

**AGENDA ITEM 3**

<b>Report to Accountability Board</b>	<b>Forward Plan reference number:</b> N/A
<b>Date of Accountability Board Meeting:</b> 17 <sup>th</sup> July 2015 <b>Date of report:</b> 8 <sup>th</sup> July 2015	
<b>Title of report:</b> Membership & Terms of Reference	
<b>Report by</b> David Godfrey, Director of the SELEP	
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**1. Purpose of report**

1.1 The purpose of this paper is:

- 1.1.1 To set out the membership for the Joint Committee, known as the Accountability Board; and
- 1.1.2 To set out the Terms of Reference under which the Accountability Board will operate.

**2. Recommendations**

2.1 The Board is asked:

- 2.1.1 To note the membership of the Accountability Board; and
- 2.1.2 To note the contents of the Joint Committee Agreement.

**3 Background**

- 3.1 The Establishment of the Joint Committee enables the SE LEP to continue to strengthen its governance arrangements in accordance with the promises made to Government in the Assurance Framework.
- 3.2 The full details of the framework under which the Accountability Board will operate is set out in the attached Joint Committee Agreement (the 'Agreement'), and this report highlight some of the key points.
- 3.3 The Joint Committee will manage the distribution of funding from Government managed by the LEP (by way of grants and loan funding) in accordance with the provisions contained in sections 101 and 102 of the Act, the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 and any other enabling legislation.

- 3.4 Each of the Upper Tier Authorities have delegated to the Joint Committee the responsibility for the Assurance Framework, decision making for the approval of bids against funding from Government and distribution of that funding by way of grant or loan arrangements, which will enable the Joint Committee to carry out the functions set out in paragraph 10 of the Agreement and set out below.
- 3.5 The vision and aim of the Joint Committee will be to support the distribution of funding from Government and will assist in securing the delivery of outcomes set out in the same. Each distribution of funding will have in place a Service Level Agreement between the Accountable Body and the receiving Partner Authority.
- 3.6 The Joint Committee shall consist of nine members.
- 3.6.2 One executive member from each Upper Tier Authority;
- 3.6.3 One member of the Higher Education Sector;
- 3.6.4 One member of the Further Education Sector; and
- 3.6.5 The Vice Chairman of the SELEP Strategic Board.
- 3.7 Each Partner Authority shall have one vote at meetings of the Joint Committee with all voting to be done by a show of hands. For the avoidance of doubt, Co-opted Members set out in paragraph 3.6.3 – 3.6.5 above shall not be allowed to vote.
- 3.8 The Joint Committee shall exercise and be responsible for;
- 3.8.1 The implementation of the Partnership's Accountability and Assurance framework and all processes by which bids are assessed, risks considered, approvals made and performance managed;
- 3.8.2 Appraisals and approvals of grants and loans, in accordance with Board recommendations;
- 3.8.3 Monitoring project assessment and delivery;
- 3.8.4 Ensuring accountability from each of the federated areas relating to expenditure and programme delivery;
- 3.8.5 Approving variations to schemes;
- 3.8.6 Quarterly performance reporting on an exceptions basis to the Strategic Board;
- 3.8.7 Reporting on progress to central government;
- 3.8.8 Any other accountability or assurance function required by central government or recommended by the Accountable Body's auditors or the S.151 Officer of the Accountable Body;
- 3.8.9 Approving an Annual Report to be made available to the Partner Authorities; and
- 3.8.10 Agreeing all new, or revised processes, including the Assurance Framework.
- 3.9 The Quorum for meetings of the Joint Committee is one third of the Committee Members, including at least two voting members.

## **4 Financial Implications**

- 4.1 This report is for information purposes only and there are no decisions required of the Board, therefore there are no financial implications to be considered.

## **5 Legal Implications**

- 5.1 The Accountability Board is established as a Joint Committee, and therefore it is governed by the requirements set out in local authority legislation. It is important to ensure that decisions taken are in accordance with those provisions in order to avoid the decisions being challenged by way of a Judicial Review in the High Court.

## **6 Staffing and other resource implications**

- 6.1 This report is for information purposes only and there are no decisions required of the Board, therefore there are no staffing or other resource implications to be considered.

## **7 Equality and Diversity implications**

- 7.1. Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when a public sector body makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 7.2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.
- 7.3. The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic. The report contains no decisions and therefore has no impact.

## **8 List of Appendices**

- 8.1 Joint Committee Agreement

(available at [www.essex.gov.uk](http://www.essex.gov.uk) if not circulated with this report)

## **9 List of Background Papers**

- 9.1 None

(Any request for any background papers listed here should be made to the person named at the front of the report who will be able to help with any enquiries)

Role	Date
Accountable Body sign off  Kim Mayo  On behalf of Margaret Lee	10 July 2015