

Directors Induction

Draft



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Overview of the LLEP

In 2010, the Government invited local business and civic leaders to come forward with proposals for establishing Local Enterprise Partnerships (LEPs) that reflected natural economic geographies. The October 2010 White Paper Local Growth: [Realising Every Place's Potential](#) confirmed Government approval for the first 24 LEPs. A further 15 LEPs, including one covering the whole of London, were subsequently approved.

LEPs are non-statutory partnerships between the public sector (mainly local authorities) and the private sector.

There are now 38 Local Enterprise Partnerships across England. They are business led partnerships between local authorities and local private sector businesses. They play a central role in determining local economic priorities and undertaking activities to drive economic growth and job creation, improve infrastructure and raise workforce skills within the local area. LEP boards are led by a private sector Chair and board members are local leaders of industry (including SMEs), educational institutions and the public sector.

In October 2012, The Rt Hon Lord Heseltine of Thenford CH published [No Stone Unturned](#) where he enhanced the standing of Local Enterprise Partnerships (LEPs) to bring together partners across the private and public sectors to drive local growth. This included recommendations to commit core funding for LEPs as well as LEPs being a conduit to the following funding: Growing Places Fund, Enterprise Zones, Growth Hubs (for business support), Regional Growth Fund, European Funding.

The [LEP Network](#) was set up in 2012 as a gateway to news and information. The network enables LEPs to come together on areas of shared importance, engage with government, facilitate dialogue with economic development stakeholders, and share knowledge and best practice.

The **Leicester and Leicestershire Enterprise Partnership (LLEP)** was formed in May 2011.

The LLEP is a strategic body led by a board made up of local government and business leaders as well as senior education and third sector representatives. The LLEP's key objectives are

Strategy - developing an evidence-based Local Industrial Strategy (or any other such successor document that the Government requires LEP's to develop and adopt from time to time) that identifies local strengths and challenges, future opportunities and the action needed to boost productivity, earning power and competitiveness across the area.

Allocation of Funds - identifying and developing investment opportunities; prioritising the award of local growth funding; and monitoring and evaluating the impact of activities to improve productivity across the local economy.

Co-ordination - using our convening power, for example to co-ordinate responses to economic shocks; and bringing together partners from the private, public and third sectors.

Advocacy – collaborating with a wide range of local partners to act as an informed and independent voice for their area.

LLEP board member induction

The purpose of this induction brief is rooted in the government's July 2018 [Strengthened Local Enterprise Partnerships Review](#). The review states that since the modern Industrial Strategy, which sets out an approach to ensuring prosperous communities throughout the country, the government has reviewed its policy towards Local Enterprise Partnerships (LEPs) so that they continue to support Government in meeting this ambition. Part of that stated commitment is that government will work with the LEP Network and other professional development bodies, such as the Local Government Association, to develop an 'induction and training programme' for LEP board members and officers working as a LEP board member.

Following the Strengthened Local Enterprise Partnerships Review the LLEP became a [company limited by guarantee](#) in April 2019.

Board Recruitment

Dear Colleague

Thank you for expressing an interest in a position as a Non-Executive Director on the Board of the Leicester and Leicestershire Enterprise Partnership (LLEP). I have attached the following documents for your information:

- Advert
- Job Description
- Person Specification

If you are interested in applying for this position, then please e-mail to Mandip.rai@llep.org.uk a copy of your most recent CV along with a short letter outlining how you meet the criteria in the person specification.

As well as seeking individuals who meet the person specification, equally important is your passion and commitment to developing the growth of our economy, experience of our key business sectors and your ability to understand and support the diverse businesses and communities in Leicester and Leicestershire.

The LLEP Board is fully committed to equal opportunities and welcomes applications from all suitably qualified candidates. However, as women are currently under-represented on the Board we would particularly welcome applications from female business leaders from across the LLEP area. In addition, the LEP is seeking a balanced board with a mixture of different skills and backgrounds, covering both the economic geography of the area and the key sectors.

The closing date for applications is Friday 8th November 2019. If you are shortlisted for this position you will be invited to attend a panel discussion with the LLEP Appointments Committee week commencing 18th November 2019 and a recommendation for Non-Executive Director appointments will be made to the LLEP company members on 3rd December. If appointed your term of service will commence in January 2020.

I very much look forward to hearing from you.

Yours sincerely



Kevin Harris
LLEP chair

Are you a successful business leader who is passionate about local economic growth?

The LLEP is seeking a business leader who shares a vision and ambition to drive local economic growth in Leicester and Leicestershire to join the LLEP Board.

What is the LLEP?

The Leicester & Leicestershire Enterprise Partnership (LLEP) is one of 38 Local Enterprise Partnerships in the country set up to improve the performance of our economy and lead growth across the City and the wider County.

The LLEP is a company limited by guarantee consisting of up to 18 Non-Executive Board of Directors representing the private, public and voluntary sectors, together with an independent Chair from the local business community. The importance of LEPs has increased significantly over the last seven years resulting in the formation of the national council of LEP chairs who meet the Prime Minister bi-annually.

The Board consists of a mix of private sector members with strengths in some of the key sectors highlighted in the main economic growth document, the Strategic Economic Plan. It provides a collective voice to Government about the opportunities presented by the Leicester and Leicestershire economy and makes sure that this voice is heard in Whitehall Westminster and within the emerging Midlands Engine strategy.

What's involved?

Board Members play a key role in helping the LLEP to shape the local economy by influencing local and national government, as well as providing effective governance to the partnership. Together with other Board Directors you will help to develop and deliver the Midlands Engine Strategy and the government's Industrial Strategy and act as an ambassador for Leicester & Leicestershire at a local, regional and national level.

Working with other board directors you will make key investment decisions and oversee the LLEP's spending, in excess of £250m. Together you will make sure that the partnership's investment delivers value for money and achieves maximum economic impact.

Board Directors will ideally have both commercial knowledge and the experience and ability to support the LLEP to reach agreement on complex issues that cut across both the public and private sectors.

They need to have broad experience both commercially and geographically. Importantly, they will also need an appreciation of, and the ability to work with/learn about working with public sector bodies, whilst demonstrating resilience, diplomacy and influencing skills.

Being a LLEP Board Director is not a paid position and the commitment can be up to two days per month. The Board term lasts for a period of three years. Applications are encouraged from credible people who can see the bigger strategic picture, offer challenge and insight and genuinely input into the process of advancing the LEP's agenda of fostering real and positive change in the LLEP area for the ultimate benefit of all.

The LLEP Board is fully committed to equal opportunities and welcomes applications from all suitably qualified candidates. However, as women are currently under-represented on the Board we welcome applications from women.

How to apply

If you are interested in applying for this position, then please e-mail to Mandip.rai@llep.org.uk a copy of your most recent CV along with a short letter outlining how you meet the criteria in the person specification.

The closing date for applications is Friday 8th November 2019. If you are shortlisted for this position you will be invited to attend a panel discussion with the LLEP Appointments Committee week commencing 18th November 2019 and a recommendation for Non-Executive Director appointments will be made to the LLEP company members on 3rd December.

If appointed your term of service will commence in January 2020. On appointment to the board LEP non-executive directors will be provided with a comprehensive, formal and tailored induction.

More details about the LLEP is available on the LLEP website at <https://www.llep.org.uk/governance/governance-of-the-llep/>

ROLE DESCRIPTION

TITLE: Non-Executive Board Member

ACCOUNTABLE TO: Chair

ROLE PURPOSE:

To contribute to developing and overseeing plans for the economic prosperity for the City of Leicester and the County of Leicestershire

ROLE SUMMARY:

The LLEP Board focus will be:

- To develop, maintain and support a sub-regional Economic Development Strategy, secure available resources and implement priority activities.
- To support the delivery of that strategy by working together with local stakeholders, Government departments, and neighboring LEPs.
- To promote the values and activities of the LLEP widely to maintain local support, engage local business and attract inward investment.

As a Board Director you will:

- Contribute to developing the Board's primary activities above
- Contribute to ensuring that there are effective mechanisms for delivery, and monitor their performance
- Contribute to establishing and maintaining values and standards, and meeting LLEP's obligations to its stakeholders
- Contribute to the Board's assessments of risk

DUTIES AND RESPONSIBILITIES

- Understand the LLEP's agenda and contribute your knowledge, skills and experience to, ensuring that key issues of strategy, economic and business planning, investment, delivery, compliance, and risk are addressed effectively and in a timely manner.
- Act in accordance with the LLEP Articles of Association, LEP Assurance Framework and LEP Board Terms of Reference.
- Provide strategic leadership, challenge and support to the Board; establishing and developing the LEPs credibility and confidence within the wider market.

- Play a part in developing any appropriate sub-committees, to achieve full representation and effectiveness and contribute to such sub-committees as appropriate.
- Attend Board and general meetings, maintaining orderly conduct and making appropriate contribution. Work together to reach consensus and complete any allocated actions.
- Take an ambassadorial role as required, publicly championing the aims of LLEP, representing and promoting its aims at all appropriate levels including key partners/stakeholders/audiences
- Work with and support senior local and national political and business figures to achieve practical outcomes for the LLEP.
- Work with other Board Members to ensure that decisions are taken objectively and in the interests of the LLEP, and accept joint responsibility for Board decisions
- Carry out the responsibilities of the role according to lawful and ethical standards. Declare any personal, pecuniary or non-pecuniary interests.

PERSON SPECIFICATION

Experience

1. Wide ranging business experience
2. Well networked and connected within the business community
3. Understanding and experience of Leicester and Leicestershire as well as experience of different sectors

Knowledge / skills / abilities

4. Strong interpersonal and partnership skills to be collegiate and collaborative in their style and approach
5. Commercial experience
6. Able to analyse and interpret information, reach conclusions and take appropriate action, based on a breadth of view and experience
7. Ability to co-operate with others and contribute to a consensus on complex issues
8. Awareness of and ability to operate with the public sector
9. Awareness of Corporate Governance
10. Resilience, diplomacy and influencing skills
11. Gravitas and confidence in public together with interpersonal skills and the ability to communicate with a wide range of people
12. Well developed communication skills

13. Ability to understand and reconcile different priorities and expectations from a range of organisations
14. Able to focus on and work together to deliver outcomes
15. Able to ensure the delivery of the Vision and Mission of the Partnership, upholding its values and standards of probity
16. Understanding and support of the public sector and its work

Other

17. Understanding of and commitment to equality of opportunity
18. Able to give sufficient time to the Partnership's business

Articles of Association

THE COMPANIES ACT 2006
PRIVATE COMPANY LIMITED BY GUARANTEE
ARTICLES OF ASSOCIATION
OF
LEICESTER AND LEICESTERSHIRE ENTERPRISE PARTNERSHIP
LIMITED

[Adopted by special resolution on / Dated
2019

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THE COMPANIES ACT 2006
PRIVATE COMPANY LIMITED BY GUARANTEE
ARTICLES OF ASSOCIATION

OF

**LEICESTER AND LEICESTERSHIRE ENTERPRISE PARTNERSHIP] LIMITED (the
"Company")**

(Adopted by special resolution passed on 2019)

Interpretation, objects and limitation of liability

Interpretation

In these Articles, unless the context otherwise requires:

Act: means the Companies Act 2006;

AGM: has the meaning given to it in article 0;

Articles: means the Company's articles of association for the time being in force;

Authorised Representative: has the meaning given to it in article 0

bankruptcy: includes insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;

Business Day: means any day (other than a Saturday, Sunday or public holiday in England) when banks in London are open for business;

Committee: means a Committee of the Company as established by the Directors for the purposes of undertaking specific functions on behalf of the Company and, more particularly, on delegation from and on behalf of the Directors

Conflict: means a situation in which a director has or can have, a direct or indirect interest that conflicts or possibly may conflict, with the interests of the Company;

director: means a director of the Company and includes any person occupying the position of director, by whatever name called;

District Council: means each of the district and borough council within the LEP Area being Oadby & Wigston Borough Council, Blaby District Council, Charnwood Borough Council, Hinckley & Bosworth Borough Council, Melton Borough Council, Harborough District Council and North West Leicestershire District Council and the term District Council's shall refer to the two District Councils who are Members as from time to time.



document: includes, unless otherwise specified, any document sent or supplied in electronic form;

electronic form: has the meaning given in section 1168 of the Act;

Education Sector Director: means any person appointed as a director under article 0;

Education Sector Member: means any institution admitted to Membership in accordance with article 25.3.1;

Eligible Director: means a director who would be entitled to vote on the matter at a meeting of directors (but excluding in relation to the authorisation of a Conflict pursuant to article 0, any director whose vote is not to be counted in respect of the particular matter);

FE Body: means the Leicestershire based body of further education established for further or further education in the LEP Area appointed as a Member to represent the interests of the further education bodies in LEP Area.

General Meeting: means a general meeting of the Members

Interested Director: has the meaning given in article 0;

LAF: means the Local Assurance Framework of the Leicester and Leicestershire Enterprise Partnership (2018/2019) in accordance with the National Assurance Framework as issued by the Government or such successor document as adopted by the Company from time to time in order to comply with the National Assurance Framework or other such successor document as issued by the Government to LEPs from time to time.

LEP Area: means Leicester and Leicestershire, or such other geographical area as is assigned to the Company by government from time to time;

Member: means a person whose name is entered in the Register of Members of the Company and **Membership** shall be construed accordingly;

Member Organisation: has the meaning given to it in article 0;

Model Articles: means the model articles for private companies limited by guarantee contained in Schedule 2 of the Companies (Model Articles) Regulations 2008 (SI 2008/3229) as amended prior to the date of adoption of these Articles;

Objects: has the meaning given to it in article 0 and **object** shall mean any one of them;

Officer: means officer of the Company being a person who is seconded to or employed by the Company and who is accountable to the Company in such a role

ordinary resolution: has the meaning given in section 282 of the Act;

Private Sector Director: means any person appointed under article 0;



Private Sector Member: means any person admitted to Membership in accordance with article 0;

Public Sector Director: means any person appointed under article 0;

Public Sector Member: means any person admitted to Membership in accordance with article 0;

secretary: means the secretary of the Company and any other person appointed to perform the duties of the secretary of the Company, including a joint, assistant or deputy secretary;

special resolution: has the meaning given in section 283 of the Act;

subsidiary: has the meaning given in section 1159 of the Act;

University: means the Leicestershire based university established for further or higher education in the LEP Area appointed as a Member to represent the interests of the universities in LEP Area.

VCS: shall mean the voluntary and community sector organisation based in the LEP Area appointed as a Member to represent the interests of VCS' in the LEP Area.

writing: means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

Save as otherwise specifically provided in these Articles, words and expressions which have particular meanings in the Act shall have the same meanings in these Articles.

Headings in these Articles are used for convenience only and shall not affect the construction or interpretation of these Articles.

A reference in these Articles to an **article** is a reference to the relevant article of these Articles unless expressly provided otherwise.

Unless expressly provided otherwise, a reference to a statute or statutory provision shall include any subordinate legislation from time to time made under that statute or statutory provision.

Any word following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words preceding those terms.

The Model Articles shall not apply to the Company.

Objects

The objects for which the Company is established (**Objects**) are:

Strategy: Developing an evidence-based Local Industrial Strategy (or any other such successor document that the Government requires LEP's to develop and adopt from time to time) that



identifies local strengths and challenges, future opportunities and the action needed to boost productivity, earning power and competitiveness across the area;

Allocation of funds: Identifying and developing investment opportunities; prioritising the award of local growth funding; and monitoring and evaluating the impacts of its activities to improve productivity across the local economy;

Co-ordination: Using their convening power, for example to co-ordinate responses to economic shocks; and bringing together partners from the private, public and third sectors; and

Advocacy: Collaborating with a wide-range of local partners to act as an informed and independent voice for their area

Powers

In pursuance of the Objects, the Company has the powers to:

do all such things which in the opinion of the directors are in the best interests of the Company and its Members; and

do all such other lawful things as are incidental or conducive to the pursuit or to the attainment of any of the Objects.

Income

The income and property of the Company from wherever derived shall be applied solely in promoting the Objects.

No distribution shall be paid or capital otherwise returned to the Members in cash or otherwise. Nothing in these Articles shall prevent any payment in good faith by the Company of:

reasonable and proper remuneration to any Member, officer or servant of the Company for any services rendered to the Company;

any interest on money lent by any Member or any director at a reasonable and proper rate;

reasonable and proper rent for premises demised or let by any Member or director; or

reasonable out-of-pocket expenses properly incurred by any director.

Winding up

On the winding-up or dissolution of the Company, after provision has been made for all its debts and liabilities, any assets or property that remains available to be distributed or paid, shall not be paid or distributed to the Members but shall be transferred to another body with objects similar to those of the Company or as directed by the government department then responsible for local enterprise partnerships.



Guarantee

The liability of each Member is limited to £1, being the amount that each Member undertakes to contribute to the assets of the Company in the event of its being wound up while he is a Member or within one year after he ceases to be a Member, for

payment of the Company's debts and liabilities contracted before he ceases to be a Member;

payment of the costs, charges and expenses of the winding up; and

adjustment of the rights of the contributories among themselves.

Director: general

Directors' general authority and conduct

The directors are responsible for the management of the Company's business and may exercise all the powers of the Company accordingly.

In their conduct of the Company's business the directors shall at all times:

conduct themselves in a professionally responsible manner;

will have due regard to all confidentiality obligations concerning the Company's business; and

act solely in the public interest in line with the Nolan principles; make decisions purely on merit, in accordance with agreed LEP processes and act with regularity and propriety when managing public money.

Take all decisions in accordance with the LAF in so far as the LAF is relevant to the decision to be taken

Directors may delegate

Subject to the Articles, the directors may delegate any of the powers which are conferred on them under the Articles:

to such Officer or Committee;

by such means (including power of attorney);

to such an extent;

in relation to such matters or territories; and

on such terms and conditions;

as they think fit.



If the directors so specify, any such delegation may authorise further delegation of the directors' powers by any person to whom they are delegated.

The directors may revoke any delegation in whole or part, or alter its terms and conditions.

Committees

Committees to which the directors delegate any of their powers must follow procedures which are based as far as they are applicable on those provisions of these Articles which govern the taking of decisions by directors.

The directors may make rules of procedure for all or any committees, which prevail over rules derived from the Articles if they are not consistent with them.

Directors: decision-making

Directors to take decisions collectively

Subject always to where these Articles require a unanimous decision and article 11 in particular, the general rule about decision-making by directors is that any decision of the directors must be either a majority decision at a meeting or a decision taken in accordance with article 0.

Unanimous decisions

A decision of the directors is taken in accordance with this article when all Eligible Directors indicate to each other by any means that they share a common view on a matter.

Such a decision may take the form of a resolution in writing, where each Eligible Director has signed one or more copies of it, or to which each Eligible Director has otherwise indicated agreement in writing.

A decision made in writing in accordance with article 11.2 may not be taken if the Eligible Directors would not have formed a quorum at such a meeting.

Calling a directors' meeting

Any director may call a directors' meeting by giving [not less than [ten] Business Days'] notice of the meeting to the directors or by authorising the secretary (if any) to give such notice.

A director who is absent from the UK and who has no registered address in the UK shall not be entitled to notice of the directors' meeting.

Quorum for directors' meetings

At a meeting of the directors, unless a quorum as detailed in this article 13 is participating, no proposal is to be voted on other than as detailed in article 13.3 below.



The quorum for the transaction of business at a meeting of directors is any eight Eligible Directors and no meeting shall be quorate unless the number of Eligible Directors who are Private Sector Directors and/or Education Sector Directors and/or a VCS Director between them comprise more than two-thirds of the number of total Eligible Directors participating.

If the total number of directors in office for the time being is less than the quorum required, the directors must not take any decision other than a decision:

to appoint further directors; or

to call a General Meeting so as to enable the Members to appoint further directors.

Chairing of directors meetings and appointment of vice chair

The directors may appoint a Private Sector Director to chair their meetings and the person so appointed for the time being is the **Chair**.

The directors must also appoint a Private Sector Director to act as a deputy to the Chair (**Deputy Chair**) for such purposes as the directors may determine.

A Chair or Deputy Chair (as applicable) shall be appointed for periods of no more than [two] years, such appointment ending at the board meeting falling closest to the second anniversary of their appointment (or re-appointment). The Chair and Deputy Chair (as applicable) shall be entitled to put themselves forward for re-election and the board of directors may resolve to appoint the Chair and/or Deputy Chair at such board meeting for a further period of two years provided that no Chair or Deputy Chair shall be able to serve more than [four years] in their respective role.

To ensure that the Chair and Deputy Chair remain subject after the end of their respective terms to the provisions of article 0, the Chair shall not be eligible for the role of Deputy Chair after serving two consecutive terms as Chair and the Deputy Chair shall not be eligible for the role of Chair after serving two consecutive terms as Deputy Chair.

In the event that neither Chair nor the Deputy Chair are participating in a meeting of directors within 15 minutes of the time at which it was to start, the participating directors must appoint one of themselves to chair it, such person being a Private Sector Director.

Casting vote

If the numbers of votes for and against a proposal at a meeting of directors are equal, the Chair, or in the Chair's absence the Deputy Chair or other director chairing the meeting holding the position of Chair for that meeting (as appropriate) has a casting vote.

Article 15.1 this does not apply in respect of a particular meeting (or part of a meeting) if, in accordance with these Articles, the Chair, Deputy Chair or other director chairing (as presiding) of the meeting is not an Eligible Director for the purposes of that meeting (or part of a meeting).



Directors' conflicts of interest

The directors may, in accordance with the requirements set out in this article, authorise any Conflict proposed to them by any director which would, if not authorised, involve a director (an **Interested Director**) breaching his duty to avoid conflicts of interest under section 175 of the Act.

Any authorisation under this article 0 shall be effective only if:

to the extent permitted by the Act, the matter in question shall have been proposed by any director for consideration in the same way that any other matter may be proposed to the directors under the provisions of these Articles;

any requirement as to the quorum for consideration of the relevant matter is met without counting the Interested Director; and

the matter was agreed to without the Interested Director voting or would have been agreed to if the Interested Director's vote had not been counted.

For the avoidance of doubt the Interested Director shall not vote on any authorisation of its own Conflict and shall not count towards the quorum for any such vote.

Any authorisation of a Conflict under this article 0 may (whether at the time of giving the authorisation or subsequently):

extend to any actual or potential conflict of interest which may reasonably be expected to arise out of the matter or situation so authorised;

provide that the Interested Director be excluded from the receipt of documents and information and the participation in discussions (whether at meetings of the directors or otherwise) related to the Conflict;

provide that the Interested Director shall or shall not be an Eligible Director in respect of any future decision of the directors in relation to any resolution related to the Conflict;

impose upon the Interested Director such other terms for the purposes of dealing with the Conflict as the directors think fit;

provide that, where the Interested Director obtains, or has obtained (through his involvement in the Conflict and otherwise than through his position as a director of the Company) information that is confidential to a third party, he shall not be obliged to disclose that information to the Company, or to use it in relation to the Company's affairs where to do so would amount to a breach of that confidence; and

permit the Interested Director to absent himself from the discussion of matters relating to the Conflict at any meeting of the directors and be excused from reviewing papers prepared by, or for, the directors to the extent they relate to such matters.



Where the directors authorise a Conflict, the Interested Director shall be obliged to conduct himself in accordance with any terms and conditions imposed by the directors in relation to the Conflict.

The directors may revoke or vary such authorisation at any time, but this shall not affect anything done by the Interested Director prior to such revocation or variation in accordance with the terms of such authorisation.

A director is not required, by reason of being a director (or because of the fiduciary relationship established by reason of being a director), to account to the Company for any remuneration, profit or other benefit which he derives from or in connection with a relationship involving a Conflict which has been authorised by the directors in accordance with these Articles or by the Company in General Meeting (subject in each case to any terms, limits or conditions attaching to that authorisation) and no contract shall be liable to be avoided on such grounds.

Subject to sections 177(5) and 177(6) and sections 182(5) and 182(6) of the Act, and provided he has declared the nature and extent of his interest in accordance with the requirements of the Act where such Conflict has been authorised in accordance with this article 16 and subject to any conditions attached to such authorisation, a director who is in any way, whether directly or indirectly, interested in an existing or proposed transaction or arrangement with the Company:

may be a party to, or otherwise interested in, any transaction or arrangement with the Company or in which the Company is otherwise (directly or indirectly) interested;

shall be an Eligible Director for the purposes of any proposed decision of the directors (or committee of directors) in respect of such existing or proposed transaction or arrangement in which he is interested;

shall be entitled to vote at a meeting of directors (or of a committee of the directors) or participate in any unanimous decision, in respect of such existing or proposed transaction or arrangement in which he is interested;

may act by himself or his firm in a professional capacity for the Company (otherwise than as auditor) and he or his firm shall be entitled to remuneration for professional services as if he were not a director;

may be a director or other officer of, or employed by, or a party to a transaction or arrangement with, or otherwise interested in, any body corporate in which the Company is otherwise (directly or indirectly) interested; and

shall not, save as he may otherwise agree, be accountable to the Company for any benefit which he (or a person connected with him (as defined in section 252 of the Act)) derives from any such transaction or arrangement or from any such office or employment or from any interest in any such body corporate and no such transaction or arrangement shall be liable to be avoided on the grounds of any such interest or benefit nor shall the receipt of any such remuneration or other benefit constitute a breach of his duty under section 176 of the Act.



Records of decisions to be kept

Where decisions of the directors are taken by electronic means, such decisions shall be recorded by the directors in permanent form, so that they may be read with the naked eye.

Directors: numbers and appointment

Number of directors

Unless otherwise determined by special resolution and subject to the requirements of these Articles, the number of directors shall not be less than eight but shall not exceed twenty.

Appointment of directors

A director must be a natural person and must at all times possess the following characteristics (as appropriate) unless otherwise approved by a special resolution of the Members:

in respect of a Private Sector Director, an owner (in whole or in part), officer, principal or person of equivalent seniority of a business or undertaking carried on with a view to making profit and conducting the whole or part of its business within the LEP Area;

in respect of a Public Sector Director, a leader or deputy leader, or cabinet member with the portfolio/lead responsibility for economic development within a Public Sector Member;

in respect of an Education Sector Director, a vice-chancellor, pro vice-chancellor, principal or person of equivalent seniority in an Education Sector Member.

in respect of a VCS Director a Chief Executive or Directors of the VCS.

Retirement of Private Sector Directors

Private Sector Directors

Subject to article 0 and 20.5 Private Sector Directors shall retire from office from the end of the annual General Meeting following the third anniversary of their appointment. Subject to articles 0 and 0, such retiring Private Sector Directors shall be eligible for re-election by the Members at that annual General Meeting.

A retiring Private Sector Director shall, subject to article 0, be eligible for re-election for further periods of three years.

Subject to 20.4 Any Private Sector Director who shall have served for a total term of six years shall not be entitled to be re-elected.

In exceptional circumstances a Private Sector Director may, with the approval of the Members, serve a further three-year term, and therefore a total term of nine years.



The Chair and Deputy Chair shall not be required to retire from the office of director whilst they are in post.

Public Sector Directors

Public Sector Directors shall retire from office from the end of the annual General Meeting following the third anniversary of their appointment. Such retiring Public Sector Directors shall be eligible for re-election by the Members at that annual General Meeting.

Disqualification and removal of directors

A person ceases to be a director as soon as:

that person ceases to be a director by virtue of any provision of the Act or these Articles or he becomes prohibited by law from being a director;

that person ceases to have the characteristics (as appropriate) required pursuant to article 0;

that person shall for more than twelve months have been absent without permission of the directors from meetings of directors held during that period and the directors resolve that that person's office be vacated;

a bankruptcy order is made against that person;

a composition is made with that person's creditors generally in satisfaction of that person's debts;

a registered medical practitioner who is treating that person gives a written opinion to the Company stating that that person has become physically or mentally incapable of acting as a director and may remain so for more than six months; or

notification is received by the company from the director that the director is resigning from office, and such resignation has taken effect in accordance with its terms.

In the event of any director who is also a Private Sector Member vacating their office as a director of the Company for any reason, such director shall at the same time cease to be a Member.

Directors: miscellaneous

alternate directors

No director shall be entitled to appoint an alternate director or any other person to act on their behalf at meetings of the directors.

Secretary

The directors may appoint any person who is willing to act as the secretary for such term, at such remuneration and upon such conditions as they may think fit and from time to time remove such



person and, if the directors so decide, appoint a replacement, in each case by a decision of the directors.

Members: becoming and ceasing to be a Member

Membership

The Members shall be categorised as follows:

Private Sector Members;

Public Sector Members; and

Education Sector Members.

Membership shall be open to persons who possess the characteristics (as appropriate) set out in articles 0, 0 and 0, and who:

apply to the Company in the form required by the directors;

are approved by the directors; and

sign a written consent to become a Member agreeing to be bound by these Articles.

The directors shall be entitled to refuse admission to membership if:

in their opinion, the person does not possess the required characteristics of a Member pursuant to articles 0, 0 and 0 (as appropriate); or

in their opinion, they consider it not to be in the best interest of the Company to admit such person as a Member.

No membership fee shall be charged by the Company.

Rights of membership

The Private Sector Members shall:

consist of persons who undertake business, professional or other commercial activities within the LEP Area with a view to making a profit;

subject to article 0, each be entitled to exercise one vote in relation to any resolution of the Members; and

subject to article 0, have the right, as a class of Members, from time to time to appoint as their representatives up to twelve natural persons to be directors and may at any time remove any such person and appoint another person in their place.

The Public Sector Members shall:



Unless varied by a special resolution be Leicester City Council, Leicestershire County Council , two District Councils, a FE body, a University and a VCS and such of the district councils in the LEP Area who apply to become Members;

subject to article 0, each be entitled to exercise one vote in relation to any resolution of the Members; and

subject to article 0 and 19.1.4 have the right, as a class of Members, from time to time to appoint as their representatives up to five natural persons to be directors comprising of:

one natural person from LEICESTER CITY COUNCIL;

one natural persons from LEICESTERSHIRE COUNTY COUNCIL;

up to two natural persons from the district councils in the LEP Area; and

one natural person from a VCS

and may at time appoint or remove any such natural person and appoint another natural person in their place.

The Education Sector Members shall:

consist of a University and an FE Body ;

subject to article 0, each be entitled to exercise one vote in relation to any resolution of the Members; and

subject to article 0, have the right, as a class of Members, from time to time to appoint as their representatives up to two persons, being one director whom is employed by an FE Body and one from a University, to be directors and may at any time remove such person and appoint another person in their place.

Any appointments or removals of directors referred to in articles 0, 0 and 0 shall be effected in writing signed by or on behalf of a majority of the relevant Members and shall take effect upon lodgement at the Company's registered office or on delivery to a meeting of the directors. Any such representative director shall be entitled to notice of board meetings, to attend all board meetings and to receive copies of all documents to be considered at board meetings, and to speak and vote at such meetings.

The rights of a class of Members under these Articles shall only be varied if:

75 per cent of the Members of that class consent in writing to the variation; or

a special resolution is passed at a separate class meeting of those Members agreeing to the variation.



The provisions regarding General Meetings in these Articles shall, subject to the necessary changes being made, apply to such class meetings of the Members.

Transfer of membership

Membership shall not be transferable.

Decision making by Members: General Meetings

Annual General Meeting

27.1 The Company shall hold an annual General Meeting (**AGM**) at least once every calendar year to be held within the LEP Area and such meeting shall be open to the public.

Attendance and speaking at General Meetings

A Member (or individual representing the Member) is able to exercise the right to speak at a General Meeting when that person is in a position to communicate to all those attending the meeting, during the meeting, any information or opinions which that person has on the business of the meeting.

A Member (or individual representing the Member) is able to exercise the right to vote at a General Meeting when:

they are able to vote, during the meeting, on resolutions put to the vote at the meeting; and

their vote can be taken into account in determining whether or not such resolutions are passed at the same time as the votes of all the others attending the meeting.

The directors may make whatever arrangements they consider appropriate to enable those attending a General Meeting to exercise their rights to speak or vote at it.

In determining attendance at a General Meeting, it is immaterial whether any two or more Members attending it are in the same place as each other.

Two or more Members (or individuals representing Members) who are not in the same place as each other attend a General Meeting if their circumstances are such that if they have (or were to have) rights to speak and vote at that meeting, they are (or would be) able to exercise them.

Quorum for general meetings

No business other than the appointment of the chair in accordance with Articles 30.2 is to be transacted at a General Meeting if the Member (or individual representing the Member) attending it do not constitute a quorum.

The quorum for a General Meeting is eight Members and no meeting shall be quorate unless the number of Members who are Private Sector Members between them comprise more than two-thirds of the number of total Members participating.



Chairing General Meetings

The Chair or, in his or her absence, the Deputy Chair or, in his or her absence, a Private Sector Director nominated by the directors shall preside as chair of every General Meeting.

If neither the Chair, the Deputy Chair nor such other Private Sector Director nominated in accordance with article 0 is present within fifteen minutes after the time appointed for holding the meeting and willing to act, the directors present shall elect one of their number to chair the meeting.

If no director is willing to act as chair of the meeting, or if no director is present within fifteen minutes after the time appointed for holding the meeting, the Members present in person or by proxy and entitled to vote must choose one of their number to be chair of the meeting, save that a proxy holder who is not a Member entitled to vote shall not be entitled to be appointed as chair of that meeting.

Attendance and speaking by directors and non-Members

Directors may attend and speak at General Meetings, whether or not they are Members.

The chair of the General Meeting may permit other persons who are not Members of the Company to attend and speak at a General Meeting and, in the case of an AGM, the chair of the meeting is obliged to permit such other persons who are not Members of the Company to speak.

Adjournment

If the persons attending a General Meeting within half an hour of the time at which the meeting was due to start do not constitute a quorum, or if during a meeting a quorum ceases to be present, the chair of the meeting must adjourn it.

The chair of the General Meeting may adjourn a General Meeting at which a quorum is present if:

the meeting consents to an adjournment; or

it appears to the chair of the meeting that an adjournment is necessary to protect the safety of any person attending the meeting or ensure that the business of the meeting is conducted in an orderly manner.

The chair of the General Meeting must adjourn a General Meeting if directed to do so by the meeting.

When adjourning a General Meeting, the chair of the General Meeting must:

either specify the time and place to which it is adjourned or state that it is to continue at a time and place to be fixed by the directors; and



have regard to any directions as to the time and place of any adjournment which have been given by the meeting.

If the continuation of an adjourned meeting is to take place more than 14 days after it was adjourned, the Company must give at least 7 clear days' notice of it (that is, excluding the day of the adjourned meeting and the day on which the notice is given):

to the same persons to whom notice of the company's General Meetings is required to be given; and

containing the same information which such notice is required to contain.

No business may be transacted at an adjourned General Meeting which could not properly have been transacted at the meeting if the adjournment had not taken place.

When taking decisions at both the AGM and the General Meeting Members shall at all times take such decisions in accordance with the LAF in so far as it is relevant to the decision being taken.

Voting at General Meetings

Voting: general

Without prejudice to any other provision of these Articles, a resolution put to the vote of a General Meeting must be decided on a show of hands unless a poll is duly demanded in accordance with these Articles.

Member organisations

The following provisions shall apply to a Member that is an organisation (and not an individual) (**Member Organisation**).

A Member Organisation may nominate any individual to act as its representative (**Authorised Representative**) at any meeting of the Company.

The Member Organisation must give notice in writing to the Company of the name of its Authorised Representative. The Authorised Representative will not be entitled to represent the Member Organisation at any meeting of the Company unless such notice has been received by the Company and the Authorised Representative may continue to represent the Member Organisation until notice in writing is received by the Company to the contrary.

A Member Organisation may appoint an Authorised Representative to represent it at a particular meeting of the Company or at all meetings of the Company until notice in writing to the contrary is received by the Company.

Any notice in writing received by the Company shall be conclusive evidence of the Authorised Representative's authority to represent the Member Organisation or that his or her authority has been revoked and the Company shall not be required to look behind such notice.



Any individual appointed by a Member Organisation to act as its Authorised Representative may exercise (on behalf of the Member Organisation) the same powers as an individual Member.

On a vote on a resolution at a meeting of the Company, the Authorised Representative has the same voting rights as the Member Organisation would have if it were an individual Member present in person at the meeting.

The power to appoint an Authorised Representative under this article 34 is without prejudice to any rights which the Member Organisation has under the Act and these Articles to appoint a proxy or corporate representative.

Errors and disputes

No objection may be raised to the qualification of any person voting at a General Meeting except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting is valid.

Any such objection must be referred to the chair of the meeting whose decision is final.

Poll votes

A poll on a resolution may be demanded by those identified in article 36.2:

in advance of the General Meeting where it is to be put to the vote; or

at a General Meeting, either before a show of hands on that resolution or immediately after the result of a show of hands on that resolution is declared.

A poll may be demanded by:

the chair of the meeting;

the directors;

two or more persons having the right to vote on the resolution; or

a person or persons representing not less than one tenth of the total voting rights of all the Members having the right to vote on the resolution.

A demand for a poll may be withdrawn if:

the poll has not yet been taken; and

the chair of the meeting consents to the withdrawal.

Polls must be taken immediately and in such manner as the chair of the meeting directs.

Content of proxy notices



Proxies may only validly be appointed by a notice in writing (a "proxy notice") which:

states the name and address of the Member appointing the proxy;

identifies the alternative Member appointed to be that Member's proxy and the General Meeting in relation to which that person is appointed;

is signed by or on behalf of the Member appointing the proxy, or is authenticated in such manner as the directors may determine; and

is delivered to the company in accordance with these Articles and any instructions contained in the notice of the General Meeting to which they relate.

The company may require proxy notices to be delivered in a particular form, and may specify different forms for different purposes.

For the avoidance of doubt a Member may only appoint another Member as its proxy and not any other person.

Unless a proxy notice indicates otherwise, it must be treated as:

allowing the person appointed under it as a proxy discretion as to how to vote on any ancillary or procedural resolutions put to the meeting; and

appointing that person as a proxy in relation to any adjournment of the General Meeting to which it relates as well as the meeting itself.

Delivery of proxy notices

A person who is entitled to attend, speak or vote (either on a show of hands or on a poll) at a General Meeting remains so entitled in respect of that meeting or any adjournment of it, even though a valid proxy notice has been delivered to the Company by or on behalf of that person.

An appointment under a proxy notice may be revoked by delivering to the Company a notice in writing given by or on behalf of the person by whom or on whose behalf the proxy notice was given.

A notice revoking a proxy appointment only takes effect if it is delivered before the start of the meeting or adjourned meeting to which it relates.

If a proxy notice is not executed by the person appointing the proxy, it must be accompanied by written evidence of the authority of the person who executed it to execute it on the appointor's behalf.

Amendments to resolutions

An ordinary resolution to be proposed at a General Meeting may be amended by ordinary resolution if:



notice of the proposed amendment is given to the Company in writing by a person entitled to vote at the General Meeting at which it is to be proposed not less than 48 hours before the meeting is to take place (or such later time as the Chair may determine); and

the amendment does not go beyond what is necessary to correct a grammatical or other non-substantive error in the resolution.

If the chair of the meeting, acting in good faith, wrongly decides that an amendment to a resolution is out of order, the chair's error does not invalidate the vote on that resolution.

Administrative arrangements

Means of communication to be used

Any notice, document or other information shall be deemed served on or delivered to the intended recipient:

if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, 48 hours after it was posted (or five Business Days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five Business Days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);

if properly addressed and delivered by hand, when it was given or left at the appropriate address;

if properly addressed and sent or supplied by electronic means, one hour after the document or information was sent or supplied; and

if sent or supplied by means of a website, when the material is first made available on the website or (if later) when the recipient receives (or is deemed to have received) notice of the fact that the material is available on the website.

For the purposes of this article, no account shall be taken of any part of a day that is not a Business Day.

In proving that any notice, document or other information was properly addressed, it shall suffice to show that the notice, document or other information was addressed to an address permitted for the purpose by the Act.

Indemnity and insurance

Subject to article 0, but without prejudice to any indemnity to which a relevant officer is otherwise entitled:



each relevant officer shall be indemnified out of the Company's assets against all costs, charges, losses, expenses and liabilities incurred by him as a relevant officer in the actual or purported execution and/or discharge of his duties, or in relation to them including any liability incurred by him in defending any civil or criminal proceedings, in which judgment is given in his favour or in which he is acquitted or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his part or in connection with any application in which the court grants him, in his capacity as a relevant officer, relief from liability for negligence, default, breach of duty or breach of trust in relation to the Company's (or any associated company's) affairs; and

the Company may provide any relevant officer with funds to meet expenditure incurred or to be incurred by him in connection with any proceedings or application referred to in article 0 and otherwise may take any action to enable any such relevant officer to avoid incurring such expenditure.

This article does not authorise any indemnity to the extent that such indemnity would be prohibited or rendered void by any provision of the Act or by any other provision of law and any such indemnity is limited accordingly.

The directors may decide to purchase and maintain insurance, at the expense of the Company, for the benefit of any relevant officer in respect of any relevant loss.

In this article:

companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate; and

a **relevant loss** means any loss or liability which has been or may be incurred by a relevant officer in connection with that relevant officer's duties or powers in relation to the Company, any associated company or any pension fund or employees' share scheme of the Company or associated company; and

a **relevant officer** means any director or other officer or former director or other officer of the Company, but excluding in each case any person engaged by the Company (or associated company) as auditor (whether or not he is also a director or other officer), to the extent he acts in his capacity as auditor.



Board Members Profile

Kevin Harris – Chair of the LLEP

Partner, RSM UK



I have worked closely with local business for more than three decades. A Chartered Accountant by training, I advise SME's on a range of areas helping businesses to grow alongside providing essential statutory audit support. As a strong advocate of Leicestershire, I am a prominent member of the local business community being a Board Member of the East Midlands Chamber of Commerce and former Chairman of the Leicestershire Chamber. Throughout the majority of my career, I was myself a business owner of a successful regional accountancy practice, before joining RSM in Leicester in 2017 as a Partner.

Andy Reed OBE – Deputy Chair of the LLEP

Director SajelImpact



I am the Director of SajelImpact, an organisation which offers a wide variety of bespoke support and advice to Sports Bodies, NGBs, Social Enterprises and Faith Charities, making sure their strategies and communications are effective with the key stakeholders in their sector and bringing social transformation projects to life.

I was formerly the Labour & Co-operative MP for Loughborough between 1997 and 2010.

As well as the work I do through SajelImpact I also serve on a number of Sport Bodies, Christian organisations and local charities as a volunteer. This is part of the reason for SajelImpact to allow a balance of the way I am able to contribute and have impact.

In June 2012, I was awarded an OBE in the Queens Honours List for contribution to sport and the Community and in 2014, I was appointed a Professor of Sport Policy & Development at Liverpool John Moores University.

I am passionate about the Leicester and Leicestershire area, having grown up and lived here for my whole life. I want to add a new dimension to the Board through my varied sporting, political and religious background.



Karen Smart

Managing Director, East Midlands Airport

I joined East Midlands Airport as Managing Director in April 2018. Previously I held several senior operational roles at London Stansted Airport.



Joining Stansted in June 2014, I was appointed as the Customer Services and Security Director, responsible for over 800 people and one of the busiest airport terminals in the country, helping to ensure that 60,000 passengers a day have the best possible customer experience at the airport. I became the Asset Management Director in 2016, responsible for ensuring that the Airport infrastructure meets the demands of both our B2B and B2C customer; quite a challenge at one of the fastest growing UK airports.

I started my career in the Royal Air Force initially as an aircraft engineer before retraining as an air traffic controller. After over 20 years in the RAF I joined Serco, carrying out numerous roles culminating as Partnership Director of their Defence and aviation business.

I'm keen to immerse myself within the local community and play a key role in helping to shape and drive forward strategies that will lead to greater regional prosperity.

Emma Anderson

Director Freeths

I was born and brought up in Leicester then studied law at Sheffield University. I trained at Stephenson Harwood in London and moved back to Leicester joining what was Harvey Ingram in 1992, where I stayed until December 2016. I then moved to Freeths LLP as a Director in their Dispute Management team based in the Leicester office. I also worked as a Senior Lecturer on the LPC at De Montfort University in the mid 1990s.



My work area is commercial dispute management and I deal with technical and complex commercial/contract disputes, company disputes, warranty claims and employment support work. I was recently involved in a large insurance dispute and worked for a major energy sector client while at Shakespeares.

I have been, and continue to be, involved in various business development projects with the firms I have worked for. At Freeths I am leading a professional women's networking group as part of a firm wide initiative. I am also a trustee of Big Difference Company – best known for running the Leicester Comedy Festival - which also works with charities in terms of health and well-being projects. My involvement as a trustee involves giving legal advice to the board.

My strong local connections and contacts coupled with the fact that I have spent the vast majority of my career in Leicester and Leicestershire demonstrate my commitment to the development of our



region and have enabled me to gain an understanding of the issues that it faces which I look forward to building on as a board member of the LLEP.

Dr Nik Kotecha

CEO, Morningside Pharmaceutical Ltd

As CEO at Morningside Pharmaceutical Ltd, I have utilised my passion for drug discovery and International Trade towards our commitment to "Making Quality Healthcare an Affordable and Accessible Reality throughout the World".



I understand the needs and challenges faced by businesses through the development and growth of Morningside from a garage start-up to a large corporate over 25 years.

I draw on my expertise in R&D and worldwide ethnic and cultural diversities gained through visiting most continents, and experience of exporting Healthcare products worldwide. I grew up in Leicestershire and I have a strong passion for giving back to the local community, country and International Aid Sectors.

Appointed as a Board Member to the LLEP from July 2017, I want to utilise my knowledge and experiences to assist the board to drive investment, business growth and to create jobs in Leicestershire. I am delighted to represent the Life Sciences sector on the LLEP Board.

Chas Bishop

Chief Executive, The National Space Centre

I have worked for eight visitor attractions including Madame Tussauds, Alton Towers and the National Space Centre where I have been Chief Executive since its launch in 2001.



The National Space Academy and NSC Creative production company were launched in 2008. This role has introduced me to the space industry in which I have done consultancy work on its conference and skills need, and recently helped develop Government's Innovation and Growth Strategy for Space.

My partnership work with the University of Leicester, several colleges and a number of space companies, together with my creative industries experience and non-executive roles for five organisations including two start-ups, will help me provide an insight into a range of Leicester and Leicestershire's priority sectors in the coming years.



Neil Mcghee

Director, Sempervox

As an owner of a Leicester based SME, using digital technology to help businesses run their companies from anywhere in the world, I am keen to grow an environment that encourages the development of a digital & technology skills in our area.



I have served on the Business Board of the LLEP for several years, I am an Enterprise Advisor at my local college - building stronger understanding and working relationships between business & education and I am now privileged to be a governor.

I want to use these experiences and 40 years in business to help us create a vibrant economy and society.

Jaspal Singh Minhas - SME Representative

Managing Director, Electrical Design & MFG Co Ltd

I began my career at an electrical installation firm in Sileby, before joining a manufacturing company of which I became the MD and eventually purchased in 2006.



I became the first Asian president of the Leicester Electrical Society and president of Leicestershire Asian Business Association (LABA) in 2006, and have led the formation of the National Asian Business Association. LABA hosts the Indo British Trade Council which has for the last twenty years actively supported inward and outward trade missions, inward investment and bilateral trade to India.

I frequently liaise with Government to ensure that British Asian businesses are given an opportunity to play an active part in promoting British exports and attract inward investment from countries which they have historical, religious and trading ties.

I became a LLEP Board member in 2014 and offer sound business, trade and commercial expertise from many years' experience.



Anil K Majithia

Chair, Voluntary Action Leicestershire

I am the current Chair of Voluntary Action Leicestershire and alongside this Voluntary and Community Sector (VCS) experience, I have over 30 years of global business experience.



I'm also Governor at Coventry University, Trustee of DSU, Governor of North Warwickshire & South Leicestershire College and a member of Governance Committee for Science Council. In addition, I sit on the board of Coventry University Colleges and Serious Games International as a Non-Executive Director

I have an extensive board level experience of governance, strategic management, working with senior executives, influencing stakeholders and contributing to overall wellbeing of the organizations and their future sustainability within commercial and VCS sectors.

My global business experience includes significant expertise around global leadership, technology, outsourcing and business transformation through use of technology. I am a highly experienced professional executive with 30 years' international experience of delivering major transformational change (Technology, Business, Culture and organizational) within numerous different industry sectors and across different countries.

I'm also a Fellow of the Chartered Institute of Management, a Chartered Engineer, Fellow of BCS, The Chartered Institute for IT, and a member of the Institute of Directors

Professor Robert J Allison

Vice-Chancellor and President of Loughborough University

I became Vice-Chancellor and President of Loughborough University in September 2012 after holding roles as Deputy Vice-Chancellor and Pro-Vice-Chancellor for Research at Sussex University and Dean of Social Sciences of Health and Head of the Department of Geography at Durham University.



I was educated at Northallerton Grammar School, before gaining a B.A. in Geography from Hull University in 1982. I then went on to achieve a Ph.D. in Geography from King's College, University of London in 1986.



I am involved with the Natural Environment Research Council, Higher Education Funding Council for England and the Department for Business Innovation and Skills. I have been a Fellow of the Royal Geographical Society since 1990 and have also been Chair of the British Society for Geomorphology.

I believe that Universities are fundamental to the success of the local economy on many levels and I am delighted to represent Higher Education on the LLEP Board.

Verity Hancock

Principal and CEO Leicester College



I grew up in Hertfordshire and went to a local comprehensive. On gaining a law degree from Oxford University in 1988 I pursued a career in Further Education, beginning with roles at the City and Guilds of London Institute and with Training and Enterprise Councils in the capital. On the creation of the Learning and Skills Council in 2001 I moved into senior management, holding a number of positions including Regional Director for the East Midlands and National Director of Funding, Planning and Performance.

Most recently a senior civil servant with the Skills Funding Agency in the Department for Business, Innovation and Skills, I was appointed Principal and Chief Executive of Leicester College in January 2013. I currently chair the Student Loans Company's Advanced Learning Loans Stakeholder Group, the Leicester and Leicestershire Principals' Group and I am Chair of the Members of a Multi-Academy Trust in the city. I live in Lutterworth with my husband Mark, an artist, and my son.

Nick Rushton CC

Leader Leicestershire County Council



I was first elected to public office in 1986 to represent the Ivanhoe Ward on Ashby Town Council and the Ivanhoe Ward on North West Leicestershire District Council. I was elected to Leicestershire County Council in 1989, serving until 1993, where I was Group Spokesman on the Social Services Committee and Conservative Lead Member on the Scrutiny Commission.

In 2001, I was re-elected to Leicestershire County Council representing the Valley Division and since that time, have been in the ruling Cabinet, Deputy Leader of the County Council and in September 2012, elected as Leader of the County Council.

I also serve on the General Assembly of the Local Government Association nationally, and I am a County Council representative on the County Councils Network.



Sir Peter Soulsby

City Mayor, Leicester City Council

I am the first elected mayor of Leicester and previously, was M.P. for Leicester South. I was also a Labour councillor for Leicester City Council for nearly 30 years; 17 of which as council leader.



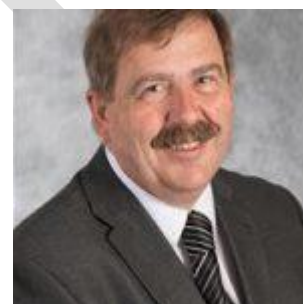
I have also served on the Audit Commission and as deputy chair of British Waterways.

I am proud to be leading the delivery of an inspiring economic action plan for the city that draws on and reinforces the key themes of the LLEP's growth strategy, alongside streamlining council purchasing processes to benefit local businesses.

Cllr. Terry Richardson

Leader Blaby District Council

I commenced my political career as a Parish Councillor for Narborough almost 30 years ago, became a District Councillor in 2011 and, taking over as Leader of Blaby District Council in 2015. I also represent the division of Narborough and Whetstone.



I entered politics to make a difference and, am delighted to represent the Leicestershire District Councils on the LLEP Board.

Before retirement, I worked for a major bank for 41 years, specialising in International Trade and Trade Finance, working with Companies of all sizes to assist them in both Exporting and Importing.

I have been married to my wife Louise for 41 years and we have two children and four grandchildren. Apart from snooker, my active sports days are behind me but I enjoy watching all sports, am an avid reader and enjoy travelling, especially to explore different cultures.



Cllr. Jonathan Morgan

Leader Charnwood Borough Council



Draft



Meeting dates

The Local Assurance Framework (LAF) states that the Board of Directors shall meet at least six times in any financial year beginning on 1st April and ending on 31st March. The Programme Board meets 4 times a year, in line with Local Growth Funding reporting requirements. The Executive meets the month prior to the LLEP board meeting. The Scrutiny Committee will meet twice a year, once membership has been identified. The Appointments Committee meets on an ad-hoc basis as and when needed.

Date of LEP Board	Papers sent	Date of Executive	Papers Sent	Date of Programme Board	Papers Sent
4 February 2020	27 January 2020	8 January 2020	31 December 2019		
7 April 2020	30 March 2020	11 March 2020	3 March 2020		
2 June 2020	25 May 2020	13 May 2020	5 May 2020		
4 August 2020	27 July 2020	8 July 2020	1 July 2020		
6 October 2020	28 September 2020	9 September 2020	1 September 2020		
1 December 2020	24 November 2020	11 November 2020	3 November 2020		
2 February 2021	25 January 2021	13 January 2021	5 January 2021		
6 April 2021	29 March 2021	10 March 2021	2 March 2021		



Nolan Principals

The principles and personal attributes that individuals bring to the board are as important as their skills and knowledge. These qualities enable board members to use their skills, knowledge and expertise to function well as part of a team and make an active contribution to effective governance.

All those elected or appointed to boards should fulfil their duties in line with the seven principles of public life, the **Nolan principles** set out below.

1. Selflessness:

Holders of public office should act solely in terms of the public interest.

2. Integrity:

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity:

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability:

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness:

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty:

Holders of public office should be truthful.

7. Leadership:

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

They should also be mindful of their responsibilities under equality legislation, recognising and encouraging diversity and inclusion.

As legal entities they are required to follow relevant legislation and governance arrangements which align to the model they adopt.



Principles and personal attributes for board members

Effective governance provides strategic direction and control to LEPs, and creates robust accountability, oversight and assurance for their performance. With this in mind, the following guidance has been designed along the key themes of Governance, Strategy and Delivery. This structure aligns to the Annual Performance Review process which assesses LEP performance against these key LEP functions.

1. Governance

Statutory and contractual requirements

The board must ensure all those involved in governance are aware of the legal frameworks and context in which the organisation operates and the requirements with which it must comply.

The Board should know –

- the role, responsibilities and accountabilities of the Board, in the context of the legal, regulatory and financial framework in which it operates, including the LEP Code of Conduct, Articles of Association, National Local Growth Assurance Framework and the LEP's Local Assurance Framework.
- how to recognise and utilise any government advice (including the Nolan Principles) and how to apply due skill and care in accordance with their legal duty to the LEP company.
- the differing roles and responsibilities of the chair, the S151 officer and the chief executive (or equivalent) and how this relates to the overall governance of the LEP.
- the LEPs governance structure, including how governance functions are organised and delegated.

The Chair should know –

- the importance of their non-executive leadership role, not just in their current position but in terms of their contribution to local and, where appropriate, national priorities.

Strategic oversight, management and improvement

The board should know the most effective way to oversee LEP staff to ensure that the organisation has the right staff who are managed and incentivised to perform to the best of their abilities.

The Board should know -

- the rationale for the chosen strategy/intervention and how this both promotes the ethos of the LEP and meets the needs of the area.
- the rationale behind the assessment system being used to measure development and economic growth.



- the key principles, drivers and cycle of LEP performance and improvement.
- the financial health, efficiency, policies and procedures of the organisation, including its funding arrangements, funding streams and its mechanisms for ensuring financial accountability.
- the annual expenditure on staff and resources, and any data against which this can be benchmarked.

The Chair should know -

- the economic and institutional context in relation to other LEPs.
- how to ensure that the board holds LEP staff to account for financial and business management.
- how to lead the board to identify when specialist skills in audit, fraud or human resources are required.

Accountability, self-review and developing the board's effectiveness

The board should be aware of the importance of accountability for the delivery of the LEP's strategic plan, decision-making and oversight of LEP staff.

The Board should know -

- the purpose, nature and processes of formal accountability and scrutiny and what evidence is required.
- how to effectively present the relevant data and information in response to external scrutiny.
- the LEP's values and how these are reflected in its strategies and plans.
- the code of conduct for the board and how this reflects the LEP's values.
- the targets for improving LEP board diversity.

The Chair should know -

- what scrutiny roles and support in other institutions may relate to the LEP's operations.
- how to ensure that the board is aware of, and prepared for, formal external scrutiny.
- how to utilise deep dive feedback to inform decisions on board development.
- the appropriate action to take if board members are not behaving as expected.

2. Strategy

Setting direction

The board should be aware of how to set the strategic direction of the LEP, plan and prioritise, monitor progress and manage change.

The Board should know -

- the role of LEPs within Government's local growth policy agenda.
- the process for developing and agreeing strategic priorities for the LEP.
- the tools and techniques for strategic planning.
- the principles of effective change management.



- the difference between strategic and operational decisions.
- the importance of engaging with the business community to ensure it fully understands key local priorities

The Chair should know -

- the national and regional local growth priorities and the implications of these for the board and the organisation.
- how to oversee the development of an economic strategy and the relationship skills required to work effectively with Government

Collaborative working with stakeholders and partners

Effective boards are well-informed about, and respond to, the views and needs of key stakeholders. They enable productive relationships, creating a sense of trust and shared ownership of the organisation's strategy, vision and operational performance.

The Board should know -

- the key stakeholders and their relationship with the LEP.
- how to be proactive in consulting, and responding to, the views of a wide group of stakeholders when planning and making decisions.
- how to work in partnership with outside bodies where this will contribute to achieving the goals of the organisation.
- how to act as an ambassador for the LEP.
- the importance of acting with honesty, frankness and objectivity, taking decisions impartially, fairly and on merit using the best evidence and without discrimination.
- how to exercise the principle of collective-decision making.

The Chair should know -

- the importance of communicating clearly on strategic issues, especially when engaging with Government.
- the importance of ensuring that board members understand the scope of issues in question and are clear about decisions they need to make.
- how to facilitate decision-making, and, where there are diverging views, how to effectively summarise the alternative positions to help the board reach consensus

3. Delivery

Risk management

Effective boards play a key role in setting and managing risk tolerance. They are able to ensure that corporate and programme risks are aligned with strategic priorities and improvement plans and intervention strategies provide a robust framework for risk management.

The Board should know -



- the processes for risk management in the organisation, in particular how and when risks are escalated through the organisation for action.

The Chair should know -

- the nature of the risks undertaken by the LEP, its arrangements for active risk management, and the individual responsible for risk management.

Financial management and monitoring

This knowledge will ensure that the board is able to make sufficiently informed and effective decisions on the use of resources and allocation of funds. It will also ensure that public money is utilised efficiently and in the best interest of the organisation.

The Board should know -

- the processes for resource allocation and the importance of focussing allocations on impact and outcomes.
- the importance of setting and agreeing a viable financial strategy and plan which ensure sustainability.
- how the organisation receives funding through the local growth fund and other grants.
- how to assimilate the financial implications of organisational priorities and use this knowledge to make decisions about allocating current and future funding.
- the importance of robust data collection on project impacts and outcomes to build the local and national evidence base around LEP impacts.

The Chair should know -

the commercial, financial and management arrangements that are appropriate for effective delivery.



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Code of conduct

All Board Directors of the LLEP sign up to a Code of Conduct on commencing their role with the LLEP. LLEP Officers sign up to their own Officer Code of Conduct ([insert hyperlink](#)).

Board Director Code of Conduct

You are a Board Director of the Leicester and Leicestershire Local Enterprise Partnership and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership in your conduct at all times.

Accordingly, when acting in your capacity as a Board Director of Leicester and Leicestershire Local Enterprise Partnership:

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



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

Conflicts of Interest Policy

The LEP is committed to ensuring that all Board Directors and Officers act in line with the Nolan Principles of public life. This policy provides the detail of how LLEP Board Directors and Officers should consider conflicts of interest and declare any interests in line with the LLEP's processes.

This policy explains the procedures through which the LLEP will seek to maintain its high ethical standards and protect its reputation against any allegations of conflict of interest. It is communicated to everyone involved in the LLEP to ensure their commitment to it and it applies to all staff and Board Directors.

Board Directors and staff take personal responsibility for declaring their interests and avoiding perceptions of bias. To demonstrate this all Board Directors and staff produce and sign a register of interests and publication on the website which is reviewed every six months and updated regularly.

In addition, the LLEP ensures that the Conflict of Interest Policy is followed through its decision making processes. It is committed to ensuring that this policy applies to decision makers regardless of whether there is a formal meeting. The LLEP ensures that decisions are recorded and published lep.org.uk/governance/governance-of-the-lep/the-lep-board/declarations-of-interest regardless of how they are taken to ensure full transparency in all LLEP decisions.

Definition

A conflict of interest is any situation in which an employee's or a Board Director's personal interests, or interests that they owe to another body, may (or may appear to) influence or affect their decision making.

Identifying conflicts of interest

Conflicts can inhibit open discussions and may result in irrelevant considerations being taken into account or decisions being taken that are not in the best interests of the LLEP. Conflicts may arise, for instance, where a Director's personal interests, for instance, as a shareholder in a company that is a potential beneficiary of grant funding, conflict with the interests of the LLEP.

There may be commercial, actual or potential conflicts of interests. This policy covers all three types of interests.

Registering and declaring pecuniary and non-pecuniary interests

As a Board Director or staff member of the LLEP, you must:



Within 28 days of taking office, notify the LLEP Chief Executive and Accountable Body's Section 151 Officer of any disclosable pecuniary interest, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a spouse, or as if you were civil partners.

Within 28 days of taking office, notify your LEP Chief Executive and Accountable Body's Section 151 Officer of any non-pecuniary interest which your LEP has decided should be included in the register or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include your Directorship of any Trade Union.

Review your individual register of interest before each Board meeting and decision-making committee meeting and declare any relevant interest(s) at the start of the meeting.

If an interest has not been entered onto the LLEP's register, then the you must disclose the interest at any meeting of the LLEP where you are present, where you have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.

Following any disclosure of an interest not on the LLEP register or the subject of pending notification, you must notify the LLEP Chief Executive and Section 151 Officer of the interest within 28 days beginning with the date of disclosure.

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

Categories of disclosable interest are stated in the LLEP's register of interest.

LLEP Board Directors and Officers should also familiarise themselves with the LLEP's gifts and hospitality policy.

Procedure for managing conflicts

When an interest materially affects a Director's ability to vote without prejudice, this will be deemed to be non-trivial and a conflict of interest. In such circumstances the Director will withdraw from the meeting while the discussion and vote takes place.

Upon the declaration of any conflicts of interest at a meeting of the Board, the non-conflicted Directors will:

1. assess the nature of the conflict;
2. assess the risk or threat to Director decision-making;
3. decide whether the conflict is non-trivial (that is, it is material or has the potential to be detrimental to the conduct or decisions taken by the Directors); and
4. decide what steps to take to avoid or manage the conflict.



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

The non-conflicted Directors will consider whether it is necessary to seek the advice of the LEP's legal adviser on whether the conflict is nontrivial and/or on how to manage the conflict declared.

Subject to the provisions set out in the LLEP's Articles of Association, if the non-conflicted Directors consider that the declared conflict is trivial, they may agree that the conflicted Director may continue to participate in discussions and the decision-making process.

If the non-conflicted Directors consider that the conflict is non-trivial, the non-conflicted Directors will determine what action is appropriate in light of the nature and extent of the conflict. A number of steps can be taken to deal with the conflict, including:

1. excluding the conflicted Director from discussions in relation to the matter to avoid inadvertently influencing the non-conflicted Directors;
2. excluding the conflicted Directors from decision-making in relation to the matter while the conflict exists;
3. delegating the matter to a sub-committee of non-conflicted Directors;
4. seeking independent advice to help with a decision;
5. appointing an alternative, non-conflicted Director;
6. resignation of the conflicted Director where the conflict is acute or pervasive; and/or
7. applying to the court for directions.

The Chair of the Board will inform the conflicted Director of the non-conflicted Directors' decision. The secretary to the Board will note in the minutes of the meeting the conflict declared, an outline of the discussion and the actions taken to manage the conflict.

If in the event that a Board Director or officer is non-compliant with this policy the Chair of the Board and / or Deputy Chair and the LLEP Chief Executive Officer will formally investigate the compliance concern and make a recommendations to the Appointments Committee, who will decide on the course on action.



Register of Interest

Leicester and Leicestershire Enterprise Partnership: Register of Members' Interests

[DATE]

As a Board Member/Co-opted Member/Sub-Board Member/Staff Member of the Leicester and Leicestershire Enterprise Partnership (LLEP), I declare that I have the following disclosable pecuniary and/or non-pecuniary interests. **(Please state 'None' where appropriate, do not leave any boxes blank).**

NOTIFICATION OF CHANGE OF CIRCUMSTANCES

Each Board Member shall review their individual register of interests before each Board meeting and decision-making committee meeting, submitting any necessary revisions to the LEP and S151/S73 Officer at the start of the meeting. Any recorded interests relevant to the meeting should also be declared at this point.

Even if a meeting has not taken place a Member must, within 28 clear working days of becoming aware of any change to the interests specified below, provide written notification to the LEP and S151/S73 Officer, of that change.

***SPOUSE/PARTNER** – In the notice below my spouse or partner means anyone who meets the definition in the [Localism Act](#), i.e. my spouse or civil partner, or a person with whom I am living as a spouse or a person with whom I am living as if we are civil partners, and I am aware that that person has the interest having carried out a reasonable level of investigation. Where your spouse or partner has recently been involved in any activity which would have been declarable, this should be mentioned, with the date the activity ended.

SECTION 1	ANY EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION CARRIED ON FOR PROFIT OR GAIN	MEMBER (and/or spouse/partner where applicable)
1.1	Name of: <ul style="list-style-type: none">• your employer(s)• any business carried on by you• any other role in which you receive remuneration(this	



	includes remunerated roles such as councillors).	
1.2	Description of employment or business activity.	
1.3	The name of any firm in which you are a partner.	
1.4	The name of any company for which you are a remunerated Director.	
SECTION 2	SPONSORSHIP	MYSELF (and/or spouse/partner where applicable)
2.1	<p>Any financial benefit obtained (other than from the LEP) which is paid as a result of carrying out duties as a Member.</p> <p>This includes any payment or financial benefit from a Trade Union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 (a).</p>	
SECTION 3	CONTRACTS	MYSELF (and/or spouse/partner where applicable)
	Any contract for goods, works or services with the LEP which has not been fully discharged by any organisation named at 1.1.	
	Any contract for goods, works or services entered into by any organisation named at 1.1 where either party is likely to have a commercial interest in the outcome of business being decided by the LEP.	



SECTION 4	LAND OR PROPERTY	MYSELF (and/or spouse/partner where applicable)
	<p>Any interest you or any organisation listed at 1.1 may have in land or property which is likely to be affected by a decision made by the LLEP.</p> <p>This would include, within the area of the LEP:</p> <ul style="list-style-type: none"> • Any interest in any land in the LEP areas, including your place(s) of residency • Any tenancy where the landlord is the LEP and the tenant is a body in which the relevant person has an interest • Any licence for a month or longer to occupy land owned by the LEP. <p>For property interests, please state the first part of the postcode and the Local Authority where the property resides. If you own/lease more than one property in a single postcode area, please state this.</p>	
SECTION 5	SECURITIES	MYSELF (and/or spouse/partner where applicable)
5.1	<p>Any interest in securities of an organisation under 1.1 where:-</p> <p>(a) that body (to my knowledge) has a place of business or land in the area of the LEP; and</p> <p>(b) either –</p>	



	<p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which has an interest exceeds one hundredth of the total issued share capital of that class.</p>	
SECTION 6	GIFTS AND HOSPITALITY	MYSELF (and/or spouse/partner where applicable)
	Any gifts and/or hospitality received as a result of Membership of the LEP (above the value of £50).	

OTHER INTERESTS

Membership of organisations

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

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

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

- Any body directed to charitable purposes:



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

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

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

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Member's declaration and signature (not for publication: for LEP records only)

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

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

RECEIPT BY LLEP

Date received by the LEP	
Signature of LLEP Chief Executive	

Draft



Complaints including Confidential Complaints Policy

LLEP is committed to conducting its business with honesty and integrity and it expects all staff to maintain high standards of conduct. All organisations, however, face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate and that their confidentiality will be respected.
- To provide staff with guidance as to how to raise those concerns.
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy aims to explain what constitutes a whistleblowing complaint, how to raise one, how it will be dealt with and what protection is afforded to a legitimate whistleblower

Introduction

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

This procedure outlines the process to follow for a Discloser when reporting a perceived wrongdoing within the LEP, including something they believe goes against the core values of Standards in Public Life (the Nolan Principles) and the Code of Conduct (Chapter 4) for LEP Board Members and staff. The Standards in Public Life include the principles of; integrity, objectivity, accountability, openness, honesty, leadership and impartiality.

In particular LEP Board Members, as the key decision makers of the LEP, have a right and a responsibility to speak up and report behaviour that contravenes these values. It is important that this procedure is followed when raising any concerns, to ensure that the matter is dealt with correctly.

Definitions

This document uses the following definitions:

- Whistleblowing - where an individual who has concerns about a danger, risk, contravention of rules or illegality provides useful information to address this. In doing so they are acting in the wider public interest, usually because it threatens others or impacts on public funds. By contrast, a grievance or private complaint is a dispute about the individual's own position and has no or very limited public interest.
- The LEP – Leicester and Leicestershire Enterprise Partnership
- Discloser – this is the person who is the whistle-blower. They might be an employee, a LEP Board Member, a contractor, a third party or a member of the public.



- Responsible Officer - this is the person, appointed by the LEP, with overall responsibility for maintaining and operating this whistleblowing policy. They will maintain a record of concerns raised and the outcomes (but will do so in a form that does not endanger confidentiality) and will report to senior decision makers as necessary. Their name is Elizabeth Botmeh and their contact details are Elizabeth.botmeh@llep.org.uk City Hall 115 Charles Street Leicester LE1 1FZ 0116 454 2925.
- If the concern relates to the Responsible Officer then the concern should be raised with Mandip Rai, Chief Executive Officer., City Hall, 115 Charles Street, Leicester, LE1 1FZ Mandip.rai@llep.org.uk 0116 454 2911
- Relevant Concern – something the Discloser has been asked to do, or is aware of, which they consider to be wrong-doing and is in the public interest.

Scope

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

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

The LEP has a pre-existing complaints procedure that in many cases will be more appropriate for third parties or members of the public to follow. Third parties or members of the public should review the separate confidential complaints procedure outlined in the LEP's complaints policy on the LEP's website first before going through the whistleblowing process.

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

Policy Statement

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

This policy aims to:

- Encourage people to feel confident about raising serious concerns and to question and act upon their concerns without fear of victimisation or harassment;
- Provide avenues for Disclosers to raise those concerns and receive feedback on any action taken;
- Allow Disclosers to take the matter further if they are dissatisfied with the LEP's response; and



- Reassure all Disclosers, employees in particular who may have specific concerns about their position and employment status in the LEP, that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in the public interest.

What is a relevant concern?

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

A Discloser may decide to raise a concern under the whistleblowing policy if they are aware of a situation that they feel:

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

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

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

Disclosers should not raise malicious or vexatious concerns, nor should they raise knowingly untrue concerns. In addition, this procedure should not be used to raise concerns of a HR/personal nature, such as, complaints relating to a management decision or terms and conditions of employment.

These matters should be dealt with using the relevant alternative procedure, for example, the LEP grievance procedure. Equally, this policy would not apply to matters of individual conscience where there is no suggestion of wrongdoing by the LEP but, for example, an employee or LEP Board Member is required to act in a way which conflicts with a deeply held personal belief.

Safeguards

The Public Interest Disclosure Act (1998) gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns.



The LEP believes that no member of staff should be at a disadvantage because they raise a legitimate concern.

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

Raising a concern

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

All concerns will be treated in confidence and every effort will be made to protect the Discloser's identity if they wish to remain anonymous. However, at the appropriate time, it is possible that the Discloser will need to come forward as a witness for the matter to progress.

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

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

Information needed to raise a concern

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

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

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

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

How the concern will be handled

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



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

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

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

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

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

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

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

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

If necessary, the LEP will seek further information from the Discloser. The LEP will confirm when the matter is concluded and, if appropriate, the outcome of the investigation, maintaining security and confidentiality for all parties as far as possible.



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

Confidentiality and anonymity

The LEP always encourages potential Disclosers to speak up about potential serious wrongdoing in a way that they feel comfortable. The best way to raise a concern is to do so openly, as this makes it easier for the LEP to investigate and provide feedback. Any disclosures made under this procedure will be treated in a sensitive manner. However the LEP recognises that the Discloser may want to raise a concern in confidence, i.e. they may want to raise a concern on the basis that their name is not revealed without their consent.

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

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

Protection

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

Changes to procedures or policy as a result of whistleblowing

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

Untrue allegations



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

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

This procedure is intended to provide Disclosers with an avenue to raise legitimate concerns. If you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken you can report it directly to the Cities and Local Growth Unit in the Ministry of Housing, Communities and Local Government and the Department for Business Energy and Industrial Strategy, at the following email address: LEPPolicy@communities.gsi.gov.uk or by writing to: LEP Policy Deputy Director, Cities and Local Growth Unit, Fry Block, 2 Marsham Street, London, SW1P 4DF. You should clearly mark your email or letter as "Official - whistleblowing".

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

- The LEP accountable body, Leicester City Council
- The police;
- The relevant regulatory body or professional body;
- Your Trade Union;
- Your solicitor;
- Your Citizens Advice Bureau.

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

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

Feedback on Whistleblowing Policy

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



Gifts and hospitality policy

1. This policy applies to all Members of the LLEP, when representing the LLEP.
2. This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties. However, hospitality is an area in which you must exercise careful judgement. There is a need to distinguish between low cost hospitality of a conventional type, for example, a working lunch, compared with more expensive and elaborate hospitality. Hospitality should not extend to spouses unless the circumstances fully justify this and it is authorised by the Chief Executive Officer.
3. You must within 28 days of receipt, notify the LLEP Chief Executive Officer in writing of any gift, benefit or hospitality with a value in excess of £25 which you have accepted as a LLEP Member from any person or body other than the LLEP or LLEP's Accountable Body.
4. All gifts, benefits and hospitality should be recorded on the LLEP's Corporate Gifts and Hospitality Register.
5. You may accept "incidental" hospitality, such as light refreshments, lunch and drinks, as offered at a visit, conference, meeting or promotional exercise.
6. There may be instances where you may receive invitations to events offered as part of normal working life – for example, opening celebrations, receptions, luncheons, annual conferences and dinners. If attendance at such events is considered important in building and maintaining relationships with these sectors and the hospitality received is likely to be reasonable, then these may be acceptable.
7. You should discourage third party individuals and organisations from offering gifts. You may, however, accept token items of very low value (less than £25), for example stationery, diaries, calendars, chocolates, etc., usually distributed by companies as a promotional exercise. This does not, however, extend to gifts offered by third parties who are involved in active tenders.
8. This type of gift should be distinguishable from more expensive or substantial items which cannot on any account be accepted. If there is any doubt as to whether the acceptance of such an item is appropriate or the value exceeds £25, you should consult with the Chief Executive Officer.
9. If gifts have a higher value than £25, you should tactfully refuse them. If gifts of this value are delivered, they should be returned immediately with an appropriate explanation. If gifts cannot be returned, the Director should dispose them to charity and record this fact.
10. Gifts of cash or cash equivalent (vouchers, for instance) should not be accepted in any circumstances.
11. You must ensure that you read, understand and comply with this policy.
12. The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the LLEP or under its control. All Members/workers are required to avoid any activity that might lead to, or suggest, a breach of this policy.



13. It is important to inform the Chief Executive Officer as soon as possible if you are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that you are a victim of another form of unlawful activity.

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Risk Management Policy

Risk is simply defined as 'the effect of uncertainty on objectives' Risk is a neutral term and simply describes the potential for deviation from an expected outcome.

Risks can therefore be subdivided into Threats & Opportunities to indicate whether their influence on an objective is positive or negative. By managing the threats and opportunities effectively, the LLEP is in a stronger position to deliver its objectives.

Risk is a feature of all business activity and the LLEPs risk management approach is to be proactive in identifying risks and managing these in a timely manner.

The objectives of risk management are to

- Preserve and protect the organisation, assets reputation and staff,
- Promote a culture of well-measured risk taking throughout, as an integral part of the organisational decision-making process's
- Manage and act on opportunities and threats to enable the LLEP to achieve its objectives and integrate risk management into the culture and day to day working.
- Ensure that a systemic and consistent approach to risk management is adopted throughout the organisation and as part of planning, performance management and models of operation.
- To provide assurance to the LLEP board and partners that the LLEP has a comprehensive and professional approach to planning, and the monitoring of performance against targets.

Responsibilities

To achieve effective risk management, it must be embedded from the top down.

Employees should be made aware of any recognised risks for projects they work on and should be encouraged to report upwards to appropriate managers any concerns they have as these may inform risk holders of as yet unidentified risks or opportunities

The Board of Directors is ultimately responsible for overseeing risk management within Leicester Leicestershire Limited as a whole. Their fundamental role is to set the tone and agree the 'risk appetite' of the company

The Scrutiny Committee monitors the performance of the risk management process, ensuring that appropriate controls are in place to manage identified risks and reports its findings to the Board of Directors.

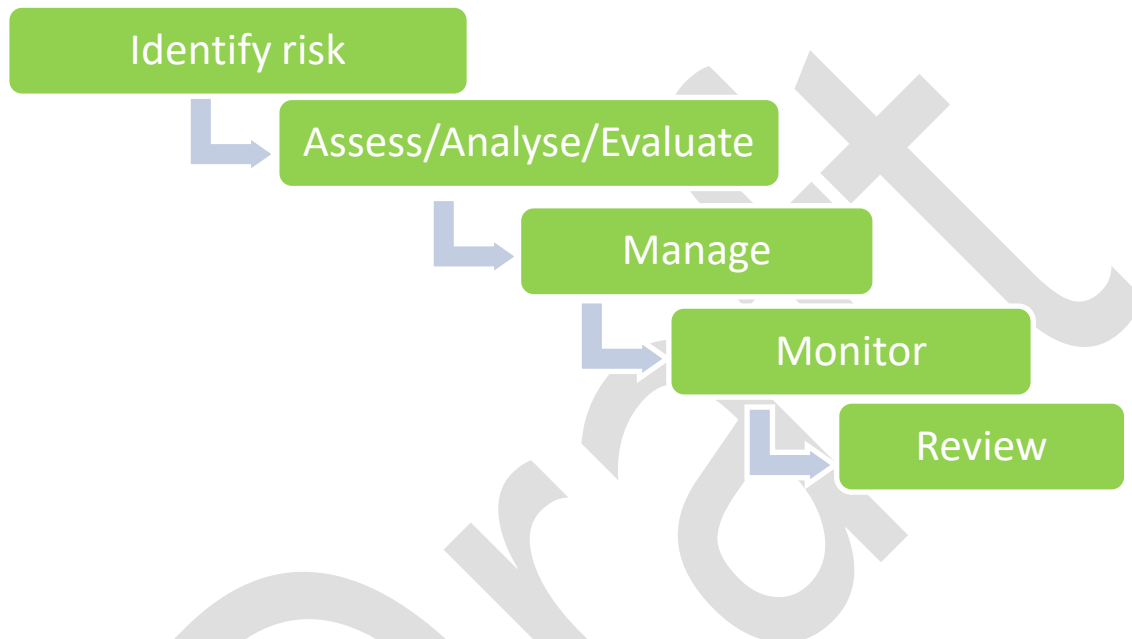
The Leadership Management Team (LMT) is responsible for identification of risks, maintenance of the Risk Register and the 'scores' of each individual risk. They should also ensure that mitigating controls and actions are completed in a timely manner. LMT should ensure that each risk is



scrutinised at least quarterly, or more frequently if it is deemed necessary due to the severity of the risk.

Risk Holders are senior managers appointed by LMT to maintain and report to LMT on individual risks within the risk register

Risk Management Process



To **identify risks**, we evaluate what might happen, how, what and why? On any work streams that are undertaken to meet the aims and objectives of the LLEP.

- What could go wrong in the achievement of the LLEP's objectives?
- What are the external factors which impact on the delivery of the LLEP's objectives?
- What could go wrong with the LLEP's operations?
- How likely is it that they will go wrong?
- How bad (i.e. what impact) would it be if they did go wrong?
- What can we do to prevent them from going wrong?

To **assess / assess / evaluate we** score risks is to facilitate their prioritisation and assessment against a previously established risk criteria, before deciding whether risks can be accepted. If the risk falls into the low or acceptable categories, they may be accepted with minimal further treatment. These risks should be monitored and periodically reviewed to ensure they remain acceptable. If risks do not fall into the low or acceptable category, they should be treated using one or more of the treatment options considered.



To score risk this involves determining the likelihood of the risk occurring and its impact should it occur. $\text{Impact} \times \text{Likelihood} = \text{Risk score}$.

		Minimal	Limited	Medium	Significant	Severe
Impact						
Likelihood	<i>Grading</i>	1	2	3	4	5
Infrequent	1	1	2	3	4	5
Possible	2	2	4	6	8	10
Frequent	3	3	6	9	12	15
Regular	4	4	8	12	16	20
Inevitable	5	5	10	15	20	25

Managing risk involves identifying the range of options for treating the risk, evaluating those options, preparing the risk treatment plans and implementing those plans. It is about considering the options for treatment and selecting the most appropriate method to achieve the desired outcome.

Options for treatment need to be proportionate to the significance of the risk, and the cost of treatment commensurate with the potential benefits of treatment.

Treatment options include:

- Terminate
- Treat
- Tolerate
- Transfer

Likelihood	Impact	4 T's	Actions to take
High	High	Terminate	Requires immediate action/avoid or consider alternative ways
High	Low	Treat	Consider steps to take to manage risks – reduce the likelihood and/or better manage the consequence
Low	High	Transfer	Contingency plan/Insurance cover to bear financial losses/transfer risk to third party/outsource
Low	Low	Tolerate	Informed decision to retain risk. Keep under review. Monitor and bear losses from normal operating costs as the cost of instituting a risk reduction or mitigation activity is not cost effective or the impact of the risks are so low so deemed acceptable



After evaluating the measures already in existence to mitigate and control risk, there may still be some remaining exposure to risk (residual risk). It is important to stress that such exposure is not necessarily detrimental to the LLEP and ensures that the LLEP is aware of its key business risks; what controls are in place to manage (mitigate) these risks; and, what the potential impact of any residual risk exposure is.

Reviewing the risk assessment to ensure it stays valid is an ongoing process. Business priorities and situations may change over time, however, few risks remain static. Factors that may affect the likelihood and consequences of an outcome may change, as may the factors that affect the suitability or cost of the various treatment options. Monitoring and review ensure that the important information generated by the risk management process is captured, used and maintained.

Indicative timescales for review will vary depending on the risks

Standard Review	
Red risks	1 – 3 months
Amber risks	3 months
Green risks	6 months

Reporting

The LLEP faces risks from both internal and external factors, the risk assessment and reporting will reflect this. Management holds overall responsibility for managing risks to the LLEP. However, the Board is expected to provide robust oversight of the risk register.

However, to aid the board, a committee comprising of LLEP members and the Accountable Body, will review and manage the risk register.

The Committee is responsible for the monitoring, audit and risk management functions of the LLEP and ensuring compliance with any regulatory frameworks relating to funding or partnership working, including the Service Level agreement with the Accountable Body.

The LLEP risk register will be split into strategic and operations risks, the strategic risks will be managed by the committee and the operational risks will be managed by the LLEP secretariat although the committee will have oversight.

At **Strategic level**, the focus is on identifying key risks affecting the achievement of the LLEPs strategic objectives. These are the risks (or opportunities) that are most likely to affect the performance and delivery of the LLEP strategic priorities.

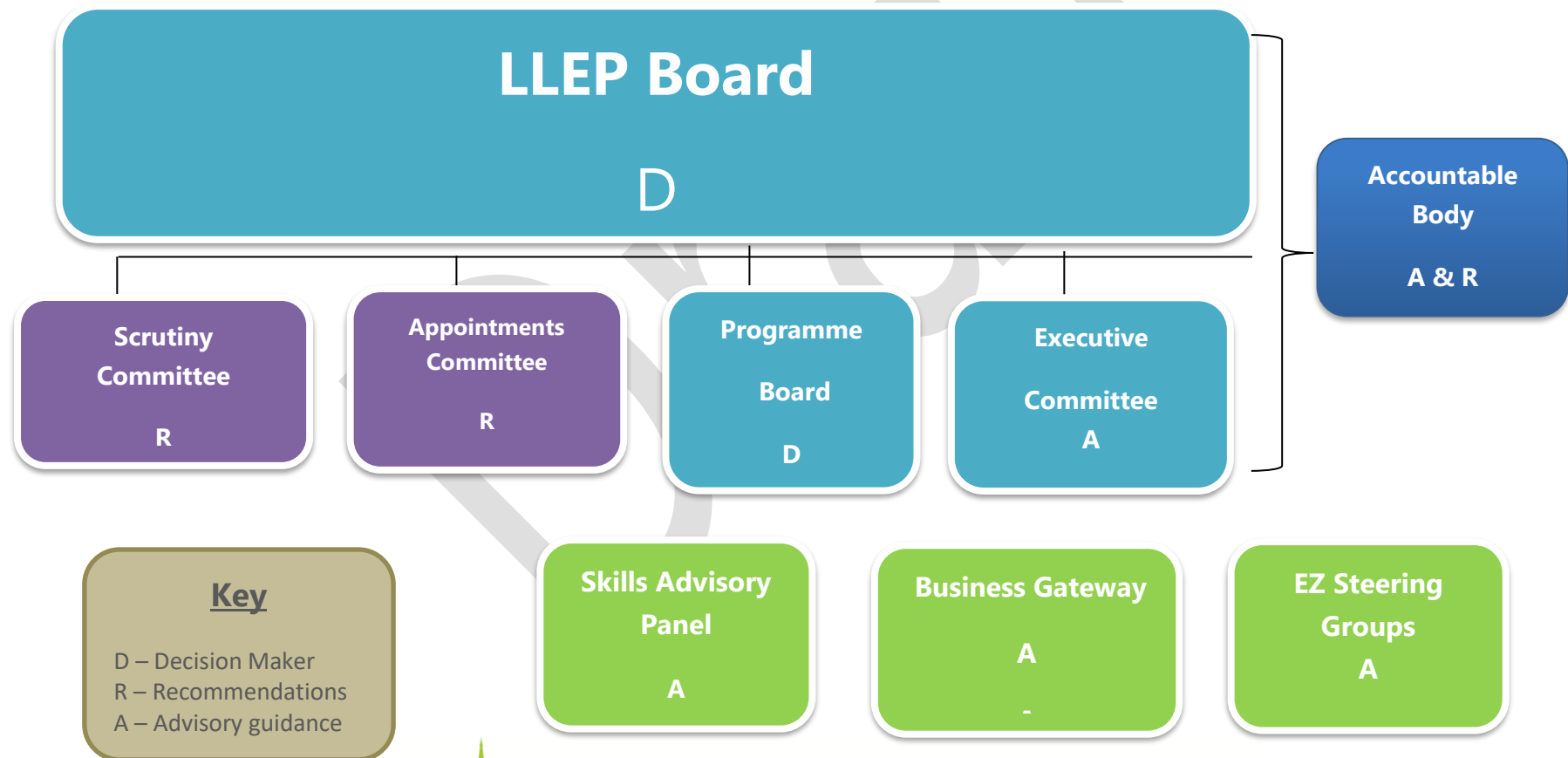
At **Operational level**, the focus is on the risks (or opportunities) that occur in the delivery of day-to-day/front-line operations and continuity of the service



Committees

To support the functions of the LLEP Board and secretariat, there are several committees that operate.

The objective of the committees is to facilitate effective leadership and decision making. All committees have terms of reference approved by the LLEP board.



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Scrutiny Committee

The Committee is responsible for the monitoring, audit and risk management functions of the LLEP and ensuring compliance with any regulatory frameworks relating to funding or partnership working, including the Service Level agreement with the Accountable Body.

The Committee will scrutinise the LLEP on strategic risk management, audit process, systems of internal controls, providing oversight and monitoring the integrity of these systems and ensuring compliance with the assurance framework.

Objectives

1. Consider the effectiveness of the LLEP risk management, internal control and corporate governance arrangements
2. Manage strategic risk and have oversight of the operational risk which is managed by the LLEP secretariat and the Exec.
3. Monitor the risk register maintained by LLEP secretariat and the Exec. and undertake risk 'deep dives' as appropriate
4. To monitor and assess the role and effectiveness of the internal audit function in the overall context of the LLEPs risk management system
5. To assist the board in determining the issues and risks in in the delivery plan
6. Agree an internal audit plan, ensuring a regular, timely and robust process of audit activity, including a risk based audit plan of LEP activity that provides assurance to S151 officer and the LLEP Board at appropriate points through the year
7. The committee shall be responsible for overseeing and reviewing the LEP's agreed Local Assurance Framework, ensuring compliance with the National Assurance Framework
8. To review the LLEP procedures for detecting fraud and whistle blowing and ensure that arrangements are in place by which staff may, in confidence, raise concerns about possible improprieties in matters of financial reporting, financial control or any other matters
9. To review or make decisions on any other matters referred to the Committee by the Board.

Membership

The Chair and members of the Committee shall be appointed by the Board consisting of

1. **Three** members of the Leicester and Leicestershire Enterprise Partnership Ltd.
2. One member of the Audit Committee should have significant, recent and relevant financial / auditing experience



3. S151 officer of the accountable body or other nominated representative
4. The LLEP Chief Executive Officer or other nominated representative
5. The quorum for meetings shall consist of two members and a representative of the accountable body.
6. Appropriate resources, including induction on appointment and subsequent technical updates as required, shall be made available to Committee members to develop their knowledge and expertise and to ensure that members have the relevant skills and experience
7. The Committee will meet at least twice a year
8. Appointments to the Committee shall be for a period of up to three years, which may be extended.
9. Internal audits will be independent of the LLEP, but not necessarily the Accountable Body and will be formally carried out a by Leicestershire County Council.

Format and Timings of Meetings

The meetings and papers of the Committee will be in the same format as and subject to the same conditions as the LEP Board meetings and papers.

In accordance with the national guidance:

1. Meeting agendas and papers will be sent 5 clear working days before the meeting takes place;
2. Minutes of meetings will be published within 10 clear working days of the meeting taking place. This may be in draft if clearance is required before the minutes are finalised
3. Any declaration of interest made at the meeting will be included in the minutes of the meeting. A new declaration of interest will be updated on the relevant member's register of interest.

Reporting Responsibilities

1. The Committee Chair shall report formally to the LEP Board on its proceedings after each meeting on all matters within its duties and responsibilities.
2. The Committee shall make whatever recommendations to the Board it deems appropriate on any area within its remit where action or improvement is needed.

Delegated Authority including limits



The Committee is authorised by the LLEP Board to investigate any activity within the Committee's terms of reference and, within its scope of responsibilities, to seek any information it requires and to ensure the attendance of management representatives at meetings as appropriate. The Committee has the authority to obtain outside legal or independent professional advice, subject to budget controls.

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Programme Board Terms of Reference

Purpose

The role of the Programme Board is to oversee the delivery of LLEP funded projects and programmes and ensure a clear contribution towards realising the objectives as set by the LLEP board.

Objectives

- (i) Direct and manage the approved LLEP programme of activity as delegated by the Board;
- (ii) Oversee the performance management of the projects/programmes for which the LLEP has responsibility;
- (iii) Ensure the integrity of the Programme Development process set out in the Local Assurance Framework (LAF)
- (iv) Monitor the risk register maintained by LLEP secretariat and undertake risk 'deep dives' as appropriate
- (v) Monitor programme and project costs and ensuring that these are kept in line with the original estimates and approvals, and ensuring that all projects are delivered in line with agreed outputs and milestones;
- (vi) Approve funding variations within a programme of agreed projects, up to any value, which does not affect the lifetime funding to a project.
- (vii) Where slippage occurs for particular projects or a programme then the Programme Board will advise on how best to mitigate; If it is felt that a project has slipped to such an extent that it might be best to use the resources to deliver a different project then a recommendation to that effect will be made to the Board;
- (viii) Set delegated tolerance levels for each Programme within which the LLEP Secretariat must operate
- (ix) For external bids, the Programme Board will act as a critical friend and review the project pipeline and business cases, form an indicative programme and make recommendations to the LLEP Board for approval
- (x) The Programme Board may decide to increase the funding allocation to a project by up to a maximum value of £500,000. The decision will be taken based on an assessment of a Project Change Request (PCR) / supplementary business case, submitted by the project sponsor, comparing the VFM of the revised project against the original approved project business case and similar projects within the pipeline. In determining Project Change Requests the Programme Board will be mindful over previous requests made within the last 12 months Above these thresholds Programme Board will make a recommendation, with decisions taken by the LLEP Board.
- (xi) The LLEP Board has delegated authority to the Programme Board to take decisions on its behalf relating to funding decisions for new and existing projects within the LLEP Programme of activity up to a value of £500,000. Above these thresholds Programme Board will make a recommendation, with decisions taken by the LLEP Board
- (xii) Report to board regularly on programme performance and as and when required by the Board
- (xiii) Undertaking such tasks as directed by the Board.



Membership

2.0 The membership of the Programme Board will include:

- (i) An Individual Board Director, who shall be the Chair;
- (ii) Two Individual Directors of the Board; who shall be the Vice-Chairs;
- (iii) A Chief Officer of Leicester City Council;
- (iv) A Chief Officer of Leicestershire County Council;
- (v) One district council Chief Executive who has been appointed to represent the interests of the seven district councils in Leicestershire;
- (vi) The Principal or Vice-Principal of the further education and sixth form colleges appointed to represent the interests of the sector;
- (vii) The Vice-Chancellor or Pro-Vice Chancellor of the university who has been appointed to represent the interests of the sector;
- (viii) The Representative appointed by Voluntary Action Leicestershire to represent the interests of the sector.

The Programme Board is supported by officers from the LLEP and the Accountable Body (Leicester City Council) and Cities and Local Growth Unit (CLGU)

Format and Timings of Meetings

- 3.1. The Programme Board will meet on a quarterly basis running, where appropriate, the month prior to the LLEP Board meeting
- 3.2. Key decisions of the Programme Board, especially regarding funding, will be communicated to the Projects within 7 working days of the decision, the Project Sponsors have the right to appeal a decision and this will be heard in the first instance through written procedure by the Programme Board.
- 3.3. Any continuing disagreements will be resolved by the LLEP Board in line with the terms of the LAF.
- 3.4. The meetings and papers of the Committee will be in the same format as and subject to the same conditions as the LEP Board meetings and papers.
- 3.5 In accordance with the national guidance:
 - (i) Meeting agendas and papers will be published 5 clear working days before the meeting takes place;
 - (ii) Minutes of board meetings to be published within 10 clear working days of the meeting taking place. This may be in draft if internal LEP processes require clearance before the minutes are



finalised. The final minutes of board meetings must be published within 10 clear working days of being ratified at the subsequent board meeting.

(iii) Any declaration of interest made at the meeting will be included in the minutes of the Board meeting. A new declaration of interest will be updated on the relevant member's register of interest.

3.6 The quorum for a Programme Board meeting shall be two Board Directors and three Programme Board members.

3.7 Where a meeting of the Programme Board is not quorate no business shall be transacted other than information items for consideration and a vote as to the date the meeting will be reconvened.

3.8 The agenda for the Programme Board will be developed in consultation with the Programme Board Chair and the Accountable Body.

3.9 Where appropriate, and as required, decision can be taken by written procedure which will follow the written procedure process established for the LLEP Board and set out within LAF.

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Executive Committee Terms of Reference

Purpose

The LLEP Executive is accountable to the Board and is responsible for overseeing LLEP operations on behalf of the Board including the delivery of the partnership's Strategic plans.

Objectives

- (i) Strategically direct and support the LLEP Chief Executive and team activity; including ongoing development of the LLEP's strategies;
- (ii) Manage Gateway 0 of the Programme Development Process; assessing the strategic fit of projects for progression to Business Case;
- (iii) Providing assurance for all operational resources;
- (iv) Advising the Board and setting the agenda for Board meetings;
- (v) Reviewing financial and budgetary information prior to consideration by the LLEP Board;
- (vi) Monitoring the risk register maintained by LLEP secretariat and undertake risk 'deep dives' as appropriate;
- (vii) Undertaking such tasks as directed by the Board.

Membership

2.1 The Membership of the Executive will include:

- (i) The LLEP Chief Executive Officer, who shall be the Chair;
- (ii) A Chief Officer of Leicester City Council;
- (iii) A Chief Officer of Leicestershire County Council;
- (iv) One district council Chief Executive who has been appointed to represent the interests of the seven district councils in Leicestershire;
- (v) The Vice-Principal of one of the further education colleges in Leicestershire;
- (vi) The Deputy or Pro Vice-Chancellor of one of the universities in Leicestershire;
- (vii) The senior officer representative appointed by the Voluntary and Community Sector (VCS)
- (viii) A business representative nominated by the Business Representative Organisation members of the LLEP

The Executive is supported by officers from the LLEP and the Accountable Body (Leicester City Council) and Cities and Local Growth Unit (CLGU)

Format and Timings of Meetings



- 3.1. The meetings and papers of the Committee will be in the same format as the LEP Board meetings and papers.
- 3.2. In accordance with standard practice:
- (i) Meeting agendas and papers will be sent 5 clear working days before the meeting takes place;
 - (ii) Minutes of the previous meeting will be circulated prior to the next meeting and agreed as a true and accurate record at the meeting.
 - (iii) Any declarations of interest made at the meeting will be included in the minutes of the meeting.
 - (iv) Minutes are available to board members on request.

Reporting Responsibilities

- 3.1 The Executive shall make whatever recommendations to the Board it deems appropriate on any area within its remit where decisions need to be made.



Appointments Committee

The Leicester and Leicestershire Enterprise Partnership (LEP) Board has established a Committee to be known as the Appointments Committee

The Committee's terms of reference may be amended at any time by the Board

Membership

The members of the Committee will be appointed by the Board from its Board of Directors, and a representative of the Accountable Body and will consist of not less than three members. HR Advisor and external advisers may be invited to attend for all or part of any meeting, as and when appropriate and necessary.

The Committee Chair will also be appointed by the LLEP Board. If they are absent from the meeting, the remaining committee members will appoint from amongst themselves a person to chair the meeting. All members will be appointed for a term that coincides with their term as a member of the LLEP Board. However, extensions to their term on the LLEP Board do not automatically result in their continued membership of the committee which requires re-appointment by the LLEP Board.

Meetings and Quorum

The committee will meet as required to address specific matters as arising from the appointment of directors and or the LLEP Chief Executive Officer.

Notice of Meetings;

Unless otherwise agreed, notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed, shall be forwarded to each member of the committee and any other person required to attend; These timelines are:

- 1.1 Meeting agendas and papers to be sent five clear working days before the meeting takes place;
- 1.2 Minutes of meetings to be emailed to recipients within 10 clear working days of the meeting taking place. This may be in draft if internal LLEP processes require clearance before the minutes are finalised. The final minutes of meetings will be published within 10 clear working days of being ratified at the subsequent meeting
- 1.3 Minutes are available to board members on request.

Duties

The committee should carry out the duties below



The committee shall:

- 1.1 To set the policy for board appointments and specifying descriptions of the role and capabilities required for board appointments in light of existing skills and experience of current board members
- 1.2 To plan for the future, including succession planning, to ensure that that the Board Membership reflects Leicester and Leicestershire including age, gender, ethnicity, public and private sector, geography and skills
- 1.3 To identify opportunities to develop the capacity and competencies of board members and members of other groups such as media and public speaking training
- 1.4 To assist in the preparedness of candidates with appropriate induction requirements, including background objectives, reports, meeting frequency and guidelines to help avoid conflicts of interest
- 1.5 To build a reputation for progress and transparency
- 1.6 To where appropriate make recommendations on directors appointments
- 1.7 To support if needed the Chair and / or Deputy Chair and / or Chief Executive Officer on any matters relating to the continuation in office of any member of the Board, Programme Board and Executive or Chief Executive Officer at any time, including the suspension or termination of a Board member or Chief Executive Officer.
- 1.8 To manage the performance review process in respect of the Chief Executive Officer
- 1.9 To actively manage the recruitment of the Chief Executive Officer
- 1.10 To advise and make recommendations on any changes to the LEP Governance
- 1.11 The committee shall also make recommendations to the Board on;
- 1.12 Succession plans for members of the Board and in particular for the key roles of chairman and deputy chairman;
- 1.13 Any matters relating to the continuation in office of any member of the Board at any time including the suspension or termination of service of a Board member

Reporting Responsibilities

The committee shall make whatever recommendations to the Board it deems appropriate on any area within its remit where action or improvement is needed.



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LLEP Business Gateway Board Terms of Reference

Purpose

The role of LLEP Business Gateway Board is to provide direction and scrutiny of the Business Gateway which is the Growth Hub for Leicester and Leicestershire.

1. Objectives

- (i) To provide strategic direction and scrutiny of LLEP Business Gateway in relation to BEIS Core Funding and any other contractual obligations.
- (ii) Overseeing the development, delivery and review of the business support priorities in the SEP and emerging LIS and LLEP Delivery plan for 2019/2020.
- (iii) Ensure delivery of the growth hub in accordance with the Schedule of Work in Schedule 3 to BEIS.
- (iv) Prioritise business growth initiatives and make recommendations to the LLEP Board regarding the allocation of programme resources;
- (v) Ensure that business support service provision is effectively aligned to the LLEP programmes including the Innovation, Skills, and Enterprise Zones;
- (vi) Inform evolution of business growth related activities, taking account of global trends, capability and capacity in the LLEP area;
- (vii) Consider any other business growth related matters which are specifically referred to the board by the LLEP Board and Executive;
- (viii) Assessing impact and performance through the Monitoring and Evaluation Framework for Growth Hubs and oversee risk management;
- (ix) Provide direction on the operation of the growth hub and its future sustainability;
- (x) Approve and present reports to the main LEP Board.

2. Membership

2.1 The Business Growth Board shall consist as a minimum of the following members:

Category	Organisation
LEP	LLEP Board
Business representative organisation	East Midlands Chamber
Business representative organisation	Federation of Small Business
Business representative organisation	CBI
Business representative organisation	IOD
University /HE	University of Leicester



University/HE	De Monfort University
University/HE	Loughborough University
Local Authority	Leicester City Council
Local Authority	District Council
Local Authority	District Council
Local Authority	Leicestershire County Council
Finance	BBB/Private /commercial bank
Finance	BBB/Private /commercial bank
Private Sector	To be nominated
Private Sector	To be nominated
Rural	Leicestershire Rural Partnership

- 2.2 All members will serve for a period of up to three years and will be committed to at least one-year membership of the Business Gateway Board.
- 2.3 Membership will be reviewed annually by the LLEP Board to ensure that it reflects the requirements for the development and delivery of the Business Gateway services in the LLEP area.
- 2.4 The Chair of the Board will be a member of the LLEP Board nominated by the Board for a term of office of up to three years and for the minimum of one year.
- 2.5 Deputies may occasionally attend Growth hub Board meetings if members are unable to attend. This will be subject to agreement of the Chair.
- 2.6 The Chair will present quarterly reports to the LLEP Board on its proceedings and on all matters relating to its duties and responsibilities.

Role of Business Gateway Board Members

- (i) Provide expertise to enable the board to build a sound knowledge of business needs across a range of different sectors and industries.
- (ii) Understand and work with other board members to make decisions about strategic priorities
- (iii) Examine and challenge business analysis and evidence to develop a range of delivery options of strategic significance.
- (iv) Monitor and evaluate performance of the Business Gateway programme and to improve delivery and drive the scale of outcomes
- (v) Support the development of the board and the wider partnership
- (vi) Act as an ambassador and champion for Leicester and Leicestershire as a place to do business

In carrying out these expectations, Board members will:

- (i) Provide advice and guidance on priorities for business support provision
- (ii) Make recommendations to the LLEP Board regarding the allocation of resources and the approval of funding proposals
- (iii) Inform the evolution of business support related activities, taking account of global trends, capability and capacity in the LLEP area



- (iv) Oversee and ensure the commissioning of business support activities are consistent with the agreed objectives of the SEP and emerging LIS
- (v) Ensure that business support service provision is effectively aligned to the programmes including the Innovation, Skills, Enterprise Zones and Inward Investment;
- (vi) Evaluate and review the programme to improve impact;
- (vii) Consider any other business support related matters which are specifically referred to the Board by the, the LLEP Board and Executive or any other relevant body.

3. Format and Timings of Meetings

- 3.3. The Growth Hub Board will meet 4 times a year.
- 3.4. The secretariat to the Business Gateway Board will be provided by the LLEP Business Gateway Team.
- 3.5. The meetings and papers of the Business Gateway Board will be in the same format as the LEP Board meetings and papers.
- 3.6. In accordance with standard practice:
 - (v) Meeting agendas and papers will be sent 5 clear working days before the meeting takes place;
 - (vi) Minutes of the previous meeting will be circulated prior to the next meeting and agreed as a true and accurate record at the meeting.
 - (vii) Any declarations of interest made at the meeting will be included in the minutes of the meeting.
 - (viii) Minutes are available to board members on request.

4. Reporting Responsibilities

- 3.2 The Board shall make whatever recommendations to the Board it deems appropriate on any area within its remit where decisions need to be made.



Enterprise Zones

Each of the four Enterprise Zone sites has its own steering group. Membership of the steering group includes, as a minimum, a representative of the landowner, a representative of the local authority(ies) relevant to the site and the Enterprise Zone representatives from the LLEP. Other members of involved organisations can attend the groups for specific matters as and when required.

The Enterprise Zone Steering Groups are accountable to the LLEP Programme Board and are responsible for overseeing the delivery of the Enterprise Zone element of the specific site they cover. For the avoidance of doubt, it should be noted that all decisions related to the development of land and any specific project still rest with the individual landowner.

Each steering group has a generic term of reference which is subject to review every 12 months.

The Steering Group is responsible for:

Strategic

- The development and execution of the Enterprise Zone Implementation Plan as advised by the LLEP Board, noting that all decisions relating to the development of land rest with the individual landowner;
- Strategically advising and supporting the Enterprise Zone activity.

Delivery

- Managing the overall Enterprise Zone project;
- Providing financial assurance for all operational and programme funds that are provided via the LLEP;
- Facilitate communications and engagement activity;
- Receiving regular updates regarding delivery of the Enterprise Zone project.

Administration

- Providing reports to the LLEP Programme Board on the progress of the Enterprise Zone

Enterprise Zone Steering Group Member Responsibilities

- Wherever possible, to support the collective decision making by consensus to ensure accurate and timely decisions, noting that all decisions relating to the development of land rest with the individual landowner;
- To represent a specific organisation at the Steering Group, ensuring views presented reflect the wider view of that organisation;
- To ensure decisions are enacted in line with the requirements of the LLEP Board

Reporting Mechanisms

- The Steering Group is accountable to and reports to the LLEP Programme Board.

Working Arrangements

- Meetings of the Steering Group will normally take place four times a year;



- Any additional meetings will be arranged as required and special meetings will be set up separately;
- Agendas and any papers will be circulated not later than one week before the meetings and minutes and agreed actions will be recorded and circulated to members within one week following the meeting;
- The Steering Group will be supported by the LLEP EZ team.

Draft



Local Assurance Framework

As part of the LEP review process, the government published the latest version of the National Local Growth Assurance Framework (NAF) in January 2019. The guidance is for all LEPs to develop their own Local Assurance framework and provides a common framework of understanding of the assurance and expectations required for local growth funding. It explains how places should appraise, monitor and evaluate schemes to achieve value for money.

It also sets out specific requirements to promote and underpin the LEPs approach to transparency. It sets out the requirements on the publication of agendas, minutes, recruiting Board members, decision making, projects which receive LEP funding, registering and declaring interests, complaints procedures, whistleblowing procedures and publishing financial information.

Transparent decision making is supported by the publication of information, and LEPs should ensure that information published on their websites and in their Local Assurance Framework is updated frequently. LEP websites are a key product to ensure that LEPs are providing the public and stakeholders with key information. As such, they must be easy to navigate and be updated regularly. Best practice suggests that the LEP should have a designated governance and transparency page which includes the LEP's Local Assurance Framework, policies and processes in one place.



Local Assurance Framework

2019/20

(v1 March 2019)

Draft



Change Log 2019/20

Adoption by the board 02/04/2019

No.	Area of change	Clauses changed within document	Sign Off
1.			

Draft



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PART I – GOVERNANCE ARRANGEMENTS

1. Introduction

The Leicester and Leicestershire Enterprise Partnership (LLEP) was created in 2010 in line with the Government’s policy of supporting economic growth through local enterprise partnerships (LEPs). The LLEP manages funds directly from Government to facilitate economic growth and regeneration in accordance with Part II of this Local Assurance Framework (LAF).

The LAF has been prepared in accordance with the National Assurance Framework¹, the Mary Ney Review (2017)², and best practice guidance (2018)³ issued by the Government and relating to funding flowing through the LEPs. The LAF seeks to ensure that there are robust processes in place to appropriately manage funding from the Government to the LLEP. The LAF should be viewed in the context of the Accountability Systems Statements for both local government and the Local Growth Fund, which provide assurance to the Accountable Body and the Government for how local growth funds and wider funding routed through local Government are allocated.

The purpose of the LAF is threefold:

To define and set out the mechanisms by which the LLEP, the Accountable Body and Government can be assured that money is being spent at the right time, in the right way on the right things;

To assure the collaborative nature of work between the Accountable Body and the LLEP in resource allocation decisions;

To detail the governance arrangements, Membership and roles and responsibilities of groups who are involved in the decision-making processes and the stages of approvals required to develop operating programmes to oversee all funding.

Definitions are provided in Annex 1.

¹ Available at: [gov.uk/government/publications/local-enterprise-partnership-lep-national-assurance-framework](https://www.gov.uk/government/publications/local-enterprise-partnership-lep-national-assurance-framework)

² [gov.uk/government/publications/review-of-local-enterprise-partnership-governance-and-transparency](https://www.gov.uk/government/publications/review-of-local-enterprise-partnership-governance-and-transparency)

³ [gov.uk/government/publications/local-enterprise-partnership-governance-and-transparency-best-practice-guidance](https://www.gov.uk/government/publications/local-enterprise-partnership-governance-and-transparency-best-practice-guidance)



The LLEP governance structure is provided in Annex 2.

Varying the LAF

Changes to the rules and procedures contained within the LAF will be made by way of resolution at a quorate Board meeting.

It is acknowledged that the LLEP is a public body and is accountable to Members of the community who it represents and the Board will not amend the LAF in such a way that allows it to avoid scrutiny.

The Chief Executive Officer shall be empowered to make minor and inconsequential amendments to the LAF from time to time, following consultation with the Chair, for the purposes of ensuring its lawfulness and consistency.

The holder of the LAF shall be the Chief Executive Officer. It is the responsibility of all Members to champion good governance and adherence to the principles and processes of the LAF.

The LAF will be reviewed on an annual basis to ensure that it is fit for purpose and compliant with required standards.



Objective of the LLEP

The LLEP's function is to support business-led economic growth and regeneration in the locality.

Subject to any duties and any restrictions or qualifications on its powers that are set out in Law, the objects for which the Company is established are:

Strategy: developing an evidence-based Local Industrial Strategy (or any other such successor document that the Government requires LEPs to develop and adopt from time to time) that identifies local strengths and challenges, future opportunities and the action needed to boost productivity, earning power and competitiveness across the area.

Allocation of funds: identifying and developing investment opportunities; prioritising the award of local growth funding; and monitoring and evaluating the impacts of its activities to improve productivity across the local economy.

Co-ordination: using their convening power, for example to co-ordinate responses to economic shocks; and bringing together partners from the private, public and third sectors.

Advocacy: collaborating with a wide-range of local partners to act as an informed and independent voice for their area

Personality of the LLEP

The LLEP is a private company limited by guarantee (Company No: **11932434**).

LEPs are non-statutory bodies and as such require an Accountable Body to manage funding from Government. Leicester City Council is the Accountable Body to the LLEP and hence takes the ultimate legal and financial responsibility for the LLEP's activities.

The Accountable Body, through its Section 151 Officer, is responsible for ensuring that statutory requirements are met in resource allocation decisions and that the public interest is protected. It provides financial and legal support and takes the ultimate legal and financial responsibility for the LLEP's activities.



The LLEP shall limit the exercise of its powers and duties and shall exercise its role only in relation to the geographical area which is the City of Leicester and the County of Leicestershire, although allowing for collaborative working with other LEP areas to deliver benefit within the geographical area of the City of Leicester and the County of Leicestershire.

LLEP Board

The LLEP Board of Directors is responsible for setting the corporate and strategic decisions of the Local Enterprise Partnership, as set out in the Articles of Association. Some elements of operational and strategic responsibility are discharged through a series of formal sub-Committee each chaired by a Member of the LLEP Board.

Ensuring that all activity is in accordance with the Articles of Association of the Leicester and Leicestershire Local Enterprise Partnership which is a private company limited by guarantee

Set the strategic priorities for economic growth across Leicester and Leicestershire.

Make collective decisions to deliver the LLEP's objectives and the outcomes set out in the governing economic strategy.

Providing clear levels of delegated authority to the LLEP Executive, Programme Board, Appointments Committee and the various sub-committees which report directly to the LLEP Board.

Be the custodian of the LAF and ensure that the LAF is adhered to at all times in resource allocation decisions.

Act as ambassadors for Leicester and Leicestershire at local, national and international levels.

Engage and represent their specific sector or corporate organisation on the LLEP and to ensure views represent those of the wider sector or corporate organisation.

Communicate and promote the objectives of the LLEP within their sector, ensuring the clear understanding of the need for collaboration.



Board of Directors

Unless otherwise determined by special resolution and subject to the requirements of these Articles, the number of Directors shall not be less than eight but shall not exceed twenty.

The Board shall consist of a minimum of eight private sector Individuals (one of whom shall be the Chair) and four public sector Individuals representing the Member organisations.

A Director must be a natural person and must at all times possess the following characteristics (as appropriate) unless otherwise approved by a special resolution of the Members:

In respect of a Private Sector Director, an owner (in whole or in part), officer, principal or person of equivalent seniority of a business or undertaking carried on with a view to making profit and conducting the whole or part of its business within the LLEP Area;

In respect of a Public Sector Director, a leader or deputy leader, or cabinet Member with the portfolio/lead responsibility for economic development within a Public Sector Member;

In respect of an Education Sector Director, a vice-chancellor, pro vice-chancellor, principal or person of equivalent seniority in an Education Sector Member.

In respect of a VCS Director a Chief Executive or Directors of the VCS.

The LLEP is committed to diverse representation reflective of the local business community and the entire geographical area which it serves, the LLEP aims to ensure gender equality on Board representation by 2023.

Board Directors are designated as championing specific priority sectors/areas, including an identified Board Member to represent and engage with the SME business community.



Subject to the provisions set out in the LAF, the Directors are responsible for the management of the LLEP's business, for which they may exercise all the powers of the LLEP.

The role of Board Member is not remunerated. Costs incurred in exercising the role of the Board Member on official LLEP business may be remunerated at cost, on the production of adequate receipts.

The LLEP will in conjunction with the LEP Network develop a formal induction programme for new Board Members.

Private Sector Director of the Board

In respect of a Private Sector Director, an owner (in whole or in part), officer, principal or person of equivalent seniority of a business or undertaking carried on with a view to making profit and conducting the whole or part of its business within Leicestershire;

Private Sector Directors shall retire from office from the end of the Annual General Meeting following the third anniversary of their appointment. Retiring Private Sector Directors shall be eligible for re-election by the Members at that Annual General Meeting.

A retiring Private Sector Director shall be eligible for re-election for further periods of three years.

Any Private Sector Director who shall have served for a total term of six years shall not be entitled to be re-elected. In exceptional circumstances a Private Sector Director may, with the approval of the Members, serve a further three-year term, and therefore a total term of nine years

In the event of a vacancy for a Private Sector Director arising any Member may apply to join the Board in accordance with the recruitment procedure that the Board may decide to adopt provided that the person shall become a Private Sector Director of the Board, once the Members have passed a resolution approving the application and the appointment.

Public Sector Director of the Board

The public sector Directors of the Board are:



Leicester City Council has one Representative, the elected City Mayor.

Leicestershire County Council has one Representative, the Leader of the Council.

The Leaders of two district councils who have been appointed by the District Leaders Group to represent the interests of the seven district councils in Leicestershire.

The Representative appointed by Voluntary Action Leicestershire to represent the interests of the voluntary and community sector.

Public Sector Directors shall retire from office from the end of the Annual General Meeting following the third anniversary of their appointment. Such retiring Public Sector Directors shall be eligible for re-election by the Members at that Annual General Meeting.

The Education Sector Director of the Board

The Education sector Directors of the Board are:

The Principal of a further education and/or sixth form college who has been appointed by their peers to represent the interests of the further education sector in Leicestershire.

The Vice-Chancellor of a university who has been appointed by their peers to represent the interests of the higher education sector in Leicestershire.

Education sector Directors shall retire from office from the end of the Annual General Meeting following the third anniversary of their appointment. Such retiring Education sector Directors shall be eligible for re-election by the Members at that Annual General Meeting.

Chair or Deputy Chair



The role of the Chair or Deputy Chair within the LLEP is to lead the Board with strategic direction and good governance. The Chair will ensure that the LLEP has the operational independence and organisational capacity to deliver the roles and responsibilities set out in the LAF the Chair or Deputy Chair (as applicable) must come from the class of Directors defined as private sector Directors.

A Chair or Deputy Chair (as applicable) shall be appointed for periods of no more than two years, such appointment ending at the Board meeting falling closest to the second anniversary of their appointment (or re-appointment). The Chair and Deputy Chair (as applicable) shall be entitled to put themselves forward for re-election and the Board of Directors may resolve to appoint the Chair and/or Deputy Chair at such Board meeting for a further period of two years provided that no Chair or Deputy Chair shall be able to serve more than four years in their respective role.

At the end of their respective terms to the provisions of the above the Chair shall not be eligible for the role of Deputy Chair after serving two consecutive terms as Chair and the Deputy Chair shall not be eligible for the role of Chair after serving two consecutive terms as Deputy Chair.

The Chair and Deputy Chair shall not be required to retire from the office of Director whilst they are in post.

In the event that neither Chair nor the Deputy Chair are participating in a meeting of Directors within 15 minutes of the time at which it was to start, the participating Directors must appoint one of themselves to chair it, such person being a Private Sector Director.

Recruitment of Directors

All vacancies for LLEP Board Directors will be openly advertised and communicated via a variety of media platforms such as the LLEP website, press release and social media. The opportunity will be communicated widely through the LLEP's stakeholders and their networks, including local business representative bodies to highlight the opportunity to a diverse and wide range of business communities. The advert will encapsulate a description of the role in the form of a job description, person specification and a copy of the LAF to detail the governance arrangements of the LLEP. Interested parties will be invited to submit an application in the form of a CV and covering letter outlining how they meet the criteria of the person specification.



In addition recruitment of the Chair or Deputy Chair will also be advertised on the Centre for Public Appointments website.

The LLEP is committed to having a Board that is representative of Leicester and Leicestershire and as such we actively welcome applications from underrepresented groups or individuals with protected characteristics.

Potential applicants will be short-listed by the Appointments Committee (an ad-hoc committee established from time to time tasked with a specific purpose as directed by the Board). Short-listed candidates will be invited to interview with the Appointment Committee.

The LLEP will consult widely and transparently with the business community before appointing a new Chair and Deputy Chair.

Any appointments or removals of Directors shall be effected in writing signed by or on behalf of a majority of the relevant Members and shall take effect upon lodgement at the Company's registered office or on delivery to a meeting of the Directors. Any such representative Director shall be entitled to notice of Board meetings, to attend all Board meetings and to receive copies of all documents to be considered at Board meetings, and to speak and vote at such meetings.

Directors' General Authority and Conduct

The Directors are responsible for the management of the Company's business and may exercise all the powers of the Company accordingly.

In their conduct of the Company's business the Directors shall at all times:

Conduct themselves in a professionally responsible manner;

Will have due regard to all confidentiality obligations concerning the Company's business;



Act solely in the public interest in line with the Nolan principles; make decisions purely on merit, in accordance with agreed LLEP processes and act with regularity and propriety when managing public money.

Take all decisions in accordance with the LAF in so far as the LAF is relevant to the decision to be taken.

A person ceases to be a Director as soon as:

That person ceases to be a Director by virtue of any provision of the Companies Act 2006 or the company Articles of Association or they become prohibited by law from being a Director.

That person ceases to have the characteristics (as appropriate) required pursuant to Companies Articles of Association.

That person shall for more than twelve months have been absent without permission of the Directors from meetings of Directors held during that period and the Directors resolve that that person's office be vacated.

A bankruptcy order is made against that person.

A composition is made with that person's creditors generally in satisfaction of that person's debts.

A registered medical practitioner who is treating that person gives a written opinion to the Company stating that that person has become physically or mentally incapable of acting as a Director and may remain so for more than six months.

Notification is received by the company from the Director that the Director is resigning from office, and such resignation has taken effect in accordance with its terms.

In the event of any Director who is also a Private Sector Member vacating their office as a Director of the Company for any reason, such Director shall at the same time cease to be a Member.

Decision Making

The Board is the primary decision-making body of the LLEP and makes decisions at meetings by way of resolution. Sub-groups within the governance structure are granted delegated authority to take decisions; the role and responsibilities of those which currently exist are detailed in Part 2.



Where there is an agreement of all present Directors, a formal vote may not be required. Where a matter proceeds to a formal vote, the motion must be proposed by a Director and seconded by another Director in order to be voted upon by the Board.

A resolution shall not be carried unless the Board is quorate and a majority of the voting Directors are in support of that resolution.

Each Director has one vote only.

If the numbers of votes for and against a proposal at a meeting of Directors are equal, the Chair, or in the Chair's absence the Deputy Chair or other Director chairing the meeting holding the position of Chair for that meeting (as appropriate) has a casting vote. This does not apply in respect of a particular meeting (or part of a meeting) if, the Chair, Deputy Chair or other Director chairing (as presiding) of the meeting is not an Eligible Director for the purposes of that meeting (or part of a meeting).

If a decision by resolution could not be made at Board, the Executive will be instructed to consider the matter and bring forward a recommendation to the next Board meeting.



Written Procedure' between Meetings

In an exceptional situation where the Chief Executive Officer, following consultation with the Chair or Deputy Chair feels that a decision of the Board is urgently needed and that it is not practical to convene a quorate meeting of the decision-making body then the following written procedure will be followed:

The Board Directors will be consulted in Writing by the Chief Executive Officer, detailing the need for the decision, the reasons for urgency and enclosing any background information, including any comments from the lead financial officer of the Accountable Body.

Board Directors will normally be given not less than two working days in which to respond.

Following the expiry of the deadline communicated to Board Directors in Writing the majority vote will be taken as the view of the Board and all Board Directors will be informed of the decision.

Such decision will only be valid if the response of the Board is quorate.

Where the vote is tied the Chair, or in the Chair's absence the Deputy Chair, shall have a casting vote.

Where the written procedure set out above does not generate a response from sufficient Board Directors to meet the quoracy requirement, the Chief Executive Officer, in consultation with the Chair will make the decision.

In any case where the written procedure is followed a report will be presented to the next meeting of the Board detailing the decision, the reasons for it and why the decision was treated as a matter of urgency.

All decisions, regardless of whether they are taken at a meeting or by written procedures are subject to the normal business case, evaluation, scrutiny arrangements, conflicts of interest policy and timeframe for the publication of decisions.

All decisions taken through this process will be recorded and published in the normal way.



The same procedure between meetings will apply for all groups within the LLEP governance structure. In these circumstances the relevant lead officers for the groups in question will enact the written procedure detailed in accordance with the Terms of Reference for the group.

The usage and suitability of the written procedure will be reviewed annually by the Board.

The maximum value of a single investment decision on LLEP funds to be taken through written procedures is capped at £500,000. The total project cost may exceed this amount.

Where decisions of the Directors are taken by electronic means, such decisions shall be recorded by the Directors in permanent form, so that they may be read with the naked eye.

Meetings

The Board shall meet at least six times in any financial year beginning on 1st April and ending on 31st March.

Notice of each meeting shall include:

the proposed date and time;

the venue at which the meeting is to take place; and

the agenda of the business to be transacted.

The secretariat will issue the notice of Board meetings to each Director in Writing and details will be published on the LLEP website.

Any Directors who are unable to attend any Board meeting shall provide an apology to the secretariat. The apology for absence is to be given prior to the commencement of the meeting.



Any declaration of interest made at the meeting will be included in the minutes of the Board meeting. A new declaration of interest should be updated on the relevant Director's register of interest.

The Chair can decide to accept an urgent item on to the agenda where, in his/her opinion, the item should be considered as a matter of urgency because of special circumstances which shall be specified in the minutes.

Any Director may call a Directors' meeting by giving not less than ten Business Days' notice of the meeting to the Directors or by authorising the Chief Executive Officer to give such notice.

A Director who is absent from the UK and who has no registered address in the UK shall not be entitled to notice of the Directors' meeting.

Proceedings of all Board meetings (except for the Annual General Meeting) and of all Programme Board, Appointment Committee, Executive meetings shall be held in private.

Records of Board Meetings

The Board must ensure that a written record of all Board meetings is taken in the form of minutes which must include a record of every decision taken by the Board. Any new declaration of interest will be updated on the relevant Member's register of interest published on the LLEP website.

All papers for the main LLEP Board and sub-Boards (that are responsible for decisions about public money) will be made available on the LLEP website. The LLEP is committed to meet the timelines as set out in the National LEP Assurance Framework in accordance with the Local Government Act 1972.

These timelines are:



Meeting agendas and papers to be published five clear working days before the meeting takes place.

Minutes of Board meetings to be published within ten clear working days of the meeting taking place. This may be in draft if internal LLEP processes require clearance before the minutes are finalised. The final minutes of Board meetings will be published within ten clear working days of being ratified at the subsequent Board meeting.

The minutes of a Board meeting shall be reviewed, approved and adopted as a true record of the proceedings of that meeting, at the proceeding Board meeting.

Minutes of Board meetings shall be kept for at least ten years.

Access to Information

The LLEP accepts the convention that as much information as possible should be disclosed unless there is a good public reason for not doing so.

In certain circumstances however, the LLEP will be aware that it holds "confidential information" under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, and therefore may be considered exempt from the requirement to provide the public with papers relating to meetings. This includes:

Information provided by a government department on terms which forbid the disclosure of the information to the public.

Where disclosure to the public is prohibited by a court.

Where the Local Enterprise Partnership holds "exempt information" under Schedule 12A of the Local Government Act 1972. This includes information relating to an individual, relating to the financial or business affairs of a particular person, negotiations, labour relations, legal professional privilege and in connection to the investigation or prosecution of a crime.

The categories under which information may be exempt are listed at Annex 5.



There shall be a statement on the agenda and on the relevant paper's header to inform Members when any matter being discussed contains exempt information. For any such matters any attendees at meetings that are not a Member of that group shall be asked to leave.

Reports containing exempt information will be circulated to relevant Members considering the report. However, Members must not share the reports. These papers will not be published and it will be noted in the published agenda and minutes of the meeting that this is an item containing exempt information.

A record of confidential proceedings and papers will be kept by the LLEP in case the need to scrutinise these decisions should arise in the future.

In all cases the 'public interest test' shall be applied by report authors and where appropriate the exempt category applied shall be identified.

The conditions and processes detailed in this section apply to all groups involved in funding decisions within the LLEP.

Quorum for Directors Meetings

The quorum for a Board meeting shall be eight Board Directors consisting of the Chair or Vice-Chair, five Private Sector Directors and two Public Sector Directors.

Where a meeting of the Board is not quorate no business shall be transacted other than information items for consideration and a vote as to the date the meeting will be reconvened.

If the total number of Directors in office for the time being is less than the quorum required, the Directors must not take any decision other than a decision:

To appoint further Directors; or



To call a General Meeting so as to enable the Members to appoint further Directors.

Annual General Meeting

The Chief Executive Officer will convene an Annual General Meeting at least once every calendar year, within the LLEP area, at which the Annual Report and Accounts, including an annual statement of utilisation of funds, will be made available to the public and stakeholder groups.

A Member (or individual representing the Member) will be able to exercise their right to speak at a General Meeting.

A Member (or individual representing the Member) is able to exercise their right to vote at a General Meeting when:

They are able to vote, during the meeting, on resolutions put to the vote at the meeting; and

Their vote can be considered in determining whether or not such resolutions are passed at the same time as the votes of all the others attending the meeting



Quorum for a General Meeting

No business other than the appointment of the chair in accordance with Articles of Association will be transacted at a General Meeting if the Member (or individual representing the Member) attending it do not constitute a quorum.

The quorum for a General Meeting is eight Members and no meeting shall be quorate unless the number of Members who are Private Sector Members between them comprise more than two-thirds of the number of total Members participating.

Chairing general meetings

The Chair or, in his or her absence, the Deputy Chair or, in his or her absence, a Private Sector Director nominated by the Directors shall preside as chair of every General Meeting.

If neither the Chair, the Deputy Chair nor such other Private Sector Director nominated in accordance with Articles of Association is present within fifteen minutes after the time appointed for holding the meeting and willing to act, the Directors present shall elect one of their number to chair the meeting.

If no Director is willing to act as chair of the meeting, or if no Director is present within fifteen minutes after the time appointed for holding the meeting, the Members present in person or by proxy and entitled to vote must choose one of their number to be chair of the meeting, save that a proxy holder who is not a Member entitled to vote shall not be entitled to be appointed as chair of that meeting.

Attendance and Speaking by Directors and Non-Members

Directors may attend and speak at General Meetings, whether or not they are Members.



The Chair of the General Meeting may permit other persons who are not Members of the Company to attend and speak at a General Meeting and, in the case of an AGM, the Chair of the meeting is obliged to permit such other persons who are not Members of the Company to speak.

Operational, secretariat and administrative support

The LLEP Board and governance structure are supported by an executive team, employed by the Accountable Body, Leicester City Council, but working to the Chief Executive of the LLEP, whose appointment is approved by the LLEP Board

The Board is responsible for funding decisions, except where it delegates funding decisions to the Programme Board.

Where contracts are required with third parties the default position is that the Accountable Body will enter into the contract on the LLEP's behalf. The LLEP, on behalf of the Accountable Body will administer the funding decisions, in line with the relevant Board decision. In return the LLEP agrees to demonstrate appropriate levels of probity in the management of projects and programmes through the LAF.

Functions of the Accountable Body

Funding is devolved to the LLEP from Government and is managed by the Accountable Body on behalf of the LLEP. As part of this process Leicester City Council gives assurance on the financial transparency, administrative functions and accountability of the LLEP.

The Accountable Body has duties as set out in guidance and rules as issued by central government, CIPFA and other regulatory bodies as issued from time to time. These are set out in summary as below however the guidance and rules are subject to change and therefore, as and when such rules and guidance are updated, the changes made will take affect so as to vary this position without the need for a formal variation of the agreement.

The responsibilities of the Accountable Body include, but are not limited to:



Recommending to the LLEP decisions and activities that only conform to legal requirements with regard to equalities, social value, environment, procurement and state aid.

Ensuring, through Leicester City Council's Section 151 Officer, that the LLEP funds are used and accounted for appropriately and in a transparent way.

Ensuring that Local Government Transparency Code requirements are met including ensuring that the LLEP publishes annual accounts and that spend over £500 is published through the LLEP website.

The Accountable Body will also maintain accurate record of all LLEP decisions - when they relate to financial and legal management of funding arrangements.

Ensuring that all of the LLEP's financial decisions are in the public interest and are taken following the correct processes.

Ensuring that there is effective delivery and implementation of projects funding decisions through legal contracts between the Accountable Body and delivery bodies. Where the City Council is implementing projects approved through the LLEP, this to be governed through a memorandum of understanding.

Ensuring that the LLEP conforms to the Accountable Body's approved finance and contract procedure rules in the exercise of this duty.

The Accountable Body recognises that the LLEP derives funding from Government on the basis of grants and associated grant determination letters received and governed by the policies and practices set out in the LAF, and such these are not funds to be deployed by the Accountable Body, without a clear mandate from the Board.

The Accountable Body in conjunction with the LLEP will ensure that funding agreements are conforming to performance, compliance and false representation. In the event that this occurs the LLEP will, through the Board and the Accountable Body seek recovery of funds, if legal opinion sets out the legal basis for recovery and like likelihood of success.

The Accountable Body notes that the LLEP acts as an advisory/decision making body with all the LLEP's expenditure incurred by the 'parent'/Accountable Body local authority to whom the funding is awarded; as such that expenditure is subject to full VAT recovery under Section 33 of the VAT Act 1994.

Section 151 Officer



The LLEP Board, and its supporting governance structure (where there are appropriate schemes of delegation are in place), is the strategic body responsible for taking decisions on LLEP business and LLEP programme activity. However, The Chief Executive and Chair of the LLEP will work with the Accountable Body Section 151 Officer to agree an effective responsibility model in line with the CIPFA Principles for S151 Officers working with local enterprise partnerships.

CIPFA principle 1 Enshrining a corporate position for the S151 Officer; The Section 151 Officer will be supported by the LLEP and the Accountable Body to carry out such checks as are necessary, throughout the year to independently ensure the proper administration of financial affairs in the LLEP. Where there are concerns or where they wish to make recommendations about changes, required to ensure the proper administration of financial affairs, these shall be recorded in the LAF action plan and be acted upon promptly by the LLEP.

CIPFA principle 2 Creating a structured mandate for the S151 Officer; where concerns or improper financial administration are identified, the S151 Officer shall provide recommendations for improvements to be made. The LLEP Board shall be responsible for making changes to address the concerns in line with the recommendations. Where the Board doesn't agree with the recommendations, and no agreement on the way forward can be reached with the S151 Officer, the matter shall be referred to MHCLG

S151 Officers (or their delegated representatives) will also be invited to attend all Board Meetings and Board agenda setting meetings, but will not be entitled to vote or make LLEP decisions.

The LLEP recognises that treasury management and borrowing is part of the role of the Accountable Body. The S151 Officer will ensure that there are the correct, established financial processes in place leading up to Board decisions such that financial delegations are respected.

Where there are concerns about systemic financial problems this shall be raised with the Cities and Local Growth team. The S151 Officer shall task the LLEP with improving financial standards, and progress shall become a standing item at all the Board Meetings until the S151 Officer is satisfied that the issue has been resolved.



CIPFA principle 3 Embedding good governance into decision making; The S151 Officer will ensure that the LLEP has procedures in place to consider the financial implications of decisions before and during the decision-making process rather than reviewing decisions afterwards.

Both the LLEP and the S151 Officer will agree and approve the budget risks facing the LLEP at the outset of the financial year, and review them on a frequent basis. The LLEP will provide the risk register to the S151 on each occasion that it is revised.

At the beginning of the budget year, the S151 Officer will be entitled to comment on the adequacy of the budget plan. This will be provided by the LLEP Chief Executive, setting out their capital Programme and revenue commitments and projections, at the beginning of each financial year. In addition, the LLEP will set out its scrutiny arrangements in its Local Assurance Framework to make sure there is strong governance in place, and appropriate scrutiny procedures to support that governance.

CIPFA principle 4 Ensuring effective review of governance; The LLEP and the Accountable Body will agree an internal audit plan for the year, including a risk-based audit plan of LLEP activity that will provide assurance to the S151 Officer and the LLEP Board at appropriate points through the year.

The LLEP will participate in any audits requested by the Accountable Body. Following a completed audit (by either internal or external audit) where there are comments they will be reported back to the will be reported back to the Board by the S151 Officer and Chief Executive Officer or their representatives and provided to the Cities and Local Growth Team

Where serious concerns are encountered during the year, for example repeated noncompliance with legal requirements or fraud then the S151 Officer shall promptly raise these with the Cities and Local Growth Team.

CIPFA principle 5 Appropriate skills and resourcing; The LLEP, through the Accountable Body will ensure that the S151 Officer has appropriate resources to carry out their functions in respect of the LEP including external audit opinion where this is a compliance requirement



The Chief Executive Officer or other nominated LLEP officer and the Accountable Body meet monthly, to review resource needs, and to ensure that appropriate procedures are in place to underpin good governance with the LLEP and that the LLEP considers if they are being appropriately met. Both the LLEP and the Accountable Body have an expectation of mutual support.

As part of strong accountability, an effective relationship between the Accountable Body and the Board in decision making is critical, to ensure a consensus approach to joint-decision making.

The Section 151 Officer will, by 28th February each year sign-off an Annual Assurance Statement once satisfied, after undertaking checks and ensuring the LLEP has proper process and administration in place for financial affairs in line with the LAF.

Scrutiny and audit arrangements

Leicester City Council, as the Accountable Body, exercises scrutiny of the LLEP satisfying itself of the robustness and appropriateness of decisions prior to their implementation.

Independent Scrutiny of the LLEP will also be achieved through the Chief Executive Officer, offering to attend the Accountable Body's Audit and Risk Committee. However, any constituent Local Authority Scrutiny Committee can choose to review the LLEP's activities and request the Chief Executive Officer to provide updates.

As part of the formation of the legal personality Members of the company will be invited to form a scrutiny committee to satisfy and test the robustness of the governance of the LLEP.

The LLEP Chief Executive Officer and LLEP representatives attend stakeholder and other external meetings, including regular meetings with representatives the Higher Education and Further education sectors and with Local Businesses. Updates on the LLEP's activities are provided at such meetings, providing further opportunity for scrutiny.

The LLEP holds an Annual Meeting in public, at which the LLEP's annual report for the previous financial year is published. This report provides an overview of the work of the LLEP in that year, along with a summary of the operational funding of the LLEP. In addition, the LLEP publishes a two-year financial strategy.



The LLEP agrees to take part in peer review arrangements to further transparency and ensure that national standards are met, and best practice is shared. Further the LLEP participates in annual performance review undertaken by Communities and Local Growth Team and results are published on the LLEP website.

The audit of the use of LLEP funds will be part of the internal and external audit programmes of the Accountable Body, and will be at least equivalent to those in place for Leicester City Council's own spending. Specific audits relating to particular funding streams or activities may also be undertaken at the request of the Board or the Government. The outcomes of such audits will be reported through the LLEP governance structures to the Board and any appropriate remedial action will be put into place. The reports of these audits will be submitted to Government, if appropriate, on request.

It is acknowledged that Government will also undertake its own periodic assessments of the quality of appraisal and scrutiny within the LLEP, in order to test the extent to which the LLEP is discharging the responsibilities to deliver value for money. It is noted that the results of these assessments may be considered in determining future funding allocations to the LLEP.

The LLEP will maintain and manage a risk register to cover all areas of its activity on a regular basis. This will be reviewed by the Board on a quarterly basis and shared with Leicester City Council to assist in the development of an annual programme of audit activity.

The internal audit team of the Accountable Body will prepare an annual audit plan based on the LLEP risk register. This will be undertaken by 31st May annually and published on the LLEP website

The LLEP's finances will be reflected in the Accountable Body's annual statutory statement of accounts. The LLEP will publish in its annual report and on its website a summary of the financial position for the year. Alongside this the LLEP will publish a schedule of the projects invested in that have defrayed funding within each financial year.

Data protection and Freedom of Information Act



The LLEP is committed to ensuring information is handled in accordance with the EU General Data Protection and with prevailing UK data protection law. Further information on how the LLEP handles personal information can be found in the LLEP's Data Protection Privacy Notice, available at llep.org.uk/privacy

The LLEP is a registered as a data controller with the Information Commissioner's Office.

The LLEP is a non-statutory body, and as such is not subject to the Freedom of Information Act 2005 or the Environmental Information Regulations 2004. However, in the interests of transparency it will process any FOI requests as it is committed to meeting the highest standards of corporate governance.

Transparent decision making

The LLEP will ensure a high level of transparency and will involve the public and key stakeholders as appropriate.

The LLEP will maintain a dedicated website (llep.org.uk) which will contain material accessible to help consult, communicate and inform debate on future strategy development and progress on delivery. It will also contain a clear statement of the approach that will be followed by the LLEP when making major investment decisions. Statements issued to the media will be made available on the LLEP website. The LLEP also utilises social media platforms such as Twitter, LinkedIn, Instagram and YouTube.

The LLEP is committed to meeting Government branding guidelines, as set out in the National Assurance Framework and the branding guidance issued to LEPs for the Local Growth Fund. The LLEP will ensure that correct branding and wording is used for websites, signage, social media, press notices and other marketing materials.

Further, it will ensure that:

MHCLG is given as much advance notice as possible of announcements and milestone events

Relevant funding descriptions and logos are used in media releases.

Ministers and Area Leads (MHCLG, BEIS, and other relevant policy departments such as DfT) are invited to landmark events.



The LLEP will also require projects and programmes funded through the local assurance framework to comply and adhere to LLEP communications protocol.

The LLEP will specifically publish public statements:

In relation to developing, prioritising, appraising and approving projects, with a view to ensuring that a wide range of delivery partners can be involved;

To clearly set out the LLEP'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.

Annual accounts and all spend over £500 will be published at llep.org.uk/governance/finances-and-accounts

The LLEP will also publish an annual report and delivery plan in line with the requirements of the LLEP Review

The LLEP will work within the local authority statutory frameworks governing publication of meeting dates and papers and will adhere to the Local Government Transparency Code. The LLEP will publish all Board decisions on its website ensuring that the rationale behind decisions is clearly explained, together with the Agendas, Papers and Minutes of Board meetings.

Accountability

The LLEP Directors are accountable to the public for the decisions taken. Accountability cannot be achieved if decisions are taken in the absence of checks and balances.

The LLEP Directors recognise that there is a potential for conflicts of interest and they are open to criticism by Members of the public and those organisations who are competitors in the sectors in which they operate.

Conflicts of interest



The Directors may, in accordance with the requirements set out in this article, authorise any conflict proposed to them by any Director which would, if not authorised, involve a Director (an Interested Director) breaching their duty to avoid conflicts of interest under section 175 of the Act.

Any authorisation under this paragraph shall be effective only if:

To the extent permitted by the Act, the matter in question shall have been proposed by any Director for consideration in the same way that any other matter may be proposed to the Directors under the provisions of these Articles.

Any requirement as to the quorum for consideration of the relevant matter is met without counting the interested Director.

The matter was agreed to without the Interested Director voting or would have been agreed to if the interested Director's vote had not been counted.

For the avoidance of doubt the interested Director shall not vote on any authorisation of its own conflict and shall not count towards the quorum for any such vote.

Any authorisation of a conflict under this paragraph may (whether at the time of giving the authorisation or subsequently):

Extend to any actual or potential conflict of interest which may reasonably be expected to arise out of the matter or situation so authorised.

Provide that the interested Director be excluded from the receipt of documents and information and the participation in discussions (whether at meetings of the Directors or otherwise) related to the conflict.

Provide that the interested Director shall or shall not be an eligible Director in respect of any future decision of the Directors in relation to any resolution related to the conflict.

Impose upon the interested Director such other terms for the purposes of dealing with the conflict as the Directors think fit.

Provide that, where the interested Director obtains, or has obtained (through their involvement in the Conflict and otherwise than through their position as a Director of the Company) information that is confidential to a third party, they shall not be obliged to disclose that information to the Company, or to use it in relation to the Company's affairs where to do so would amount to a breach of that confidence.



Permit the interested Director to absent himself from the discussion of matters relating to the Conflict at any meeting of the Directors and be excused from reviewing papers prepared by, or for, the Directors to the extent they relate to such matters.

Where the Directors authorise a Conflict, the interested Director shall be obliged to conduct himself in accordance with any terms and conditions imposed by the Directors in relation to the conflict.

The Directors may revoke or vary such authorisation at any time, but this shall not affect anything done by the interested Director prior to such revocation or variation in accordance with the terms of such authorisation.

A Director is not required, by reason of being a Director (or because of the fiduciary relationship established by reason of being a Director), to account to the Company for any remuneration, profit or other benefit which he derives from or in connection with a relationship involving a Conflict which has been authorised by the Directors in accordance with these Articles or by the Company in General Meeting (subject in each case to any terms, limits or conditions attaching to that authorisation) and no contract shall be liable to be avoided on such grounds.

Subject to sections 177(5) and 177(6) and sections 182(5) and 182(6) of the Companies Act, and provided they have declared the nature and extent of their interest in accordance with the requirements of the Act where such Conflict has been authorised in accordance with this paragraph and subject to any conditions attached to such authorisation, a Director who is in any way, whether directly or indirectly, interested in an existing or proposed transaction or arrangement with the Company:

May be a party to, or otherwise interested in, any transaction or arrangement with the Company or in which the Company is otherwise (directly or indirectly) interested.

Shall be an Eligible Director for the purposes of any proposed decision of the Directors (or committee of Directors) in respect of such existing or proposed transaction or arrangement in which they are interested.

Shall be entitled to vote at a meeting of Directors (or of a committee of the Directors) or participate in any unanimous decision, in respect of such existing or proposed transaction or arrangement in which they are interested.

May act by themselves or their firm in a professional capacity for the Company (otherwise than as auditor) and they or their firm shall be entitled to remuneration for professional services as if they were not a Director.



May be a Director or other officer of, or employed by, or a party to a transaction or arrangement with, or otherwise interested in, anybody corporate in which the Company is otherwise (directly or indirectly) interested.

Shall not, save as they may otherwise agree, be accountable to the Company for any benefit which they (or a person connected with them (as defined in section 252 of the Act)) derives from any such transaction or arrangement or from any such office or employment or from any interest in any such body corporate and no such transaction or arrangement shall be liable to be avoided on the grounds of any such interest or benefit nor shall the receipt of any such remuneration or other benefit constitute a breach of their duty under section 176 of the Act.

Conflict resolution

If a dispute arises out of or in connection with this Agreement or the performance, validity or enforceability of it (Dispute) then the parties shall follow the procedure set out in this clause:

Either party shall give to the other written notice of the Dispute, setting out its nature and full particulars (Dispute Notice), together with relevant supporting documents. On service of the Dispute Notice, the Principal Accountant of the Council and Contract And Finance Manager of the LLEP shall attempt in good faith to resolve the Dispute;

If the Principal Accountant of The Council and Contract And Finance Manager of the LLEP are for any reason unable to resolve the Dispute within 14 days of service of the Dispute Notice, the Dispute shall be referred to the Head Of Finance of the Council and Chief Executive Officer of the LLEP who shall attempt in good faith to resolve it; and

If the Head Of Finance of the Council and Chief Executive Officer of the LLEP are for any reason unable to resolve the Dispute within 14 days of it being referred to them, the Dispute shall be referred to the City Mayor of the Council and the LLEP Chair' and

If the City Mayor of the Council and the LLEP Chair are for any reason unable to resolve the Dispute within 14 days of it being referred to them, the parties will attempt to settle it by mediation in accordance with the CEDR Model Mediation Procedure. Unless otherwise agreed between the parties, the mediator shall be nominated by CEDR Solve. To initiate the mediation, a party must serve notice in writing (ADR notice) to the other party to the Dispute, requesting a mediation. A copy of the ADR notice should be sent to CEDR Solve. The mediation will start not later than 28 working days after the date of the ADR notice.



The commencement of mediation shall not prevent the parties commencing or continuing court proceedings in relation to the Dispute.

If the Dispute is not resolved within 14 days after service of the ADR notice, or either party fails to participate or to continue to participate in the mediation before the expiration of the said period of 14 days, or the mediation terminates before the expiration of the said period of 14 days, the Dispute shall be finally resolved by the courts of England and Wales.

Complaints, confidential reporting of concerns and whistleblowing

All complaints, the confidential reporting of concerns and instances of whistleblowing made against the LLEP will be treated in accordance with LLEP. The details of the current procedure for reporting whistleblowing, concerns, and complaining including confidential complaints are provided on the LLEP website.

Strong supportive partnership working

To share knowledge and best practice, the LLEP is committed to working in partnership with other LLEPs and Government through the LEP Network. This will include regular attendance at relevant forums and workshops, the dissemination and exchange of information and the uptake of any appropriate training or additional support provided through the Network.

To maximise the impact of investment across local geographies and ensure that cross-boundary issues are included within its strategies and plans, the LLEP will regularly engage with other LEPs at a national and regional level to discuss collective approaches to areas of common economic interest. This will include jointly agreed approaches to developing key strategic assets and business sectors as well as shared economic challenges and opportunities. The LLEP will also explore the potential to maximise its resources by joining its funding streams with other areas.



PART II – PROGRAMME DEVELOPMENT AND MANAGEMENT

This section set out the effective arrangements that LLEP have in project and programme management for funds such as Local Growth, City Deal and Enterprise Zones. The LLEP recognises the need to have robust arrangements in place to ensure value for money and effective delivery, through strong project management, project options and appraisal, prioritisation and business case development.

Summary ways of working

The LLEP's approach to commissioning, programme development and monitoring will ensure key processes are in place to enable effective project and programme management. These will include systems to:

Provide transparency and assurance arrangements.

Set budgets, re-allocate funds, monitor and review programmes and initiate project interventions.

Ensure robust and proportionate economic appraisal processes are in place to ensure value for money.

Provide a critically robust review and challenge process through a series of Gateways.

Satisfy public procurement regulations, legal and state aid requirements.

The LAF operates a Gateway system to develop and manage the LLEP's Programme. The LLEP will apply the Gateway system with due care and diligence and appropriate to the requirements of individual projects.

All funding decisions taken by the LLEP are subject to the normal business case, evaluation and scrutiny arrangements, as detailed within this LAF. This process accommodates an opportunity for the Section 151 officer/lead finance representative and legal opinion from the Accountable Body, to provide comments on decision, and ensure the process set out within this LAF have been adhered to.

The LLEP manages the Gateway processes which are as follows:



Pre-Gateway – Pipeline Development

Gateway 0 – Strategic Fit

Gateway 1 – Project Business Case development and appraisal

Gateway 2 – Supplementary Business Case information and revision (if required)

Gateway 3 – Contracting and Inception

Gateway 4 – Programme Delivery

Gateway 5 – Evaluation

The Gateway processes mirror the policy development cycle, generating learning to inform the commissioning of future activity.

This section deals in detail with the processes involved in identifying and selecting options for defining an indicative programme of activity. It should be recognised that in the early stages of this process, the LLEP will not have 100% of the information to hand and will therefore need to exercise the dual principle of Good Enough and Proportionality in its resource allocation decisions. What this means is that:

Good Enough is a judgement that given the resource needs, the LLEP has enough information to make a meaningful decision on a project; that requesting more information may not be in the best interests of the project and; that there are diminishing returns from pursuing this line, especially in relation to the overall fund request.

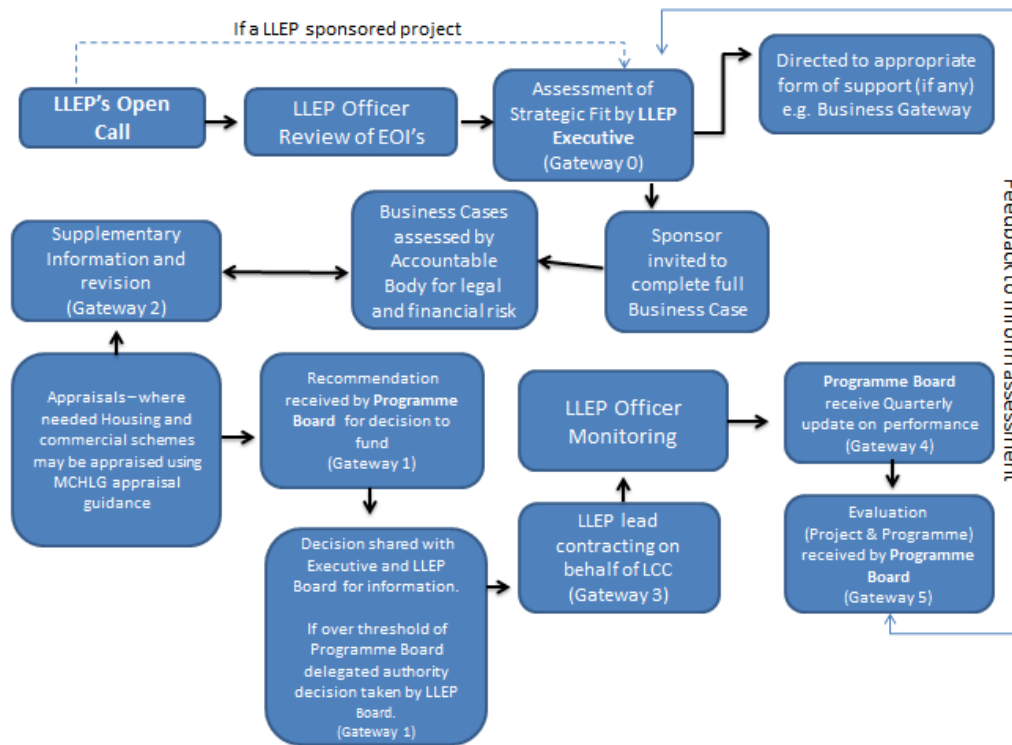
Proportionality is the principle that projects of a lower financial value will not need the same rigour in terms of evidence, detail and appraisal (e.g. independent appraisal) to those of a larger value. Whilst each project will traverse the same Gateways to arrive at an investment decision, the LLEP will endeavour to apply appraisal and evidence requirements proportionate to the financial value of the project, i.e. a project with a total project value is £100,000 will have a less onerous review process than a project of £10,000,000.

The LLEP recognises that all investment decisions using public funds will be made with reference to statutory requirements, conditions of the funding, through formal LLEP involvement; (e.g. Strategic Economic Plan, Local Industrial Strategy) and local objectives (e.g. Strategic Growth Plan, Transport plan)



2. Programme Development

Programme Development Flowchart



The above diagram illustrates the stages and information flow within the programme development process. The process is explained in detail in the preceding paragraphs.

Project Pipeline and the LLEP's Open Call

This is critical to the functioning of the LAF and is the process of developing a pipeline of projects that will contribute to the delivery of the aims and objectives of the governing economic strategy of the LLEP.

The route into the project pipeline is through the LLEP's Open Call where at any time, any organisation can submit a project Expression of Interest (EOI). Thereafter:

- I) The project EOIs will be reviewed with dates published on the LLEP website. This is expected to be on at least a quarterly basis. The LLEP will consider projects that are critical and time-sensitive through fast tracking procedures (detailed below).
- II) Major transport projects in excess of £5m would need to be approved by the Local Transport Body (LTB) who would recommend to the Programme Board projects that they want to progress.

Gateway 0 – Strategic Fit



The process for assessing strategic fit is as follows; an officer group of the LLEP will assess the projects in the pipeline in accordance with the approved economic strategy, the fit of projects with identified funding routes and their criteria. Officers will then make recommendations on all the projects in the pipeline to one of three outcomes:

- I) If there is an identified funding route for the project, then the project will be invited to complete a full business case. The invitation will include details of the decision-making process and timeframe. It will also detail any support available and a point of contact for all queries.
- II) If the project has strategic fit, but there is no identified funding route then the project will be retained in the pipeline and re-assessed at each review period against identified funding routes. The project will be alerted to its status. This will ensure that project sponsors are not asked to complete unnecessary work.
- III) If the project does not have strategic fit, there is a significant duplication of existing projects, or there is an identified funding route outside of the funding administered by the LLEP, the project will be rejected and directed to the most appropriate form of support outside of the LLEP.

The LLEP Executive will consider the recommendations of the LLEP officers and decide which projects to invite to submit a Business Case.

Any projects for which the LLEP are the applicant, the EOIs will be pass-ported to the Executive for decision, as it would be inappropriate for LLEP officers to carry out a review of the EOI.

The key outcome of the Executive review is a shortlist of projects to progress to Gateway 1 (Project Business Case) of the LAF.

Gateway 1 - Project Business Case development and appraisal

Projects invited to proceed to Gateway 1 will be requested to submit a full project Business Case to the LLEP. All projects will complete the LLEP's standardised Business Case. The Business Case will be assessed using the five-case model below, commonly used in the Treasury Green Book:

- I) Strategic case - That the intervention is supported by a compelling case for change that provides holistic fit with the governing economic strategy and other local strategic plans.
- II) Economic case - That the intervention represents best public value demonstrating clearly defined inputs, activities, outputs, and anticipated outcomes with clear additionality having considered any deadweight or displacement effects.
- III) Financial case - That the proposed spend is affordable.
- IV) Commercial case - That the proposed deal is attractive to the market place, can be procured and is commercially viable.
- V) Management case - That what is required from all parties is deliverable, achievable and risks have been appropriately considered along with mitigating actions.

In prioritising projects, consideration will be given to the phasing, suitability and availability of funding. The application of the five cases should be proportionate to the scale of intervention and the value of funding sought. Where appropriate, business cases may be assessed against, MCHLG appraisal guidance, WebTag and additional funding criteria from Government; this will be agreed by the Board and will be published on the LLEP website.



Business Cases will be reviewed by LLEP officers and the Accountable Body. LLEP officers will use their experience to technically assess the Business Cases and make a recommendation to the Programme Board.

Business cases reviewed by LLEP officers based, to ensure they meet the following criteria:

<p>Is there a clearly articulated and specific economic need that the project aims to address? Is it well evidenced? (Strategic Case)</p>	<ul style="list-style-type: none"> • How clearly is it articulated? Has a robust case for change been made? • Has there been stakeholder engagement? • Is there a clear rationale for intervention? • What is the additionality of the project? • Are there clear SMART objectives in terms of outcomes and are dependencies, constraints and risks identified? • Are there significant additional benefits not quantified from the project? • How effectively does the proposed project link to other activity in the LEP area?
<p>How could the opportunity and/or challenge be addressed? (Economic Case)</p>	<ul style="list-style-type: none"> • Is the project scalable and if so would you recommend it for a lower investment? • Have options to address the issue been explored? How is it proven that the proposed solution is the best one? • Is the Benefit-cost ratio greater than one? If not does the investment demonstrate VfM? How have they evidenced this?
<p>How much will the project cost to deliver? (Financial Case)</p>	<ul style="list-style-type: none"> • To what extent will the LLEP's financial support affect the project's scale, timing and/or quality? • Are the cost assumptions evidenced and supported? • How secure is the match-funding? • How effectively has the applicant identified and mitigated financial risks? • How confident are you that the budget for the costs is appropriate? • Is the security offered against the loan adequate? Does the profile build in loan repayments Inc. interest? What percentage interest is assumed? (GPF only) • Will the project deliver an increase in Business Rates? Does the profile build in repayments from the Business Rates generated Inc. interest? What percentage interest is assumed? (EZ only)
<p>What tasks need to be completed to deliver the project? (Commercial)</p>	<ul style="list-style-type: none"> • Is the proposal commercially feasible/deliverable? • Does it fit with the funding criteria? • Have an adequate level of risks been identified? Are there any high-impact/high-likelihood risks that call into question the deliverability of the project, including dependencies e.g. other projects? • What procurement is required; goods, services, land, buildings? • How confident are you that the applicant has a State Aid compliant approach?



<p>Are there realistic and robust delivery plans in place? (Management Case)</p>	<ul style="list-style-type: none"> • Does the plan include post implementation evaluation arrangements (including who when how and costs)? • Does the plan include monitoring arrangements (who when how and costs)? • How extensive is the identification and timing of milestones? Has the applicant provided a timeline for securing any outstanding consents and permissions? • How confident are you that the applicant will manage the potential for slippage in milestones?
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The level of appraisal is proportionate to the nature, scale and scope of each project or programme. For example, where a scheme carries greater risk and/or is more complex, the intensity of the appraisal will reflect this.

It is important to note that value for money is not only about cost but looks at all connected factors in terms of the project's worth. The LLEP is interested in efficiency, effectiveness and impact and, where relevant, equity related to distributional effects. These effects may be weighted to be factored into any value calculation. Appraisal will endeavour to monetarise values where possible on the basis of available evidence. In addition, reviews of additional non-monetarised values, assessed through subjective reasoning may also be included in appraisal to generate as accurate a picture as possible of the benefit to cost ratio.

Generally, a Benefit-to-Cost Ratio (BCR) greater than one indicates a preferred option and the benefits outweigh the costs in this case. It is important to note, that this is a decision-making process, the key point is that the decision makers can compare like with like, hence a Net Present Value (NPV) approach is preferred, but this can be accounted for in a risk-based framework, that can include a reasoned approach to agglomeration effects that can provide a best fit answer to the process. The level of emphasis required will be judged in accordance to the principles set out in the appraisal process by the LLEP Executive, Programme Board and Board

The Accountable Body through the S151 Officer, or delegated officer, and a representative legal officer will be given an opportunity to comment. The section 151 Officer, or delegated officer, shall have the right to record an opinion if required on the financial implication and assessment of risk (such as delivery risks and cost overrun risks)

Where the funding requested exceeds the maximum delegated authority given to the Programme Board the final funding decision will rest with the LLEP Board, with a recommendation from the Programme Board who will consider contribution of the project to the aims of the LLEP's governing economic strategy, alongside adherence with any specific fund criteria.

The LLEP is committed to maximising the Social Value achieved through its investments. The LLEP will apply the principles of the Accountable Body to its procedures and processes, where appropriate, ensuring that the requirements are relevant, proportionate and fair.

Gateway 2 - Supplementary Business Case information and revision (if required)

Gateway 2 will be applied as necessary where further information is required.

Once Gateway 2 is achieved the group that sought the additional information (Accountable Body or Programme Board) where practical within the timeframe will re-appraise the selection and make the final resource allocation recommendation/decision.



This Gateway can also be used to revisit the existing information, this may be required when the project has been put on hold pending a review of funding and/or the delivery environment has altered since the first submission.

Approval Process

Once the appraisal process has been completed, the following documents are made available to the Programme Board and/or Board in advance of any meeting in order to make an informed decision:

- The Business Case
- An appraisal summary of the application;
- A view by a legal expert on State Aid compliance;
- A recommendation as to whether to fund the project; and
- A recommendation about conditions which will be included in the appraisal summary.

The Programme Board has been established to oversee and support the delivery of the LLEP Programmes of activity.

The Programme Board reports to the LLEP Board. Information received by the Programme Board and decisions taken will be shared with the LLEP Executive.

The Programme Board is a key decision-making body in the LLEP governance structure. The LLEP Board has delegated authority to the Programme Board for investment decisions and managing the LLEP's funding programmes.

The Programme Board will be responsible for ensuring that the LLEP Programmes are governed in accordance with the principles and process set out in the Local Assurance Framework approved by the Accountable Body.

The principal role of the Programme Board is to approve/recommend for approval projects that are derived from the LLEP pipeline (referred to in Part II of the LAF) for funding to support the delivery of the governing economic strategy. The Programme Board manages the gateway system of the LAF to ensure probity in decision making to define the LLEP programme.

The Programme Board also manages the delivery of projects within each financial year, this relates to overseeing financial performance and delivery performance for each project comprising the wider LLEP programme. The Group can take decisions on managing the fund to reduce financial risk and that may include varying project spend profiles to provide effective delivery assurance.

Fast-track procedure

In certain circumstances such as unexpected Government calls for projects, the LLEP will invoke a fast track process to reduce the decision-making timeframe. All decisions are still subject to the normal procedures as set out in this document e.g. business case, evaluation and scrutiny arrangements. This may involve the following steps:

- I) The project immediately develops the Project Business Case alongside the Expression of Interest and by-passes the Gateway 0 process;
- II) Onward progression is entirely conditional on the requirements set by government, and therefore Gateway procedures may be merged, and/or applied in a way tailored to the projects;



- III) Approval is sought from the appropriate decision-making body (Programme Board or Board) via written procedures, following the protocol as set out in Part 1 of the LAF.

Principles governing the application of fast-track procedures have been developed and are published on the LLEP website.

3. Programme Management

This section covers programme management of the approved projects and focusses on Gateways 4 and 5. All projects need to pass through each of these Gateways. Overall, the management of the programme covers the LLEP operating practices that support the effective implementation of decisions, and this will cover funding agreements, memoranda of understanding, financial and programme management practice, risk management and evaluation.

The LLEP applies a minimum 2.5% management fee on all funds it receives and manages. This is applied to all projects and recovered over the project's lifetime.

The Programme Board has delegated responsibility by the LLEP Board and is principally responsible for managing the programme of investments following their approval and contracting. They operate on behalf of the Board within defined limits of delegated authority. Reports on programme management decisions will be reported to the Board on a quarterly basis.

Risk management

All projects will need to undergo a risk assessment following Treasury Green Book appraisal principles. The risk profile will be included in the business case and a sensitivity analysis will indicate the extent of the risk exposure.

Risk exposure will be used to set appropriate project management thresholds which will be monitored by the LLEP team. Projects that demonstrate unacceptable variance to project plan will be subject to the Programme Board review which may consider the imposition of a penalty.

The LLEP reserves the right to re-adjust indicative spend profiles prior to contract development if it is clear that projects cannot achieve the proposed spend plans and that these funds will be re-allocated.

Programme variance

If there is a variance in projected spend from the agreed profile as established in the project Business Case as the basis of the Funding Agreement projects will be required to submit a Project Change Request for consideration by the Programme Board. The Programme Board within its limits of delegated authority upon consideration of the Change Request may choose to approve, defer or reject it. In the case of rejection monies may be reallocated based on the assessment of the impact on the project and the need of the programme.

Gateway 3 - Contracting and Inception

Once a project has passed Gateways 1-2 and funding has been identified and confirmed, subject to projects fully addressing any compliance issues identified, a Grant Offer letter will be issued to the Sponsor.



The Grant Offer letter is not a contract and the Accountable Body reserves the right to withdraw or amend a Grant Offer letter prior to issuing and finalising a legally binding Funding Agreement. The Grant Offer Letter will address any conditions placed on the funding by the decision-making body.

All City Council projects that the LLEP funds will be governed by a Memorandum of Understanding (MoU). Project sponsors that are non-City Council will be subject to a project specific Funding Agreement reflecting the conditions of the funding between the LLEP and the funding body. The MoU and the funding Agreement provisions will be aligned where possible to ensure equity and consistency.

The final Funding Agreement, is based on a standardised set of terms and conditions, and will contain any specific provisions required by the funding source. The Funding Agreement is prepared, agreed and signed between the Accountable Body and Project Sponsor and forms a legally binding contract between the two parties.

It is recognised that projects that have multi-year funding are exposed to the risk that subsequent years' allocations may only be confirmed within the financial year to which they relate e.g. LGF. Projects may choose to proceed at risk. The LLEP will consider options to assist in the management of the financial risk attributed to multi-year projects.

Gateway 4 – Programme Delivery

LLEP officers will manage the programme and report principally to the Programme Board which oversees the Programme Management for all LLEP programme funding streams.

Programme management will determine and monitor the defrayal profile, the output and outcome profiles, the objectives, the risk management arrangements and variance thresholds.

Programme monitoring will be according to the milestones in the individual project business case, reviewed on a regular basis and as defined in the Funding Agreement. The programme monitoring will take place through the Programme Management System.

The principles of programme management will be for the LLEP to manage the key programme risks, through proactive engagement with the project sponsors and developing a system of regular reporting. Tolerance thresholds will be defined in relation to spend targets, variance control and change control within individual projects and programmes.

It is the responsibility of the project sponsor to meet the requirements of the project management process and provide timely and accurate information. All projects will also be monitored through regular reviews during their delivery period and at project close down.

Projects will be required to submit monitoring reports (financial and narrative) explaining their progress to spend and delivery targets and noting specific changes to the risk profile and challenges in delivery. Generally, a 10% variance will be permitted in any one reporting period. More than 10% variance on spend and delivery targets will trigger a review by the LEP.

The LEP, through the Programme Board has the right, in conjunction with the Accountable Body, to withhold funding if the project delivery expectations, defined at inception and set out in the Funding Agreement, are not met within the funding period.

In the event of any concerns raised by the LEP Secretariat or the Accountable Body a report will be presented at the Programme Board and include:



- I) A description of project and details of the events/issues that have resulted in the risk.
- II) Relevant details, including the amount of funding awarded and the sum at risk due to the concerns.
- III) Where recovery of funds is considered, a legal opinion which sets out the legal basis for recovery and likelihood of success.

The Programme Board then has the following options:

- I) Approve a variation to the Funding Agreement and instruct the LEP Secretariat to enact this.
- II) Ask for further information for the next Board meeting.
- III) Stop the project and instruct the LEP Secretariat to enact this.

Where a decision is reached to stop the project, the LEP Secretariat on behalf of the Accountable Body will issue a termination letter.

Gateway 5 - Evaluation

The LLEP Secretariat recognises the importance of a formal evaluation to provide learning and best practice for future project development. This is undertaken using the principles laid out in HMT Magenta Book and the toolkits provided by the What Works Centre for Local Economic Growth.

The learning derived from the management of the programme, programme and project level reviews of outputs, outcomes and impacts will be filtered back into the Board, Programme Board and Executive to aid future policy development and improve future programme delivery.

The evaluation of projects and programmes will be used to:

- I) Provide accountability for the investment;
- II) Justify future spending allocations;
- III) Enhance the operational effectiveness of existing projects or future project extensions;
- IV) Improve future initiatives including appraisal and process; and
- V) Improve process and appraisal reviews.

Logic model

All projects coming into Gateway 0 will be expected provide a logic model and to include costs for evaluation and ongoing monitoring of the project within their total project-spend, at a level commensurate with the size of the project.



Context
The context should provide a narrative overview of the wider issues your project aims to address, monitor, meet and help to solve after the evaluation period.

Leicester City has a lower percentage of its working age population qualified to NVQ Level 4 or above.

The latest business survey supports national and sector evidence that there are some sectors particularly affected by skills shortages (with a requirement for skilled trades/STEM roles, e.g. Engineering and Electrical sector) (SIP partners stated impacted by skills shortages and/or recruitment issues).

Market Failures Addressed
If any, provide an overview of any policies already in place which it meant to address the issue. Briefly summarise the evidence policy gaps the project seeks to address.

Leicester City has a relatively low share of its residents employed in high skilled occupation groups. Leicester City also has a lower percentage of the working age population qualified to NVQ Level 4 or above.

There is a known link between low qualification levels and the level of risk of being unemployed or NEET.

The LLEP area is weak on graduate retention. Graduate retention is adversely affecting the supply of graduates from local/regional universities to meet increasing high level skills needs in the local economy.

Programme/Project Objectives
What are the explicit goals of your project? These often reflect the outcomes you hope to achieve as a result of the project and are measurable.

By narrowing the skills gap felt by employers it is envisaged that this would enable long term stability within companies, through higher productivity and lower costs, improved health and safety, reduced injuries and absenteeism, and increased worker retention leading to lower hiring costs.

For individuals the programme envisages that as well as better education leading to long term improved financial and job status via earnings, safety, increased life satisfaction, improved physical and mental health, lower stress, and increased social participation.

INTENDED IMPACTS		
These are the long-term consequences and financial results of the programme. These often relate back to the intended issues that the project sought to address.		
Impact Description	Baseline	Target
Increase in GVA within the LEP area	£17.5 billion	£19.2 billion
Reduction in skills gaps within the LEP area	117 Days	65 Days
Increase in Productivity within the LEP area	£1.2 (UE-100)	£0 (UE-100)

OUTCOMES		
Outcomes relate to the project's objectives and should describe measurable changes which have been realised as a result of your project. These are measurable results which have more medium term consequences as a result of the activities implemented. Often these relate to the project objectives.		
Outcome Description	Baseline	Target
Reduction in the number of business reporting recruitment issues within the LEP area	-6%	11%
Increase in number of retained graduates within the Leicester area	17%	11%
Increase in the number of school leavers leaving school with a GCSE grade 3-4 within the LEP area	-47%	60%
Reduce the number of non-filled job listings within STEM sectors within the LEP area	68%	11%

OUTPUTS		
These are the day-to-day and other results of the activities delivered in the programme. Outputs measure direct immediate and short-term achievements as a result of the implemented activities.		
Output Description	Baseline	Target
Increase number of level 2 qualifications within the LEP area	440	1000
Increase number of level 3 qualifications within the LEP area	450	500
Increase number of people within the LEP area starting degree	0%	5%
Reduction in unemployment rates within the LEP area	2.6%	2.1%
Reduction in number of NEETs (not in education, employment and training) within the LEP area	2.7%	1.5%

<p>Rationale</p> <p>Outline the impact of addressing the issues that will the project benefit. Why have you chosen the project activity as you have?</p> <p>By failing to do nothing we risk both the current and future economy of Leicester as current business fail to recruit suitable staff the risk for them should become greater the longer they remained within the city. Furthermore by having accidents with low skill workers risk being potential future brand investment opportunities.</p> <p>As the economy declines, the city loses out on valuable tax receipts, which in turn impacts on the wider city investments.</p> <p>By focusing on upskilling individuals the programme seeks to bring wider economic benefits. Individuals can realise their own dreams that can have dramatic impact on their life as well as others around them.</p> <p>Educational classes can be taken part and full-time giving greater flexibility for those seeking to upskill.</p>	<p>→</p>	<p>Inputs</p> <p>The resources the resources utilised in order to implement the project objectives of the programme. These resources include: money, staff, capital assets that the activity of the project is dependent.</p> <p>Budget: £250,000 Staff time: 100 hours Media Coverage Teaching & learning: 60 hours per learner Community Participation Teaching resources Business support School & college support</p>	<p>→</p>	<p>Activities</p> <p>These are the activities which intend to utilise the resources provided to deliver and achieve the project objectives.</p> <p>Workshops Teaching and learning sessions – full & part time Media marketing awareness events Partnerships with colleges and schools Information, advice and guidance sessions Labour market profiles</p>
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Evaluation is contingent on the availability of high-quality data, and as such all logic models must include baseline quantifiable data. The LLEP uses a cloud-based Programme Management System for all its projects and programmes administration functions.

This has enabled the LLEP to introduce an improved monitoring process, to capture more consistent and comprehensive data on the projects we fund the LLEP are currently establishing an evaluation framework with supporting tools and templates: which will adopt a set of agreed indicators and measures.

However, it will cover, but is not limited to:

- II. Impact evaluations - Identifying benefits and impacts by establishing the outcomes and impacts of a given project or programme and understanding whether the project under or over performed.
- III. Economic evaluations – demonstrating value for money showing that the public funds the LEP and partners are managing are being used effectively and efficiently and are delivering a positive return on investment.
- IV. Process evaluations – understanding the key lessons learnt by exploring what worked well and what did not, including management, content, delivery, recruitment and how far projects or programmes are meeting beneficiaries’ needs.

All projects will be subject to an evaluation together with an end of programme evaluation(s). Specific thematic evaluations will be prepared as required. The agreed parameters of evaluations will be communicated with the project sponsors and relate back to the assumptions and intended impacts set



out in the Logic Model and Business Case, defined through the appraisal process, that formed the basis of the Funding Agreement.

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LEP Network

The LEP Network brings all 38 LEPs together, to learn from each other, facilitate the sharing of best practice; and help LEPs to have a collective conversation with government on areas of shared importance; while providing a gateway for stakeholders to receive information about LEP activity. The LEP Network is a not-for-profit company limited by guarantee, governed by [volunteer LEP Chairs](#) who are registered Directors of the LEP Network (Ltd). They are responsible for The LEP Network Limited (the Company) and oversee its operational activity to support LEPs.

The LEP Network supports the work of LEPs on issues of common importance and learning. It aims to promote a 'one LEP' local business voice and present their position to key government ministers, stakeholders, opinion formers, and other external audiences.

Recent examples of how the LEP Network supports LEPs on specific issues include:

- Analysing and managing a collective LEP response to the government's Strengthened LEPs Review. This includes taking forward the specific (and ongoing) primary recommendations of LEP Delivery Plans, LEP Geography proposals and overlaps, LEP Legal Personality, Local Industrial Strategies, National Assurance Framework, and the overall direction of LEP implementation Plans.
- Initiating and managing closer engagement with government ministers including the Secretary of State for Education, Damian Hinds, Skills Minister Anne Milton, Local Growth and Northern Power Minister Jake Berry, and supporting LEP Chairs in advance of the Prime Minister's Council of LEP Chairs.
- Diversity on LEP Boards: The LEP Network is currently organising a significant conference in London to profile the work LEPs are doing to increase board diversity including getting more women onto LEP Boards. This is a high profile event for all LEPs which demonstrates to government and other external audiences the work LEPs are doing to deliver on the aspiration set out in the Strengthened LEPs review.
- LEP Impact: The LEP Network compiles an annual aggregation of key LEP metrics including number of businesses helped, jobs created, houses LEP projects help build, the number of learners trained, total private sector leverage etc. This is used in a range of communication collateral and government communications.
- UK Shared Prosperity Fund: As the UK awaits the details of what this will include The LEP Network is preparing to help LEPs respond to promote their position in this space and how they see the UKSPF working in a post Brexit environment to ensure that LEPs continue to provide the leadership into how best to deliver investment in place, in people and in business. The LEP Network has produced a draft plan to help achieve this.

The work the LEP Network does to support LEPs collectively falls under four broad headings:

Best practice sharing and informing. This includes: hosting and coordinating regular 'theme workshops' for LEP officers on particular areas, such as [Industrial Strategy](#), skills, Growth Hubs, communications, [ESIF programmes](#) etc.; hosting and coordinating regular 'operational areas' like the



LEP Review, Governance and Transparency, Assurance Framework, data on delivery activity, and [LEP impact and successes](#) etc.

Communications. The LEP Network works to promote the impact of LEPs collectively and increase communication and understanding between LEPs and with external audiences, most notably government ministers, senior civil servants, key business organisations and other stakeholders, and trade and specialist media.

There are a range of channels that help us to do this, for example:

[LEP Network Website](#) [LEP Location Map](#)
[LEP Board Vacancies](#) [LEP Network Enewsletters](#)
[LEP News](#) [LEP Network bulletin](#)

The LEP Network regularly coordinates and facilitates **Communication Forums** which bring together the individual communication leads of LEPs to share best practice and updates on common themes. The LEP Network also produces [The LEP Factor](#), a hard copy and online update of projects that demonstrates the collective value and impact of LEPs across the country.

Influencing. Creating opportunities for LEPs to influence strategic thinking, and emerging government policy e.g. UK Shared Prosperity Fund, Industrial Strategy, infrastructure (linked to National Infrastructure Committee), and housing (linked to Homes England). The LEP Network also coordinates/drafts responses to consultations, Budget statements, and government announcements.

Sponsorship. The LEP Network proactively seeks third party sponsorship to cover the costs of workshops and dinners.

The LEP Network reports to Chairs and CEOs about its work on an annual basis and this includes highlighting the key achievements. In 2018 these included:

- **PM Council:** supported 31 LEP Chairs who attended the inaugural Council meeting with the Rt. Hon Theresa May MP, joined by the Rt. Hon Greg Clark MP, the Rt. Hon James Brokenshire MP, and Jake Berry MP.
- **Workshops/meetings:** bi-annual workshops with LEP Chairs and senior executives on strategic themes, LEP Chair dinner with Ministers, 11 meetings on implementing the recommendations in the LEP Review, 15 with LEP officers on core themes as mentioned in Section 4 below.
- **Stakeholders:** established and maintained relationships with nine HMG Departments: MHCLG; BEIS; DfT; No.10; DIT; DfE; DWP; DEFRA and DCMS. Face-to-face engagement with nine Ministers, and connecting with over 20 senior Whitehall officials in key target departments. Ongoing engagement with Business Representative Organisations - CBI, BCC, EEF, FSB and IoD.
- **Endorsement:** initiated and secured public ministerial endorsements of LEPs from the Prime Minister, Education Secretary, Skills Minister - all linked to key meetings as above.
- **LEP Support:** advice and co-ordination for LEPs (communication leads) on media related issues e.g; LGC, Daily Mail, cross LEP information sharing and alert monitoring.



- **Communication:** 22 LEP Network Bulletins issued, on the latest LEP related information, 7 LEP Network Newsletters produced since January 2018 to over 800 people - with over 45% average open rate. Delivered a new look LEP Network website which showcases the success of LEPs.
- **Proactive social media:** tweets on LEP related news to over 8,600 followers with retweets and sign ups notably from DIT Permanent Secretary, MHCLG Secretary of State, as well as BROs and other key stakeholders; and regular posting to a LinkedIn following audience of over 1,300 people.

The LEP Network runs a series of senior level meetings and workshops that help to formulate LEP policy positions and communicate these and LEP concerns to target audiences. A broad outline of these meetings and workshops is set out below:

Council of LEP Chairs: all LEP Chairs are scheduled to meet with the Prime Minister twice a year for the PM's Council of LEP Chairs. This was initially announced in the Government's Modern Industrial Strategy White Paper in November 2017 with the [first council](#) held on 19 June 2018. The [second council](#) was held on 31st January 2019.

LEP Strategy Group: A regular meeting of a cross section of LEP Chairs get together as a Strategy Group, meeting quarterly for strategic discussions with Whitehall and selected 3rd Party organisations. The Group does not speak on behalf of all 38 LEPs but aims to present a LEP view to government as civil servants and ministers test and develop policy. The group is also used to bounce off ideas and progress of LEP Network activity. All LEP Chairs are welcome to join these meetings.

Targeted Ministerial Meetings: From April 2019, the LEP Network will be working to arrange for LEP Chairs to meet with targeted ministers on priority themes including business support (BEIS); education and skills (DfE); employment (DWP); transport (DfT); trade & FDI (DIT); creative and cultural (DCMS); rural (DEFRA) - and work is underway to engage more with HMT.

Dates of meetings are circulated well in advance with final agendas and papers issued approximately one week prior to meetings. Meetings may also be called at short notice on ad-hoc issue of LEP importance, especially if a Minister is able to attend or has asked if LEP Chairs/CEOs could attend. In this instance the Director of the LEP Network will notify LEP business leaders at the earliest opportunity.

If there is an issue not covered by any of the above, the LEP Network is happy to sound out other LEPs on options and assess the viability of any new meetings if needed.

LEP Workshops: The LEP Network co-ordinates and facilitates a range of cross-LEP workshops on issues of common relevance to LEPs. These are open to all LEPs and include, but are not exclusive to:

- Board Diversity Brexit
- Communications
- Devolution
- Brexit
- Creative Industries
- Environment



- Housing
- Local Industrial Strategies
- Rural
- LEP Review
- Maritime and Logistics
- Skill

Dates of meetings are circulated well in advance with final agendas and papers issued approximately one week prior to meetings. Meetings may also be called at short notice on ad-hoc issue of LEP importance, especially if a Minister is able to attend or has asked if LEP Chairs/CEOs could attend. In this instance the Director of the LEP Network will notify LEP business leaders at the earliest opportunity.

If there is an issue not covered by any of the above, the LEP Network is happy to sound out other LEPs on options and assess the viability of any new meetings if needed.

If you would like to attend any of the above groups or have any questions regarding any of the above meetings please contact Jayne Atkinson on 07710 085 982 or email jayne@lepnetwork.net

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LEP Chairs and Chief Executives

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LEP Related Acronyms and Abbreviations

A	
AB	Accountable Body
ADEPT	Association of Directors of Environment, Economy, Planning and Transport
ADM	Alternative Delivery Model
AELP	Association of Employment and Learning Providers
AIP	Annual Implementation Plan
ANOB	Area of Natural Outstanding Beauty
AoC	Association of Colleges
APR	Annual Performance Review
B	
BES	Business and Environmental Services
BCR	Benefit–cost ratio
BGP	Business Grant Programme
BEIS	Department for Business, Energy and Industrial Strategy
BRP	Business Rates Pool
BRES	Business Register and Employment Survey
C	
CaSLT	Care and Support Leadership Team
CBI	Confederation of British Industry
CCN	County Councils Network
CEC	Careers and Enterprise Company
CIL	Community Infrastructure Levy
CIMA	Chartered Institute of Management Accountants
CIPFA	The Chartered Institute of Public Finance & Accounting
CLOG	Communities and Local Government Unit
CLLD	Community Led Local Development
CPO	Compulsory Purchase Order
CPRE	Campaign to Protect Rural England
CSU	Commercial Services Unit
CYPS	Children’s and Young Persons Services
D	
DC	District Council
DCEX	District Chief Executives meeting
DCMS	Department for Digital, Culture, Media and Sport
DCN	District Councils Network
DEFRA	Department for Environment, Food and Rural Affairs
DExEU	Department for Exiting the European Union
DfE	Department for Education
DfT	Department for Transport



DG	Director General (usually senior Civil Service official. CBI and British Chambers also have a DG.)
DIT	Department for International Trade
DMU	De Montfort University
DWP	Department for Work and Pensions
E	
EAFRD	European Agricultural Fund for Rural Development
EDO	Economic Development Office
EEF	Formerly Engineering Employers Federation (now The Manufacturer's Organisation)
EMFF	European Maritime and Fisheries Fund
EPU	Economic Partnership Unit
ERDF	European Regional Development Fund
E&S	Education and Skills
ESF	European Social Fund
ESFA	Education and Skills Funding Agency
ESIF	European Structural Fund
EZ	Enterprise Zone
F	
FE	Further Education
FOIA	Freedom of Information Access
FSB	Federation of Small Businesses
FERA	Food and Environment Research Agency
G	
GDPR	General Data protection Regulations / Data Protection Act 2018
GPF	Growing Places Fund
GVA	Gross Value Added
H	
HE	Homes England or Highways England or Higher Education
HMG	Her Majesty's Government
HMT	Her Majesty's Treasury
HS2	High Speed railway (connecting London, Birmingham, the East Midlands, Leeds and Manchester).
I	
IDSG	Infrastructure Delivery Steering Group
IED	Institute of Economic development
IoD	Institute of Directors
IPT	Integrated Passenger Transport
K	
KPI	Key Performance Indicators
L	
LA	Local Authority
LAG	Local Action Group



LAF	Local Assurance Framework
LBF	Leicester Business Festival
LBV	Leicester Business Voice
LCC	Leicester City Council or Leicestershire County Council
LGA	Local Government Association
LGC	Local Government Chronicle (media)
LGF	Local Growth Fund
LGiU	Local Government Information Unit
LIS	Local Industrial Strategy
LSTF	Local Sustainable Transport Fund
LTP	Local Transport Plan
LU	Loughborough University
M	
MCA	Mayoral Combined Authority
MHCLG	Ministry of Housing, Communities, and Local Government
ME	Midlands Engine
MEIF	Midlands Engine Investment Fund
MTI	MIRA Technology Institute
MJ	(The) Municipal Journal (media)
MZ	Manufacturing Zone
N	
NAF	National Assurance Framework (will be replaced by the National Local Growth Assurance Framework from April 2019)
NIC	National Infrastructure Commission
NP11	Northern Powerhouse 11 (LEPs)
NTKN	National Transportation Knowledge Network
O	
ONS	Office for National Statistics
P	
PAC	Public Accounts Committee
PMF	Performance Management Framework
PMS	Programme Management Software (PMS)
R	
RGF	Regional Growth Fund
RPA	Rural Payments Agency
S	
S151	(or Section 151) is the official in a Local Authority Accountable Body who is responsible for oversight that the LEP has in place the processes that ensure proper administration of financial affairs. (The equivalent in an MCA area would be a Section 73 Officer or Section 127 Officer.)
SEP	Strategic Economic Plan
SLA	Service Level Agreement
SMMT	Society of Motor Manufacturers and Traders



SOLACE	Society of Local Authority Chief Executives
SpAD	Special Advisor (political) to Government Minister
STEM	Science, Technology, Engineering, Math
SSSI	Site of Special Scientific Interest
T	
TKN	Transport Knowledge Network
U	
UKSPF	UK Shared Prosperity Fund
UoL	University of Leicester
UUK	Universities UK
V	
VfM	Value for Money
W	
WebTAG	Transport Project Appraisals

Draft

