

York & North Yorkshire LEP – Skills and Employability Board
Terms of Reference
November 2021

1. Role of the Board

The Skills and Employability Board (SEB) was established in February 2014 to provide improved accountability for funding and delivery of the York and North Yorkshire Local Enterprise Partnership's (Y&NY LEP) skills and employability agenda. The role and responsibilities of the SEB described below will be implemented by Local Enterprise Partnership staff acting as the secretariat to the SEB. The SEB will be responsible for:

- (a) Providing a strong leadership role on skills in the local area, engaging with employers and providers and providing skills advice to the accountable board of the LEP.
- (b) Developing a clear understanding of current and future local skills needs and local labour market as well as the present skills and employment support provision in the local area. The focus of this work will include:
 - Producing robust and authoritative evidence-based skills and labour market analysis which clearly identifies local skills and employment challenges and identifies key areas of future needs relating to projected local employment growth areas.
 - Developing a sophisticated understanding of both the local labour market and skills provision in the local area, the extent to which labour mobility within, or into, the local economy can address skills needs, and the projected gap between skills needs and skills provision.
 - Building knowledge of the range of local, regional and national employment provision that exists or is planned.
 - Presenting analysis at LEP Board level and share it with wider employer and provider communities to ensure that their perspective on the local labour market and employment and skills system is reflected in the LEP Board prioritisation.
 - Providing analysis to inform the development and implementation of the “People” element of the Local Industrial Strategy.
- (c) Building on this high quality analysis to develop a clear approach to addressing skills and employment challenges within the local area, including by looking ahead to likely skills priorities in the coming decade. This work will include:
 - Building an understanding of the local area across a range of partners including employers, the full range of providers and key stakeholders (including the VCS Sector) to agree the challenges identified by the analysis and develop share approaches to meeting these.
 - Developing with the LEP the “People” element of the Local Industrial Strategy.

- (d) Understanding the wider dependencies in the local area and working together with other parts of the LEP to:
 - Link them to the skills and employment analysis as well as strategic plans and
 - Ensure the “People” element of the Local Industrial Strategy is integrated effectively within the wider work of the LEP.
- (e) Acting as co-coordinator of local skills providers by, in particular:
 - Actively promoting co-operation between a range of local providers (incl. FE, HE and Independent) to plan for how skills needs are to be met.
 - Encouraging local providers to reflect SEB analysis when planning for T Levels implementation and delivery and to inform investments that are made in the provider base to prepare for T Levels roll-out.
- (f) Working closely with careers advisory services (National Careers Service and Careers Enterprise Company) to ensure that potential learners are informed about potential career routes within a local area, and that all careers information and guidance is informed by up-to date local labour market information. Thus will involve the SEB working with:
 - The local Careers & Enterprise Company’s Enterprise Advisor Network to ensure the skills analysis is shared through the network and informs local activities and
 - National Careers Service area-based contractors to ensure that skills analysis is embedded into advice and guidance given to adults.
- (g) Raising the profile of apprenticeships with local employers and providers
- (h) Advising where skills and labour market resource should be directed to support local employers and providers
- (i) Advising where skills and labour market resource should be directed to support local employers and residents, using its understanding of existing employment support provision in the local area and the needs of the local labour market.
- (j) Sharing analysis and best practice, as widely and transparently as possible, with central government and other SEBs (or equivalents) and their successor bodies (Skills Advisory Partnerships) to share knowledge and good practice and to tackle wider skills challenges.

2. Ways of working

(a) Sub Groups (SGs)

The SEB will convene SGs as required for delivering specific objectives. Before commissioning the possibility of utilising resources from existing groups should be explored. Each SG will have an elected Chair who need not be a member of the SEB. An SG will make recommendations to the SEB; it cannot make decisions on behalf of the SEB. A SG will follow the same procedures as the SEB other than voting rules and directives. If required the SEB may be convened for an interim or extraordinary meeting in order to provide the necessary Governance for key decision making.

Details of each SG commissioned by the SEB should be recorded on Template A (attached).

Sub Groups (SGs):

- Are bound by the LEP assurance process which stipulates that the Skills and Employability Board is accountable for decisions.
- Members must sign the Code of Conduct declaration.
- Must have a minimum of 4 members.
- Will be chaired by a nominee put forward by the SEB and elected by vote (not necessarily a SEB member).
- Make decisions and recommendations on behalf of the Skills and Employability Board in accordance with the level of delegated power.
- Support the Skills and Employability Board in its remit to help deliver the Local Enterprise Partnerships strategic objectives.
- Will follow the same regulations and good practice as applied to the Skills and Employability Board.
- The Chair of any SG will determine when the Group has completed its objectives and instigate arrangements to be disbanded.
- The SG will determine frequency and duration on meetings and review annually.
- SG voting:
 - To help ensure quorum, members should notify the Chair in advance regarding any potential conflicts of interest that may render them either ineligible to vote or engage in discussion.
 - A minimum of seven members are required to be in attendance to constitute a quorum. Decisions are carried with majority votes.
- If any motion is not carried it will be referred back to the Skills and Employability Board.

(b) Collaborative Learning

- A collaborative learning approach will be used wherever possible, e.g. such as by inviting guest speakers.
- Representatives from other expert Bodies may be invited but as non-voting participants.

(c) Making Decisions and Recommendations

- The Chair shall preside during SEB 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 SEB except those made during a duly-constituted meeting.
- SEB members cannot appoint substitutes to cover their absence from meetings.
- Observers and guests may only attend with the Chair's prior approval and with a non-voting capacity.

(d) Financial responsibilities

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

3. Membership

Membership is open to representatives from employers, local authorities, training providers, government bodies, further and higher education, the LEP and the voluntary and community sectors. The SEB should have a minimum of 15 members and a maximum of 20. Current composition is:

- (a) Chair (Appointed by the LEP Board)
- (b) Vice-Chair

Areas Represented:

- Employers (mix of sectors, sizes and geography)
- Local Authorities and Schools (North Yorkshire and York)
- Further Education
- Higher Education
- Schools representative
- Voluntary sector representative
- Government Body (x1)
- Training provider
- National Careers Service

Appointment of Private Sector Members

- (a) Preferred appointments are those who are in a role that can influence their own Boards and whose organisations have existing networks that can be utilised. Appointments should be representatives of a range of areas and LEP priority sectors. Members are appointed by the SEB Chair with the agreement of the members by a majority vote.

- (b) The term of a SEB Board Member is for three years with a possibility of extension to a maximum of six years, in accordance with good governance practice. Members completing six years service and who fulfil a specific function critical to the operation of the SEB may, under exceptional circumstances, and subject to the agreement of a majority of other SEB members, continue to serve after the maximum period. This provision of service extension will be strictly limited to those individuals whose representation cannot be transferred to another individual due to the unique nature of the post they hold.
- (c) SEB members must be representative of their expertise areas rather than their employer.
- (d) Those attending by virtue of their positions at North Yorkshire County Council or City of York Council may ask a named substitute to attend in their place, subject to prior notification and the adherence to the LEP's assurance and ethical walls requirements.

Appointment of the Chair and Vice-Chair

- To be eligible for the position of SEB Chair the nominee must be a member of the LEP Board. The term of the Chair is for three years. However, the Chair may be re-elected. If the Chair ceases to be a member of the LEP Board then his or her appointment as the SEB Chair will automatically lapse.
- The appointment of Vice-Chair will be made on the majority vote of the SEB. The Vice-Chair role will be appointed annually. The Vice Chair need not be a member of the LEP Board and may be re-elected.

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

(a) Accountabilities of the Skills and Employability Board

- Report into the Local Enterprise Partnership Board at agreed intervals.
- Have overall strategic responsibility for the skills and employability activities throughout the Local Enterprise Partnership area.
- Abide by the LEP Governance Framework.
- Review the value of and relevance of the SEB 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.
 - Represent the wider interests of the sector.
 - Appoint Sub- Groups with clear terms of reference as required.
 - Approve the Annual Delivery Plan.
- (b) Responsibilities of Members
To ensure:
- Compliancy with any statutory or administrative requirements for the use of public funds.
 - The SEB 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 SEB 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.
- (c) Additional responsibility of the Chair and Vice-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.
 - The Vice-Chair shall deputise for the Chair where appropriate

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.

6. Frequency and support of the Board Meetings

- (a) Organise and manage meetings
- The SEB 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 5 clear working days in advance to each member specifying date and venue.
- Any SEB member may request an item of business to be placed on the SEB meeting agenda by forwarding to the LEP secretariat not less than 14-days in advance of the meeting. The LEP Head of Strategy, in collaboration with the Chair, will prioritise and set agendas
- Minutes will be approved as an accurate record or amended at the following meeting. Any revised minutes shall be sent to each SEB member.
- The meetings will be held bi-monthly throughout the year unless agreed differently by the SEB
- The frequency of meetings will be reviewed annually.
- Agendas and supporting documentation will be distributed 5 clear working 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 or Vice-Chair can convene extraordinary meetings to meet operational needs.

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

- (a) The Local Enterprise Partnership secretariat will be responsible for the sharing of information and resources with the LEP Board.
- (b) Any confidential, exempt or copyrighted materials will be handled and marked-up appropriately.
- (c) Openness and Transparency - agendas, minutes, reports and other documents associated with SEB meetings will be made available to the public (unless requiring confidentiality) in accordance with the governments directives.

8. Code of Conduct, Conflict of Interest and Quality Assurance

- (a) SEB 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. Because the necessity for having Ethical Walls is essential it will feature at the beginning of all agendas to serve as a reminder to members.
- (b) SEB 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 and any other documentation as required by the assurance framework.
- (d) SEB members must each complete and sign a Register of Interest that will be updated as necessary. The Registers will be published on the LEP website.

- (e) SEB 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.
- (f) SEB members will not make public any information which is confidential except when required and legally permitted to do so.
- (g) The SEB and its members will follow relevant processes and procedures that are set out in the Y&NY LEP Assurance Framework.

9. Definition of terms

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