projects within the programme normally being audited. Audit criteria will be agreed in advance with the staff affected by the audit.

The Suppliers Project Manager in the area being audited will be responsible for ensuring that actions are taken within an agreed time to overcome identified non-conformities. Reports should be reviewed periodically to ensure corrective action has been taken and it can be demonstrated that improvement has been made to the particular area of work under review. Identified best practice will also be shared.

We will regularly monitor and measure our own Contract Management processes to ensure they are achieving the planned results and to identify where corrective actions need to be taken or best practice shared.

We will monitor and measure the programme service characteristics to verify that agreed service levels are being met. Measurements will be made where contractually agreed and where they are appropriate to monitor service quality and delivery. These will include:

- Contractual service level agreements;
- Performance against agreed targets;
- Outcomes for programme participants;
- Performance of specific activities and suppliers.

Controlling non-conformance

Non-conformities themselves may be identified by an individual in the BTVLEP team - through our day to day operations or through our regular service audits - or by an external stakeholder. As and when non-conformities are identified, the manager responsible for this area of service delivery will investigate the matter and implement a corrective action as identified above, whilst keeping all potentially affected individuals informed of developments.

Whilst our core processes have been designed to prevent non-conformances, should they arise we will communicate with relevant staff to preclude any further use of the non-conforming product; and take action to eliminate the detected non-conformity.

If it's not possible to effect a correction immediately, a senior member of BTVLEP staff will seek the Local Growth Team's agreement to continue to run the non conforming service, for a specified timescale.

When a non-conformity is corrected, any changes will be agreed by the Chief Executive and/or the Local Growth Team as appropriate. Records of non-conformities and corrective actions will be maintained by BTVLEP, who will analyse trends that can drive continuous improvement in the programme.

Changes to Contracts

Where provided for in the contract the change control procedure must be followed. Changes to contracts falls into one of two categories:

Operational changes will:

- not increase the costs incurred by either party, or will only do so to an immaterial extent i.e. up to an amount that could be fixed by the parties;
- not impact the scope of the contract;
- not impact or require amendments to the terms of the contract;
- not affect the risk profile of either contracting party.

Contractual changes include:

- new service obligations;
- anything impacting existing pricing;
- anything requiring new pricing;
- anything impacting on the scope of the contract;
- anything impacting or requiring amendments to the terms of the contract;
- anything impacting the risk profile of either contracting party.

Advice must be sought from BCCs Legal Services Team when considering contractual changes to contracts.

Contract Extensions

Where a BTVLEP member of staff wishes to exercise an option to extend a contract an options appraisal must first be undertaken to assess the benefits against other courses of action.

The BTVLEP member of staff must ensure that appropriate technical and financial staff are involved in appraising extension options.

Termination of Contract

A BTVLEP member of staff shall not terminate a contract over EU thresholds prior to its expiry date without first obtaining advice from BCCs Legal Services Teams.

Technical Amendments

The S151 Officer has the authority to make technical amendments when necessary, to ensure that the framework relating to Contracts remains consistent with legislation, BTVLEP's organisation and structure and generally with

best practice. These amendments shall be subject to consultation with the BCCs Head of Legal & Democratic Services

Land and Property

This framework relates to the acquisition and disposal of land and property including leases which are for a fixed term of more than seven years.

All valuations and negotiations shall be the responsibility of the BTVLEP Chief Executive and/or the Managing Director of Buckinghamshire Advantage. Anyone undertaking the negotiations on his/her behalf must have appropriate written delegation and must be a qualified Member of the Royal Institution of Chartered Surveyors or equivalent professional competence.

All valuations prepared for the purpose of a transaction must be accompanied by evidence of the values or comparable properties in the locality, or if possible evidence of recent, similar transactions carried out by BTVLEP. All reports which concern or may concern the creation, acquisition, disposal or modification of any legal or other interest in land or buildings, shall contain an appraisal setting out the implications in terms of property rights and interests arising from the proposals contained within the report.

A BTVLEP member of staff shall, wherever practicable, seek the approval of the BTVLEP Chief Executive and/or the MD of Buckinghamshire Advantage to any such proposals at a consultative stage prior to the preparation of such reports.

Monitoring and Evaluation

BTVLEP has developed an Evaluation and Monitoring Plan, working in partnership with its scheme promoters.

Each scheme will have an evaluation plan produced prior to final approval, and will be monitored in accordance with this plan. This monitoring will be done according to government guidance and will, where appropriate, include the 1 and 5 year reports.

All subsequent evaluation reports will be published on the BTVLEP website and made available to other LEPs in order to encourage the sharing of best practice. If such evaluation reports are produced by Scheme Promoters, BTVLEP will secure an independent review of such plans to provide scrutiny, audit and challenge where needed. All evaluation will comply with government and BTVLEP guidance.

Throughout the duration of a contract, the designated Contract Manager must monitor the contract/contractor. BTVLEP staff must seek advice from the BTVLEP CEO and BCCs Procurement, Finance & Legal & Democratic Services Teams if significant non-compliance or performance issues occur during the life of the contract.

Where appropriate, BTVLEP will have the results of any evaluation and monitoring reviewed independently of the scheme promoter.

BTVLEP will also prepare an evaluation 'handover pack' as part of the appraisal process that documents all key assumptions so that those responsible for scheme evaluation can fully understand how appraisal estimates were produced and can examine the potential drivers of any differences between forecasts and outturns.

Appendix 5 : Risk Management Policy

It is fundamental that robust, integrated systems are in place and maintained for the identification and evaluation of all significant strategic and operational risks. It is essential that those responsible for the planning and delivery of services proactively participate in this.

All work we undertake is subject to risk assessments at the bid and inception stages and risk management, including re-assessment, is performed during the lifetime of the contract. In managing any contract we adopt a risk management approach which is constantly re-evaluating risk and attempting to minimise its impact by mitigation steps or at looking for a different approach with less risk. This helps us to ensure delivery is made to time, quality, cost.

These policies comply with current management best practice and (where appropriate) the prevailing UK and EU legislation.

Buckinghamshire Advantage, Buckinghamshire Business First and/or the Buckinghamshire Skills Programme Board will ensure that programme risk is managed as part of its monitoring responsibilities, and will require risk registers to be produced and maintained for individual schemes once these are approved.

In order to identify, access and manage any potential risks we encourage our suppliers to undertake preprogram and in program risk assessments.

- Through their pre-program risk identification and assessment processes, we seek to encourage suppliers to identify and assess the key risks they envisage might impact, at the outset of the project. We ask suppliers to record the risks they have identified on a risk register. This has been developed from a model risk register supplied by DCLG and supplemented by a brainstorming session amongst our project team, which brought our extensive experience of undertaking similar activities to bear.
- Through their in-program risk identification, assessment and management processes, we also encourage them to develop a risk Log, which the Project Manager should update on a regular basis as new risks emerge. We would expect the Project Manager in our supplier would periodically review the risks on the Risk Log and transfer any to the Risk Register that are deemed sufficiently high risk, to warrant ongoing monitoring. This Risk Log, and the Risk Register, will be reviewed periodically at Project Team Meetings, to ensure the impact and probability of the various risks occurring are considered and appropriate management actions relating to each risk are discussed by the team. Where Risks are deemed to have a significant impact on the performance of the project, we will escalate them to the Local Growth Team for discussion/further consideration. We will utilize our own Risk Management processes more actively during the start-up and closure phases of any projects, as experience tells us these are the phases of the project that are generally higher risk. That is not to say risk management will be ignored during the earlier phases - merely that Risk Management is a particularly strong focus during set up.

Reports to support strategic policy decisions and initiation documents for all major projects will require a risk assessment.

The BTVLEP CEO is also required to ensure that:

- procedures to ensure assessment of all risks are operating effectively within their services and that their risk register(s) and management action plans are regularly updated;
- managers are aware which risks they are responsible for managing and receive the relevant information;
- an ongoing monitoring process is in place to review the effectiveness of risk reduction strategies;
- prompt notification is given to the Section 151 Officer of all new risks, including financial, property, equipment or vehicles, which may require BCC insurance cover and of any new activities or changes, including contractual or partnership risks, which may impact upon BCC's existing risk profile.

Appendix 6: Finance Policy

This Finance Policy is part of the overall governance framework within which BTVLEP operates. They are designed to provide a robust framework for managing the BTVLEP's financial affairs. The objective of this document in conjunction with others is to ensure that BTVLEP:

- manages its available resources (which includes all resources – monetary, physical assets, human resources, etc.) to ensure financial stability in both the short and medium term:
- in conjunction with key partners plans its finances effectively to deliver its strategic priorities:
- achieves value for money in the delivery of services and in the management of its asset base:
- complies with financial and external reporting requirements on a timely basis and meets the needs of stakeholders: and
- has a pro-active approach to managing its risks including partnership risks together with a sound system of internal control.

The Status of this Finance Policy

This Finance Policy applies to all members and officers of the BTVLEP and anyone acting on its behalf.

The financial control framework can be seen as a hierarchy as set out below:

- Financial Regulations and Policy: Approved by Buckinghamshire County Council and BTVLEP
- Financial Instructions: Approved by the Section 151 Officer
- Schemes of Delegation: Approved by BTVLEP Chief Executive and BCCs Section 151 Officer The BTVLEP Chief Executive and BCCs Section 151 Officer are responsible for:
 - reviewing this Finance Policy;
 - the submission of any additions or changes to the BTVLEP Board for approval;
 - carrying out duties in accordance with s.151 Local Government Act 1972;
 - reporting, where appropriate, breaches of BTVLEPs Financial Regulations to the BTVLEP Board.

Further Assistance and Feedback

BCCs finance staff provide advice and support to BTVLEP on all aspects of financial management and financial control. In particular, BTVLEP staff must seek advice if they are intending to create a new financial procedure, or amend an existing one.

Financial Management Responsibilities

Financial management includes all financial accountabilities relating to the running of the BTVLEP, including the requirements set out in the policy framework, supporting financial strategies, policies, procedures and budget.

The role of key various bodies and officers in respect of financial control processes is set out in earlier sections of this framework.

The Section 151 Officer shall determine the nature and format of all accounting procedures and financial records. They will ensure that accounting procedures reflect recommended professional practice, comply with appropriate accounting principles and legislative requirements. He/she will review accounting procedures as necessary in consultation with the BTVLEP CEO to ensure that the necessary information is available without duplication of records.

The BTVLEP Chief Executive and the Section 151 Officer are responsible for:

- Ensuring that the Annual Statement of Accounts is prepared by the statutory date in accordance with relevant legislation and accounting standards and that the accounts present a true and fair view of the financial position of BTVLEP and its expenditure and income;
- Completing the Statement of Accounts and the arrangements for the audit of these;
- Ensuring procedures are in place to provide adequate documentation to support the Statement of Accounts. This will include reconciliations with financial ledgers, copies of grant claims and other working papers which demonstrate the substantive basis for the data within the Statement of Accounts.

Financial Planning and Control

Financial planning enables BTVLEP to deliver its priorities through the allocation of resources to services.

- The revenue budget provides an estimate of the annual income and expenditure requirements for all activities and sets out the financial implications of BTVLEP's policies. It provides staff and sub-boards with authority to incur expenditure and a basis on which to monitor the financial performance of BTVLEP.
- Capital expenditure is an important element in the development of BTVLEP's services since it represents major investment in new and improved assets.

The Financial Planning Process

BTVLEP's objective is to ensure that financial and corporate planning processes are integrated, are risk assessed and managed and incorporate strategic planning for all other resources such as assets and human resources.

The Policy Framework including Consultation

The BTVLEP Board is responsible for agreeing the BTVLEP's policy framework and the budget which is proposed by the Senior Management Team.

The key elements of financial planning are set out in the following documents:

- **Strategic Economic Plan (SEP)** – The SEP sets out what BTVLEP is aiming to achieve through a vision, set of aims, medium to long term objectives.
- **Local Growth Deal(s)** – The various Local Growth Deals government will agree with LEPs over the period 2014-2020;
- **The Annual/Three Year Revenue Budget** – The Annual/Three Year Budgets prepared by the Chief Executive for deploying BTVLEP revenue funding in pursuit of the goals of the Strategic Economic Plan and the Local Growth Deals;
- **Sub-Board Business/Delivery Plans** – setting out how delegated budgets will be deployed by various elements of the BTVLEP governance structure
- **Service Level Agreements** - between BTVLEP, Buckinghamshire Advantage, Buckinghamshire Business First and the Skills Programme Board.

BTVLEP will involve partners in the financial planning process in order to help shape and deliver its organisational and shared objectives.

The BTVLEP Annual/Three Year Revenue Budget

Annually, through consultation with the BTVLEP Chief Executive, each member of the Senior Management Team shall review and develop a one year/three year financial plan (capital and revenue). This will be a statement of the resources required to deliver the planned service activities over a three year period. It should be developed in accordance with guidance prior to being submitted to the BTVLEP Board for approval. Such forecasts should be developed as an integral part of BTVLEP's overall business planning process.

The Chief Executive of BTVLEP will determine the format of the financial plan and the timing of reports, subject to any overriding requirements of the BTVLEP Board.

Each member of the SMT shall include the financial effects of:

- all known commitments (part year and full year)
- the impact of unavoidable growth, such as legislative requirement
- efficiency savings
- the scope for additional income generation
- the delivery of BTVLEP priorities; and
- any service reductions

The Section 151 Officer is responsible for providing advice and support to members of the SMT on the form of financial information to be included in the plans.

SMT members are responsible for:

- the identification of risks that may impact on business objectives and assessment of the best ways to manage them;

- contributing to the development of corporate and service targets and objectives and performance information;
- ensuring that service plans are clearly aligned with budgets for the purpose of delivery of service priorities;
- ensuring that targets identified within the service plans are included in service business plans and as performance management targets for the relevant staff.
- ensuring that budgets are robust and sufficient to deliver the stated priorities.

In the event that new un-ringfenced revenue funding of £0.5 million or below becomes available after the revenue budget has been agreed by the Board, approval for the use of that funding within the revenue budget can be made by the BTVLEP Chief Executive, following advice from the S151 Officer, having regard to any statutory or non-statutory obligations imposed or implied by any conditions of award and after discussion with other relevant Board/SMT members. The use of funding allocations above £0.5 million is to be approved by the BTVLEP Board.

If in the opinion of the S151 Officer, the decision on the use of new un-ringfenced funding requires consideration by the BTVLEP Board, they may refer the matter to the Board, as appropriate.

The Capital Programme

BTVLEP's Capital Programme will be developed in accordance with the policy framework, particularly the Strategic Economic Plan, Local Growth Deals, the Infrastructure Investment Plan and the Buckinghamshire Advantage Business Plan. These documents will ensure that capital investment is targeted to achieve best value and maximum effect on priorities, needs and outcomes for local communities.

The BTVLEP Capital Programme agreed annually by the BTVLEP Board provides in principle support for individual projects. However, the release of funds to facilitate each project is subject to an appropriate robust business case being agreed by the BTVLEP Board, in line with the Assurance and Accountability Framework.

The BTVLEP Chief Executive is responsible for:

- ensuring that capital proposals reflect agreed service plans;
- capital proposals are prepared in accordance with guidance issued and are realistic in both financial and delivery terms;
- ensuring that risks have been identified and assessed; and
- developing business cases and undertaking option appraisals in accordance with Financial Instructions.

Financial Control

Expenditure may only be incurred if it is within the budget approved by the BTVLEP, subject to the provisions of BTVLEPs and BCCs Financial Regulations and for the purposes for which the budget was established. This is subject to any other requirements of the BTVLEP Board.

The Chief Executive must monitor income and expenditure against budgets for which they are responsible and provide forecast outturn information on a regular basis. The Section 151 Officer will provide financial advice to assist the BTVLEP Chief Executive to fulfil their responsibilities.

The BTVLEP Chief Executive is responsible for ensuring that expenditure and income are correctly coded and that budget profiles are accurate. All expenditure, income and forecasts must be recorded on a single computerised financial management system, as a minimum in summary form.

At the start of each financial year, the Section 151 Officer will set out the budget monitoring process. It will include timescales and the responsibilities of all officers involved in the process. The Senior Management Team are responsible for ensuring that they meet the timescales so that prompt and accurate information can be provided to Board Members.

If net expenditure exceeds an approved budget for a project or service the member of the Senior Management Team will as soon as possible report it to the BTVLEP Chief Executive and the Section 151 Officer and take all appropriate mitigating action. This also applies if expenditure in excess of the approved budget is incurred due to an emergency.

Virements & Budget Adjustments

A virement is a movement of budget either within or between budget headings. A budget heading relates to an agreed division of a service (i.e. activity, project, service unit department).

Virements may be necessary under a number of circumstances, for instance:

- where the organisation or management of services has been restructured;
- where the political portfolio priorities and objectives have changed;
- where significant budget pressures arise which can be offset by other budget underspends or contingencies;
- where income projections change, matched by changes in expenditure.

A budget adjustment is defined as:

- a budget movement required in order to better reflect in budget terms a policy decision agreed and documented in accordance with this framework; or
- a budget movement over which the BTVLEP has no control, for example where statutorily or through the requirements of Government grant conditions, BTVLEP is obliged to make a budget adjustment; or
- a budget movement required to correct an error, i.e. where the budget showing in the financial management system does not match the Budget agreed by BTVLEP.
- a budget movement required to reflect an allocation from contingency funds in line with financial instructions.

For the avoidance of doubt, any budget movement which does not meet the definition above (or where there is uncertainty about whether the movement meets the definition), will be deemed to be a virement

A budget adjustment can be implemented by agreement between the Section 151 Officer and the BTVLEP Chief Executive, without need for further approval via the virement provisions set out above

All budget adjustments must be reported by BCC as part of the monthly budget monitoring process.

The approval of the BTVLEP Board and the Section 151 Officer is necessary in advance if virements:

- involve resources not being used for the purposes approved by the BTVLEP Board; or
- result in an addition to commitments in future years beyond any agreed allocations; or
- in the opinion of the S151 Officer, require approval by the BTVLEP Board

Members of the Senior Management Team are encouraged to minimise the number of virements through effective budget profiling and management. All virements must be reported as part of the monthly budget monitoring process.

Year End Balances/Carry Forwards

The provision for carrying forward of BTVLEP year end balances is set out below, but is subject to the overriding needs of BTVLEP, as advised by the Chief Executive.

All BTVLEP revenue budget overspending subject to BTVLEP Board approval will be carried forward to the following year. BTVLEP has no responsibility for any Sub-Board overspends and will not carry forward any overspends in their revenue budgets.

All BTVLEP revenue budget underspends will be carried forward for the purposes intended.

The BTVLEP Board advised by the Chief Executive and the S151 Officer shall decide how any retained surpluses are deployed in subsequent financial years to support the delivery of BTVLEP Plans.

Capital Projects

The Chief Executive will annually report the outturn of expenditure on individual schemes within the Capital Programme for each financial year.

Underspends on schemes/projects/blocks must be returned to the overall BTVLEP capital funds available. Slippage of capital spends on projects within the overall project allocation will be carried forward between financial years, although slippage should be avoided wherever possible.

Overspends on capital budgets must be managed within the overall approved BTVLEP capital programme within year or future years. If overspends cannot be managed within approvals then the BTVLEP Chief Executive could make a revenue virement to provide an additional revenue contribution to capital from its revenue resources, or apply for a supplementary capital approval from its GPF allocation.

Maintenance of Reserves

Reserves are monies set aside in one year's accounts, which can be spent in later years, for future policy purposes or to cover contingencies. Some types of reserve (earmarked) can only be spent if the conditions which created them are met.

The Section 151 Officer is responsible for advising the BTVLEP Chief Executive on a prudent level of reserves as part of the annual budget setting process. The advice provided will have regard to the assessment of the financial risks facing BTVLEP.

The Three Year Financial Plan should ensure BTVLEP achieves or maintains the recommended level of reserves. Requests for earmarked reserves are subject to the approval of the BTVLEP Chief Executive and the Section 151 Officer, who will provide advice and guidance on the setting up and maintenance of such reserves

Contingent Liabilities

A contingent liability arises where an event has taken place that gives rise to a possible financial obligation, the existence of which will only be confirmed by the occurrence of uncertain future events or where a provision would otherwise be made but either it is not probable that an outflow of resources will be required or the amount of the obligation cannot be measured reliably.

The Chief Executive and the Section 151 Officer are responsible for reviewing at least annually the existing contingent liabilities and ensuring that a balance sheet provision is made where necessary in accordance with accounting standards.

BTVLEP Staff with delegated budgets are responsible for;

- Reviewing at least annually his/her service activities for contingent liabilities;
- Informing the BTVLEP Chief Executive of any new contingent liabilities and of any changes in the circumstances in relation to existing contingent liabilities.

Internal Control

Internal Control relates to the systems of control implemented by management to help ensure achievement of the BTVLEP's objectives in a way that ensures economical, efficient and effective use of resources. In addition, the systems of control ensure that BTVLEP's assets are kept secure and interests are protected.

Best practice in LEP assurance and accountability guidance suggests every LEP should conduct a review at least once a year of the effectiveness of its system of internal control and shall publish an Annual Report prepared in accordance with proper practices. The BTVLEP Board has delegated this responsibility to the BTVLEP Chief Executive.

The BTVLEP Chief Executive is responsible for;

- Ensuring effective systems of internal control exist. These arrangements must ensure compliance with all relevant statutes and regulations and other relevant statements of best practice.
- Ensuring compliance with BTVLEP policies & procedures, codes of conduct and any statutory requirements;
- Providing assurances for BCC's Annual Governance Statement that financial and operational control processes are in place in order to achieve objectives and manage significant risks; □ Maintaining up-to-date documented procedures for key systems.

The Section 151 Officer is responsible for advising on effective systems of internal control.

These arrangements for ensuring a sound internal financial control are vital in order to:

- manage risks;
- achieve continuous improvement, economy, efficiency and effectiveness; □ achieve financial and operational performance targets.

Audit Requirements

The Accounts and Audit Regulations 2006 require every local authority to maintain an adequate and effective internal audit. The following regulations apply:

BCCs Internal Audit team have authority to enter any premises or land used by BTVLEP at any time and have access to all BTVLEP correspondence, documents, books, property or other records related to BTVLEP business. The Section 151 Officer shall be entitled to receive explanation as he/she considers necessary to establish the correctness of any matter under examination.

BCCs Internal Audit Team will comply with standards outlined in the CIPFA Code of Practice for Internal Audit in Local Government (2006) and the Auditing Practices Board of the Consultative Committee of Accountancy Bodies. The Accounts and Audit Regulations 2006 require that at least once a year a review should be conducted of the effectiveness of the system of internal audit.

The Section 151 Officer should be notified immediately of any financial irregularities or suspected irregularities, or any circumstances which may suggest the possibility of irregularities in any of the BTVLEPs activities. Any investigation will be undertaken in accordance with the BCC's Anti-Fraud & Corruption Strategy (which incorporates the Fraud Response Plan) and the Whistle Blowing Policy.

The basic duties of the external auditor are governed by Section 15 of the Local Government Finance Act 1982, as amended by Section 5 of the Audit Commission Act 1998.

The Council may be subject to audit, inspection or investigation by external bodies such as HM Revenues and Customs, who have statutory rights of access

Separation of Duties

Financial procedures must be undertaken whenever possible using different members of staff to undertake different parts of a sequence of operations in order to ensure that no one individual authorises the whole of one transaction. Where possible at least two, if not three people should be involved in parts of the operation.

Retention of Records

Accounting and other related records including contract documentation must be retained for periods which comply with all relevant legislation and any funding requirements.

Prevention of Fraud and Corruption

It is the responsibility of every BTVLEP employee, member and external stakeholder (e.g. suppliers, contractors, service providers, agencies, and partner Councils) with whom BTVLEP deals:

- to act with integrity at all times;
- to comply with legal requirements, rules, procedures and good practice to minimise the risk of fraud; and
- to report suspected fraud, corruption or other irregularity in accordance with these Financial Regulations, the Whistle Blowing Procedure and the Anti-Fraud and Corruption Strategy.

The BTVLEP Chief Executive must follow BCC's Anti-Fraud Corruption Strategy which provides detailed guidance in relation to dealing with irregularities and suspected fraud.

BCC's counter fraud arrangements and performance will be assessed against professional guidance, best practice and the findings of internal reviews. The BTVLEP Chief Executive is responsible for strengthening systems and procedures in response.

The BTVLEP Chief Executive shall take steps to minimise the risks of financial irregularities occurring. In addition they will review and monitor compliance with codes and procedures, and report any material findings.

Investments and Treasury Management

The BTVLEP Chief Executive and the Section 151 Officer are responsible for the arrangements for managing BTVLEP's cash flow, its borrowing activities and its lending activities, in accordance with policies agreed by the BTVLEP Board, and BCC as BTVLEPs accountable body.

The Section 151 Officer will keep these arrangements under review. Any loan proposals, whether borrowing, or lending, must be submitted to the Section 151 Officer at an early stage. No loan arrangements may be entered into on behalf of the Council, without the prior written consent of the Section 151 Officer.

Systems and Procedures

Sound systems and procedures are essential to an effective framework of accountability and control.

The Section 151 Officer is responsible for the form of accounts and supporting financial records.

The BTVLEP Chief Executive is responsible for the proper operation of financial processes and for ensuring they comply with this assurance and accountability framework and any Financial Instructions, guidance or procedures provided by the Section 151 Officer.

The BTVLEP Chief Executive must also ensure that staff are aware of their responsibilities under freedom of information legislation.

BTVLEP will undertake financial management via a single computerised system with income and expenditure reported to the Senior Management Team on a regular basis. This will allow us to update monitoring spreadsheets regularly and provide a variance analysis for the purposes of monitoring and controlling income and expenditure.

Adopting this approach will enable us to give highly functional, efficient and accurate financial management information.

The BTVLEP Chief Executive must ensure that where appropriate, computer and other systems are registered in compliance with data protection legislation.

Process for release of funds:

The following process shall be followed for the release of all loans and grant funding administered by BTVLEP.

1. SEP Finance Meetings

- 1.1. LEP Board approves a project
- 1.2. Fully signed loan / grant agreements are filed in the BTVLEP folders in the N drive.
- 1.3. Claims agreed in SEP Finance meetings (supporting evidence brought to meetings includes Certificate of Works with Project Summary and invoice).
- 1.4. Any claims would be approved subject to previous LEP Board approvals.
- 1.5. LEP Management monitor projects on an ongoing basis therefore confirm in meeting that work has been done to a satisfactory standard and in accordance with the offer letter issued by the LEP to the recipient.
- 1.6. The Claims are signed by the LEP CEO / delegated Senior Officer and the Claimants approved signatory.
- 1.7. Signed claims are saved in BTVLEP folders on N drive (BCC).
- 1.8. Senior Management Accountant sends instructions to lep@buckscc.gov.uk for payment of claims to external parties or for journal entries if BCC.
- 1.9. Journals are sent to TEE FD to approve where they impact reserves.
- 1.10. Capital Programme Manager is also notified of claims to be processed to ensure any updates to budgets are made to capital programme if required.

2. Fully signed loan/ grant agreement

- 2.1. LEP Board approves a project; LEP Management and BCC then facilitate a loan / grant agreement for the project.
- 2.2. Signed loan/ grant agreement saved in BCC N Drive (BTVLEP folder).
- 2.3. Senior Management Accountant sends instructions to lep@buckscc.gov.uk to initiate payment per loan agreement.
- 2.4. A meeting with the LEP Finance support team takes place to agree required actions.
- 2.5. Entries are then made to reimburse paying revenue cost centre from reserves

Appendix 7: Conflicts of Interest Policy

Because of the administrative model operated by BTVLEP, clear delineation between technical and administrative support will need to be established on a scheme by scheme basis, to ensure the BTVLEP Board receives appropriate advice - independent of scheme promoters - and potential conflicts of interest are avoided.

Where the Chairman has a conflict of interest he/she should ensure that he/she does not influence the decision and the decision is taken by a Board Member who does not have such a conflict.

If every member of the BTVLEP Board has a conflict of interest, consideration should be given to delegating the decision to an appropriate Sub-committee or member of the Executive or to seek a dispensation.

Board Members have a key role in commissioning services from delivery units which may be internally or externally run through a variety of service models. Where such a service is commissioned by a Board Member from an external delivery unit, Board Members should be mindful of potential conflicts of interest arising from also sitting on the board (or similar governance structure) of that delivery unit. This is because Board Members may also be acting as company board directors (who under the Company Act 2006 have a legal duty to act in the best interests of the company) and may be unable to fully fulfil their role as a strategic decision-maker in making commissioning decisions on the contract arrangements with that company or in their role in holding the external delivery unit to account. In such circumstances, Board Members should seek advice from the Chief Executive

prior to sitting on any external board (or similar governance arrangement) in order to fully consider any implications arising from potential conflicts of interest.

In addition, where any of BTVLEP's delivery bodies are directly involved in the delivery of particular schemes, or elements of particular schemes, a clear rationale for adopting an 'internal' delivery model will need to be clearly spelt out.

Any Conflicts of interest will be noted at the start of any meeting and where such conflicts materially affect a member's ability to vote without prejudice, such a member will withdraw from the vote and may provide a substitute if such conflicts are known in advance.

A register of personal interests is maintained for every Board member and available for scrutiny on the BTVLEP website. Voting members will declare any hospitality or gifts relevant to the board's activities, and this list will be maintained by the BTVLEP secretariat.

The BTVLEP Board may, at any time authorise a person to be involved in a situation in which the person has or may have a direct or indirect interest which conflicts or may conflict with the interests of the BTVLEP Board ("a conflict of interest") provided that the conflict of interest at the time is declared to them and the person subject to the conflict of interest shall not vote.

In the event that there is a pecuniary conflict of interest the person so conflicted shall immediately declare the nature of the conflict or potential conflict and withdraw from any business where the conflict would be relevant. Whenever a person has an interest in a matter to be discussed at a meeting the person concerned will not be:

- entitled to remain present at the meeting during discussion of that matter
- counted in the quorum for that part of the meeting;
- entitled to vote on the matter.

A Register of Board Members' Interests will be maintained & published on the BTVLEP website.

If a member has any uncertainties about the provisions of the Code of Conduct or about whether he/she has a Disclosable Personal Interest in a matter, he/she should consult the BTVLEP Chief Executive.

Every member shall submit details of his/her interests to the Board Secretary who shall maintain a Register of Members' Interests. The Register shall be published on BTVLEP's website. The Register will also record any dispensations granted against each Members' register entry.

The Board Secretary will also maintain a record of any staff member's prejudicial interest in any contracts, and this register shall be available during office hours for inspection by any member of the BVLEP Board.

Appendix 8 BTVLEP Social Value Statement

Buckinghamshire Thames Valley Local Enterprise Partnership will consider how economic, social, and environmental well-being may be improved by LEP procurement and investments.

The LEP will seek, through the allocation of its resources to enable communities to become more resilient and reduce demand on public services. The LEP aims to provide employment opportunities within Buckinghamshire, make its communities stronger and more effective.

Buckinghamshire Thames Valley LEP is fully committed to this approach and defines social value as:

"Outcomes, measures and activity that will create strong and well-connected public, private and social sectors that enable communities to be more resilient".

The four key social value outcomes for Buckinghamshire Thames Valley LEP are:

- An increase in community resilience through the development of local skills and jobs;
- A reduction in the demand for public services;

- An increase in the number of new community businesses developed and the impact they have in communities;

- An increase in the level of private sector investment and the impact this has in communities;

Buckinghamshire Thames Valley LEP will, where relevant, seek to achieve these key social value outcomes through the delivery of the Strategic Economic Plan and associated functions.

In procurement activities this will include the LEP using these social value outcomes to ensure

proportionate and relevant inclusion in the specification for the service required and evaluating tenders in accordance with those social value outcomes and measures and that specification.

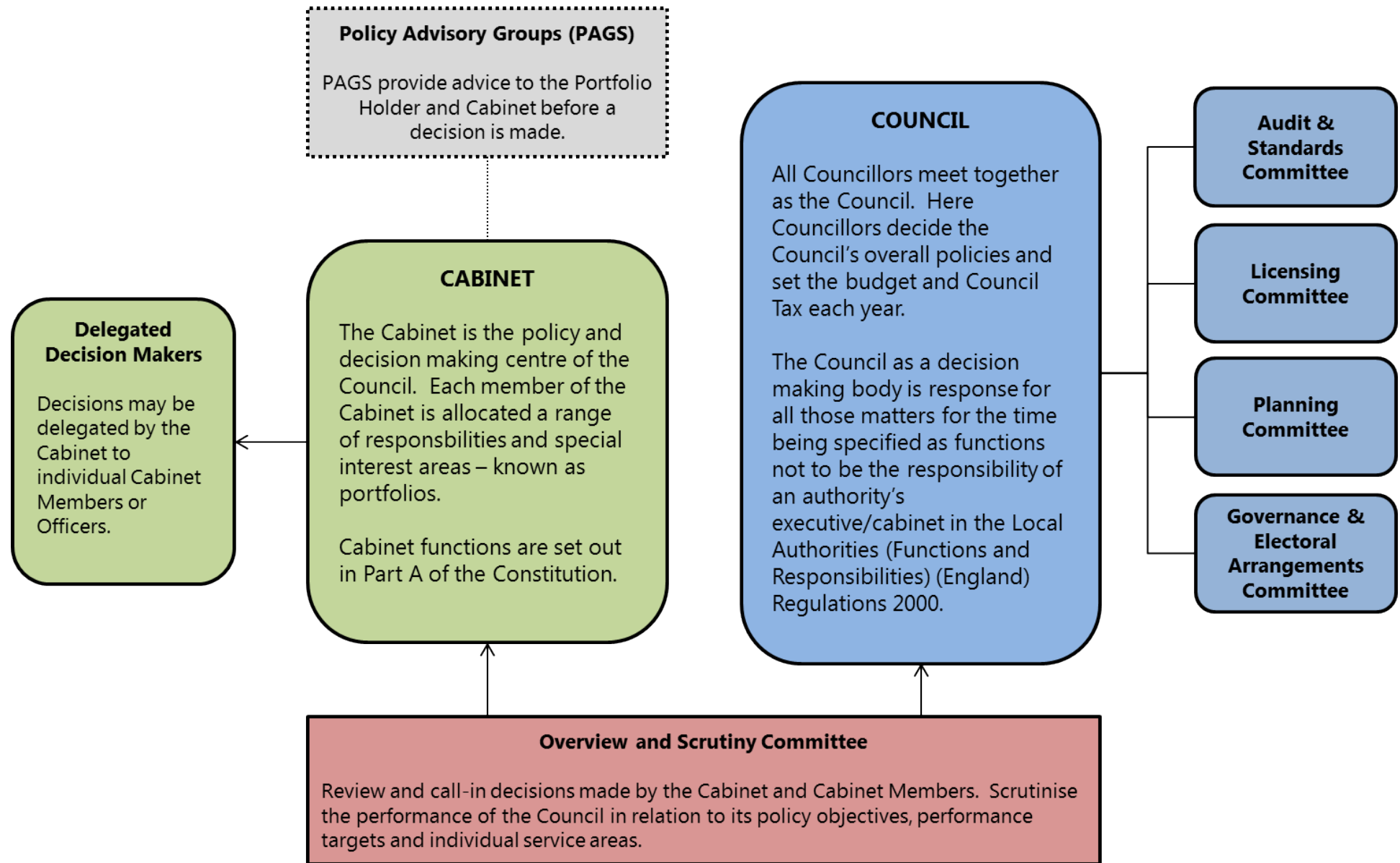
Where appropriate, the LEP will ask bidders to detail and demonstrate the social value outcomes and measures that they can deliver when providing the service. Where appropriate, the LEP will include an appropriate weighting in our tender evaluation model to assess the social value offer submitted by bidders.

Buckinghamshire Thames Valley LEP will also ensure, where appropriate, that the delivery of programmes utilising public sector funding will contribute to the key social value outcomes.

Buckinghamshire Thames Valley LEP will work with beneficiaries to ensure, where possible, that the maximum social impact is realised.

PART H – DECISION MAKING STRUCTURE CHART

Decision Making Structure Chart



PART I

**GLOSSARY OF TERMS USED IN THE
CONSTITUTION**

Glossary of Terms Used in the Constitution

Term	Meaning
Administration	The Political Group with an overall majority of Councillors.
Audit and Standards Committee	The Audit and Standards Committee considers the Council's governance arrangements, ensures that the financial affairs of the Council are properly conducted and is responsible for promoting and maintaining high standards of behaviour by members of the Council.
Agenda Papers	These set out the business to be considered at formal meetings of the Council, Cabinet and Committees. They are public documents and are available for inspection before each meeting at the Council's main offices and on the Council's website (www.southbucks.gov.uk).
Annual Meeting	The annual meeting of the Council which appoints the Chairman, Vice Chairman, Leader of the Council (at the first Annual Meeting after the District Elections only), Committee chairmen and members of committees. The meeting takes place within 21 days of the retirement of outgoing Councillors in an election year and in March, April or May in other years.
Appointor	A committee, sub-committee or Officer carrying out the function of appointing an Officer under the Employment Procedure Rules.
Background Papers	Documents relating to the subject matter of a report which in the opinion of the Proper Officer:(a) disclose any facts or matters on which the report or any important part of the report is based; and (b) which have been relied on to a material extent in preparing the report but does not include published works or those which disclose <i>Exempt</i> or <i>Confidential Information</i> and in respect of <i>Cabinet</i> reports, the advice of a political advisor.
Budget Meeting	The Ordinary Meeting of the Council normally taking place in February which considers the Budget.
Budget and Policy Framework	The following plans and strategies comprise the budget and policy framework: <ul style="list-style-type: none"> • Chiltern and South Bucks Joint Business Plan • Chiltern and South Bucks Joint Sustainable Community Strategy • Plans and Strategies which together comprise the Development Plan, the Local Development Framework and Local Development Scheme • Joint Waste Strategy for Buckinghamshire • South Bucks Community and Well Being Plan • Housing strategies and policies comprising the Housing Framework including the Private Sector Housing Strategy and policy documents), Homelessness Strategy and Temporary

Term	Meaning
	<p>Accommodation Strategy).</p> <ul style="list-style-type: none"> • Medium Term Financial Strategy • Treasury Management Strategy • Information Strategy • Statement of Principles under the Gambling Act 2005 • Licensing Policy – under the Licensing Act 2003 • Contaminated Land Strategy • Asset Management Plan • Corporate Enforcement Policy • Chiltern and South Bucks Economic Development Strategy • Any other plan or strategy which the Council from time to time determines shall be adopted or approved by the Council. <p>Budget includes the allocation of financial resources to different functions, services and projects; proposed contingency funds; setting the Council Tax; decisions relating to the control of the Council's investment policies, borrowing requirement and capital expenditure.</p> <ul style="list-style-type: none"> • Full Council will decide the Council's overall revenue and budget an overall capital budget.
Cabinet	<p>The Cabinet is a group of Councillors including the Leader who work with Council staff to run the Council and take most decisions except those about major policy issues or setting the annual budget (which only the Council Meeting can do) or decisions on regulatory matters such as whether to give planning permissions or licenses which only Committees established for those purposes can take.</p> <p>The Leader of the Council appoints the Cabinet and chairs its meetings. The Cabinet must consist of a minimum of three Councillors including the Leader and up to a maximum of 10 Councillors including the Leader. The Councillors in the Cabinet each have responsibility for areas of the Council's work called a portfolio, allocated to them by the Leader.</p> <p>The Councillors in the Cabinet can only make decisions within the scope of the overall Budget and Policy Framework set by the Council.</p>
Cabinet Functions	Those functions of the Council which are reserved to the Cabinet. These may be delegated to individual Cabinet members or Officers.
Cabinet Member Portfolios	These are areas of responsibility allocated by the Leader to Cabinet Members. Each area of responsibility is known as a Cabinet Member portfolio and each portfolio is given a title.

Term	Meaning
Call In	"Call In" is a statutory right for Members of the Council to call in a decision of Cabinet or an individual Cabinet Member or Cabinet Members after it has been made and before it has been implemented.
Champions	These are individual Councillors or other individuals who are appointed by the Council to champion a particular issue within the Council, with its partners, in communities, across the Council, regionally or nationally.
Chief Executive	The Chief Executive is the Head of the Council's paid service (see the glossary for the definition of the Head of Paid Service). The Chief Executive and the Directors comprise the senior management team that runs the day to day work of the Council working with the Leader of the Council and Cabinet and supported by the Council's staff.
Chief Finance Officer (Section 151 Officer)	This is a statutory appointment required under section 151 of the Local Government Act 1972. Every Council must designate an officer as responsible for the proper administration of the Council's financial affairs. The Director of Resources has been designated as the section 151 officer.
Chairman of the Council	<p>The Chairman of the Council is elected annually at the Council meeting. Their responsibilities include:</p> <ul style="list-style-type: none"> • upholding and promoting the purpose of the Constitution; • deciding what the Constitution means if there is a dispute, on advice from the Monitoring Officer; • chairing Council meetings so that decisions can be taken efficiently and with regard to the rights of Councillors and the interests of the community; • making sure that Council Meetings are a place for debating matters of concern to the local community and the place at which members who are not on the Cabinet are able to hold the Cabinet to account; • promoting public involvement in the Council's activities and in the democratic process; • being the conscience of the Council; and • attending those civic and ceremonial functions which he/she or the Council consider appropriate.
Codes	In making decisions and conducting its business, the Council and the bodies and persons exercising functions on its behalf will have regard to the Codes set out in Part C of the Constitution.
Councillor Code of Conduct	A code based on a national model that must be followed by all Councillors, governing their behaviour and responsibilities.
Common Seal	The Common Seal is the Council's mark of authentication and is attached to documents which are decisions of the Council or to

Term	Meaning
	documents which in the opinion of the Monitoring Officer should be sealed or as required by the Contract Procedure Rules.
Confidential Information	Information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order (see also exempt information).
Constitution	Every principal Council must produce a document known as the Constitution which sets out how the Council will conduct its business.
Contract Procedure Rules	These provide a corporate framework for the procurement of all goods, services and works for the Council.
Council Functions	The local authority functions which by law cannot be carried out by the Cabinet.
Council Meeting	When all Councillors meet formally to conduct business
Council Procedure Rules	These set out how meetings of the Council, the Cabinet, most Committees and other bodies will be conducted. These are contained in Part B of the Constitution.
Councillor	Sometimes known as a 'Member' a councillor represents his or her ward on the council and acts as an advocate and decision-maker for local issues. To find out who your Councillor is please go to the website or ring the Council offices.
Disciplinary Action	In relation to a member of staff of the Council, any action occasioned by alleged misconduct which, if proved, would according to the usual practice of the Council, be recorded on the member of staff's personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the Council has undertaken to renew such a contract.
Dismissor	A committee, sub-committee or Officer carrying out the function of dismissing an Officer under the Employment Procedure Rules.
Employee	Person appointed to or holding a paid office of the authority or employed by the authority.
Executive Functions	These may be carried out by the Cabinet, a Committee, of the Cabinet, an officer, another authority, or by joint arrangements.
Exempt Information	Information that the Council may not be required to publish because it falls within specific categories defined in Schedule 12A of the Local Government Act 1972.
Extraordinary Meeting	A Council Meeting called by resolution of the Council, the Chairman of the Council, the Chief Executive or by requisition of any five Councillors which takes place in addition to an Ordinary

Term	Meaning
	Meeting or the Annual Meeting.
Financial Procedure Rules	The Financial Procedure Rules control the way the Council manages its finances and safeguards its assets. The rules apply to the Council's Members and officers and anyone acting on its behalf.
Five Clear Days	A period of five days, excluding the day of the meeting, the day on which the meeting is called, weekends and bank holidays during which copies of the agenda and reports of a meeting must normally be available for inspection under the Access to Information Procedure Rules.
Group Leaders	Political groups will appoint a person to lead their group who are known as group leaders.
Independent Person	Person appointed by the Council pursuant to section 28 of the Localism Act 2011 whose views must be sought and taken into account before deciding on any action it may take following investigation into an allegation that a Councillor has breached the Code of Conduct
Head of Paid Service	This is a statutory appointment under Section 4 of the Local Government and Housing Act 1989. Every council has to have a Head of Paid Service, who is ultimately responsible for the councils' delivery of good services and is responsible for reporting to the Council on how staff are organised and deployed. The Chief Executive has been designated as the Head of Paid Service.
Key Decision	<ul style="list-style-type: none"> • Any decision in relation to an executive function which results in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function concerned. A threshold of £50,000 is regarded as significant except contracts for repairs, maintenance and improvement works within budget provision and approved policy where the contract or expenditure has either been properly and specifically approved by or on behalf of the Cabinet or any an Officer acting under delegated powers except where Contract Procedure Rules require the Cabinet itself to authorise acceptance of a tender and such acceptance has not previously been authorised or delegated by the Cabinet. • Any other decision which in the opinion of the Proper Officer is likely to be significant in terms of its effect on two or more wards.
Leader of the Council	The Leader of the Council is the political Head of the Council, elected by the Council.
Local Choice Functions	By law, these are responsibilities which the Council can choose to make the function of the Council or Cabinet.

Term	Meaning
Local Strategic Partnership (LSP)	The LSP is a single body that brings together at a local level the different parts of the public sector as well as the private, business, community and voluntary sectors so that different initiatives and services support each other and work together. It is responsible for developing and driving the implementation of the Sustainable Community Strategies.
Monitoring Officer	This is a statutory appointment under Section 5 of the Local Government and Housing Act 1989. The Monitoring Officer is responsible for reporting the actual or potential breach of a legal requirement to the Council Meeting or Cabinet and for dealing with complaints of breaches of the code of conduct by Councillors, reporting as necessary to the Audit and Standards Committee. The Head of Legal and Democratic Services has been designated as the Monitoring Officer.
Officer	An employee of the Council
Ordinary Meeting	Council Meetings held in accordance with a programme of meetings decided by the Council.
Overview and Scrutiny	The action of overseeing and scrutinising decisions made by the Cabinet undertaken by an Overview and Scrutiny Committee.
Petition	A communication signed or sent to the Council on behalf of at least 10 signatories of people who live, work or study in the District and including a clear and concise statement indicating what action the petitioners wish the Council to take and the name, identifiable address and signature of any person supporting the petition. Petitions will be received by the Council in accordance with the Petitions Scheme in Part C.
Planning Committee	The Planning Committee is comprised of Councillors and is responsible for the Council's statutory town and country planning and development control functions.
Political Assistant	An officer appointed specifically to assist a Political Group on the Council. There are no such Assistants appointed by Chiltern District Council.
Political Group	Two or more Councillors who belong to the same political party or have some other common interest may form a Political Group. Such Groups are recognised by law and in the Council's Constitution.
Procurement	Procurement is the identification and acquisition from third parties and in house providers, of goods, services and works.
Proper Officer	A person designated as being responsible for a particular function or range of functions.
Quorum	This is the required number of members which need to be present at a meeting to enable the business of that meeting to

Term	Meaning
	be transacted.
Licensing Committee	The Licensing Committee is comprised of Councillors and is responsible for the overseeing and regulation of certain legislation and legislative processes including all types of licence, registrations, street trading and appeals relating to them.
Returning Officer	The individual who is responsible for the running of national and local elections and referenda.
Scrutiny	Scrutiny is a role fulfilled by all Councillors who are not Members of the Cabinet. It is a statutory function under the Local Government Act 2000. The role of the scrutiny committees is to help develop policy, to carry out reviews of Council and other local services and to hold Cabinet and Cabinet Members to account for their actions and decisions.
Section 106 Agreement	A Section 106 Agreement, sometimes known as a planning obligation, is a legally binding agreement entered into between a local authority and a developer and is an established and valuable way of bringing development in line with the objectives of sustainable development as articulated through relevant local, regional and national planning policies.
Sustainable Community Strategy	This Strategy is the overarching long term vision and plan for a local area.
The Council	South Bucks District Council
The 1989 Act	The Local Government and Housing Act 1989
The 2000 Act	The Local Government Act 2000
Ward	A geographical area of the District represented by one or more Councillors.