

## ESI Funds Growth Programme Board March 2019

### Proposed Revisions to Terms of Reference

<b>Purpose:</b>
To provide suggested revisions to existing Terms of Reference, which aim to strengthen and clarify requirements with regards to declarations and registers of interests
<b>Recommendations:</b>
The GPB note and approve the suggested changes to the Terms of Reference for the Growth Programme Board, National Sub-committees, and Local ESIF committees.

#### Introduction

1. The current Terms of Reference for the Growth Programme Board enables a review of the ToRs for the GPB, National Sub-committees and local ESIF committees in 2019:

*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.*

and

*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.*

2. Following the full revisions of the GPB and local ESIF ToRs in 2017 and NSC ToRs in 2018, the proposed revisions in this paper are minor and stem from a draft anti-fraud systems report, which highlighted minor inconsistencies with regards to the recording of lack of declaration of interests and upkeep of registers of interest.
3. The proposed changes further strengthen and clarify the requirements of the Growth Programme Board, National Sub-committees and local ESIF committees.

4. The changes to each of the ToRs are highlighted within Annex A for the board to approve.

**Next Steps**

5. Should the board approve the suggested amendments, the revisions will be incorporated into the ToRs and published on gov.uk. Action notes will also be sent to the chairs of each committee to ensure the requirements on recording declarations of interest are adhered to.
6. Additionally, should the board have any other areas of the Terms of Reference they wish to be reviewed, these can be raised at the board or via written submission to the Chair and Secretariat and any areas or issues raised will subsequently be reported back to the board with any further recommendations.

**Owen Murray, EPLGD, MHCLG**  
**13 March 2019**

## **Annex A – proposed changed to existing terms of reference**

### **Growth Programme Board**

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. *Where there are no interests declared, the minutes will also record this.* 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.

### **National Sub-committees**

16. National Sub-committees will operate in accordance with the procedures and protocols laid out by the Growth Programme Board and its secretariat. In particular, members will follow the same principles and protocols as GPB members in terms of a code of conduct and declaration of their interests. *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. Conflicts of interest should be identified to the Chair and minuted. Where there are no interests declared, the minutes will also record this.*

### **Local ESIF committees**

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. *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*

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. *Conflicts of interest should be identified to the Chair and minuted. Where there are no interests declared, the minutes will also record this.*