
Report to: Leeds City Region Enterprise Partnership Board (LEP)

Date: 27 March 2018

Subject: **Governance update**

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1 Purpose of this report

1.1 The purpose of this report is:

- to report an urgent decision of the LEP Chair, taken in accordance with the LEP Constitution and relating to governance documents;
- to report minor technical amendments to LEP governance documents approved by the Head of Legal and Governance Services under delegated authority;
- to provide an update on the Assurance Framework considered by the LEP at its meeting on 16 January 2018, and
- to confirm LEP nominations to the Transport for the North (TfN) Board.

2 Information

2.1 On 16 January 2018, the LEP Board approved a LEP Constitution and supporting suite of governance documents. Further to discussion with officers of the Cities and Local Growth Unit, it subsequently became apparent that to be in a position by 28 February 2018 (the Government deadline) to confirm compliance with the final Best Practice Guidance issued in January and the clarification subsequently provided, a number of amendments were required as a matter of urgency.

2.2 These amendments included a change in the pro-forma disclosable interests document for Members, which Members helpfully completed at short notice. The LEP Chair approved some substantive changes to the LEP Members' Code of Conduct to properly reflect the revised interests form and also a LEP Whistleblowing Policy. Also, some minor revisions to the LEP Constitution and specific governance documents were approved by the Head of Legal and Governance Services. This report provides further detail about these decisions, an update on the Assurance Framework and also seeks LEP Board nominations to the TfN Board

Urgent decision of the LEP Chair

- 2.3 Attached as **Appendix 1** to this report, is the written record of an urgent decision taken by the LEP Chair on 27 February 2018 in accordance with the LEP Constitution, to approve a LEP whistleblowing policy (attached as **Appendix 2** to this report) and a revised LEP Board Members' Code of Conduct (attached as **Appendix 3** to this report). The written record attached provides background to and reasons for the decision.

Minor amendments to LEP governance documents

- 2.4 The Head of Legal and Governance Services has exercised her delegated authority under the LEP Constitution, to make minor technical and updating amendments to four LEP governance documents, as set out in the attached **Appendix 4**. Further detail about these amendments are set out in a written record of officer decision, published on the Combined Authority's web-site [here](#).

Assurance Framework

- 2.5 The Assurance Framework considered by the LEP Board on 16 January, has now been finalised. No significant amendments were made to the Framework further to that meeting. A copy of the Assurance Framework can be found [here](#). This may be subject to revision further to a revised National Assurance Framework to be published following the completion of the Minister-led LEP Review.

LEP nominations to TfN Board

- 2.6 The LEP has been invited to nominate a representative to serve as a co-opted member on the TfN Board, and a substitute for that representative. TfN will be established on a statutory basis on 1 April, and the TfN Board will be ultimately responsible for the exercise of all TfN functions. The Board's membership will include representatives from all TfN constituent authorities and non-constituent authorities. The appointment of LEP representatives is subject to confirmation at the first meeting of the TfN Board in April.
- 2.7 The LEP Chair has represented the LEP to date on the TfN Partnership Board, a pre-cursor to the statutory TfN Board. It is proposed the LEP Chair is now nominated to the TfN Board. Ian Cherry, as the LEP's representative on the Combined Authority's Transport Committee, is proposed as substitute TfN Board member.

3 Financial Implications

- 3.1 There are no financial implications directly arising from this report.

4 Legal Implications

- 4.1 The LEP Constitution provides that in exceptional circumstances where it is not practicable for the LEP Chair to call an additional meeting of the LEP Board to consider an urgent matter, the LEP Chair may, in consultation with the Combined Authority's Managing Director make an urgent decision on behalf of the LEP, provided that the LEP Chair does not have a conflict of interest in the matter. A written report is required, and the decision must be reported to the next meeting of the LEP Board, and recorded and published in the minutes for that meeting.
- 4.2 The LEP Constitution also authorises the Combined Authority's Head of Legal and Governance Services, in consultation with the LEP Chair to make any changes to any of constitutional or governance documents which are required:
- as a result of any government guidance, legislative change or decisions of the LEP Board, or
 - to enable the documents to be kept up to date, or
 - for the purposes of clarification only.

5 External Consultees

- 5.1 No external consultations have been undertaken.

6 Recommendations

- 6.1 The LEP Board is asked to:
- (i) Note and endorse the urgent decision of the LEP Chair on 27 February 2018 to approve a LEP whistleblowing policy and revised LEP Board Members' Code of Conduct attached as **Appendix 2** and **3** to this report.
 - (ii) Note the minor amendments made to the LEP governance documents, as set out in **Appendix 4** to this report.
 - (iii) Note that the Assurance Framework has now been finalised.
 - (iv) Nominate Roger Marsh as the LEP representative to the TfN Board, and Ian Cherry as substitute for that position.

7 Background Documents

None.

8 Appendices

Appendix 1 – Record of an urgent decision by the LEP Chair
Appendix 2 – Whistleblowing policy
Appendix 3 – LEP Board Members' Code of Conduct

Appendix 4 – Table of amendments to governance documents.