

Code of Conduct

Role and Responsibility of the Chair

5.1..1 The role of the Chair is to lead the Board in defining vision and direction, and in delivering the desired outputs, whilst ensuring that appropriate procedures for governance and management of resources are in place.

5.1..2 The key responsibilities of the post are to:

- Ensure the BTVLEP's Vision, Direction and Strategy are understood and influenced by key Stakeholders.
- Take charge of key relationships at the stakeholder and political levels, and function to prevent stress in the relationship at an operational level while building strong partnerships.
- Comply with any reporting requirements of the accountable body (BCC).
- Provide regular reports on the on-going delivery of projects, highlighting any risks and outputs achieved.
- Build a strong complementary relationship with the Secretariat.
- Ensure that the principles of good practice on appointments, openness, codes of conduct and practice, and conflicts of interest are defined, monitored and adhered to.

Ensure that individual Board members and the Board develop as a team.

- Regularly review succession planning for the positions of Chair, Vice Chair, and Board members.

Role and Responsibility of the Vice Chair

5.1..22 The role of the Vice Chairman of the Board is to support the Chairman in all their Board dealings, and to deputise for him if possible when asked to do so. The key responsibilities of the post are to:

- Chair meetings of the Board when the Chairman is unavailable.
- Support and assist the Chairman in upholding his responsibilities.

Role and Responsibility of Board Members

5.1..23 Board members have a responsibility to uphold high standards of integrity and probity. They should support the Chairman and Vice Chairman in instilling the appropriate culture, values and behaviours in the boardroom and beyond.

5.1..24 Board members should take into account the views of other stakeholders, because these views may provide different perspectives on the LEP and its performance.

5.1..25 The duties and responsibilities of a Board member are to:

- Contribute to setting of clear Vision, Mission, Objectives and Strategy
- Collectively be the ultimate strategic policy-makers for BTVLEP through decision-making on the Strategic Economic Plan and other core policies
- Be involved in the decision-making and accountability processes of BTVLEP
- Maintain the highest standards of conduct and ethics at all times.

- Invest appropriate time to keep abreast of key developments
 - Recognise collective responsibility. Adhere to, and support Board decisions.
 - Elect, from their number, a Chairman and Vice Chairman.
 - Act in a non-parochial manner on behalf of all residents and businesses in Bucks
- 5.1..26 Board Members will have such rights of access to all documents and information necessary for proper discharge of their functions in accordance with the law.
- 5.1..27 Board Members will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a member or officer entitled to know.
- When carrying out your LEP duties you must make all choices, such as making appointments, awarding contracts or recommending individuals for rewards or benefits, based on evidence.
 - You are accountable for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your position. You must be as open as possible about both your decisions and actions and the decisions and actions of the LEP. In addition, you should be prepared to give reasons for those decisions and actions.
 - You must declare any private interests, both pecuniary and nonpecuniary, including membership of any Trade Union, political party or local authority that relates to your LEP duties. Furthermore, you must take steps to resolve any conflicts arising in a way that protects the public interest. This includes registering and declaring interests in a manner conforming with the procedures set out in the section 'Registering and declaring pecuniary and non-pecuniary interests'.
 - You must, when using or authorising the use by others of the resources of your LEP, ensure that such resources are not used improperly for political or personal purposes (including party political purposes).
 - You must promote and support high standards of conduct when serving in your LEP post, in particular as characterised by the above requirements, by leadership and example.

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a Board Member or co-opted, notify your LEP Chief Executive and Accountable Body's S151/S73 Officer of any disclosable pecuniary interest, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a spouse, or as if you were civil partners.

In addition, you must, within 28 days of taking office, notify your LEP Chief Executive and Accountable Body's S151 Officer of any nonpecuniary interest if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include your membership of any Trade Union.

Board members should review their individual register of interest before each board meeting and decision making committee meeting. If an interest has not been entered onto the LEP's register, then the member must disclose the interest at any meeting of the LEP at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.

Following any disclosure of an interest not on the LEP register or the subject of pending notification, you must notify the LEP Chief Executive and S151 Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest. Additionally, you must observe the restrictions your LEP places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your LEP.

5.1..28 Because BTVLEP is an un-constituted partnership, Board members indemnity falls to being the responsibility of their employer/host organisation.

5.2 The BTVLEP Executive

The Role and Responsibility of the Chief Executive

5.2..1 The BTVLEP Chief Executive will;

- Ensure that relevant decisions and activities of BTVLEP, BA, BBF and the Buckinghamshire Skills Programme Board conform with legal requirements with regard to equalities, environmental, EU procurement etc., seeking third party advice where appropriate;
 - Develop an annual/three year BTVLEP revenue budget for Board approval every year, setting out the proposed split of resources between BTVLEP, BBF, BA and the Skills Programme Board.
 - Report to the BTVLEP Board, where he/she considers it appropriate to do so, on the manner in which the discharge of BTVLEPs functions is to be co-ordinated, the number and grade of officers required for the discharge of functions, and the organisation of officers.
 - Grant dispensations to BTVLEP Board Members in respect of any conflict of interest other than a disclosable pecuniary Interest to allow them to participate in discussion and debate during meetings and/or seek external legal advice on such matters, where necessary.
 - Ensure that this Accountability and Assurance Framework is kept up to date and amended to reflect changes in legislation, BTVLEP Board decisions and changes of fact. After consulting with the Section 151 Officer (BCC) where practicable, report to the BTVLEP Board if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
 - Contribute to the promotion and maintenance of high standards of conduct (in accordance with the gov.uk guidance “The 7 principles of public life”¹).
 - 1 Selflessness
Holders of public office should act solely in terms of the public interest.
 - 2 Integrity
Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits
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for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3 Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4 Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5 Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6 Honesty

Holders of public office should be truthful.

7 Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

- Ensure that Executive decisions, together with the reasons for those decisions and relevant reports and background papers, are made publicly available as soon as possible.
- Advise whether proposed decisions of the BTVLEP Board are in accordance with the budget and policy frameworks in consultation with BCC's Section 151 Officer.
- Seek external legal advice, as appropriate, on any issues relating to the scope of the BTVLEP Boards/Board Members powers and authority to take decisions, maladministration, financial impropriety, probity, regulatory (equalities, social value, environmental, State Aid, procurement etc.) and budget and policy issues.
- Ensure business cases are appropriately scrutinised, prior to being considered by the BTVLEP Board
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The role of the Senior Management Team

5.2..2 As BTVLEP is an un-constituted body, the BTVLEP secretariat, administrative and technical support will be provided by staff employed by Buckinghamshire Advantage, Buckinghamshire Business First, Buckinghamshire County Council, the 4 District Councils and/or local skills providers. Such resources will be under the direct operational control of BTVLEP through its staffing structure.

5.2..3 The BTVLEP Board, and/or a Remuneration and Appointment sub-committee formed of BTVLEP Board members, will be responsible for the appointment and dismissal of the Chief Executive. **The role of the wider Executive**

5.2..4 BTVLEP has delegated the appointment, discipline and dismissal of all other staff to the Chief Executive.

5.2..5 Subject to the availability of budget, the BTVLEP Chief Executive may appoint such staff and contractors he/she considers to be appropriate for the discharge of its functions.

5.2.6 Because BTVLEP staff are employed by a host of organisations, staff indemnity against any expenses liability, loss claim or proceedings whatsoever arising from their neglect, act, error or omission also falls to being the responsibility of their employer/host organisations

5.3 **Buckinghamshire County Council**

5.3.1 As Accountable Body for BTVLEP, BCC is responsible for ensuring appropriate arrangements are in place for the proper use and administration of funding, building on the existing local government systems, which fall under the annual audit of the local authorities accounts. The accountable local authority is also responsible for ensuring that decisions are made in accordance with the local LGF assurance framework.

5.3.2 As the accountable body for Local Growth Funding, BCC will:

- Ensure (through their Section 151 Officer) that the funds are used appropriately, including the ability to account for these funds in such a way that they are separately identifiable from the accountable body's own funds;
- Sign off the local assurance Framework, and write to the Accounting Officer in DCLG certifying that a local assurance framework is agreed, is being implemented and that it meets the standards articulated in the national framework.
- Support the independent scrutiny assessment and whistleblowing policies of the operation and performance of BTVLEP
- Ensure that the BTVLEP assurance frameworks is published on the BTVLEP website, and reviewed annually to ensure transparency in decision making.
- Ensure that the BTVLEP assurance framework is being adhered to;
- Maintain the official record of BTVLEP proceedings, ensuring all relevant documents are retained for future inspection;
- Be financially responsible for the decisions of BTVLEP Board in approving schemes (for example if subjected to legal challenge).

5.3.3 BCC will achieve the above objectives by;

- Collaborating on the development of, and signing off this Local Assurance Framework;
- Ensuring the Section 151 Officer attends the BTVLEP Board Meetings as an Observer;
- Asking BCC's S151 Officer to commission an annual audit of BTVLEPs financial controls and systems, to ensure the BTVLEP has put in place sufficiently robust systems to ensure appropriate arrangements are in place for the proper use and administration of funding. **Role and Responsibility of the Section 151 Officer in Buckinghamshire County Council**

5.3.4 The Section 151 Officer will be responsible for;

- Ensuring financial prudence of decision making - After consulting with the BTVLEP Chief Executive, where practicable, the Section 151 Officer will report to the BTVLEP Board (in relation to an Executive function), if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is likely to cause a loss or deficiency or if BTVLEP is about to enter an item of account unlawfully.
- Administration of financial affairs - Will have responsibility for the administration of the financial affairs of BTVLEP; leading the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.

- Contributing to corporate management - Will contribute to the corporate management of BTVLEP, in particular through the provision of professional financial advice, and be actively involved in all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and aligned with BTVLEP's financial strategy.
- Providing advice - Will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all members and will support and advise members and officers in their respective roles.
- Certifying the robustness of BTVLEP's Estimates - will have responsibility for certifying the robustness of BTVLEP's Budget estimates and the adequacy of BTVLEP's reserves.

5.4 **Buckinghamshire Advantage**

5.4.1 In July 2013, the BTVLEP Board agreed that it would like to establish a delivery mechanism to oversee the day-to-day management and co-ordination of its capital programme, and - where appropriate - deliver capital projects on the LEPs behalf.

5.4.2 Buckinghamshire Advantage has the following strategic objectives:

- Actively managing the BTVLEP devolved budget and programme to respond to changed circumstances (scheme slippage, scheme alteration, cost increases etc.)
- Responsibility for ensuring value for money is achieved; and
- Monitoring progress of scheme delivery and spend;

5.4.3 Buckinghamshire Advantage is responsible for oversight of BTVLEP's capital programme, much of which is likely to be delivered by a range of different project sponsors. In undertaking this role, Buckinghamshire Advantage will be responsible for ensuring local growth funds are invested to maximum effect; any emerging risks are mitigated or referred to the LEP Board for resolution; and the local delivery capability of partners is aligned behind the core programme. The role of Buckinghamshire Advantage will be supplemented by a Programme Management Board who would meet on a quarterly basis to support the detailed review and assessment of the Buckinghamshire Local Growth Fund Programme, this board would include a minimum of 2 main board members with one being drawn from the public sector and one from the private sector ;

5.4.4 Buckinghamshire Advantage is ideally placed to provide a centralised, cost effective oversight and management support service of the BTVLEP Capital programme, because its board composition encompasses a mix of public/private specialist development expertise and its executive possesses considerable experience of delivering large scale capital programmes.

5.4.5 In certain circumstances, Buckinghamshire Advantage may also bid to be directly involved in the delivery of part of its capital programme, where it feels the scheme risks, timing, affordability, market failure and/or any other key issues might necessitate BA taking a more direct delivery role than might ordinarily be desirable. In such circumstances BTVLEP will need to satisfy itself that operating in this way offers good value for money, improved outcomes/impact etc. and that this assurance and accountability framework is being complied with.

5.5 **Buckinghamshire Business First**

5.5.1 Buckinghamshire Business First's role within BTVLEP is to bring a well evidenced, non anecdotally reliant, collective business voice to the table, supporting business and jobs

growth; augmenting and shaping the strategic economic development work being undertaken by the partners, facilitating better practice and assisting LAs where possible.

5.5.2 Buckinghamshire Business First is also responsible for the delivery of Buckinghamshire's Local Growth Hub, which - as its name suggests – is intended to sit at the heart of a diverse and buoyant business services marketplace. This, combined with its strong business membership, its experienced executive and robust back office systems (business database, email contacts etc.) means it is ideally placed to provide a cost effective management, oversight and central support service for BTVLEP's business support programme.

5.5.3 At the very heart of the national proposition for Local Growth Hubs is the principle that they should;

- Engage in discussions with and involve as partners in the Growth Hub all key local bodies involved in business support (which will typically include the LEP, LAs, business groups such as Chambers of Commerce and the FSB, universities and others). In practice, this means Growth Hubs should establish strong working links between all of the institutions involved in providing business, innovation and trade support in their area (national, local, public and private), with effective leadership under the strategic governance of the LEP and formal agreements with the partners;
- Publish clear and inclusive governance arrangements under the oversight of the LEP with appropriate business representation, and a clear plan for delivering and sustaining the Growth Hub, including other sources of funding and match funding where possible.
- Actively promote all forms of business support available in their area, aligning with the Business is GREAT campaign and provide a diagnostic and signposting service for all businesses which covers all available business support across the LEP area (national, local, public and private). This should help businesses understand what support would help them most and connect them to that support. This service is likely to be provided through a range of different mediums - a website, telephone line, face-to-face advice, account management - but will provide a consistent level of information to businesses. This function should wherever possible make use of existing national assets, such as GOV.UK and the Business Support Helpline.
- Support the integration of national and local business support so that it works seamlessly together.

5.5.4 In certain circumstances, BTVLEP may also ask Buckinghamshire Business First to directly deliver part of its business support programme, particularly where it feels the task needing to be undertaken is particularly consistent with the role and/or sustainability of a Local Growth Hub (as opposed to stimulating market based delivery). In such circumstances BTVLEP will need to satisfy itself that operating in this way offers good value for money, improved outcomes/impact etc. and that this assurance and accountability framework is being complied with.

5.6 **Buckinghamshire Skills Programme Board**

5.6.1 As indicated previously, the Buckinghamshire Skills Programme Board has been established as an informal partnership to develop the Buckinghamshire Skills Strategy and implement the various work-streams within that strategy. Buckinghamshire Skills Board is responsible for the day-to-day management and oversight of BTVLEP's skills programme.

5.6..2 Whilst we do not envisage – as an informal partnership – that the Skills Board will ever ask BTVLEP to directly deliver skills projects on the Board’s behalf, we do envisage that this will necessitate its Executive being employed by or contracted to a partner organisation, and that any projects will need to be tested for value for money/impact etc. and that this assurance and accountability framework is being complied with.

5.7 **Buckinghamshire Local Transport Body**

5.7..1 The sole focus of the Local Transport Body is to allocate the remaining £6.2m of allocated Local Transport Majors Funding. Moving forward, scheme prioritisation and appraisal of transport projects will be the responsibility of the LEP Board, acting on the advice of Buckinghamshire County Council, as the only local Transport Authority in the LEP Area. As stated above, the BTVLEP Board may choose to delegate the technical appraisal of any transport schemes to one of its delivery bodies, an independent external specialist, or any combination of these, if considered beneficial and/or financially expeditious.

5.7..2 The primary role of BLTB is to prioritise where the remaining £6.2m of Local Transport Majors ‘allocated’ Funding that Buckinghamshire has been awarded will be invested. Because future funding of major new transport infrastructure is largely assumed to be competitive, and likely to be driven through LEPs, we have assumed that all future major transport infrastructure investment decisions are likely to be taken at the BTVLEP Board.