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**Report to:** Leeds City Region Enterprise Partnership Board

**Date:** 9 June 2021

**Subject:** **Governance arrangements**

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## **1. Purpose of this report**

- 1.1 To review and approve governance documents for the Leeds City Region Enterprise Partnership (LEP).

## **2. Information**

- 2.1 The “Annual Conversation” performance review of the LEP carried out by the Cities and Local Growth Unit in February rated the LEP’s overall governance arrangements as meeting requirements, the highest category available. It was noted that the “S73 Assurance and Governance statements confirm the high standards which continue to be set for governance and transparency, including during the exceptional challenges of the pandemic”.
- 2.2 As a matter of good practice, the LEP reviews all constitutional documents annually, and the LEP’s Procedure Rules require this to be carried out at the LEP’s annual meeting.
- 2.3 Key amendments are highlighted on the relevant appendices, as follows:

<b>Appendix</b>	<b>Document</b>	<b>Proposed amendment</b>	
App 1	LEP Constitution	Para 1.3	Amend for consistency to reflect the role of the LEP with revised wording in the Assurance Framework
		Para 4.9	New provision that the Mayor of West Yorkshire is ex-officio a member of the LEP Board, with the Deputy Mayor as their substitute.
		Para 11	Amend to reflect the Combined Authority’s revised overview and scrutiny committee structure

App 2	LEP Procedure Rules	Para 7.1	Amendment to reflect the Combined Authority's revised overview and scrutiny committee structure
		Para 9	Amend to provide for a local authority substitute to substitute for the Deputy Mayor at any meeting where the Mayor is absent.
App 3	Access to information Annex	Part 4, para 2	Minor amendment to reflect the Combined Authority's revised scrutiny arrangements
App 4	Code of Practice for Recording meetings	-	No amendments proposed
App 5	Protocol for Remote meetings	-	No amendments proposed
App 6	LEP's Confidential Complaints Procedure	Paragraph 2	Amend to clarify that concerns may be raised through the Combined Authority's whistleblowing policy
App 7	Recruitment Procedure for Private Sector Representatives	Throughout	Amend to reflect the Combined Authority's revised committee structure and chairing arrangements

### Standards arrangements

- 2.7 Amendments are proposed to the LEP Board Members' Code of Conduct.
- 2.8 The purpose of LEP Board Members' Code of Conduct is to protect members, officers and the public generally by setting out principles of conduct expected of all members. This helps create and maintain public confidence in the role of members and the LEP and promotes the seven principles of public life (the Nolan Principles).
- 2.9 In January 2019, the Committee on Standards in Public Life (CSPL) produced a report into ethical standards in local government accompanied by a series of best practice guidance and recommendations. The LEP Board will recall that a report was brought to the LEP's 2019 Annual Meeting at which minor changes were approved to the Code to reflect the CSPL's recommendations.
- 2.10 The CSPL further recommended that the LGA create a model code of conduct, the final model of which was published in December 2020. The changes in the LGA model offers helpful clarification and advice, rather than substantive change.

- 2.11 Following recommendation from the Combined Authority's Governance and Audit Committee, a revised version of the Combined Authority's Code reflecting the LGA model was presented to the Combined Authority on 22<sup>nd</sup> of April and was approved with effect from 10 May (when the Mayor came into office).
- 2.12 Under the National Local Growth Assurance Framework (NLGAF), the LEP must adopt a Code based on the Nolan Principles with which all LEP Board Members must comply. The LEP is not obligated to adopt any particular model Code, but must require its members to register specified interests, which are set out in the NLGAF. The LGA model Code brings requirements to register interests into line with the requirements of the NLGAF.
- 2.13 Many LEP Board Members are also on the Combined Authority or committees of the Combined Authority, and therefore subject to the Combined Authority's Code of Conduct. For consistency, it is recommended that the LEP Board now adopt a revised Code, which is consistent so far as practicable with that of the Combined Authority. The proposed Code is Appendix 8 to this report.
- 2.13 The differences between the LEP Board's current Code and the proposed Code are, in summary:
- the proposed Code explicitly extends to any LEP Board Member who is giving the impression that they are acting in their official capacity (the current Code only applies where a Board Member is acting in their official capacity),
  - the proposed Code expressly states that it applies to LEP Board Members' activities in all forms of communication,
  - there is now an express requirement to promote equality and not discriminate,
  - there is an obligation to not bring the role or the LEP into disrepute,
  - explicit reference is now made to a LEP Board Member's use of position and resources, and
  - there are explicit additional requirements to:
    - undertake code of conduct training,
    - co-operate in any investigation,
    - not intimidate anyone administering an investigation, and
    - comply with any sanction imposed upon a finding of a breach of the Code.

Appendix	Document	Proposed amendment	
Appendix 8	LEP Board Members' Code of Conduct	Revised Code	See above.
Appendix 9	LEP Procedure for considering	Para 9	Amend to replace reference to Chair of the Combined

	complaints about conduct		Authority by a reference to the Mayor
Appendix 10	Conflicts of Interest Policy	Throughout	Insert references to the Mayor
		Throughout	Insert references to the Combined Authority's new Constitution
Appendix 11	Conflicts of Interest Protocol	Throughout	Insert references to the Mayor
		Throughout	Insert references to the Combined Authority's new Constitution provisions
Appendix 12	Conflicts of Interest Protocol - AEB	This protocol was approved by the Combined Authority in December 2020, and follows Government best practice. The LEP Board is now asked to endorse it.	

- 2.9 Item 9 on this agenda provides annual accountability reports, in relation to the complaints and whistleblowing procedures and the management of conflict of interests during the 2020/21 financial year.

### **3. Tackling the Climate Emergency Implications**

- 3.1 No implications arising from this report.

### **4. Inclusive Growth Implications**

- 4.1 No implications arising from this report.

### **5. Equality and Diversity Implications**

- 5.1 No implications arising from this report.

### **6. Financial Implications**

- 6.1 No implications arising from this report.

### **7. Legal Implications**

- 7.1 No implications arising from this report.

### **8. Staffing Implications**

8.1 No implications arising from this report.

## **9. External Consultees**

9.1 No implications arising from this report.

## **10. Recommendations**

10.1 That the LEP Board reviews and approves the LEP's governance documents attached to this report as follows:

- Appendix 1 – LEP Constitution
- Appendix 2 – LEP Procedure Rules
- Appendix 3 – Access to information Annex
- Appendix 4 – Code of Practice for recording meetings
- Appendix 5 – Protocol for Remote Meetings
- Appendix 6 – LEP's Confidential Complaints Procedure
- Appendix 7 – Recruitment Procedure for Private Sector Representatives
- Appendix 8 – LEP Board Members' Code of Conduct
- Appendix 9 – LEP Procedure for considering complaints alleging a failure to comply with the LEP Board Members' Code of Conduct
- Appendix 10 – Conflicts of Interest Policy
- Appendix 11 – Conflicts of Interest Protocol
- Appendix 12 – Conflicts of Interest Protocol – Adult Education Budget

## **11. Background Documents**

11.1 None.

## **12. Appendices**

- Appendix 1 – LEP Constitution
- Appendix 2 – LEP Procedure Rules
- Appendix 3 – Access to information Annex
- Appendix 4 – Code of Practice for recording meetings
- Appendix 5 – Protocol for Remote Meetings
- Appendix 6 – LEP's Confidential Complaints Procedure
- Appendix 7 – Recruitment Procedure for Private Sector Representatives
- Appendix 8 – LEP Board Members' Code of Conduct
- Appendix 9 – LEP Procedure for considering complaints alleging a failure to comply with the LEP Board Members' Code of Conduct
- Appendix 10 – Conflicts of Interest Policy
- Appendix 11 – Conflicts of Interest Protocol
- Appendix 12 – Conflicts of Interest Protocol – Adult Education Budget