

Terms of Reference for the HotSW Leadership Group updated 29/09/2020

Group: Business

1 Purpose

1.1 The Business Leadership Group is one of the LEP's four Leadership Groups. The 'Leadership Groups' functions are:

- providing strategic leadership and expertise for the relevant theme of the Local Industrial Strategy, or economic strategy as agreed by the Board and in line with any relevant Government guidance
- development of a clear understanding of existing relevant provision within the HotSW area and knowledge of other local, regional and national provision plans and approaches. This will include commissioning relevant research to develop the LEP's understanding of the theme, contributing to the LEP's wider evidence base
- working with partners to agree and commission or implement a series of actions to deliver the relevant theme
- provide management and oversight of LEP led and influenced programmes and projects related to the theme
- as required, identify potential projects or programmes for investment as part of any bid for funding
- as required, provide the Board with specialist advice and guidance for the theme
- as required, function as Programme Board to provide oversight and monitoring over externally funded Business Support Programmes (see Annex A)

In addition, the Leadership Group may identify and nurture future potential independent LEP Board members; this is at the Chair's discretion.

1.2 Where appropriate, the Leadership Group will establish 'task and finish' groups/ project boards, to facilitate progress on specific themes and issues. The Group will keep a register on these subgroups and clearly define their work programme, including key objectives and milestones.

1.3 The Leadership Group will set out a proposal – reviewed at least annually – on how it will meet the purpose defined above. The Group is accountable to the LEP Board and will report progress at each Board meeting.

2 Membership

2.1 LEPs were originally established as a partnership between business and local government, alongside other important public, private and voluntary/community organisations. As such the composition of the LEP's Leadership Groups will reflect the spirit of a balanced partnership between public, private and voluntary/community sectors.

2.2 The Leadership Group will have a maximum of 20 members, drawn from across relevant areas of the public, private, provider and third-party partners.

2.3 The make up the membership will be as out set in a separate document attached to this one

- 2.4 The Chair and Vice Chair of the Leadership Group will be an independent LEP Board director¹.
- 2.5 Where there is a vacant role on the group, new members will be agreed in accordance with the LEP's group member recruitment policy.
- 2.6 The LEP will provide secretariat support for the Leadership Group, either directly or as set out in the relevant Service Level Agreement. Relevant officers will also attend the meetings as non-voting members where not already on the Board.
- 2.7 Advisors and other key individuals may also be invited to attend the Leadership Group to discuss specific items on the agenda.

3 Meetings

- 3.1 Meeting will be quarterly and may be held virtually. Additional meetings can also be called at the discretion of the Chair.
- 3.2 Meeting papers will be circulated one week in advance of the meeting.
- 3.3 If the Chair is unable to attend, the Vice Chair will Chair the meeting. If both the Chair and Vice chair are unable to attend, the LEP Theme Lead will Chair.

4 Decisions

- 4.1 At least seven members must be present for the Leadership Group to be quorate for the purposes of any formal decision-making item, and at least four members of these must be from the private sector and/or independent LEP Board directors.
- 4.2 All decision will be made by consensus. Where consensus cannot be reached, decision deemed sufficiently 'novel or contentious' to be referred to the LEP Board in line with the '*Assurance and Accountability Framework*'.

5 Urgent Matters

- 5.1 For urgent matters which require decisions outside normal meetings, the Chair may make decisions on behalf of the Group in consultation with the Vice-Chair. Any decisions taken in this manner will require a full written update to the next Group meeting, justifying why an urgent decision was required and the actions taken.

6 Complaints

- 6.1 Should members of the Business Leadership Group have a complaint or conflict that cannot be resolved, this should be reported to the following people in alignment with the recommended stages:
 - Stage 1: Theme Lead for the Leadership Group
 - Stage 2: Chief Executive of the HotSW LEP
 - Stage 3: Chair of the HotSW LEP Board
- 6.2 At each stage, if the dispute cannot be resolved within seven working days it will be escalated to the next level.

¹ "Independent" and "stakeholder" directors as agreed by LEP Board May 2020

7 Conflicts of Interest

- 7.1 The Leadership Group will often be involved with commenting on or advising on policy recommendations and / or funding significant programmes.
- 7.2 If any members of the group, through personal interests, employment, or through relatives or close personal friendship, have any interest at all, these should be declared through the Chair at the beginning of each meeting and this will be recorded in the minutes. If appropriate, you may be asked to leave the room.
- 7.3 In addition each Leadership Group member will be required to sign an annual statement confirming they have received, read and understood the LEP's Conflicts of Interest Policy and completed a Declarations of Interest Template, detailing the nature of any such conflicts.

8 Amendment, Modifications and Variations

- 8.1 Any changes to these Terms of Reference must be agreed by the Chair of the Leadership Group, in consultation with the LEP Board Chair, and subsequently endorsed by all members.

9 Agendas and Minutes

- 9.1 The Agenda for each meeting will include standard items as well as any additional items as required. Copies of the Agenda and Minutes will be available on the LEP's website in the public domain.
- 9.2 The LEP is committed to conducting its business in the most open and transparent way possible, however in exceptional circumstances information may be deemed sensitive, for example, business cases containing commercially sensitive details of a local business, and in such cases documents will have any such information removed.

Annex A – Programme Board function

- HotSW Inward Investment Support (IIS) – ERDF funded programme to support Inward Investment across HotSW LEP. Please see below separate terms of reference for programme board:

Heart of the South West Inward Investment Project

LEP Business Leadership Group

Terms of Reference

Scope

This document sets out the DRAFT Terms of Reference for the Local Enterprise Partnership's (LEP's) Business Leadership Group in relation to the Heart of the South West Inward Investment Project.

Role of the Business Leadership Group

The role of the LEP's Business Leadership Group is to provide strategic oversight and serve as the steering group for the HotSW Inward Investment Support Project.

The Business Leadership Group will also provide the governance structure for the SME Grant Scheme element of the Project. The group will be responsible for advising Somerset County Council on grant awards made to SMEs under the Grant Scheme.

Membership of the Business Leadership Group

To be completed.

Operation

- In its role as the overarching steering group for the project, the Business Leadership group will receive a progress report from the LEP's Inward Investment Manager at each meeting detailing performance against project milestones

- The Business Leadership Group will be charged with recommending to Somerset County Council whether to award grant funding to applicants under the Project's SME Grant Scheme. The number and frequency of meetings will be determined by the volume and quality of applications received for grant funding.
- The Business Leadership Group (or nominated sub-group if deemed necessary) will receive grant investment application, appraisal and due diligence reports from the Project appraiser and will make one of three recommendations:
 1. Application recommended for approval
 2. Application deferred and further information sought
 3. Application declined
- Where necessary, reports may be circulated to Members for vote by written procedures, with at least X working days allowed for comment.
- At least X Members' votes are required for the Business Leadership to be quorate.
- Recommendations will be carried by majority verdict. In the event of a tied vote, the Chair's vote will be the deciding vote. Where the Chair is unable to vote due to either non-attendance or a conflict of interest, the Vice Chair's vote will be the deciding vote.
- Somerset County Council has the right to veto any recommendation if acting on a recommendation would expose the County Council to undue risk.
- No liability will attach to the Steering Group, either collectively or individually, for their recommendations made in good faith.
- The Project manager (LEP Inward Investment Manager) will attend the Business Leadership Group meetings. Minutes, including the recommendations made (with the numbers of votes for and against) will be circulated for agreement by the Members within X working days of the meeting, in line with the normal administration of the meetings.

Conflicts of Interest and General Code of Conduct

In order to ensure all recommendations are made in an impartial and objective manner, the following conflict of interest procedure and general code of conduct will be followed:

- The Business Leadership Group will operate in accordance with the Nolan principles (Standards in Public Life)².
- Members will be required to complete a register of relevant interests (including pecuniary and non-pecuniary, personal or other interests, and declaring any gifts or hospitality received in

² http://www.public-standards.gov.uk/Library/OurWork/1stInquiry_Summary.pdf

their capacity as Member) and to report any changes in such interests that occur whilst they are members of the Business Leadership Group.

- At least once in every 12-month period, and on other occasions at the discretion of the Chair, all members must review the information relating to him or her contained in the register of interests and declare that the information is correct or make a further declaration if necessary.
- Members will be required to declare an interest in any agenda items where a recommendation, view or opinion is required and may cause a direct material impact, financial or otherwise, negatively or positively, either personally or to the organisation or institution they are representing or where such approval, view or opinion may be regarded as tainted by the participation of that Member. If agreed to represent a conflict of interest by *any one member* of the Group, the Member must withdraw from the discussion about any recommendation related to that conflict.
- Members must report any suspicions of fraud or malpractice to Somerset County Council for investigation.
- Members must not disclose any information relating to grant applications and/or applicants given to Members in confidence. This information must be kept confidential and not shared outside Membership of the Group.
- Any and all enquiries received by Members under Freedom of Information must in the first instance be directed to Somerset County Council as the accountable body for the Heart of the South West Inward Investment Project.