

**York & North Yorkshire LEP - Business Board
Terms of Reference**

1. Role of the Board

The Board's role is to improve the delivery of business support, and advise on policy relating to business.

It will do this by:

- Providing advice to, and taking delegated decisions on behalf of, the York & North Yorkshire Local Enterprise Partnership.
- Advise on the development of new business support programmes
- Scrutinising and benchmarking the delivery of existing publically funded business support programmes, such as European Structural Investment Fund backed projects and LEP/Growth Hub funded projects
- Advising on the work of the York & North Yorkshire Growth Hub
- Advising on the development of strategy and policy which has a direct impact on business, including (but not exclusively):
 - York & North Yorkshire Growth Hub Strategy
 - Local Industrial Strategy
 - LEP policies
 - Local Authority policies
- Understanding what works by searching out good practice
- Understanding and championing the needs of the local business community, through the networks and contacts of Board members along with the provision of briefings by the LEP
- Provide a strong and respected voice for the local business community through advocating their interests to local and national government.
- Signing off and coordinating LEP led responses to national consultations on policy and strategy

2. Ways of working

- The Board will combine self-direction with being driven by local and national policy and delivery agendas.
- Self-direction - The Board will identify issues of concern to the local business community which they wish to investigate and address.
- Policy driven - The Board will proactively influence, and respond to, established and emerging policy and delivery.
- The Board may establish Task & Finish Groups at its own discretion, to take forward self-directed or policy driven agendas by making recommendations to the Board. These Groups will not be decision-making. Details of any Task & Finish Groups commissioned by the Board should be recorded on Template A (attached).

- Task & Finish Groups may also be established jointly with other LEP governance structures, such as the Skills and Employability Board, and Infrastructure Board, to provide a clear structure for the views of the business community to be represented in their work.

3. Membership

(a) Appointment of Chair and Vice-Chair

- The Chair will be a private sector member appointed by the LEP Board.
- The Vice-Chair will be appointed annually from amongst the Business Board's membership by a simple majority vote.

(b) Appointment of Members

- Members are appointed by the Chair with the agreement of the members by a majority vote.
- Board Membership is reviewed every 2 years.
- Members may serve for a term of three years which may be renewed once with the agreement of the Chair. The maximum term is therefore 6 years.
- Attendance is required for at least 4 out of the 6 meetings in a calendar year.
- No deputies are allowed to attend in the absence of a member of the board.
- Membership will include representation from the following and not exceed 16 persons;
 - Sectors which reflect local economic strength and the priorities of the Local Industrial Strategy
 - Large business
 - Small and micro businesses
 - Financial intermediaries
 - Further and/or Higher Education
 - Business Support Finance
 - International Business Support
 - Rural, Bio, Circular Economy and/or Energy sector
 - Food manufacturing/farming
 - Research & Development
 - Business Support Export
- Members may represent more than one of the above categories
- Membership should reflect the diversity of the population in the LEP geography

4. Accountability

- The Y&NY LEP is a voluntary association having no statutory power or responsibilities. However, public funds are made available to the Y&NY LEP at the direction of the Accountable Body (North Yorkshire County Council).
- The Board has a specific role to steer the work of the York & North Yorkshire Growth Hub, and incorporate function of the Growth Hub Steering Group. Government require all Growth Hubs to be driven by, and integrated effectively with, business support activity in the area covered.

- The processes and procedures by which the Y&NY LEP conducts its business need to be robust in order to safeguard public interests.

Responsibilities of the Business Board

- Report into the Local Enterprise Partnership Board at agreed intervals.
- Abide by the LEP Local Assurance Framework.
- Review the value of and relevance of the Business Board and its Terms of Reference annually.
- Observe the highest standards of propriety, impartiality, integrity and objectivity in relation to stewardship of any public funds.
- Comply with the principles of the Citizen's Charter and the Code of Practice on Access to Government Information.
- Be accountable to Government and users of LEP services
- Maximise value for money by ensuring that services are delivered in the most efficient and economical way.
- Establish the overall strategic direction within the policy and resources agreed with Government.
- Overseeing the delivery of outcomes by monitoring performance against agreed strategic objectives.
- Appoint Task & Finish Groups with clear terms of reference as required.
- Approve the LEP's Annual Business Delivery Plan.
- Approve the Growth Hub's financial position and outputs.
- Sign off any evaluation activity for the Growth Hub. We also need to make sure that Innovate UK, BBB and DIT are all represented.

Responsibilities of Members

- To ensure:
 - Compliancy with any statutory or administrative requirements for the use of public funds.
 - The Board operates good practice with environmental policies.
 - That a high standard of corporate governance is observed at all times.
 - Any guidance issued by Government is taken into account with Board decisions.
 - The Board operates within the limits of its authority.
 - The highest standards of propriety with decision-making.
 - Response to meeting requests and confirm whether or not will attend.
 - That report back to own organisation about decisions and activities when appropriate.

Additional responsibility of the Chair

- The Chair must ensure that all members are fully briefed on the terms of their appointment, on their duties and on their rights and responsibilities.

5. Governance

Quorum – the minimum number of members in attendance must be at least one third of the total membership, but not less than 4. The quorum for each meeting

will be clearly marked on the agenda for reference. If a meeting becomes inquorate whilst in progress then the Chair will adjourn and no business will be transacted until a quorum is reached.

Decision Making and Recommendations:

- The Chair shall preside during Board meetings; in the Chair's absence the Vice-Chair will preside. If both Chair and Vice-Chair are absent then the members present will select a temporary Chair for the duration of the meeting.
- Decisions shall be taken on the basis of consensus otherwise by majority vote. In the event of a tied vote the Chair shall exercise a casting vote. No decisions shall be taken by the Board except those made during a duly-constituted meeting.
- Board members cannot appoint substitutes to cover their absence from meetings.
- Observers and guests may only attend only with the Chair's prior approval and with a non-voting capacity.

Financial responsibilities

- The Board has no financial responsibility and shall not enter into contracts.

6. Frequency and support of the Board Meetings

(a) Board Meetings

- Board meetings will be organised by the LEP secretariat.
- A record of all meetings will be taken by the LEP secretariat in the form of minutes. Minutes will be distributed to members and a copy retained on file.
- Notification of each meeting will be given at least 7-days in advance to each member specifying date and venue (unless the Chair agrees to a shorter notification period).
- Any Board member may request an item of business to be placed on the Board meeting agenda by forwarding to the LEP secretariat not less than 14-days in advance of the meeting. The LEP Head of Business, in collaboration with the Chair, will prioritise and set agendas
- Minutes will be if approved as an accurate record or amended during the following meeting. Any revised minutes shall be sent to each Board member.
- The meetings will be held quarterly throughout the year unless agreed differently by the Board
- The frequency of meetings will be reviewed annually.
- Agendas and supporting documentation will be distributed 7-days in advance of each meeting electronically.
- Subject to the approval of members, non-members may be invited to attend meetings as guests.

(b) Extraordinary meetings

- When required the Chair can convene extraordinary meetings to meet operational needs.

7. Sharing of information (including confidential materials) and resources

- The Local Enterprise Partnership secretariat will be responsible for the sharing of information and resources with the LEP Board.
- Any confidential or copyrighted materials will be handled and marked-up appropriately.
- Agendas, reports and other documents related to Meetings of the Board will be made available to the public unless indicated as not being for publication.

8. Ethical Walls, Conflict of Interest and Quality Assurance

- (a) Board members must declare any interests they have with any agenda item prior to any discussion taking place and preferably before the meeting. The Board will decide on appropriate steps on an individual basis.
- (b) Board members will adhere to the Seven Principles of Public Life (Nolan Principles): Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; Leadership.
- (c) Members must sign the Code of Conduct declaration, maintain an up to date Register of Interests, and report quarterly on any Gifts or Hospitality received.
- (d) Board members will not use information gained in the course of their public service for personal gain or for political purposes; nor seek to use the opportunity from public services to promote their private interests or those of connected persons, firms, businesses or other organisations.
- (e) Board members will not make public any information which is confidential except when required and legally permitted to do so.
- (f) The Board and its members will follow relevant processes and procedures that are set out in the Y&NY LEP Local Assurance Framework.

9. Definition of terms

- Task And Finish Group - This is an ad hoc group appointed by majority vote of the Board consisting of at least one Board Member and such other persons as the Board may determine.
- Accountable Body - The Accountable Body is North Yorkshire County Council (NYCC) under which the Y&NY Local Enterprise operates.

TEMPLATE A

TASK AND FINISH GROUP – <TITLE>

1. Purpose:

- <details>;
- The Group will report quarterly to the Business Board on its progress.

2. Objectives:

The key objectives of the Group are to ensure:

- <objective 1>;
- <objective 2>;
- <objective 3>;
- <objective 4>;
- <objective 5>.

3. Additional:

- <additional 1>;
- <additional 2>;
- <additional 3>;
- <additional 4>;
- <additional 5>.

4. Members:

5. Active term of Group:

From: To: (then to be reviewed)

6. Meeting frequency:

E.g. Bi Monthly