



**European Union**

European Structural  
and Investment Funds

**European Structural and Investment Fund  
2014 - 2020**

**Growth Programme for England**

## **ESI Funds Growth Programme Board**

### **Review of Growth Programme Board Membership and Terms of Reference and Local Area ESI Funds Sub-committee Terms of Reference**

#### **Purpose:**

To seek the Board's agreement to the recommendations from the review of the terms of reference and membership of the Board and the terms of reference for the LEP area ESI Funds Sub-committees.

#### **Recommendation(s):**

That the Growth Programme Board approve the proposed amendments to its terms of reference and those to the LEP area ESI Funds Sub-committees.

#### **Summary:**

1. The Board agreed a paper at their December 2016 meeting which set out the objectives and scope for a 'light touch' review of the membership and terms of reference of the Growth Programme Board (GPB) and the terms of reference for the LEP area ESI Funds Sub-committees (LSCs).
2. The review was led by the GPB secretariat, with support from a steering group comprising of colleagues from DCLG, DWP, BEIS, Defra, Richard Powell (Growth Programme Board member), Warren Ralls (LEP Network) and Russell Reefer (Local Government Association).
3. Frameworks were developed to test each of the terms of reference against. Following the completion of this exercise, the proposed changes are summarised in the schedule at Annex A. The changes are then highlighted in the terms of references at Annexes B and C.
4. Reviewing GPB membership with the steering group, we considered that current sector representation, and balance, remains appropriate and relevant. We would, however, welcome Board members' views on whether a representative from the University of the Third Age should be invited to sit on the Board.

#### **Next Steps**

5. If the Board is content to agree the changes, the revised terms of reference will be published on GOV.UK; the LSC terms of reference will be circulated to LSC Chairs for

wider dissemination to sub-committee members.

6. The existing commitment within the GPB terms of reference for a review in 2017 of LSC membership will be taken forward. GPB secretariat will commission LSC secretariats to undertake a review. A report summarising the outcome of that review will be brought to the GPB at their June meeting.
7. A paper seeking Board members' views on the objectives and scope of a proposed review of the terms of reference and membership of the National sub-committees will be brought to the Board's September meeting. Findings, including any recommendation(s) that emerge, will then be presented to the Board at their December meeting.

Ben Meadows, DCLG  
8 March 2017

Annex A	Schedule of Changes
Annex B	Revised Draft Terms of Reference for the Growth Programme Board
Annex C	Revised Draft Terms of Reference for the LEP area ESI Funds Sub-committees

## Annex A      Schedule of Changes

Growth Programme Board Terms of Reference	
Number	Summary of Proposed Amendment / Revision
1	Presentation: paragraphs to be numbered, rather than the use bullet points, to make referencing sections of the ToR easier and bring the presentation of the document in line with the LSC ToR.
2	Introduction: minor amendment to remove text " <i>in its 'shadow form' and once it is established</i> " as this it is now outdated (para 1)
3	Role of the Managing Authorities: minor amendment to paragraph to make it explicit the Managing Authorities responsible for parts of the Growth Programme (para 21)
4	Local sub-committees: minor amendment to paragraph so the number of LSCs in operation is not explicitly stated: Northamptonshire LEP and South East Midlands LEP have proposed to merge (para 27 and Annex B)
5	Future review dates of LSCs and NSCs: amend proposal for review by GPB of the overarching terms of reference and any membership requirements for the national and local level sub-committees from " <i>annually</i> " to " <i>may be reviewed by the GPB in 2019</i> " (para 29)
6	Composition of GPB: proposed minor revisions to reflect the decision taken in 2016 that the GPB Chair will be held by DCLG (para 32 and para 39)
7	Future review dates of ToR and membership: amend references on pages 8 and 10 for GPB ToR and membership to be reviewed " <i>one year from...its formation</i> " to " <i>the GPB may initiate a review of its membership and terms of reference in 2019</i> " (see paras 36 and 51)
8	Membership: proposal for the stipulation on membership to be relaxed and text revised to " <i>Membership will be for a three year term, with the option for a member to be reappointed if the members' nominating body supports it and it can be demonstrated the selection process was adhered to</i> " (para 36)
9	Written Procedure: minor amendment to the section covering time allowed for papers to be considered by written procedure from " <i>two weeks</i> " to " <i>10 working days</i> " (para 44)
10	Acronyms: correct instances where ' <i>PMC</i> ' is used when ' <i>GPB</i> ' would be appropriate; revise ' <i>BIS</i> ' to ' <i>BEIS</i> ' to reflect machinery of government changes; amend instances where acronyms are first used, but not spelled out.

Local area ESI Funds Sub-committee Terms of Reference	
Number	Summary of Proposed Amendment / Revision
1	National Sub-committees: proposed inclusion of reference to the National Sub-committees and their relationship to the GPB. Also transpose across reference written in to GPB terms of reference that the GPB can request LSCs to provide reports to the NSCs (para 6)
2	Role of LSCs: proposed insertion of additional text, as agreed with Steering Group members, to ensure sub-committees have sufficient cover to consider HM Treasury's 'two conditions', announced as part of the 2016 Autumn Statement (para 34)
3	Risk registers: removal of reference to Managing Authorities providing LSCs with quarterly risk registers (para 38)
4	Written Procedure: proposed minor amendment to the section covering time allowed for papers to be considered by written procedure from "two weeks" to "10 working days" (para 49)
5	Declaration of Interests: amendment to paragraph to make it clearer the secretariats' role to maintain a record of members' declaration of interests and for this to be updated over the term of a members' appointment (para 56)
6	Membership: proposal for the stipulation on membership to mirror the proposed amendment to the GPB ToR, namely for text to be revised to " <i>Membership will be for a three year term, with the option for a member to be reappointed if the members' nominating body supports it and it can be demonstrated the selection process was adhered to</i> " (para 74)
7	Acronyms: revise 'BIS' to 'BEIS' to reflect machinery of government changes; correct instances where acronyms are first used, but not spelled out.
8	<p><b>Partnership Working Review recommendations:</b></p> <p>VI) The Terms of Reference for the local ESI Funds sub-committee should be reviewed to further define the scope and the role of the Chair and their interaction with Managing Authorities, particularly the role of Chairs outside of ESI Funds sub-committee meetings</p> <p>XVI) Local ESI Funds sub-committee Terms of Reference to be amended by September 2016 to reflect scope for technical sub-groups to support local sub-committee members.</p> <p>Proposed amendments to paragraphs 12 and 16 of the LEP Area ESI Funds sub-committee terms of reference will accommodate the Partnership Working Review recommendations.</p>

# **European Structural and Investment Funds Growth Programme for England (2014-2020)**

## **Terms of Reference for the Growth Programme Board (Programme Monitoring Committee)**

**March 2017**

**Terms of Reference  
for the  
Growth Programme Board  
(*Programme Monitoring Committee*)  
(European Structural and Investment Funds 2014 -2020)**

**Introduction**

1. These terms of reference and the membership requirements set out below apply to the European Structural and Investment (ESI) Funds Growth Programme Board (GPB) ~~in its 'shadow' form and once it is established~~ as the formal Programme Monitoring Committee (the 'PMC').
2. Following the adoption by the European Commission of the UK Partnership Agreement and the Operational Programmes for the European Regional Development Fund and European Social Fund, the ESI Funds Growth Programme Board will assume the formal PMC role within three months of the relevant Operational Programmes being agreed. The PMC will continue to be known as the Growth Programme Board (GPB) in England.
3. There will be a separate Programme Monitoring Committee for the European Agricultural Fund for Rural Development Programme (EAFRD). This will remain responsible for the entirety of the EAFRD in England, including that part delivered via the Growth Programme. This reflects the primary focus of EAFRD on the environment, land-based activities and the farming and forestry sector. The ERDF and ESF Programme Monitoring Committee will advise the EAFRD Programme Monitoring Committee on Growth Programme aspects of the Rural Development Programme. The Chair and another member of the GPB (the ERDF and ESF Programme Monitoring Committee) will be a member of the EAFRD Programme Monitoring Committee.
4. There will also be a separate Programme Monitoring Committee for the European Maritime and Fisheries Fund (EMFF). This will remain responsible for the entirety of the EMFF across the whole of the UK, and reflects the primary focus of EMFF on the fisheries and aquaculture sectors. The specific regulations for EMFF apply. The GPB will work with and advise the EMFF PMC on Growth Programme aspects of the EMFF Programme in England.
5. The terms of reference below reflect the role of the GPB as the PMC for ERDF and ESF and as an advisor across the Growth programme including the elements of the EAFRD and EMFF as described above, as well as in its strategic capacity to consider alignment of funds with complementary growth measures at national and local level.
6. The terms of reference are in accordance with the relevant Articles within the European Commission's Common Provision Regulations (CPR) (EU) No 1303/2013 for the European Programmes. The specific regulations for ERDF and ESF also

apply. These are known henceforth as the Regulations and should be referred to alongside this document.

## **Role and Functions of the Growth Programme Board**

As prescribed by the Regulations:

7. The GPB (as PMC) shall be called upon to approve some aspects of ERDF and ESF programmes as set out below and/or in the Regulations.
8. The role of the GPB shall otherwise be to review, examine, and give an opinion on the implementation of the ERDF and ESF programmes, and monitor the progress that is made towards achieving their objectives over the course of the programme period.  
*(Article 49 CPR Regulation)*

Also:

9. The GPB will be responsible for monitoring the operational aspects of these programmes and will monitor the delivery of programme results and output targets at a national level, balancing risks and trends with the need to ensure outcomes, results and targets are met and making recommendations for improvements and change to the relevant Managing Authorities.

### Regulatory Roles, for the ERDF and ESF programmes.

10. The functions of a monitoring committee are set out in the Regulations in detail. The main elements are referred to below.

### *Approval*

11. The GPB (as monitoring committee) shall examine and *approve*:
  - the methodology and criteria used for selection of operations. *(CPR Article 110)*
  - the annual and final implementation reports. *(CPR Article 110)*
  - the evaluation plan for the operational programme and any amendment of the plan. *(CPR Article 110; and CPR Articles 56 and 114 set out more detail on the evaluation plan and process, including where evaluations shall be examined by the monitoring committee).*
  - the communication strategy for the operational programme and any amendment of the strategy. *(CPR Article 110; and Article 116 sets out more detail on the requirements for the communication strategy)*
  - any proposal by the Managing Authorities for any amendment to the operational programme. *(CPR Article 110)*

and:

- In cases where a proposed operation to be supported by ESI Funds falls outside a programme area, the GPB will be asked to give its agreement to the operation, or types of operations, concerned. *(CPR Article 70)*

#### *Examine/observe/opine*

12. The GPB shall examine all issues that affect the performance of the programme, including the conclusions of the performance reviews (which will be conducted by the Managing Authorities). *(CPR Article 49)*
13. The GPB shall be consulted and shall, if it considers it to be appropriate, give an opinion on any amendment of the programme proposed by the managing authority. *(CPR Article 49)*
14. The GPB may make observations to the Managing Authorities regarding the implementation and evaluation of the ERDF or ESF programmes, including actions related to the reduction of the administrative burden on beneficiaries. The GPB shall monitor actions taken as a result of its observations. *(CPR Article 49)*
15. The GPB, in accordance with the remit and functions of the PMC set out in regulations, shall also examine in particular:
  - Any issues that affect the performance of the Operational Programmes for the European Regional Development Fund and European Social Fund. *(CPR Article 110)*
  - Progress made in implementation of the evaluation plan and the follow-up given to findings of evaluations; *(CPR Article 110)*
  - The implementation of the England ERDF and ESIF communication strategy *(CPR Article 110)*
  - The implementation of major projects. *(CPR Article 110)*
  - The implementation of Joint Action Plans. *(CPR Article 110)*
  - Actions undertaken to promote equality between men and women, equal opportunities and non-discrimination, including accessibility for persons with disabilities. *(CPR Article 110)*
  - Actions to promote sustainable development. *(CPR Article 110)*
  - Progress on actions to fulfil the applicable ex ante conditionalities, in those cases where they were not fulfilled at the date of the submission of the Partnership Agreement and Operational Programmes. *(CPR Article 110)*
  - Financial Instruments. *(CPR Article 110; and Article 38)*



16. The GPB will fulfil these and any other functions as appropriate in accordance with the Regulations.

Additional (England) Advisory Roles:

17. The GPB will:

- consider and give its opinion to the relevant Managing Authorities to assist their own consideration of the alignment of the ESI Fund Programmes with aspects of relevant national policy, including the Growth Deals process and other initiatives that promote the devolution of economic competencies and finances to localities.
- consider and give its opinion to Managing Authorities to assist their own consideration of the strategic alignment of the ESI Fund programmes with other complementary EU Programmes, such as Horizon 2020.
- consider any changes to the socio-economic conditions in England and give their opinion on implications for the ESI Fund programmes to Managing Authorities.

18. The GPB will fulfil these non-regulatory, strategic functions for the ERDF and ESF programmes, working closely with the EAFRD and EMFF PMCs to help ensure these programmes are aligned wherever possible and that issues are considered and applied across the European Growth Programme rather than in isolation.

19. The rationale for the GPB's role in this context is the Managing Authorities' desire to: promote alignment of the European Growth Programme with aspects of relevant national policy, including the Growth Deals process and other initiatives that promote the devolution of economic competencies and finances to localities; and early stage influence national economic growth policies to 'design in' alignment with the European Growth Programme. The GPB will also seek to help the Managing Authorities ensure strategic alignment with other complementary EU Programmes, such as Horizon 2020. While the GPB's views on these issues will be taken into account by the Managing Authorities, they are not bound to act on any such views or opinions.

Other:

20. *Existing PMCs (Local Monitoring Committees) for the 2007-2013 Operational Programmes will remain responsible for those Operational Programmes until they are closed.*

**The Role of the Managing Authorities**

21. **The Department for Communities and Local Government (DCLG), as Managing Authority for ERDF, and the Department for Work and Pensions (DWP), as Managing Authority for ESF, are accountable for their respective ESI Funds.**

22. The Managing Authorities shall support and facilitate the work of the GPB in its role within the Growth Programme by providing it with the information that it will require to carry out its core tasks; in particular:
- Providing the GPB with data relating to the progress of the Operational Programme towards achieving its objectives, along with financial data and data relation to indicators and milestones (*CPR Article 125*)
  - Ensuring that the GPB has access to the appropriate financial data, common and programme specific indicators (including changes in the value of result indicators and progress towards quantified target values) and the milestones defined in the Performance Framework (*CPR Article 21(1)*) and, where relevant, the results of qualitative analyses. (*Article 49*)
  - Drawing up annual and final implementation reports referred to in CPR Article 50 for approval by the GPB. (*Article 125*)

## Governance

23. The GPB is a national partnership which will reach views by consensus.
24. Ministers will also have a standing invitation to attend part of the GPB where matters of strategic importance are discussed.
25. The GPB will work closely with the EAFRD and EMFF PMCs to ensure the programmes are aligned wherever possible and that issues are considered and applied across the European Growth Programme rather than in isolation. To facilitate better co-ordination between the Funds, a member of the respective EAFRD and EMFF Managing Authorities will sit on the GPB and vice versa. A member of their Programme Monitoring Committees will also be invited to attend in an advisory capacity, and vice versa.
26. The scope of the GPB covers England only. Opinions and observations communicated by the GPB to the Managing Authorities may also be taken into account by the UK-wide Structural & Investment Funds UK Programme Board. The UK Programme Board (the Managing Authorities in the UK and **the Department for Business, Energy & Industrial Strategy (BEIS)**) will seek to ensure the implementation of the Partnership Agreement England and in each of the Devolved Administrations in a way which incorporates and supports the decisions of the GPB as the PMC for England.
27. The GPB will be supported by a number of national policy and operational sub-committees, and **39** local sub-committees (LEP area ESI Funds sub-committees) which report directly to the GPB. Local sub-committees, where relevant, may be asked to submit reports to the national sub-committees by the GPB.
28. The GPB may set up such sub-committees and / or standing or ad hoc working groups or other groups as it thinks appropriate. These will have an advisory role to the GPB and/or Managing Authorities as appropriate to their remit.

29. The overarching terms of reference and any membership requirements for the national and local level sub-committees **may be reviewed by the GPB in 2019**. Membership and terms of reference relating to the specific function of the national level sub-committees as remitted by the GPB will be proposed by that sub-committee (in agreement with its Secretariat where this imposes actions on that Secretariat); these will be provided to and, where it feels this is necessary, amended by the GPB. The GPB will approve final terms of reference for all its national sub-committees.
30. A list of the national sub-committees will be held by the Secretariat and published as a separate annex A to this document; the annex may be updated separately to these terms of reference where sub-committees change.

## Membership and Composition of the Growth Programme Board

31. Article 48 of the Regulations require that the composition of a PMC (therefore the GPB) be decided by the Member State, provided that it is composed of representatives of the relevant Member State authorities and intermediate bodies, and of representatives of the following partners, as listed under Article 5, i.e.:

- Competent urban and other public authorities
- Economic and social partners; and
- Relevant bodies representing civil society, including environmental partners, non-governmental organisation and bodies responsible for promoting social inclusion, gender equality and non-discrimination

The number of representatives per sector should also be consistent with the good practices and principles in the European Code of Conduct on Partnership.

32. Accordingly, the membership of the GPB shall comprise the following:

<b>Sector/ organisation representing</b>	<b>Nominating body</b>	<b>Number of seats</b>
Chair	Managing Authorities/ <b>BEIS</b>	<b>1</b>
<b>Local Enterprise Partnership (LEP)</b> Network and LEP representatives	LEP network	4
Local Government Association ( <b>LGA</b> ) and local council representatives	LGA	3
Cornwall and the Isles of Scilly ( <b>Integrated Territorial Investment</b> related)	Cornwall and the Isles of Scilly	1
Greater London Authority (GLA) and <b>Intermediate Bodies (IBs)</b>	GLA	1
Sustainable Urban Development (SUD) initiative <b>Intermediate Bodies</b>	Core Cities	1
Higher Education Institutions	<b>Universities UK</b>	1
Further Education Institutions	Association of Local Colleges	1
Trades Union Congress (TUC)	TUC	1
Voluntary and Community Organisations	<b>DWP</b>	2 (1 national & 1 local)
Private Sector business	British Chambers of Commerce	1
Small Businesses	Federation of Small	1

	Businesses	
Local Nature Partnerships	Defra	1
Equalities interests	Government Equalities Office	1
Rural and Farming Networks	Defra	1
LEADER & Community Led Local Development	Managing Authorities	1
UK Programme Board and coordination body	BEIS	1
ERDF Managing Authority	DCLG	3
ESF Managing Authority	DWP	2
EAFRD Managing Authority	Defra	1
EMFF Managing Authority	Defra	1
<b>Advisory members</b>		
Youth Employment Initiative representative*	DWP	1
Member of the EAFRD PMC	EAFRD PMC	1
Member of EMFF PMC	Defra	1
European Commission DG Regio	DG Regio	**
European Commission DG Emploi	DG Emploi	**
European Commission DG Agri	DG Agri	**
[Wider Growth Agenda]	BEIS/ DCLG joint	1

Plus the Secretariat (provided by ERDF MA for the **GPB**)

\* The Youth Employment Initiative member will be invited where YEI related matters are discussed

\*\* (Each Commission DG will confirm to the DCLG Secretariat in advance of each meeting of the Growth Programme Board who will represent it).

33. The GPB, in reaching any view or making any observations, will also have due regard to the Public Sector Equality Duty, taking account of the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people with and without a protected characteristic.
34. Members need to be clear about who they are representing and how. All partners selected should be representative of their sector and/or relevant stakeholders and able to demonstrate accountability to their constituencies.
35. The membership recruitment process will be led by the Managing Authorities via the representative organisations, who should have regard to the good practices and principles in the European Code of Conduct on Partnership, and should encourage the nomination of a diversity of representatives reflective of the cultural, ethnic, age and gender mix of its constituents as appropriate. Any selection processes should be open, fair and transparent and the process should be shared with the Secretariat for **GPB** records.
36. Membership will be for a three year term, with the option for a member to be reappointed if the members' nominating body supports it and it can be demonstrated the selection process was adhered to. The GPB may initiate a review of its membership in 2019, to ensure its composition of skills remain relevant to the Programme. Where members leave before that time, representatives will be sought again from the sector/organisation they are representing. Membership will also be refreshed as needed to reflect any changes in relevant EU and national regulations

(and policy). As per EU Regulations, the final decisions on membership will be for the Managing Authorities.

37. All Members should:

- Be regarded as representatives of their sector and its constituents so that their prime individual responsibility is the good governance of the ESI Funds Growth Programme
- Be empowered to speak on behalf of their sector and its constituents, providing the agreed position of their sector and its constituents in relation to issues discussed at meetings
- Have an understanding of the regulatory context
- Understand and have knowledge of the strategy and objectives set out in the national Operational Programmes;
- Be familiar with ESIF including Cross Cutting Themes and the outputs and results sought
- Work collectively to identify solutions or innovative ways to deliver Programme aims within EU Regulations
- Understand the strategic context for decisions taken and be able to take part in discussions
- Offer analytical input to the issues under discussion
- Access a wider network for advice on specific issues.

38. The organisation that the member represents shall be responsible for reimbursing any reasonable expenses incurred in attending meetings of the GPB by that member.

## Rules of Procedure

39. The GPB will be chaired by the ERDF Managing Authority. ~~with BIS chairing sessions which relate to changes to the UK Partnership Agreement and overall ESI Funds policy.~~
40. The GPB shall meet quarterly, with meeting dates normally agreed a year in advance; (extraordinary meetings may be called on an ad hoc basis by the Chair(s) to tackle critical issues arising).
41. The ERDF Managing Authority will provide the secretariat for the GPB, managing dates, venues, minute taking, recording decisions and collating and circulating papers, working closely and in full co-operation with the other Managing Authorities, the Committee and the Chair(s).
42. Agendas will be agreed by the Chair. Members may propose agenda items via the Secretariat which will be duly considered by the Chair, whose decision on what to include in the agenda shall be final.
43. Papers for the regular quarterly GPB meetings should be circulated 10 working days prior to the meeting. Papers may be circulated later at the Chair's discretion where appropriate (such as where matters need to be dealt with urgently or changes will occur within those 10 days).

44. The Chair may, where necessary, circulate papers or proposals to members via the Secretariat for agreement by written procedures, with **10 working days** allowed for comment, unless exceptional circumstances dictate otherwise. Nil responses will be taken as endorsement. It should be assumed that such comments will be considered unless members are advised otherwise.
45. Members unable to attend are not permitted to send a substitute unless a suitably qualified substitute has been agreed in advance by the Chair; it is suggested that all members should nominate a deputy for this purpose. Members who cannot attend may either write to the Chair through the Secretariat prior to the meeting expressing views to be taken into account, or mandate their deputy to give views on their behalf.
46. Meetings may proceed without a quorum of members present (defined below) but in those circumstances in-principle decisions will be made for ratification at the next quorate meeting or considered by written procedure. For these purposes a quorum is considered to be not less than 60% of the total number of full members (or their deputies) and representing an adequate representation of the scope of members' interests. It is for the Chair to be satisfied as to the representative nature of the quorum and their decision on this issue shall be final.
47. By agreement with the Chair it is possible to invite expert guidance to specific meetings to assist consideration of a specialist proposal. National level sub-committees will be expected to provide advice, support and reports as directed by the GPB.
48. GPB decisions on the appropriate views or observations to be communicated to the Managing Authorities or any nominated committee of any Managing Authority will be made by consensus using a consistent and transparent process; by exception dissent from a majority decision will be recorded in the minutes.
49. All meetings and decisions will be minuted. Minutes will normally be circulated no later than 10 working days after a meeting for approval by members (with a nil response taken as endorsement). Minutes will be agreed by the GPB at the relevant subsequent GPB meeting as confirmation of a true record of the meeting to which they refer. Any disagreement will be noted.
50. Agreed minutes and relevant documents will be published on a publicly accessible site or location, alongside a publicly available, fair and transparent process for dealing with complaints. In line with normal government procedures, material which is not yet in the public domain and/or which is outwith normal Growth Programme Board business will be marked appropriately and will be treated on a case-by-case basis in terms of their suitability for public release.
51. The GPB **may initiate a review of its Terms of Reference in 2019**, in order to ensure its representative nature and to secure its effectiveness.

## **Principles of Engagement**

52. The Chair and Secretariat will ensure members are aware of their obligations relating to data protection, confidentiality and conflict of interest and take appropriate action in the case of any breaches of those obligations.
53. Members will be required to complete a register of relevant interests (including pecuniary and non-pecuniary, personal or other interests, and declaring any gifts or hospitality received in their capacity as member) and any changes in such interests that occur whilst they are members of the GPB. Members will also be required to declare an interest in any agenda items where an approval, view or opinion is required and may cause a direct material impact, financial or otherwise, negatively or positively, either personally or to the organisation or institution they are representing or where such approval, view or opinion may be regarded as tainted by the participation of that member. In such circumstances it will be a matter for the Chair to decide if the member can attend and/or contribute to the discussion, but members may also choose to absent themselves for the duration of that discussion to avoid actual or any appearance of undue influence. Conflicts of interest should be identified to the Chair and minuted. At least once in every 12-month period, and on other occasions at the discretion of the Chair, all members must review the information relating to him or her contained in the register of interests and declare that the information is correct or make a further declaration if necessary.
54. Members must also report any suspicions of fraud or malpractice to the Chair, who will refer the matter to the relevant Managing or public Authority.
55. Members must be able to attend regularly and be able to devote necessary time to any preparatory work. Members missing three meetings in a row may be asked to step down by the Managing Authority in its role as Secretariat after consultation with the Chair (who may take account of any extenuating circumstances in individual cases).
56. Recommendations of the GPB in relation to individual LEP areas and programme activities remain confidential until such time as the Managing Authority Secretariat informs members they can be made public.
57. Managing Authorities and both the LEP network and LGA will be allowed one observer to the meeting to help facilitate appropriate communications with their wider networks. Observers are bound by the provisions on confidentiality and data protection as if they were members. Other members wishing to be accompanied by one observer will need to agree their attendance with the Secretariat beforehand; the Secretariat will endeavour to allow observers on an equitable basis, dependent on space available. Observers should be performing a role outside that of the Secretariat and should not participate directly in the discussions; they may be asked to leave if they do so.
58. Relevant officials and visiting leads may be invited to meetings in order to facilitate discussion on specific papers and items.



## **Annex A to **GPB** Terms of Reference**

### **List of National Level Sub-Committees** (*current as at 02/03/17*)

#### **Policy Sub-Committees:**

- (i) Smart Specialisation (innovation)
- (ii) Small and Medium Sized Enterprise Competitiveness (including ICT and Financial Instruments)
- (iii) Sustainable Growth and Development (including low carbon, climate change, the environment and sustainable transport)
- (iv) Employment, Skills and Social Inclusion (including the impact of CLLD and Co-financing organisations)
- (v) Sustainable Urban Development

#### **Operational Sub-Committees:**

- (i) Performance and Dispute Resolution
- (ii) Evaluation
- (iii) Equal Opportunities
- (iv) Communications



## Annex B to **GPB** Terms of Reference

### List of Local Enterprise Partnership (LEP) Area European Structural and Investment (ESI) Fund Sub-Committees (*current as at 02/03/17*)

1. Black Country
2. Buckinghamshire Thames Valley
3. Cheshire and Warrington
4. Coast to Capital
5. Cornwall and the Isles of Scilly
6. Coventry and Warwickshire
7. Cumbria
8. D2N2
9. Dorset
10. Enterprise M3
11. GFirst
12. Greater Birmingham and Solihull
13. Greater Cambridge Greater Peterborough
14. Greater Manchester
15. Heart of the South West
16. Hertfordshire
17. Humber
18. Lancashire
19. Leeds City Region
20. Leicestershire
21. Lincolnshire
22. Liverpool City Region
23. London
24. The Marches
25. New Anglia
26. North East
- ~~26. Northamptonshire~~
27. Oxfordshire
28. Sheffield City Region
29. Solent
30. South East
31. South East Midlands
32. Stoke and Staffordshire
33. Swindon and Wiltshire
34. Thames Valley Berkshire
35. Tees Valley
36. West of England
37. Worcestershire
38. York, North Yorkshire and East Riding



**European Union**

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# **European Structural and Investment Funds Growth Programme for England (2014-2020)**

## **Terms of Reference for the Growth Programme Board's Local Enterprise Partnership (LEP) Area European Structural and Investment (ESI) Funds Sub-committees**

**March 2017**

**Terms of Reference for the Growth Programme Board's  
Local Enterprise Partnership (LEP) Area  
European Structural and Investment (ESI) Funds sub-committees**  
(European Structural and Investment Funds 2014 -2020)

***The LEP Area ESI Funds sub-committee***

1. The Terms of Reference for LEP area ESI Funds sub-committees are described in the following sections:

- A. Overview and governance context
- B. Functions
- C. Operating practice D.  
Operating protocols E.  
Membership

Annexes:

- A. Sustainable Urban Development
- B. Community Led Local Development
- C. Code of Conduct
- D. Declaration of Interest

**A. Overview and governance context**

- 2. The LEP area ESI Funds sub-committees will provide advice to the Managing Authorities throughout the cycle of programme implementation. This is described at project level on GOV.UK and the documents that describe the lifecycle of a project.
- 3. Local partner advice has played an important role in identifying local development needs set out in LEP area ESI Funds Strategies, which are reflected in Operational Programmes. Partners are close to the practical implementation and understand local needs and so will continue to play an important role in advising the Managing Authorities on local growth conditions throughout the 2014-2020 programme implementation period.
- 4. The 2014-2020 European Regional Development Fund (ERDF), European Social Fund (ESF) and part of the European Agricultural Fund for Rural Development (EAFRD) Operational Programmes have been aligned in England in an ESI Funds Growth Programme. The governance structure of the ESI Funds Growth Programme has been established to exploit a multi-fund approach and ensure that the strong territorial basis of EU Cohesion policy is implemented in a way that best capitalises on national arrangements and local strengths. This governance model will therefore ensure that partners are effectively involved at national and local level.

5. A combined Programme Monitoring Committee (PMC), known as the Growth Programme Board (GPB) has therefore been set up, to maximise the synergies of the separate Funds in the ESI Funds Growth Programme. The GPB will be the PMC for the England ERDF and ESF Operational Programmes and will provide advice to the England PMC for the European Agricultural Fund for Rural Development.
6. The GPB will be supported by a sub-committee in each Local Enterprise Partnership (LEP) area for the ERDF and ESF Operational Programmes, which will report to the GPB through the Managing Authorities. **The GPB will also be supported by a number of national policy and operational sub-committees. Local sub-committees, where relevant, may be asked to submit reports to the national sub-committees by the GPB. These reports will be prepared by the Managing Authorities.**
7. The LEP area ESI Funds sub-committees will not be sub-committees of the EAFRD PMC but will assist the EAFRD Managing Authority and the GPB by providing advice as set out in these Terms of Reference where those activities are relevant to EAFRD spend which is part of the ESI Funds Growth Programme. Where there are differences of detail in the arrangements or procedures for the EAFRD Growth Programme, these will be spelled out separately by the Department for Environment, Food & Rural Affairs (Defra) to LEP area ESI Funds sub-committees with a rural interest.
8. These local sub-committees will be known as LEP area ESI Funds sub-committees. The territory of each LEP area ESI Funds sub-committee will be denoted by a geographic prefix, for example the 'Humber LEP area ESI Funds sub-committee'. In Cornwall and the Isles of Scilly, the LEP area ESI Funds sub-committee will be known as the 'Cornwall and Isles of Scilly ITI Board'.
9. The LEP area ESI Funds sub-committees will support the GPB's role in considering overall Operational Programme performance by specifically looking at and advising on the local, on-the-ground implementation of it, via project calls, applications and ongoing implementation.
10. Where local implementation issues require escalation, this will be organised through the Managing Authorities who will submit the advice of affected LEP area ESI Funds sub-committees to the GPB/ relevant GPB sub-committee via the GPB Secretariat.
11. Local promotion of ESI Funds and their impact will be a priority for the LEP area ESI Funds sub-committee, as will local leadership of this amongst partners.
12. Each LEP area ESI Funds sub-committee will be therefore chaired by a local partner who, along with other members drawn from business, public, environmental, voluntary and civil society sectors, will be advocates for the opportunities and impact of the ESI Funds. Membership will be inclusive and in line with EU regulations and the wide scope of ESI Funds priorities. **The Chair will be responsible for ensuring**

that rules of discussion are followed; and that settled advice to the Managing Authorities arises from the sub-committee in meeting or by following an established Written Procedure. The Chair should be consulted on the draft agenda for a sub-committee meeting; and has the right to be consulted on draft meeting minutes before they are circulated by the secretariat within 10 working days after the meeting.

13. The Department for Communities and Local Government (DCLG), as the local lead Managing Authority, will be the Deputy Chair of the local LEP area ESI Funds Committee, except in London where the Greater London Authority (GLA) ~~is~~ will be designated as an Intermediate Body for the ERDF and ESF programmes.
14. Where specific Managing Authority functions are designated to an Intermediate Body, that body will seek advice from the relevant LEP area ESI Funds sub-committee in the same way as the Managing Authority would. The LEP area ESI Funds sub-committee will therefore provide advice to the Intermediate Body and/or the Managing Authorities as appropriate and as set out in the agreement with the Intermediate Body.

## **B. Functions of LEP area ESI Funds sub-committees**

15. The LEP area ESI Funds sub-committees will have the following functions:
16. Provide advice to the Managing Authorities ~~or designated Intermediate Body~~ on local development needs and opportunities to inform any changes to Operational Programmes and ESI Funds Strategies. ~~A LEP area ESI Funds sub-committee may, in full meeting, reach agreement that it should commission its own advice from appropriate technical, thematic or policy groups to enable it to better understand project call specifications, funding assessments and appraisals. The LEP area ESI Funds sub-committee may only use such advice to inform its own advice to the Managing Authorities or Intermediate Body.~~
17. Work with sectors and organisations they represent so that they engage with and understand the opportunities provided by the ESI Funds to support Operational Programme objectives and local economic growth.
18. Promote active participation amongst local economic, environmental and social partners to help bring forward activities which meet local needs in line with the Operational Programmes and local ESI Funds Strategies.
19. Provide practical advice and information to the Managing Authorities to assist in the preparation of local planning that contributes towards Operational Programmes priorities and targets.
20. Similarly, provide local intelligence to the Managing Authorities in the development of project calls decided by the Managing Authorities that reflect Operational Programmes and local development needs as well as public and private sector match funding opportunities.

21. Provide advice on local economic growth conditions and opportunities within the context of Operational Programmes and the local ESI Funds Strategy, as well as complementarity with interventions funded through other public and private sector funding, to aid the Managing Authorities' assessment of applications at outline and full application stage, as set out in Section C.
22. Contribute advice, local knowledge and understanding to the Managing Authorities to aid good delivery against spend, milestones, cross-cutting themes, outputs and results set out in the Operational Programmes and local ESI Funds strategies.
23. Having regard to the Managing Authority's statutory duties under the Equalities Act 2010, provide information advice and local knowledge regarding the likely and actual impact of ESI Funds strategies and plans on persons with the protected characteristics and advice on mitigating measures where adverse impacts are identified.

### **C. Operating practice of the LEP area ESI Funds sub-committee**

24. As set out on GOV.UK in documents that describe the lifecycle of a project, there are two routes into the programme, via an open project call or, for the European Social Fund only, through a co-financing organisation, so-called Opt-ins.
25. The LEP area ESI Funds sub-committee will have a role in each of these routes as detailed below:

Operating practice – open project calls:

26. For the open call route, Managing Authorities will draw up project call specifications and will be aided with intelligence on local development needs provided by local LEP area ESI Funds sub-committees. This will help to inform which Priority Axes and Investment Priorities calls focus on, the level of financial resources, any geographic focus and the timing of such calls.
27. Minuted oral advice provided by the LEP area ESI Funds sub-committees on specific local development needs will also be considered by the Managing Authorities and reflected as appropriate as part of the project call information that will be published on GOV.UK. The Managing Authorities will be responsible for developing and finalising the Project Calls and publishing them on GOV.UK.
28. Minuted oral advice provided by LEP area ESI Funds sub-committees on project calls will be within the context of relevant Operational Programmes, ESI Funds Strategies and other relevant factors, such as applicable policy initiatives and match funding opportunities that are/become available over the programme period.

Operating practice – ESF Opt-in organisations:

29. LEP area ESI Funds sub-committees will provide minuted oral advice to the ESF

Opt-in organisations on local employment, skills and social inclusion needs and opportunities to be considered in the development of the Opt-in organisations' full applications to the Managing Authority for ESF.

30. The purpose of such advice will be to assist Opt-in organisations in developing proposals for provisions that are locally appropriate, within the context of the ESF Operational Programme and ESI Funds Strategy.

#### Outline and full applications

31. Applications will be received by the Managing Authorities from potential beneficiaries, at outline and full application stages.
32. The Managing Authorities will assess such applications against the Project Selection Criteria that have been agreed by the respective PMC.
33. The Managing Authorities will provide an assessment report for each application. This report will provide a synopsis of the project (which will be repeated verbatim from the application) and outputs, results and financial data. Once this report has been completed by the Managing Authority, it will be circulated to the relevant LEP areas ESI Funds sub-committee(s).
34. The LEP area ESI Funds sub-committee will provide minuted oral advice to aid the assessment of the Managing Authorities. The advice provided by partners will be in relation to the extent to which the proposed activity meets local strategic needs, **provides good value for money and is in line with domestic strategic priorities.**

#### Ongoing implementation

35. EU Regulations state that the Programming Monitoring Committee shall review implementation of the programme to which it relates and progress towards meeting its objectives, and shall examine all issues that affect Operational Programme performance. The LEP area ESI Funds sub-committees will do this at local level and will provide minuted advice, local knowledge and understanding to support the Managing Authorities throughout the implementation of the 2014-2020 ESI Funds Operational Programmes.
36. Operational Programmes deliver their programme strategies through a series of Priority Axes, Investments Priorities and associated results and outputs, and financial targets. These in turn reflect local development needs set out in ESI Funds Strategies, on which basis financial resources have been targeted, through notional allocations in each LEP area.
37. Each LEP area therefore has an important role to play in contributing to the implementation of Operational Programmes. The advice of partners on LEP area ESI Funds sub-committees will be important to assist the Managing Authorities in considering progress against spend, milestones, cross-cutting themes, outputs and results set out in Operational Programmes and local ESI Funds Strategies.

38. The Managing Authorities will provide each LEP area ESI Funds sub-committee with quarterly implementation reports ~~and risk registers~~ that set out progress in its area against Operational Programmes and ESI Funds Strategy specific objectives and targets. These reports will be provided in a common format and will also be used to inform reports to the GPB, on national and local implementation.
39. Specific reports may be provided by the Managing Authorities on particular initiatives or projects as relevant to LEP areas, such as for Community Led Local Development or Financial Instruments. The LEP area ESI Funds sub-committee will provide advice to the Managing Authorities in such cases, including on measures to be considered to support strong performance and effective implementation.
40. LEP area ESI Funds sub-committees will also provide advice to the Managing Authorities on programme evaluation, including Managing Authority preparations for the conduct of a mid-term review, in line with the national Evaluation Strategy.
41. To support the objective set out in the Partnership Agreement and Operational Programmes for the ESI Funds to be developed and delivered in complementarity with other each other and with other European programmes, partners will provide advice to the Managing Authorities on approaches which exploit these synergies.
42. Collaboration is key to driving economic growth regardless of administrative boundaries, so the LEP area ESI Funds sub-committee will also be a forum for members to identify opportunities for delivering activity in collaboration with other areas in England as appropriate and advise the Managing Authority on an ongoing basis.
43. In all of its activities the role of LEP area ESI Funds sub-committees will not substitute for or take on the tasks and functions of the Managing Authorities, or the GPB (PMC).

#### **D. LEP area ESI Funds sub-committee operating protocols**

44. Meetings will be normally held on a quarterly basis.
45. Full use will be made of smart technology to support meetings and attendance.
46. Meeting dates for each calendar year will be provided in advance.
47. Papers will be electronically circulated by the Managing Authorities, normally five working days in advance of a meeting.
48. Any questions/ comments on the agenda, papers or programme implementation should be addressed through the Managing Authority Secretariat.
49. The Managing Authorities may, where necessary, circulate papers or proposals to members via the Secretariat for advice by written procedures after consultation with the Chair, with **10 working days** allowed for comments, unless exceptional



circumstances dictate otherwise. The Secretariat will maintain a record of advice provided under written procedures.

50. It is for the Managing Authorities to present and author papers for meetings. The Managing Authorities may look for expert advice in doing so from inside or outside the Committee. Advice provided by partners on Managing Authority assessments and appraisals of funding applications in relation to fit with local strategic needs will be oral, unless advice is sought by the Managing Authorities under written procedures. Written reports on funding applications by Committee members will not be considered by the Managing Authorities.
51. After consulting the Chair on draft meeting minutes, these will normally be circulated by the Secretariat within 10 working days of meetings. Final minutes of meetings held once ERDF and ESF Operational Programmes have been adopted will be published on GOV.UK
52. Members should be able to attend regularly and be able to devote necessary time to any preparatory work. Members should not send a substitute unless this has been agreed in advance by the Managing Authority in consultation with the Chair; it is suggested that all members should nominate a deputy for this purpose. Members missing more than 50% of meetings in a twelve month period or three meetings in a row may be asked to step down by the Managing Authorities in its role as Secretariat, after consultation with the Chair.
53. The organisation that the member represents shall be responsible for reimbursing any reasonable expenses incurred in attending meetings of the LEP area ESI Funds sub-committee by that member.

#### Managing conflicts of interest

54. The Managing Authorities will be responsible for ensuring that partner roles and responsibilities are clearly set out at all levels and that conflicts of interest are avoided.
55. To ensure that this is compliantly managed and that appropriate standards are maintained, LEP area ESI Funds sub-committee members will be required to sign an undertaking to abide by 'Seven Principles of Public Life', known as the 'Nolan Principles'<sup>1</sup> (see Annex C).
56. The secretariat will be responsible for maintaining a record of sub-committee members' declarations of interest (see Annex D); this will be updated over the term of the members' appointment. The Managing Authorities will establish and maintain a "declarations of interest" register (See Annex D). The Managing Authority will be responsible for maintaining and monitoring the register and its application at each meeting.

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<sup>1</sup> <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>

57. Members must declare an interest in any agenda items at the start of each meeting and must not participate in discussions about either the development of project call specifications that are limited in scope/relate to a project in which they have an interest; or outline and full project applications that have been submitted by them or organisations for which they work/ by whom they are employed/ that they represent.
58. Similar conditions relating to confidentiality, data protection and compliance with freedom of information requirements will apply to the proceedings of the Committee as to the members of the PMC.

#### The Secretariat

59. The Secretariat function will be provided by the DCLG Growth Delivery Team (GDT) in each LEP area on behalf of the Managing Authorities. All matters regarding the setting up of meetings, the drawing up of agendas and papers, membership and attendance should be referred to the Secretariat.
60. DCLG as the local lead Managing Authority will provide the Deputy Chair of LEP area ESI Funds sub-committees and will act as chair in the absence of the nominated partner Chair. The Secretariat will:
  61. Act as the Secretary for LEP area ESI Funds sub-committees;
  62. Schedule and manage meeting dates, venues, minute taking, record advice and collate and circulate papers, working closely with the Committee and the Chair;
  63. Take the minutes of meetings and circulate them within 10 working days of meetings or exceptionally within a longer timescale and publish agreed minutes on GOV.UK;
  64. Provide Management Information reports on behalf of the different Managing Authorities in a standard format that will be used to contribute to GPB reports;
  65. Support the Chair, Committee and DCLG Managing Authority (in its role as Chair or Deputy Chair) in communicating progress and feeding in to national processes as appropriate;
  66. Support communication between the GPB and the LEP area ESI Funds sub-committees via the GPB Secretariat.

#### **E. Membership**

67. The composition of the LEP area ESI Funds sub-committee will reflect the priorities of the Operational Programmes that apply in each LEP area and the supporting local ESIF strategy and reflect as far as possible the breadth of partners specified in Article 5 of the Common Provisions Regulations and the EU Code of Conduct on Partnership.
68. The Managing Authorities will be responsible for ensuring the membership is

compliant with regard to these requirements. In putting together the LEP area ESI Funds sub-committee, Managing Authorities will have due regard to the Public Sector Equality Duty, taking account of the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people with and without a protected characteristic.

69. Partners to be represented are set out below.

- Chair (partner)
- Deputy Chair<sup>2</sup> (Managing Authority)
- Local Enterprise Partnership
- Local Authority
- Business partners (including small businesses and social enterprise as appropriate to the local area)
- Voluntary & Community Sector
- Environment (with relevant expertise in e.g. sustainable development)
- Trade Union and employer representation (as appropriate)
- Equality and diversity representation
- Higher Education
- Education, skills & employment
- Sustainable Urban Development (SUD) city region groupings where appropriate to the local area
- Rural (where appropriate)
- Community Led Local Development (CLLD) Local Action Group(s) where appropriate to the local area
- Managing Authorities for each of the ESI Funds and BEIS local
- Others as needed by the LEP area ESI Funds sub-committee

70. Each partner above should ideally be represented with a separate individual to minimise potential conflicts of interest. Members may represent more than one grouping in agreement with the Managing Authority.

71. Membership should be proportionate and not give undue weight to any one sector.

72. The partner Chair and Managing Authority Deputy Chair will be additional seats on the LEP area ESI Funds sub-committee.

73. Members need to be clear about who they are representing and how. All partners selected should be representative of their sector and/or relevant stakeholders and able to demonstrate accountability to their constituencies.

74. Membership will be for a three year term, with the option for a member to be reappointed if the members' nominating body supports it and it can be demonstrated the selection process was adhered to. The Managing Authorities will review LEP area ESI Funds sub-committee membership in 2017 to ensure its

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<sup>2</sup> The Greater London Authority will carry out this role in London

composition remains relevant to investments still to come forward through the Programmes. Where members leave before that time, representatives will be sought again by the Managing Authorities from the sector/organisation they are representing. Membership will also be refreshed as needed to reflect any changes in relevant EU and national regulations and policy.

75. By agreement with the Managing Authority there will be scope to invite expert guidance to specific meetings to assist consideration of a specialist proposal.

76. DCLG as the lead Managing Authority and the Deputy Chair will be responsible for ensuring that the other Managing Authorities are consulted and have agreed papers as appropriate where these affect the administration of the different ESI Funds.

*Subsequent amendments to these Terms of Reference will be discussed and agreed in advance by the England ESI Funds Growth Programme Board*

## ***Annex A***

### **Sustainable Urban Development**

1. London and appropriate bodies within England's Core Cities/Core City Regions will be designated as urban authorities under the Sustainable Urban Development initiative (SUD).
2. Specific governance arrangements will apply for Sustainable Urban Development (SUD) outside London.
3. Each designated Urban Authority will be responsible for establishing a SUD Advisory committee. This committee will perform functions that are analogous to those of the LEP area ESI Funds sub-committees in respect of the advice they provide to the Managing Authorities for the mainstream ESI Funds. The SUD Advisory committees will provide advice on local economic growth conditions and opportunities within the context of Operational Programmes and the SUD Strategy to aid the designated Urban Authority's assessment within the terms of the Intermediate Body arrangements agreed by the Managing Authority.
4. Membership of this Advisory Committee will reflect the Priority Axes and range of interests covered by the SUD Strategy.

## ***Annex B***

### **Community Led Local Development**

1. The Managing Authority will seek proposals for Local Development Strategies that implement Community Led Local Development (CLLD) in conformity with the strategy and selection criteria set out in ERDF and ESF Operational Programmes.

2. The lead partner/agreed body for each Local Action Group will have the following responsibilities which will conform to CPR Article 34:

- Set up a Local Action Group that represents the community interests of a proposed Local Development Strategy with a minimum 50% non-public body partners and select a lead partner/agreed body;
- Prepare and submit a Local Development Strategy to the Managing Authority;
- Draw up selection procedures and criteria;
- Prepare and publish calls for proposals;
- Assess applications which the Local Action Group will consider and select according to those operations that best contribute to the Local Development Strategy and are compliant with EU regulations.
- Preparatory support will be made available, including through technical assistance if appropriate.

## **Annex C**

### **Code of Conduct**

All GPB local sub-Committee members are required to:

- **consider** the terms of this Code of Conduct;
- **take appropriate action** to avoid any conflict of interests; and
- **sign and return** this Code of Conduct and a register of interests.

### **Conduct**

Committee members agree to act in accordance with the 'Seven Principles of Public Life', known as the Nolan Principles:

#### **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 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.

## **Breach of this Code**

Each member's participation in the business of the local sub-committee is subject to compliance with the terms of this Code of Conduct and any breach may result in a requirement to step down from the Committee, as determined by the Managing Authority in discussion with the Chair and following a reasonable inquiry into the matter.

## **Agreement**

I confirm that I have read the Code of Conduct and will abide by its principles and provisions

Signed.....

Date.....

Name .....

Representing.....  
(Name of organisation and sector)



## Annex D

### DECLARATION OF INTEREST

GPB local sub-committee members will use the following form to register any organisational and/or personal interests of his or her own or immediate family<sup>3</sup>, which might be seen as creating a possible conflict of interest with their position on the sub-committee with regard to the functions set out in its Terms of Reference. The purpose of this form is to ensure transparency and to identify and manage any potential conflicting interests at an appropriate stage of the process.

<b>Name of Sub-Committee Member</b>	
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Name of Body	Nature of involvement or interest (e.g. employee, proprietor, director, board member, member, trustee, chairperson)

<b>Signed:</b>	
<b>Date:</b>	

<sup>3</sup> For the purposes of this form immediate family means spouse, or civil or other domestic partner, or child living at home